



New South Wales

Bail Amendment (Confiscation of Passports) Act 2002 No 4

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Bail Act 1978 No 161	2
Schedule 1 Amendments	3



New South Wales

Bail Amendment (Confiscation of Passports) Act 2002 No 4

Act No 4, 2002

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. [Assented to 9 April 2002]

The Legislature of New South Wales enacts:

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.

[Second reading speech made in—

Legislative Assembly on 10 August 2000

Legislative Council on 21 March 2002]

BY AUTHORITY