

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Thursday, 10 October 1991

BAIL (MISCELLANEOUS PROVISIONS) BILL

Proposed Amendments

Hon. D. A. M. GRAHAM, in Committee, to move the following amendments:

Clause 5A: To omit subclause (1) (all the words in lines 20 to 24 on page 5), and substitute the following subclause:

(1) Section 54 of the principal Act (as substituted by section 3 of the Summary Proceedings Amendment Act (No. 2) 1987) is hereby amended—

- (a) By omitting the words “term of”, and substituting the words “term not exceeding”; and
- (b) By inserting, after the word “bail” where it first appears, the words “by a Court or Justice”.

Clause 21: Proposed new section 320B: To omit from line 37 on page 17 the word “of”, and substitute the words “not exceeding”.

EXPLANATORY NOTE

This Supplementary Order Paper proposes to amend the Bail (Miscellaneous Provisions) Bill as follows:

- (a) *Clause 5A:* Subclause (1) is omitted and a new subclause (1) substituted. The effect of the amendment is to clarify the meaning of section 54 of the Summary Proceedings Act 1957 in so far as it prescribes a penalty of 1 year's imprisonment for failure to answer bail. It is made clear that the penalty is a maximum penalty.
- (b) *Clause 21:* Proposed new section 320B of the Crimes Act 1961, which mirrors the provisions of section 54(1) of the Summary Proceedings Act 1957, is amended in line with the amendment described in (a) above.