



New South Wales

Bail Amendment (Related Charges) Regulation 2002

under the

Bail Act 1978

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Bail Act 1978*.

BOB DEBUS, M.P.,

Attorney General

Explanatory note

The object of this Regulation is to amend the *Bail Regulation 1999* in order to prescribe two new periods in which bail may be granted under section 6 of the *Bail Act 1978*.

The first new period covers the time between the transfer of proceedings against a person for a back up or related offence from the Local Court to the court in which the person has been committed to trial and the person's appearance before that court. The second covers the time between a trial court remitting proceedings against a person for a back up offence or a related offence to the Local Court and the person's appearance before the Local Court in relation to that offence.

This amendment is necessary because of certain amendments to the *Criminal Procedure Act 1986* made by Schedule 7 to the *Criminal Legislation Amendment Act 2001*. This Regulation is intended to commence at the same time as those amendments.

This Regulation is made under the *Bail Act 1978*, including section 6 (h) and section 69 (the general regulation-making power).

2002 No 409

Clause 1 Bail Amendment (Related Charges) Regulation 2002

Bail Amendment (Related Charges) Regulation 2002

1 Name of Regulation

This Regulation is the *Bail Amendment (Related Charges) Regulation 2002*.

2 Commencement

This Regulation commences on 1 July 2002.

3 Amendment of Bail Regulation 1999

The *Bail Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Clause 5 Prescribed periods in respect of grant of bail: sec 6

Insert after clause 5 (2):

- (3) For the purpose of section 6 (h) of the Act, the period between:
- (a) the proceedings for a back up offence or related offence charged with the offence being transferred under section 36 (1) (b) (ii) of the *Criminal Procedure Act 1986* from the Local Court to the court in which the person has been committed to trial, and
 - (b) the person's appearance before the court in which he or she has been committed to trial,
- is a prescribed period.
- (4) For the purpose of section 6 (h) of the Act, the period between:
- (a) a trial court remitting to a Local Court a back up offence or a related offence under section 39 of the *Criminal Procedure Act 1986*, and
 - (b) the appearance of the person charged with the offence before the Local Court in relation to that offence,
- is a prescribed period.