

BAIL (FURTHER AMENDMENT) BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Bail Act 1978 to create a presumption in favour of bail where—

- (a) a person loses the automatic right to bail by failing to comply with a bail undertaking or bail condition in respect of a minor offence (including an offence not punishable by imprisonment); and
- (b) a person is charged with an offence against section 51 of the Act because of a failure to comply with a bail undertaking in respect of an offence that is not punishable by imprisonment (in that case, the offence against section 51 is also not punishable by imprisonment).

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a day to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Bail Act.

Clause 4 is a transitional provision that makes it clear that the amendments to be made by the proposed Act apply to offences committed before, as well as after, the commencement of the proposed Act.

SCHEDULE 1—AMENDMENTS

Schedule 1 amends section 9 of the Bail Act (Presumption in favour of bail for certain offences) to give effect to the object stated above.
