



Bail Amendment Act 2009

Public Act 2009 No 45
Date of assent 27 October 2009
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Bail Amendment Act 2009.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Bail Act 2000.

4 Rules as to granting bail

Section 7(2) is amended by omitting “section 49(1)(a) or section 49(1)(b)” and substituting “section 49”.

5 Consideration of just cause for continued detention

Section 8(5) is amended by omitting “section 49(1)(a) or (b)” and substituting “section 49”.

6 Defendant admitted to bail by Police employee

(1) Section 21(2) is amended by omitting “section 49(1)(a) or section 49(1)(b)” and substituting “section 49”.

(2) Section 21 is amended by inserting the following subsections after subsection (4):

“(4A) If a person charged with a domestic violence offence is granted bail under this section, the Police employee who takes the bail bond of that person may impose—

“(a) any condition that he or she considers reasonably necessary to protect—

“(i) the victim of the alleged offence; and

“(ii) any particular person residing with the victim:

“(b) any condition that may otherwise be imposed under subsections (3) and (4).

“(4B) In this subsection and subsection (4A),—

“**domestic relationship** has the meaning given to it by section 4 of the Domestic Violence Act 1995

“**domestic violence offence** means an offence against any enactment involving the use of violence against a person with whom the offender is, or has been, in a domestic relationship

“**violence** has the meaning given to it by section 3(2), (4), and (5) of the Domestic Violence Act 1995.”

7 Bail and breach of protection order

Section 23(4) is amended by omitting “subsection (1)(a) or subsection (1)(b) of”.

Legislative history

20 October 2009

Divided from Domestic Violence (Enhancing Safety) Bill (Bill 9–2) by committee of the whole House, third reading

27 October 2009

Royal assent

This Act is administered by the Ministry of Justice.
