



Australian Capital Territory

Bail Regulation 1992

SL1992-30

made under the

Bail Act 1992

Republication No 5

Effective: 9 April 2021

Republication date: 9 April 2021

Last amendment made by [A2021-6](#)

About this republication

The republished law

This is a republication of the *Bail Regulation 1992*, made under the *Bail Act 1992* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 April 2021. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 9 April 2021.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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R5
09/04/21

Bail Regulation 1992
Effective: 09/04/21

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Australian Capital Territory

Bail Regulation 1992

made under the

[Bail Act 1992](#)

1 Name of regulation

This regulation is the *Bail Regulation 1992*.

4 Service of notice—Act, section 34 (5) (b) (i)

- (1) A notice must be given to the accused person.
- (2) A notice may be given—
 - (a) by giving it to the accused person personally; or
 - (b) by sending it by registered post, addressed to the accused person, to a home or business address of the person; or
 - (c) by emailing it to an email address of the accused person; or
 - (d) by leaving it, addressed to the accused person, at a home or business address of the person with someone who appears to be at least 16 years old and to live or be employed at the address.
- (3) For subsection (2), a home or business address or email address for an accused person may be given to the court by—
 - (a) the accused person; or
 - (b) a lawyer who represents, or has represented, the accused person in the proceeding.

5 Request for review under Act, div 6.1

A request under the [Act](#), section 38 for the review of a decision relating to bail for an accused person may be made—

- (a) by the accused person or a representative of the accused person; and
- (b) either orally or in writing.

6 Limitations on applications for review of bail decisions

- (1) An accused person may not make more than 1 application under the [Act](#), section 38 for the review of a decision relating to bail on the same grounds.
- (2) An accused person may not apply under the [Act](#), section 38 for the review of a decision relating to bail if the conducting of the review would prevent the accused person from attending court as required in relation to an offence with which he or she has been charged.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This regulation was originally the *Bail Regulations*. It was renamed under the [Legislation Act 2001](#).

From 11 May 1989 to 12 September 2001, regulations commenced on their notification day unless otherwise stated (see [Subordinate Laws Act 1989](#) s 6).

Bail Regulation 1992 SL1992-30

notified 27 November 1992 (Gaz 1992 No S217)
commenced 27 November 1992

as amended by

[Bail Regulations \(Amendment\) SL1994-43](#)

notified 20 December 1994 (Gaz 1994 No S300)
s 1, s 2 commenced 20 December 1994 (s 1 (1))
remainder commenced 1 May 1995 (s 1 (2))

[Legislation \(Consequential Amendments\) Act 2001 A2001-44 pt 31](#)

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 31 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

[Bail Amendment Regulation 2021 \(No 1\) SL2021-4](#)

notified LR 1 April 2021
s 1, s 2 commenced 1 April 2021 (LA s 75 (1))
remainder commenced 2 April 2021 (s 2)

[Crimes Legislation Amendment Act 2021 A2021-6 pt 3](#)

notified 8 April 2021
s 1, s 2 commenced 8 April 2021 (LA s 75 (1))
pt 3 commenced 9 April 2021 (s 2)

Endnotes

4 Amendment history

4 Amendment history

Name of regulation

s 1 am R2 LA; R3 LA

Interpretation

s 2 om [A2001-44](#) amdt 1.324

Acknowledgment under paragraph 25 (1) (b)

s 3 om [SL1994-43](#) s 3

Service of notice—Act, section 34 (5) (b) (i)

s 4 hdg sub [A2021-6](#) s 5

s 4 sub [SL2021-4](#) s 4

Notice that bail condition not satisfied

s 7 om [SL1994-43](#) s 3

Form of notice under subsection 48 (2) of the Act

sch om [SL1994-43](#) s 3

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL1994-43	29 February 1996
2	A2001-44	12 December 2001
3	A2001-44	2 November 2004
4	SL2021-4	2 April 2021

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