



New South Wales

Evidence (Audio and Audio Visual Links) Amendment (Bail Exemptions) Regulation 2016

under the

Evidence (Audio and Audio Visual Links) Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Evidence (Audio and Audio Visual Links) Act 1998*.

GABRIELLE UPTON, MP
Attorney General

Explanatory note

In most cases, an accused detainee who is charged with an offence is required to appear physically before a court in bail proceedings. However, section 5BA (2) (e) of the *Evidence (Audio and Audio Visual Links) Act 1998* provides an exemption from this requirement in respect of bail proceedings that relate to an accused detainee who is being held in custody at a place prescribed by the regulations.

The object of this Regulation is to prescribe Wagga Wagga Court Cells, Riverina Juvenile Justice Centre and Wilcannia Local Court so that an accused detainee who is being held there will also be exempt from the requirement to appear physically before a court in bail proceedings.

This Regulation is made under the *Evidence (Audio and Audio Visual Links) Act 1998*, including sections 5BA (2) (e) and 22 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Evidence (Audio and Audio Visual Links) Amendment (Bail Exemptions) Regulation 2016*.

2 Commencement

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

3 Amendment of Evidence (Audio and Audio Visual Links) Regulation 2015

Clause 4 Exemption from requirement to appear physically in bail proceedings

Omit clause 4 (d). Insert instead:

- (d) the Wagga Wagga Court Cells, Sturt Street, Wagga Wagga,
- (e) the cells at Riverina Juvenile Justice Centre, corner of Fernleigh and Glenfield Roads, Wagga Wagga,
- (f) the bail video room at Wilcannia Local Court, 89 Reid Street, Wilcannia.