

Serial 13
Bail Amendment Bill 2012
Mr Elferink

A Bill for an Act to amend the *Bail Act*

NORTHERN TERRITORY OF AUSTRALIA

BAIL AMENDMENT ACT 2012

Act No. [] of 2012

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2012

An Act to amend the *Bail Act*

[Assented to [] 2012]
[Second reading [] 2012]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Bail Amendment Act 2012*.

2 Commencement

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

3 Act amended

This Act amends the *Bail Act*.

4 Section 3 amended

Section 3(1)

insert (in alphabetical order)

ancillary provision, of a conduct agreement, see section 27A(2A).

5 Section 27A amended

(1) Section 27A(1)(h)

omit

non-prescription drugs

insert

a drug (other than a drug as prescribed for the person by a health practitioner)

(2) After section 27A(1)(h)

insert

(ha) require an accused person who is the subject of a prohibition mentioned in paragraph (h) to submit to testing by an authorised person to monitor compliance with the prohibition; or

(3) After section 27A(2)

insert

(2A) A provision of a conduct agreement that aims to ensure compliance by the accused person with another provision of the agreement is an **ancillary provision**.

Example for subsection (2A)

A provision as mentioned in subsection (1)(g), (ha), (ia) or (ib).

(2B) The Regulations may make provision about a matter relating to an ancillary provision.

(4) After section 27A(5)

insert

(6) In this section:

authorised person means:

(a) a police officer; and

(b) any other person or class of persons prescribed by the Regulations.

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

6 Section 28 amended

After section 28(3)

insert

- (4) To avoid doubt, a bail condition that the accused person enter into a conduct agreement containing an ancillary provision is not invalid only on the grounds the ancillary provision is not necessary to minimise risks to the safety or welfare of others or for the administration of justice.