

LEGISLATIVE COUNCIL

Bail Amendment (Enforcement Conditions) Bill 2012

First print

Proposed amendment

No. 1 Page 5, Schedule 1. Insert after line 10:

[7] Section 71

Insert after section 70:

71 Monitoring of enforcement conditions by Ombudsman

- (1) For the period of 2 years from the date of commencement of the *Bail Amendment (Enforcement Conditions) Act 2012*, the Ombudsman is to keep under scrutiny:
 - (a) the imposition of enforcement conditions on grants of bail to accused persons under section 37AA, and
 - (b) the exercise of powers conferred on police officers under that section.
- (2) For that purpose, the Ombudsman may require the Commissioner of Police or any other public authority to provide information about those matters.
- (3) The Ombudsman must, as soon as practicable after the end of the 2-year period, prepare a report on those matters and furnish a copy of the report to the Minister.
- (4) The reports are to be tabled by the Minister in each House of Parliament as soon as practicable after they are received by the Minister.
- (5) If a House of Parliament is not sitting when the Minister seeks to table a report, copies of the report are to be presented to the Clerk of the House concerned by the Minister.
- (6) The report:
 - (a) is, on presentation and for all purposes, taken to have been laid before the House, and
 - (b) may be printed by authority of the Clerk of the House, and

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- (c) if so printed, is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) is to be recorded:
 - (i) in the case of the Legislative Council, in the Minutes of the Proceedings of the Legislative Council, and
 - (ii) in the case of the Legislative Assembly, in the Votes and Proceedings of the Legislative Assembly,on the first sitting day of the House after receipt of the report by the Clerk.