

Magistrates Court Act 1930—Form 19

Warrant of remand or commitment

Authority and directions

To [*all police officers/all escorts*]*.

You must take, safely convey, and deliver the person named in this warrant to the custody of the administrator.

To the administrator and any other person into whose custody the person is transferred:

You must receive the person named in this warrant into custody and safely keep that person—

- (i) for the period specified, or in the circumstances described, in this warrant or such earlier day as may be lawfully ordered; or
- (ii) until the person is otherwise removed or discharged from custody by due course of law.

Personal details of person to be remanded or committed

Name:

Address:

Date of birth: [*day/month/year*]

Gender: male/female*

Charges

File number(s) of the charge(s):

Description of the charge(s):

Who filed the charge(s)?

History of defendant/witness*

The defendant /witness*—

- has been committed for trial/sentence* before the Supreme Court.*
- has been sentenced to a term of imprisonment.

- has been remanded in custody.
- has been committed for safe custody.
- is already in custody and has been charged with another offence.
- refused to enter into a recognisance to give evidence.
- has refused to take an oath or make an affirmation to testify as a witness.
- having sworn an oath or made an affirmation, refused to answer a question without offering any just excuse.
- has refused or disobeyed an order of the court.

Reason for custody

- The proceeding has been adjourned and the defendant/ witness* is to be brought before the Magistrates Court/Supreme Court* at [*location*] at [*hour*] am/pm* on [*date*].
- The defendant/witness* has been committed for a period of [*number*] days.
- The defendant has been sentenced to imprisonment for [*period of imprisonment*] with a nonparole period of [*nonparole period*].
- The defendant is to be released on serving a term of imprisonment of [*period of imprisonment*] and entering into a recognisance the conditions of which are endorsed below.

Endorsement

- The accused did not apply for bail.
- The defendant's application for bail was refused. The reasons for refusal are:

 Bail was granted and the defendant is to be released from custody when he or she signs an undertaking agreeing to the conditions which are endorsed below:

- The defendant is to be released on serving a term of imprisonment of [*period of imprisonment*] and on entering into a recognisance on the following conditions:

This warrant is issued by the court for the purposes of the *Removal of Prisoners Act 1968* and the *Prisons Act 1952* (NSW).

The accused was legally represented by [*name of legal representative*] whose phone number is [*phone number*].

SIGNED AT CANBERRA ON THE [*day*] DAY OF [*month and year*]
BY

MAGISTRATE/REGISTRAR*

*Delete whichever is inapplicable.

Endnotes

- 1 This form was originally in the *Magistrates Court Act 1930* (the **authorising Act**), schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 256 of that Act (see amdts 1.2764 and 1.2769).
- 2 Under the *Court Procedures Act 2004* A2004-58, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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