



New South Wales

# Bail Amendment Bill 2022

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Bail Act 2013* to—

- (a) require bail to be refused following conviction and before sentencing for an offence for which the offender will be sentenced to imprisonment, and
- (b) require that electronic monitoring imposed as a bail condition must meet any minimum standards prescribed in the regulations.

## 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 bail is to be refused following conviction and before sentencing for an offence for which the offender will be sentenced to a sentence of imprisonment to be served by full-time detention, unless it is established that special or exceptional circumstances exist that justify the bail decision. **Schedule 1[3]** inserts a definition of conviction to make it clear that conviction includes a plea of guilty. **Schedule 1[1]** are consequent on the amendment in Schedule 1[3].

**Schedule 1[4]** requires that electronic monitoring imposed as a bail condition must meet any minimum standards prescribed by regulations.