



New South Wales

# Bail Amendment (Confiscation of Passports) Act 2002 No 4

## Contents

---

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Bail Act 1978 No 161	2
Schedule 1 Amendments	3



New South Wales

## **Bail Amendment (Confiscation of Passports) Act 2002 No 4**

Act No 4, 2002

---

An Act to amend the *Bail Act 1978* so as to require bail granted to persons accused of offences occasioning death to be made subject, except in special circumstances, to conditions requiring the giving up of passports held by them. [Assented to 9 April 2002]

---

**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Bail Amendment (Confiscation of Passports) Act 2002*.

**2 Commencement**

This Act commences on the date of assent.

**3 Amendment of Bail Act 1978 No 161**

The *Bail Act 1978* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Section 3)

### [1] Section 4 Definitions

Insert in alphabetical order in section 4 (1):

*passport* has the same meaning as it has in the *Migration Act 1958* of the Commonwealth.

### [2] Section 36 Conditions of bail

Insert after section 36 (2) (h):

- (i) that the accused person surrender to the authorised officer or court any passport held by the person.

### [3] Section 37A

Insert after section 37:

#### **37A Conditions concerning surrender of passports**

- (1) Bail is not to be granted to a person who is accused of an offence occasioning death otherwise than subject to a condition requiring the person to surrender to the authorised officer or court any passport held by the person.
- (2) Despite subsection (1), a court may direct that bail is to be granted without the imposition of such a condition if the accused person satisfies the court that, in the circumstances of the case, the giving of such a direction is justified.

[Second reading speech made in—

Legislative Assembly on 10 August 2000

Legislative Council on 21 March 2002]

BY AUTHORITY

---