



New South Wales

Bail Amendment (Ban on Private Electronic Monitoring) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) provide that if the grant of bail for an accused person is subject to electronic monitoring as a bail condition, the electronic monitoring must be conducted by the Commissioner of Corrective Services, and
- (b) restrict the grant of bail subject to electronic monitoring to serious domestic violence offences only.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Bail Act 2013 No 26

Schedule 1[2] provides that if bail is granted to a person accused of a serious domestic violence offence who is required to show cause why detention is not justified for the offence—

- (a) the grant of bail must be subject to electronic monitoring as a bail condition, and
- (b) the electronic monitoring must be conducted by the Commissioner of Corrective Services and must not be conducted by another person.

Schedule 1[6] provides that a serious domestic violence offence is the only offence where bail may be granted subject to the condition of electronic monitoring. **Schedule 1[1] and [3]–[5]** make consequential amendments.

Schedule 1[7] inserts savings and transitional provisions.

Schedule 2 Amendment of Bail Regulation 2021

Schedule 2[1] and [2] make amendments consequent on Schedule 1[2] and [5].