

NORTHERN TERRITORY OF AUSTRALIA

SERIOUS VIOLENT OFFENDERS (PRESUMPTION AGAINST BAIL)
AMENDMENT ACT 2008

Act No. 31 of 2008

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Act No. 31 of 2008

An Act to amend the *Bail Act*

[Assented to 21 November 2008]
[Second reading 11 September 2008]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Serious Violent Offenders (Presumption Against Bail) Amendment Act 2008*.

2 Commencement

This Act commences on the date fixed by the Administrator by *Gazette* notice.

3 Act amended

This Act amends the *Bail Act*.

4 Amendment of section 7A (Presumption against bail for certain offences)

(1) Section 7A(1)(e)

omit, substitute

- (e) a serious violence offence (other than murder) alleged to have been committed within 5 years after the alleged offender has been found guilty of an earlier serious violence offence;

(2) Section 7A(1A)

omit

5 Amendment of section 38 (Arrest for absconding or breach of condition)

After section 38(2)

insert

(2A) However, the court must revoke bail if:

- (a) the person was charged with a serious violence offence and released on bail despite a presumption against bail; and
- (b) the court finds that the person has breached a bail undertaking or a condition of bail.