

BAIL (CRIMES) AMENDMENT BILL, 1979

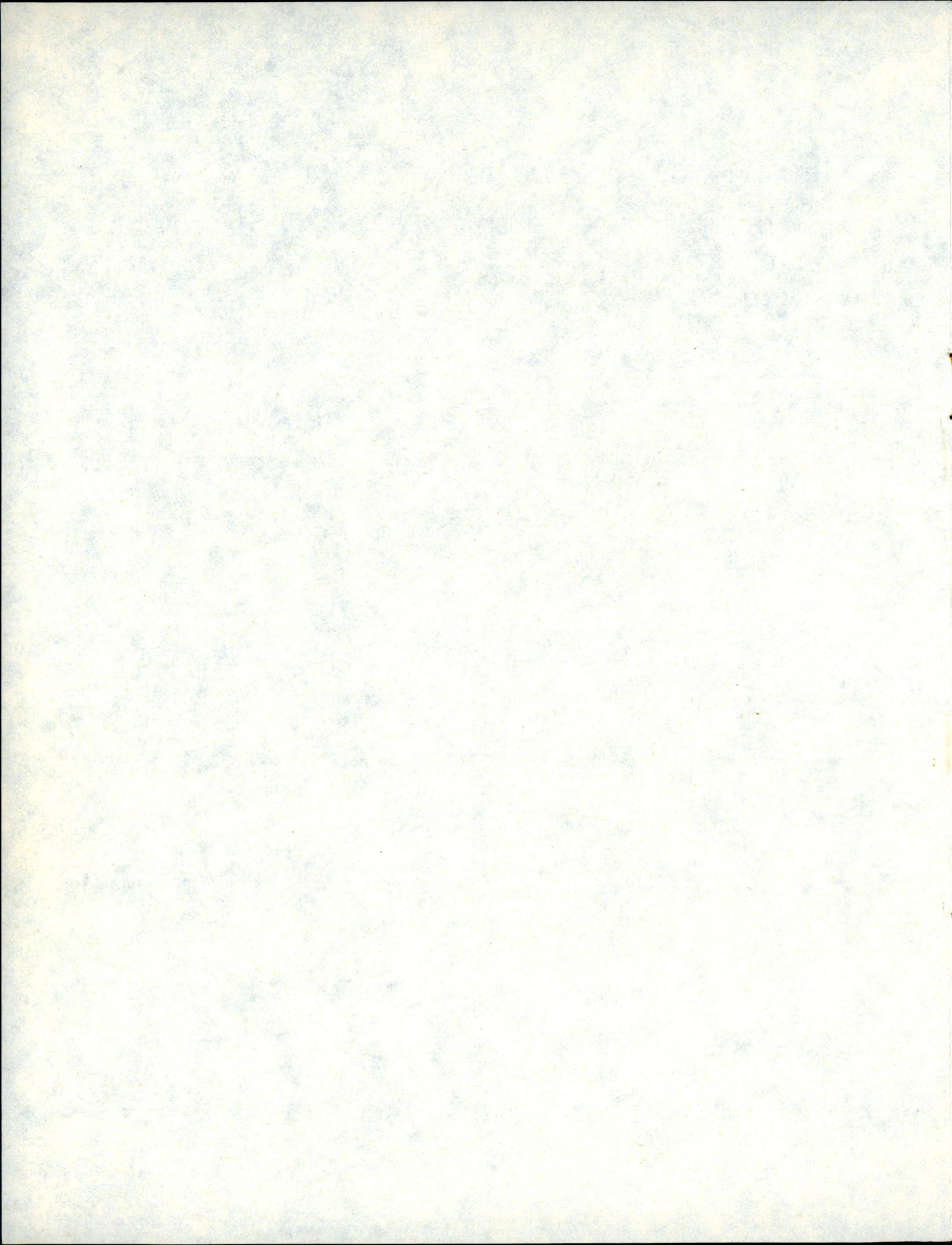
EXPLANATORY NOTE

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

This Bill is cognate with the Crimes (Amendment) Bill, 1979.

The objects of this Bill are—

- (a) to ensure that the proposed Crimes (Amendment) Act, 1979, and the proposed Acts that are cognate with it, particularly the proposed Supreme Court (Summary Jurisdiction) Crimes (Amendment) Act, 1979, commence before the Bail Act, 1978;
 - (b) to make further provision with respect to the granting of bail to a person being dealt with on an ex officio indictment; and
 - (c) to make amendments consequential upon the enactment of the Supreme Court (Summary Jurisdiction) Crimes (Amendment) Bill, 1979.
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BAIL (CRIMES) AMENDMENT BILL, 1979

No. , 1979.

A BILL FOR

An Act to amend the Bail Act, 1978, with respect to the appointment of the day for its commencement; and for other purposes.

[Mr F. J. WALKER—1 *March*, 1979.]

Bail (Crimes) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the “Bail (Crimes) Amendment Act, 1979”. Short
title.

2. (1) This section, section 1, so much of section 3 as applies to Schedule 1 (1) and Schedule 1 (1) shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Bail Act, 1978.

3. The Bail Act, 1978, is amended in the manner set forth in Schedule 1. Amendment
of Act No.
161, 1978.

15

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE BAIL ACT, 1978.

(1) Section 2 (2)—

20 After “Gazette”, insert “, being a day that is later than the day appointed and notified under section 2 (2) of the Crimes (Amendment) Act, 1979”.

(2) (a) Section 26 (1) (a)—

 After “Court”, insert “or the offence is otherwise dealt with by the District Court”.

Bail (Crimes) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE BAIL ACT, 1978—*continued.*

(b) Section 26 (1) (b)—

5 After “Court”, insert “or the offence is otherwise dealt with by the Supreme Court”.

(3) (a) Section 51 (5) (b) (ii)—

Omit “Court,”, insert instead “Court and”.

(b) Section 51 (5) (b) (ii)—

10 Omit “, and references to the Court of Appeal were references to the Court of Criminal Appeal”, insert instead “and as if the Criminal Appeal Act, 1912, applied to any appeal from the decision of the District Court in the same way as it applies to an appeal referred to in section 5 (1) of that Act”.

15 (c) Section 51 (5) (d) (ii)—

Omit “sections 3 (2) and 18–24”, insert instead “section 3 (2)”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979

majority to the Bill Act, 1972 - continued.

(c) Section 21 (b)

After court, read as amended or otherwise shall
with by the Supreme Court.

(d) Section 21 (b) (ii)

and court, insert into (ii) and

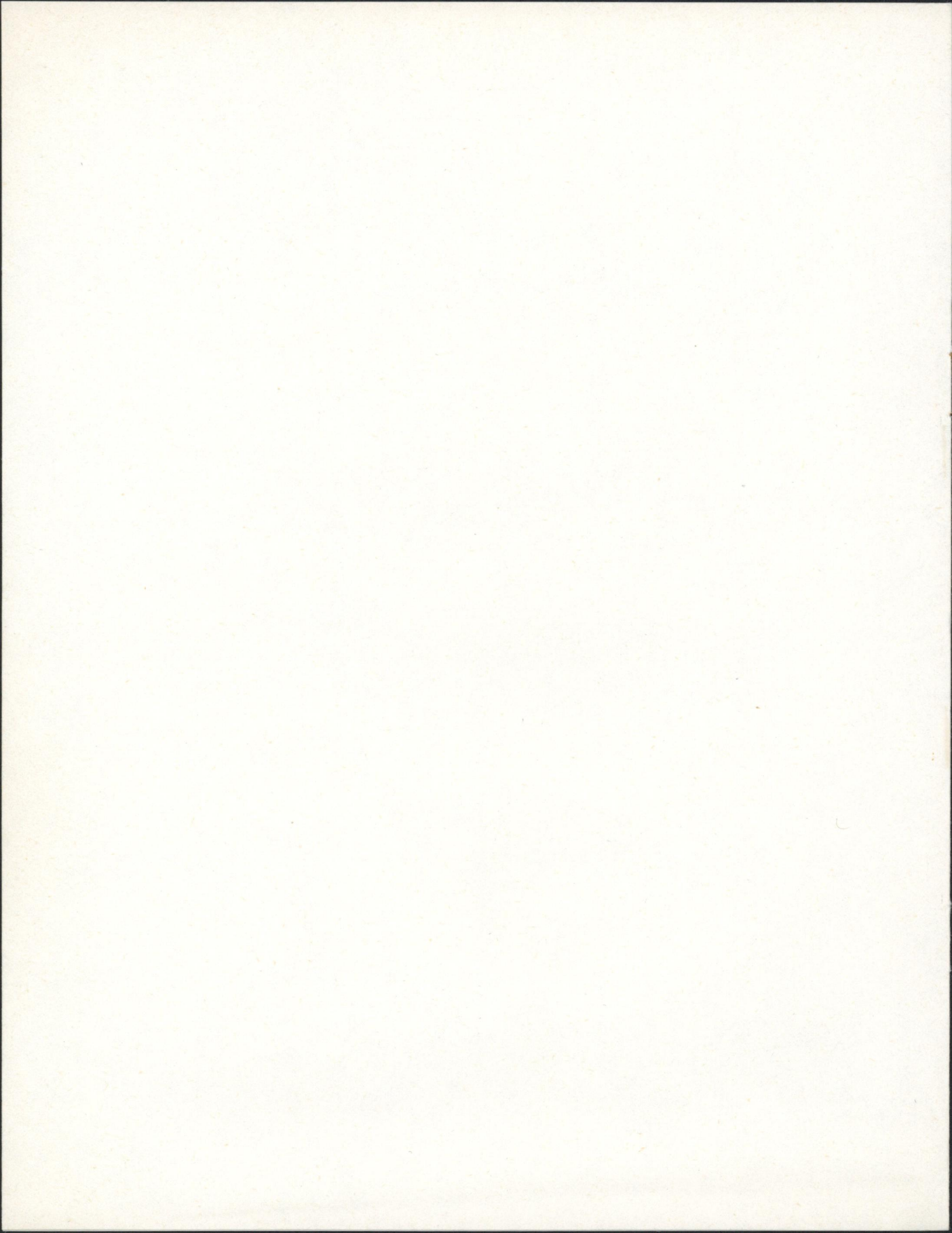
(e) Section 21 (b) (iii)

shall read as follows: -
The court shall refer to the Court of Appeal where
it is referred to the Court of Appeal, 1972,
made under the Criminal Appeal Act, 1972,
applied to any appeal from the decision of the District
Court in the same way as it applies to an appeal
referred to in section 21 (b) of the Act.

(f) Section 21 (b) (iv)

shall read as follows: -
Section 21 (b)





BAIL (CRIMES) AMENDMENT ACT, 1979, No. 98

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 98, 1979.

An Act to amend the Bail Act, 1978, with respect to the appointment of the day for its commencement; and for other purposes. [Assented to, 17th May, 1979.]

Bail (Crimes) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short
title.

1. This Act may be cited as the "Bail (Crimes) Amendment Act, 1979".

Commence-
ment.

2. (1) This section, section 1, so much of section 3 as applies to Schedule 1 (1) and Schedule 1 (1) shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Bail Act, 1978.

Amendment
of Act No.
161, 1978.

3. The Bail Act, 1978, is amended in the manner set forth in Schedule 1.

Sec. 3.

SCHEDULE 1.

AMENDMENTS TO THE BAIL ACT, 1978.

(1) Section 2 (2)—

After "Gazette", insert ", being a day that is later than the day appointed and notified under section 2 (2) of the Crimes (Amendment) Act, 1979".

(2) (a) Section 26 (1) (a)—

After "Court", insert "or the offence is otherwise dealt with by the District Court".

Bail (Crimes) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE BAIL ACT, 1978—*continued.*

(b) Section 26 (1) (b)—

After “Court”, insert “or the offence is otherwise dealt with by the Supreme Court”.

(3) (a) Section 51 (5) (b) (ii)—

Omit “Court,”, insert instead “Court and”.

(b) Section 51 (5) (b) (ii)—

Omit “, and references to the Court of Appeal were references to the Court of Criminal Appeal”, insert instead “and as if the Criminal Appeal Act, 1912, applied to any appeal from the decision of the District Court in the same way as it applies to an appeal referred to in section 5 (1) of that Act”.

(c) Section 51 (5) (d) (ii)—

Omit “sections 3 (2) and 18–24”, insert instead “section 3 (2)”.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 17th May, 1979.*

