

# NORTHERN TERRITORY OF AUSTRALIA

## BAIL REGULATIONS 1983

As in force at 30 April 2023

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 30 April 2023

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## BAIL REGULATIONS 1983

### Regulations under the *Bail Act 1982*

#### Part 1 Preliminary matters

##### 1 Citation

These Regulations may be cited as the *Bail Regulations 1983*.

#### Part 2 General matters

##### 2 Definitions

In these Regulations:

***analyst***, for Part 3, see regulation 8(1).

***breath analysis***, for Part 3, see regulation 8(1).

***breath analysis instrument***, for Part 3, see regulation 8(1).

***breath test***, for Part 3, see regulation 8(1).

***health practitioner***, for Part 3, see regulation 8(1).

***qualified person***, for Part 3, see regulation 8(1).

***saliva test***, for Part 3, see regulation 8(1).

***subject person***, for Part 3, see regulation 7(b).

***urine test***, for Part 3, see regulation 8(1).

##### 2A Prescribed offences

For section 3B of the Act, an offence under or against each of the following is prescribed:

- (a) section 54, 55(1), 65, 66, 69, 125B(1), 127, 130(3A) or (3B), 132, 134, 156, 160, 161A, 165, 174C, 174D, 174E, 174F, 174FA, 174FB, 175, 176, 177, 181, 182, 186, 188A, 189A,

190, 191, 192(3), (4), (7) or (8), 192B, 193B, 194, 217, 218, 220, 221, 228AB, 241 or 243 of the Criminal Code;

- (b) section 188(1) of the Criminal Code in a circumstance mentioned in section 188(2) of the Code;
- (ba) an offence against section 210, 211, 212, 213 or 218 of the Criminal Code, as in force immediately before the commencement of section 10 of the *Criminal Code Amendment (Property Offences) Act 2022*;
- (c) section 120 of the *Domestic and Family Violence Act 2007*.

## **2AB Supported bail accommodation**

For section 7B(3)(b) of the Act, accommodation provided by Saltbush Social Enterprises (Darwin and Alice Springs) is prescribed as supported bail accommodation.

## **2B Bail support services**

For section 24A(3) of the Act, a bail support service is a service provided to assist an accused person to comply with the accused person's bail undertaking and any conditions of bail (whether or not that type of service is also provided to other persons), including the following:

- (a) bail support programs;
- (b) medical treatment;
- (c) counselling services or treatment services for substance abuse or other behaviour which may lead to the commission of offences;
- (d) counselling, treatment, support, assessment or assistance services for one or more of the following:
  - (i) a mental disorder, disability or difficulty;
  - (ii) an intellectual disability;
  - (iii) an acquired brain injury;
  - (iv) autism spectrum disorder;
  - (v) a neurological impairment, including dementia;
- (e) services to help resolve homelessness;
- (f) case planning or case management services;

- (g) educational programs;
- (h) cultural programs.

### **3 Forms**

- (1) A reference in these Regulations to a form by number is a reference to a form so numbered in the Schedule.
- (2) Pursuant to section 53(2)(f) of the Act, for the purposes of the section or sections of the Act specified in each of the following paragraphs, the form specified in that paragraph is the form to be used:
  - (a) sections 25(1), 27(1), (2), 29 and 30(1) – Form 1;
  - (b) section 27(2)(b), (4) and (5) – Form 2;
  - (c) section 31(1) – Form 3; and
  - (d) section 31(2)(a) – Form 4.
- (3) A form referred to in subregulation (2) shall be completed in accordance with such directions and instructions as are specified in the form.
- (4) If rules of court prescribe the manner in which an application for bail or for review of bail may be made to a court, the application is to be made in accordance with those rules.

### **5 Form and manner of request**

- (1A) If rules of court specify how a request under Part 6, Division 2 is to be made to a court, the request is to be made in accordance with those rules.
- (1B) Subregulations (1), (2) and (3) apply if the rules of the court do not specify how a request under that Division is to be made.
  - (1) A request under Part 6, Division 2 of the Act for the review of a bail decision shall be in accordance with Form 5.
  - (2) A request for a review shall be supported by an affidavit succinctly setting out the background of the request and those matters considered by the person making the request to be relevant to the application.

- (3) A copy of the request for a review and the supporting affidavit shall be served on the accused person or the accused person's legal practitioner or, where the person making the request is the accused person, on the Director of Public Prosecutions.

**6            Request for review may be heard ex parte**

The request for a review by a police officer or the Director of Public Prosecutions may be heard ex parte if the court is satisfied that the accused person is avoiding service of documents on him or her which are otherwise required by regulation 5(3) or rules of court to be served or other difficulties are encountered in locating or serving the accused person or the accused person's legal practitioner.

**Part 3            Drug and alcohol testing**

**Division 1        General matters**

**7            Application of Part**

This Part applies if:

- (a) a condition of an accused person's bail is that the person complies with a conduct agreement; and
- (b) the conduct agreement:
  - (i) prohibits the person (the **subject person**) from consuming alcohol or using a drug (other than a drug as prescribed by a health practitioner); and
  - (ii) includes an ancillary provision requiring that the subject person submit to testing by an authorised person to monitor compliance with the prohibition.

**8            Interpretation**

- (1) In this Part:

**analyst** means either of the following:

- (a) a person authorised under regulation 60 of the *Traffic Regulations 1999* to be an analyst for the *Traffic Act 1987*;
- (b) a person appointed under section 3(8) of the *Misuse of Drugs Act 1990*.

**breath analysis** means an analysis of a sample of a person's breath by a breath analysis instrument to ascertain the concentration of alcohol in the person's breath.

**breath analysis instrument** means an apparatus that is a prescribed breath analysis instrument under regulation 56 of the *Traffic Regulations 1999*.

**breath test** means a test of a sample of a person's breath to assess whether alcohol may be present in the person's breath.

**health practitioner** means a person registered under the *Health Practitioner Regulation National Law* to practise in a health profession (other than as a student).

**qualified person** means a person who has been trained to take samples of blood from persons by a Registered Training Organisation that is registered with the Australian Skills Quality Authority.

**saliva test** means a test of a sample of a person's saliva to ascertain whether a drug, the use of which is prohibited under a conduct agreement applying to the person, may be present in the person's body.

**urine test** means a test of a sample of a person's urine to ascertain whether a drug, the use of which is prohibited under a conduct agreement applying to the person, may be present in the person's body.

- (2) For this Part, anything done by a person acting under the supervision or direction of a health practitioner or analyst is taken to have been done by the health practitioner, or analyst, as the case may be.

## **Division 2            Testing for alcohol in breath**

### **9            Breath test**

- (1) A subject person must comply with:
- (a) a reasonable direction by an authorised person to submit to a breath test to assess whether the subject person may have alcohol in his or her breath; and
  - (b) the directions given by the authorised person about submitting to the breath test.

- (2) For a direction mentioned in subregulation (1)(a) to be reasonable, it is not necessary that the authorised person suspects that the subject person has consumed alcohol.

## **10            Breath analysis**

- (1) This regulation applies if an authorised person:
- (a) requires a subject person to submit to a breath test and the subject person fails to provide a sufficient sample of breath for the completion of the test; or
  - (b) suspects on reasonable grounds, whether as a result of a breath test or otherwise, that the subject person may have consumed alcohol.
- (2) The subject person must comply with:
- (a) a reasonable direction by an authorised person to submit to a breath analysis to determine the concentration of alcohol in the subject person's breath; and
  - (b) the directions given by the authorised person, or another authorised person, about submitting to the breath analysis.
- (3) A police officer may detain, and if necessary arrest, a subject person for the following purposes:
- (a) conducting a breath analysis;
  - (b) taking the subject person to a place where a breath analysis is to be carried out.

## **11            Conducting breath analyses**

An authorised person must not use a breath analysis instrument under this Part unless the person is authorised as mentioned in regulation 19(2) or 20(1)(b) to carry out breath analyses under these Regulations.

## **12            Breath analysis indicates alcohol in breath**

If an analysis of a subject person's breath by a breath analysis instrument indicates the subject person has alcohol in his or her breath, the authorised person who operated the instrument must give to the subject person without delay a written statement (or a statement printed by the instrument) stating:

- (a) the date the sample of breath was taken and analysed; and



- (b) the time of the breath analysis; and
- (c) the results of the analysis.

### **Division 3            Testing for prohibited drug**

#### **13            Saliva test**

- (1) A subject person must comply with:
  - (a) a reasonable direction by an authorised person to submit to a saliva test to assess whether the subject person may have a drug, the use of which is prohibited under a conduct agreement applying to the person, in his or her body; and
  - (b) the directions given by the authorised person about submitting to the saliva test.
- (2) For a direction mentioned in subregulation (1)(a) to be reasonable, it is not necessary that the authorised person suspects that the subject person has used a drug, the use of which is prohibited under a conduct agreement applying to the person.
- (3) A police officer may detain, and if necessary arrest, a subject person for the following purposes:
  - (a) conducting a saliva test;
  - (b) taking the subject person to a place where a saliva test is to be carried out.

#### **14            Urine test**

- (1) A subject person must comply with:
  - (a) a reasonable direction by an authorised person to submit to a urine test to assess whether the subject person may have a drug, the use of which is prohibited under a conduct agreement applying to the person, in his or her body; and
  - (b) the directions given by the authorised person about submitting to the urine test.
- (2) For a direction mentioned in subregulation (1)(a) to be reasonable, it is not necessary that the authorised person suspects that the subject person has used a drug, the use of which is prohibited under a conduct agreement applying to the person in his or her body.

- (3) The subject person:
  - (a) must provide a sufficient sample of urine to enable testing to be carried out; and
  - (b) must not tamper with the sample in any way.
- (4) A police officer may detain, and if necessary arrest, a subject person for the following purposes:
  - (a) conducting a urine test;
  - (b) taking the subject person to a place where a urine test is to be carried out.

## **Division 4            Blood sample**

### **15            Requirement to provide sample of blood**

- (1) An authorised person may require a subject person to provide a sample of the subject person's blood in any of the following circumstances:
  - (a) the subject person is required to submit to a breath test under regulation 9, or a breath analysis under regulation 10, and refuses to submit or fails to provide a sufficient sample for the test or analysis;
  - (b) as a result of a breath test under regulation 9, the authorised person suspects that the subject person may have consumed alcohol and it is not possible to conduct a breath analysis;
  - (c) as a result of a breath test under regulation 9, or a breath analysis under regulation 10, the authorised person suspects that the subject person may have used a drug, the use of which is prohibited under a conduct agreement applying to the person;
  - (d) the subject person is required to submit to a saliva test under regulation 13 and refuses to submit or fails to provide a sufficient sample for the test;
  - (e) as a result of a saliva test under regulation 13, the authorised person suspects that the subject person may have a drug that is prohibited under a conduct agreement in his or her body;
  - (f) the subject person is required to submit to a urine test under regulation 14 and refuses to submit or fails to provide a sufficient sample for the test;

- (g) the subject person has a medical condition that hinders the person's ability to provide a sample:
  - (i) of breath for a breath test or breath analysis; or
  - (ii) of saliva for a saliva test; or
  - (iii) of urine for a urine test.

*Examples for subregulation (1)(b)*

- 1 *There is no authorised person available to operate a breath analysis device.*
- 2 *A breath analysis is attempted but the device malfunctions.*

- (2) If any of the circumstances mentioned in subregulation (1) exist, a police officer may detain, and if necessary arrest, the subject person for the following purposes:
  - (a) taking a sample of the subject person's blood;
  - (b) taking the subject person to a place where a sample of the person's blood is to be taken.

## **16 Taking sample of blood**

- (1) A sample of blood may be taken from a subject person only by:
  - (a) a health practitioner; or
  - (b) a qualified person.
- (2) A person mentioned in subregulation (1) may take a sample of blood whether or not the subject person consents to the sample being taken.
- (3) A sample of blood taken under subregulation (1) for analysis is the property of the Territory.

## **Division 5 Other matters for this Part**

### **17 Analysis of samples**

Analysis of a sample of saliva, urine or blood taken under this Part must be carried out by an analyst.

## **18 Evidence by certificate**

In any proceedings in a court, a certificate purporting to be signed by any of the following is evidence of the matters stated in the certificate and the facts on which they are based:

- (a) the Commissioner of Police – certifying any of the following about a person named in the certificate:
  - (i) the person is a police officer and authorised under regulation 59 of the *Traffic Regulations 1999* to use a prescribed breath analysis instrument within the meaning of the *Traffic Act 1987*;
  - (ii) the person is authorised under regulation 60 of the *Traffic Regulations 1999* to be an analyst for the purposes of the *Traffic Act 1987*;
  - (iii) the person is appointed under section 3(8) of the *Misuse of Drugs Act 1990* to be an analyst for that Act;
- (b) the Commissioner of Police – certifying that a person named in the certificate is an authorised person who is authorised, under regulation 19(1) or 20(1), to carry out breath tests, saliva tests, urine tests or breath analyses;
- (c) an authorised person – certifying any of the following:
  - (i) the apparatus used by the authorised person was a breath analysis instrument;
  - (ii) the breath analysis instrument was in proper order and properly operated;
  - (iii) the breath analysis instrument was used in a manner that complied with this Part;
  - (iv) a sample of the breath of a subject person named in the certificate was provided for analysis using a breath analysing instrument;
  - (v) a concentration of alcohol expressed in grams per 210 litres of exhaled breath was indicated by the breath analysis instrument as being present in the breath of the subject person on the day and at the time specified in the certificate;
  - (vi) a statement was given to the subject person under regulation 12;

- (vii) a matter about a saliva test or a urine test administered by the authorised person;
- (d) an analyst, or a person employed by an analyst, about an analysis of a sample of saliva, urine or blood for this Part.

**19 Police officers who may carry out breath tests, saliva tests, urine tests or breath analyses**

- (1) Every police officer is authorised to carry out a breath test, saliva test or urine test under this Part.
- (2) A police officer who is authorised under regulation 59 of the *Traffic Regulations 1999* to use a prescribed breath analysis instrument within the meaning of the *Traffic Act 1987* is authorised to carry out breath analyses under this Part.

**20 Persons other than police officers who may carry out breath tests, saliva tests, urine tests or breath analyses**

- (1) The Commissioner of Police may, in writing, authorise persons who are not police officers:
  - (a) to carry out breath tests, saliva tests and urine tests under this Part; or
  - (b) to carry out breath analyses under this Part.
- (2) The Commissioner of Police may not authorise a person under subregulation (1)(a) unless the Commissioner considers the person:
  - (a) is trained to carry out breath tests, saliva tests and urine tests; and
  - (b) is capable of carrying out breath tests, saliva tests and urine tests correctly.
- (3) The Commissioner of Police may not authorise a person under subregulation (1)(b) unless:
  - (a) the person is also authorised under subregulation (1)(a); and
  - (b) the Commissioner considers the person:
    - (i) is trained in the use of a breath analysis instrument; and
    - (ii) is capable of using the instrument correctly.

- (4) A person who is authorised under subregulation (1)(a) or (b) is prescribed for paragraph (b) of the definition ***authorised person*** in section 27A(6) of the Act.

**21            Protection from liability of health practitioners and analysts**

A health practitioner, qualified person or an analyst, or a person acting under the supervision of a health practitioner or analyst, is not civilly or criminally liable for an act done or omitted to be done by the health practitioner, qualified person, analyst or person in good faith for this Part.

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## Schedule

### FORM 1

regulation 3(2)(a)

#### NORTHERN TERRITORY OF AUSTRALIA

#### *Bail Act 1982*

sections 25(1), 27(1), (2), 29 and 30(1)

#### PART A: BAIL UNDERTAKING AND AGREEMENT BY ACCUSED PERSON WITH GUARANTOR

##### PART A.1 – BAIL UNDERTAKING AND AGREEMENT BY ACCUSED PERSON

[PLEASE USE BLOCK LETTERS]

I, .....,  
(full name of accused person)

.....,  
(occupation of accused person)

live at .....  
(permanent residential address of accused person)

and I undertake to appear at the Youth Justice Court/ Local Court/Supreme  
Court\* at .....  
(place of court)

at ..... o'clock a.m./p.m.\*, on the ..... day  
(time) (day)

of ....., 19..... or at any other time and place at  
(month)

which the proceedings may be continued for the following offence(s):

.....  
.....  
.....  
.....  
(list offence(s) with which accused person is charged)

---

And I agree to comply with the following conditions while at liberty:

.....  
.....  
.....

*(list conditions other than those specified in Part C)*

IF YOU DO NOT APPEAR ANY MONEY OR SECURITY GIVEN BY YOU  
MAY BE LOST BY ORDER OF THE COURT.

I agree that if I do not keep my undertaking or agreement I will pay  
\$.....to the Territory Government.

*(amount of bail)*

Signature of accused person:.....

\* Delete where inapplicable.

---

PART A.2 – AGREEMENT BY GUARANTOR(S)

[PLEASE USE BLOCK LETTERS]

I/We\*.....,  
*(full name of guarantor)*

.....,  
*(occupation of guarantor)*

of .....  
*(permanent residential address of guarantor)*

AND\*

.....,  
*(full name of guarantor)*

.....,  
*(occupation of guarantor)*

of .....  
*(permanent residential address of guarantor)*

agree that if the accused person does not keep his or her undertaking or a bail  
condition I/we\* will pay \$..... to the Territory Government.

*(amount of bail)*

IF YOU SIGN THIS AGREEMENT YOU MAY, IF THE ACCUSED PERSON  
DOES NOT APPEAR AT COURT, AND IF THE COURT SO ORDERS, LOSE  
THE AMOUNT OF MONEY OR SECURITY MENTION HEREIN.

Signature(s) of guarantor(s): .....  
.....



---

This undertaking and agreement was entered into on the .....  
day of ....., 19... (day)  
(month)

before me at ..... and a completed copy of this form was handed to  
(place)  
each person who signed this bail undertaking and agreement.

.....  
(signature of authorized member/justice of the peace\*)

SECURITY/CASH DEPOSITED BY  
ACCUSED PERSON

SECURITY/CASH DEPOSITED BY  
GUARANTOR(S)

\$.....Receipt No.....

\$.....Receipt No(s).....

ANY GOODS DEPOSITED AS SECURITY MAY BE LOST IF THE ACCUSED  
PERSON DOES NOT COMPLY WITH HIS BAIL CONDITIONS, WHICH ARE  
ATTACHED/OVERLEAF.

\* Delete where inapplicable.

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PART B: BAIL UNDERTAKING AND AGREEMENT BY ACCUSED PERSON

[PLEASE USE BLOCK LETTERS]

I,.....  
(full name of accused person)

.....  
(occupation of accused person)

live at.....  
(permanent residential address of accused person)

and I undertake to appear at the Youth Justice Court/ Local Court/Supreme  
Court\* at.....  
(place of court)

at.....o'clock a.m./p.m.\*, on the.....day of....., 19... or at any other  
(time) (day) (month) time and place to  
which the proceedings may be continued for the following offence(s):

.....  
.....  
.....  
.....  
(list offence(s) with which accused person is charged)

---

And I agree to comply with the following conditions while at liberty:

.....  
.....  
.....  
.....

*(list conditions other than those specified in Part C)*

IF YOU DO NOT APPEAR ANY MONEY OR SECURITY GIVEN BY YOU  
MAY BE LOST BY ORDER OF THE COURT.

I agree that if I do not keep my undertaking or agreement  
I will pay \$.....to the Territory Government.  
*(amount of bail)*

Signature of accused person:.....

This undertaking and agreement was entered into on the .....day  
of....., 19.... before me at.....and a completed *(day)*  
*(month)* *(place)* copy of this form was handed to the  
person who signed this bail undertaking and agreement.

.....  
*(signature of authorized member/justice of the peace\*)*

PARTICULARS OF SECURITY/CASH DEPOSITED

\$.....Receipt No.....

\*Delete where inapplicable.

---

### PART C: BAIL CONDITION(S)

The bail was granted on the following condition(s):

- \*(a) you enter into an agreement to observe the requirements as to your conduct specified in your bail undertaking while at liberty on bail;
- \*(b) one (or ) acceptable person(s) acknowledge that he is or they are acquainted with you and that he regards you, or they regard you, as a responsible person who is likely to comply with your bail undertaking;
- \*(c) you enter into an agreement, without security, to forfeit the amount of money specified in your bail undertaking if you fail to comply with your bail undertaking;
- \*(d) one (or ) persons enter into an agreement or agreements, without security, to forfeit the amount or amounts of money specified in your bail undertaking if you fail to comply with your bail undertaking;

- 
- \* (e) you enter into an agreement, and deposit acceptable security, to forfeit the amount of money specified in your bail undertaking if you fail to comply with your bail undertaking;
  - \* (f) one (or ) persons enter into an agreement or agreements, and deposit acceptable security, to forfeit the amount or amounts of money specified in your bail undertaking if you fail to comply with your bail undertaking;
  - \* (g) you deposit with an authorized member or a court the amount of money specified in your bail undertaking, in cash, and enter into an agreement to forfeit the amount deposited if you fail to comply with your bail undertaking;
  - \* (h) one (or ) persons deposit with an authorized member or a court the amount or amounts of money specified in your bail undertaking, in cash, and enter into an agreement or agreements to forfeit the amount deposited if you fail to comply with your bail undertaking.

---

Dated this.....day of....., 19...

.....  
(signature of authorized member/justice of the peace\*)

---

\* Delete where inapplicable.

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FORM 2

regulation 3(2)(b)

NORTHERN TERRITORY OF AUSTRALIA

*Bail Act 1982*

section 27(2)(b), (4) and (5)

ACKNOWLEDGEMENT  
[PLEASE USE BLOCK LETTERS]

I, .....,  
(full name of person making acknowledgement)

.....,  
(occupation of person making acknowledgement)

of.....  
(permanent residential address of person making acknowledgement)

acknowledge that I have been acquainted with.....,  
(full name of accused person)

of....., for ..... years.  
(permanent residential address of accused person)

I regard him as a responsible person who is likely to comply with his bail undertaking.

The nature of my acquaintance with him is.....  
(e.g., employer, partner, parent, friend, &c.)

Before making this acknowledgement I have been warned that it is an offence under section 44 of the *Bail Act 1982* to wilfully make an acknowledgement under section 27(2)(b) of that Act knowing it to be untrue.

Signature of person making acknowledgement:.....

This acknowledgement was made before me at .....  
(place)

on.....after I had complied with section of the *Bail Act 1982*. I gave the person  
(date)

signing this acknowledgement a copy of it after I read and explained it to him.

.....  
(signature of authorized member/justice of the peace\*)

\* Delete where inapplicable.

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FORM 3

regulation 3(2)(c)

NORTHERN TERRITORY OF AUSTRALIA

*Bail Act 1982*

section 31(1)

APPLICATION FOR DISCHARGE FROM LIABILITY  
[PLEASE USE BLOCK LETTERS]

I, .....  
(full name of guarantor)

.....  
(occupation of guarantor)

of.....  
(permanent residential address of guarantor)

guarantor for the accused person.....  
(full name of accused person)

of.....  
(permanent residential address of accused person)

apply pursuant to section 31(1) of the *Bail Act 1982* to the Court, it being the Court –

- (a) which granted the accused person bail; or
- (b) before which the accused person is to appear,\*

for my liability to be discharged in respect of an agreement entered into as a condition of bail on..... at.....  
(date) (place)

The accused person had undertaken to appear before the Youth Justice Court/ Local Court / Supreme Court\*  
at..... on.....  
(place) (date)

The grounds of my application are:

.....  
.....  
.....  
.....

.....  
(signature of guarantor)  
Date...../...../.....

---

NOTICE OF HEARING

TAKE NOTICE that this application will be dealt with by the Youth Justice Court/ Local Court/Supreme Court\* at .....  
on.....

(place)

(date)

.....  
(signature of registrar/Sheriff\*)

Date...../...../.....

A warrant of apprehension has been issued today by me returnable on the date on which this application is to be dealt with.

.....  
(signature of justice of the peace)

Date...../...../.....

\* Delete if inapplicable.

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FORM 4

regulation 3(2)(d)

NORTHERN TERRITORY OF AUSTRALIA

*Bail Act 1982*

section 31(2)(a)

WARRANT OF APPREHENSION WHERE GUARANTOR HAS APPLIED TO  
BE DISCHARGED FROM LIABILITY  
[PLEASE USE BLOCK LETTERS]

TO ALL MEMBERS OF THE NORTHERN TERRITORY POLICE FORCE

On the.....the  
(*date of undertaking*)

defendant.....,  
(*full name of accused person*)

of.....,  
(*permanent residential address of accused person*)

and the guarantor.....,  
(*full name of guarantor*)

of.....,  
(*permanent residential address of guarantor*)

entered into a bail undertaking for the accused person to appear before the  
Youth Justice Court/ Local Court/Supreme Court\* at .....  
on..... in respect of the offence(s) of:  
(*place*) (*date*)

.....  
.....  
.....  
(*list offence(s) with which accused person is charged*)

The guarantor has made application to that court for him to be discharged  
from his liability under the bail undertaking.

YOU ARE ORDERED TO APPREHEND AND BRING THE ACCUSED  
PERSON before the above court or another convenient court to be dealt with  
according to law.

Dated this.....day of....., 19... at.....  
(*place*)

.....  
(*signature of justice of the peace*)

---

\* Delete where inapplicable.

---

NOTE: This warrant should not be executed after the date on which the accused person has undertaken to appear without first contacting the court of issue.

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FORM 5

regulation 5(1)

NORTHERN TERRITORY OF AUSTRALIA

*Bail Act 1982*

IN THE MATTER of a request for  
review of a bail decision by the  
accused, the informant, the  
complainant or the Director of Public  
Prosecutions \*

REQUEST FOR REVIEW OF BAIL DECISION

..... of .....  
(Given names) (Surname) (Address)

is charged with/has been convicted of\* .....

I, ..... of .....  
(Name of person making request)

.....  
(Address)  
request .....  
(Name of court)

.....  
at ..... to review a decision  
of ..... made  
at ..... on the ..... day of ..... 19....

.....  
(Signature of person making request)  
Dated / /19

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NOTICE OF HEARING

\* The accused person

TO:

\* Director of Public Prosecutions

NOTE: That the above matter has been listed for hearing at  
.....  
(Name of court)

on ..... the ..... day of .....19.... at .....am/pm\*  
when all parties to the matter must attend.

.....  
(Court officer)  
Dated / /19

\* Delete where inapplicable

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## ENDNOTES

### 1 KEY

Key to abbreviations

<b>amd</b> = amended	<b>od</b> = order
<b>app</b> = appendix	<b>om</b> = omitted
<b>bl</b> = by-law	<b>pt</b> = Part
<b>ch</b> = Chapter	<b>r</b> = regulation/rule
<b>cl</b> = clause	<b>rem</b> = remainder
<b>div</b> = Division	<b>renum</b> = renumbered
<b>exp</b> = expires/expired	<b>rep</b> = repealed
<b>f</b> = forms	<b>s</b> = section
<b>Gaz</b> = <i>Gazette</i>	<b>sch</b> = Schedule
<b>hdg</b> = heading	<b>sdiv</b> = Subdivision
<b>ins</b> = inserted	<b>SL</b> = Subordinate Legislation
<b>lt</b> = long title	<b>sub</b> = substituted
<b>nc</b> = not commenced	

### 2 LIST OF LEGISLATION

#### ***Bail Regulations (SL No. 18, 1983)***

Notified	29 June 1983
Commenced	29 June 1983 (r 2, s 2 <i>Bail Act 1982</i> (Act No. 57, 1982) and <i>Gaz S19</i> , 29 June 1983)

#### ***Amendment of Bail Regulations (SL No. 6, 1990)***

Notified	11 April 1990
Commenced	11 April 1990

#### ***Statute Law Revision Act 2000 (Act No. 19, 2000)***

Assent date	6 June 2000
Commenced	s 6: 4 December 1999; rem: 12 July 2000 (s 2 and <i>Gaz G27</i> , 12 July 2000, p 2)

#### ***Amendments of Bail Regulations (SL No. 9, 2002)***

Notified	8 May 2002
Commenced	8 May 2002

#### ***Statute Law Revision Act (No. 2) 2002 (Act No. 59, 2002)***

Assent date	7 November 2002
Commenced	7 November 2002

#### ***Youth Justice (Consequential Amendments) Act 2005 (Act No. 33, 2005)***

Assent date	22 September 2005
Commenced	1 August 2006 (s 2, s 2 <i>Youth Justice Act 2005</i> (Act No. 32, 2005) and <i>Gaz G30</i> , 26 July 2006, p 3)

#### ***Legal Profession (Consequential Amendments) Act 2007 (Act No. 7, 2007)***

Assent date	17 May 2007
Commenced	s 10: 1 July 2007 ( <i>Gaz G26</i> , 27 June 2007, p 3); rem: 17 May 2007 (s 2)

**Justice (Corrections) and Other Legislation Amendment Act 2011 (Act No. 24, 2011)**

Assent date	31 August 2011
Commenced	ss 3, 9 to 11, 15 to 17, 19, 20, 24, 33, 42, schs 1 and 2, sch 4, pt 1 and sch 5: 31 August 2011 (s 2); rem: 27 February 2012 (Gaz S9 21 February 2012)

**Bail Amendment (Drug and Alcohol Testing) Regulations 2013 (SL No. 44, 2013)**

Notified	19 December 2013
Commenced	5 February 2014 (r 2, s 2 <i>Bail Amendment Act 2013</i> (Act No. 2, 2013) and Gaz G5, 5 February 2014, p 2)

**Bail Amendment Regulations 2015 (SL No. 32, 2015)**

Notified	23 December 2015
Commenced	20 January 2016 (r 2, s 2 <i>Bail Amendment Act (No. 2) 2015</i> (Act No. 33, 2015) and Gaz G3, 20 January 2016, p 2)

**Local Court (Repeals and Related Amendments) Act 2016 (Act No. 9, 2016)**

Assent date	6 April 2016
Commenced	1 May 2016 (Gaz S34, 29 April 2016)

**Youth Justice and Related Legislation Amendment Act 2019 (Act No. 32, 2019)**

Assent date	9 October 2019
Commenced	2 March 2020 (Gaz G5, 5 February 2020, p 2)

**Youth Justice Legislation Amendment Act 2021 (Act No. 9, 2021)**

Assent date	14 May 2021
Commenced	15 May 2021 (s 2)

**Criminal Code Amendment (Property Offences) Act 2022 (Act No. 24, 2022)**

Assent date	31 October 2022
Commenced	30 April 2023 (Gaz G8, 13 April 2023, p 1)

**3 GENERAL AMENDMENTS**

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1, 8, 18 and 19 and sch.

**4 LIST OF AMENDMENTS**

pt 1 hdg	ins No. 44, 2013, r 4
pt 2 hdg	ins No. 44, 2013, r 5
r 2	sub No. 44, 2013, r 6
r 2A	ins Act No. 32, 2019, s 18 sub Act No. 9, 2021, s 34 amd Act No. 24, 2022, s 35
r 2AB	ins Act No. 9, 2021, s 35
r 2B	ins Act No. 32, 2019, s 18
r 3	amd No. 9, 2002, r 2
r 4	ins No. 6, 1990, r 1 amd Act No. 24, 2011, s 42; Act No. 9, 2016, s 160
r 5	ins No. 6, 1990, r 1 amd No. 9, 2002, r 3; Act No. 59, 2002, s 6; Act No. 7, 2007, s 16; Act No. 24, 2011, s 42

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r 6	ins No. 6, 1990, r 1 amd No. 9, 2002, r 4; Act No. 7, 2007, s 16; No. 44, 2013, r 8
pt 3 hdg	ins No. 44, 2013, r 7
pt 3	
div 1 hdg	ins No. 44, 2013, r 7
r 7	ins No. 44, 2013, r 7 amd No. 32, 2015, r 4
r 8	ins No. 44, 2013, r 7 amd No. 32, 2015, r 5
pt 3	
div 2 hdg	ins No. 44, 2013, r 7
rr 9 - 10	ins No. 44, 2013, r 7 amd No. 32, 2015, r 7
r 11	ins No. 44, 2013, r 7
r 12	ins No. 44, 2013, r 7 amd No. 32, 2015, r 7
pt 3	
div 3 hdg	ins No. 44, 2013, r 7
rr 13 - 14	ins No. 44, 2013, r 7 amd No. 32, 2015, r 7
pt 3	
div 4 hdg	ins No. 44, 2013, r 7
r 15	ins No. 44, 2013, r 7 amd No. 32, 2015, r 7
r 16	ins No. 44, 2013, r 7
pt 3	
div 5 hdg	ins No. 44, 2013, r 7
rr 17 - 20	ins No. 44, 2013, r 7
r 21	ins No. 44, 2013, r 7 amd No. 32, 2015, r 6
sch	amd No. 6, 1990, r 2; Act No. 19, 2000, s 10; Act No. 59, 2002, s 6; Act No. 33, 2005, s 5; No. 44, 2013, r 8; Act No. 9, 2016, s 160