



New South Wales

Bail Amendment (Detention Application) Regulation 2016

under the
Bail Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Bail Act 2013*.

GABRIELLE UPTON, MP
Attorney General

Explanatory note

The object of this Regulation is to clarify that:

- (a) a prosecutor is required to make a detention application in writing and in the approved form only where it is practicable to do so, and
- (b) a court or authorised justice is not to decline to hear a detention application only on the basis that the detention application is not made in writing.

This Regulation is made under the *Bail Act 2013*, including section 98 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Bail Amendment (Detention Application) Regulation 2016*.

2 Commencement

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

3 Amendment of Bail Regulation 2014

(1) Clause 17 Making of detention application

Omit “A prosecutor” from clause 17 (1).

Insert instead “Where practicable, a prosecutor”.

(2) Clause 17 (1A)

Insert after clause 17 (1):

- (1A) A court or authorised justice is not to decline to hear a detention application only on the basis that the detention application is not made in writing.