

Bail Amendment (Confiscation of Passports) Act 2002 No 4

[2002-4]



New South Wales

Status Information

Currency of version

Repealed version for 9 April 2002 to 21 July 2003 (accessed 18 November 2024 at 21:11)

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by the [Statute Law \(Miscellaneous Provisions\) Act 2003 No 40](#), Sch 3 with effect from 22.7.2003.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 22 July 2003

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Bail Amendment (Confiscation of Passports) Act 2002 No 4



New South Wales

An Act to amend the *Bail Act 1978* so as to require bail granted to persons accused of offences occasioning death to be made subject, except in special circumstances, to conditions requiring the giving up of passports held by them.

1 Name of Act

This Act is the *Bail Amendment (Confiscation of Passports) Act 2002*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of *Bail Act 1978* No 161

The *Bail Act 1978* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 4 Definitions

Insert in alphabetical order in section 4 (1):

passport has the same meaning as it has in the *Migration Act 1958* of the Commonwealth.

[2] Section 36 Conditions of bail

Insert after section 36 (2) (h):

- (i) that the accused person surrender to the authorised officer or court any passport held by the person.

[3] Section 37A

Insert after section 37:

37A Conditions concerning surrender of passports

- (1) Bail is not to be granted to a person who is accused of an offence occasioning death otherwise than subject to a condition requiring the person to surrender to the authorised officer or court any passport held by the person.
- (2) Despite subsection (1), a court may direct that bail is to be granted without the imposition of such a condition if the accused person satisfies the court that, in the circumstances of the case, the giving of such a direction is justified.