



New South Wales

# Bail Amendment (Authorised Justices) Regulation 2009

under the

Bail Act 1978

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

JOHN HATZISTERGOS, MLC  
Attorney General

## Explanatory note

The object of this Regulation is to prescribe certain persons as authorised justices, but only for the purpose of allowing those persons to carry out certain functions relating to the giving of bail undertakings.

This Regulation is made under the *Bail Act 1978*, including the definition of *authorised justice* in section 4 (1) and section 69 (the general regulation-making power).

## **2009 No 230**

Clause 1            Bail Amendment (Authorised Justices) Regulation 2009

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## **Bail Amendment (Authorised Justices) Regulation 2009**

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Bail Act 1978

### **1 Name of Regulation**

This Regulation is the *Bail Amendment (Authorised Justices) Regulation 2009*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

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## Schedule 1      Amendment of Bail Regulation 2008

### Clause 11A

Insert after clause 11:

#### 11A      Giving of bail undertakings to an authorised justice

- (1) For the purposes of the definition of *authorised justice* in section 4 (1) of the Act, the following are prescribed:
  - (a) a centre manager (within the meaning of the *Children (Detention Centres) Act 1987*) or an assistant manager of a detention centre (within the meaning of that Act),
  - (b) any member of staff of the Department of Juvenile Justice who is a justice of the peace (within the meaning of the *Justices of the Peace Act 2002*).
- (2) A person referred to in subsection (1) is prescribed as an authorised justice for the following purposes only:
  - (a) section 35 of the Act,
  - (b) sections 36, 39, 39B, 40, 41 and 54 of the Act in so far as those sections relate to the exercising of functions by a person:
    - (i) to whom a bail undertaking is given, or
    - (ii) who receives or is given an acknowledgement or deposit of security or money pursuant to a bail condition.