

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1990, No. 6\*

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Regulations under the *Bail Act*

I, KEITH JOHN AUSTIN ASCHE, the Acting Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Bail Act*.

Dated 30 March 1990.

AUSTIN ASCHE  
Acting Administrator

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AMENDMENT OF THE BAIL REGULATIONS

1. NEW REGULATION

The Bail Regulations are amended by inserting after regulation 3 the following:

"4. REVIEW OF BAIL DECISIONS

"(1) A justice may review a decision of another justice, and a magistrate may review the decision of another magistrate, in relation to bail where the justice or magistrate is satisfied that the justice or magistrate whose decision is to be reviewed cannot conveniently review the decision himself or herself because of sickness, absence or any other cause and is not likely to be available to do so within 24 hours after the request for the exercise of the power.

"(2) Subject to these Regulations, a magistrate may review a decision of a justice at any time on receiving a request under Division 2 of Part VI of the Act to do so.

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\* Notified in the *Northern Territory Government Gazette*  
on 11 APR 1990.

Government Printer of the Northern Territory

*Bail Regulations*

"5. FORM AND MANNER OF REQUEST

"(1) A request under Division 2 of Part VI 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 solicitor or, where the person making the request is the accused person, on the Crown Prosecutor.

"6. REQUEST FOR REVIEW MAY BE HEARD *EX PARTE*

"The request for a review by a member of the Police Force or the Attorney-General 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) to be served or other difficulties are encountered in locating or serving the accused person or the accused person's solicitor."

2. SCHEDULE

The Schedule to the Bail Regulations is amended by adding at the end the following:

"FORM 5

Regulation 5(1)

NORTHERN TERRITORY OF AUSTRALIA

*Bail Act*

IN THE MATTER of a request  
for review of a bail  
decision by the accused,  
the informant, the  
complainant or the  
Attorney-General\*

REQUEST FOR REVIEW OF BAIL DECISION

..... of .....  
(Given names) (Surname) (Address)  
.....  
is charged with/has been convicted of\* .....  
.....

Bail Regulations

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:

\* Crown Prosecutor

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