

SUPREME COURT (BAIL) (PRESCRIBED FORMS) RULES 2006

BR 11 / 2006

SUPREME COURT ACT 1905

1905 : 4

SUPREME COURT (BAIL) (PRESCRIBED FORMS) RULES 2006

The Chief Justice, in exercise of the power conferred on him by section 62(1) of the Supreme Court Act 1905, makes the following Rules:

Citation

1 These Rules may be cited as the Supreme Court (Bail) (Prescribed Forms) Rules 2006.

Prescribed forms

2 The forms listed under Schedule 1 are hereby prescribed as those required under sections 7 and 9 of the Bail Act 2005.

Forms

3 The forms set out under Schedule 2, pursuant to the forms prescribed under Schedule 1, shall be the forms to be used in connection with Bail in the Supreme Court.

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**SCHEDULE 1 (Rule 2)
LIST OF FORMS**

Form No.	Description
Form 1	Record of Decision to grant Bail under section 7(1)(a) of the Bail Act 2005
Form 2	Record of Decision to withhold Bail under section 7(1)(b) of the Bail Act 2005
Form 3	Record of Time or Place (or Different Time or place) to Surrender to Custody under section 7(1)(c) of the Bail Act 2005
Form 4	Record of Decision to Vary Conditions of Bail under section 7(1)(d) and (6) of the Bail Act 2005
Form 5	[Does not apply to Supreme Court]
Form 6	Record of Reconsideration of Decision to grant Bail under section 9(12) of the Bail Act 2005

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**SCHEDULE 2
FORMS**

(Rule 3)

Form 1 Bail Act 2005

Record of Decision to Grant Bail (section 7(1)(a))

SURPREME COURT

DATE: _____

Name of Defendant: _____

Date of Birth: _____

Case No.: _____

Offence(s): _____

The defendant is granted bail with a duty to surrender to the custody of the court on _____ at _____ and any subsequent date and time appointed by the court.

CONDITIONS of Bail Included: Yes/No

- (a) recognizance _____
- (b) security _____
- (c) surety(ies) _____
- (d) no contact with witnesses _____
- (e) surrender travel documents _____
- (f) submit to a curfew _____
- (g) report to police station _____
- (h) make self available for inquiries/reports _____
- (i) section 4(5)(murder cases) _____

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(j) other_____

REASONS FOR GRANTING BAIL/ WITH CONDITIONS (sections 7(3) & (5))

Puisne Judge

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Form 2 Bail Act 2005

Record of Decision to Withhold Bail (section 7(1)(b))

SUPREME COURT

DATE: _____

Name of Defendant: _____

Date of Birth: _____

Case No.: _____

Offence(s): _____

Reasons For Withholding Bail (section 7(5)(a)) :

The court is of the view that the following exceptions to bail contained in Schedule 1 apply:

Part 1, paragraph(s) -

Part 2, paragraph(s) -

OTHER REASONS _____

Accordingly, the defendant is remanded/committed in custody to the Supreme Court:

Until _____ at _____ for:

- a. Mention
- b. Sentence
- c. Committal Proceedings
- d. Trial

Puisne Judge

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Form 3 Bail Act 2005

**Record of Time or Place (or Different Time or Place) to
Surrender to Custody (section 7(1)(c))**

SUPREME COURT

DATE: _____

Name of Defendant: _____

Date of Birth: _____

Case No.: _____

Offence(s): _____

TIME/PLACE (ORIGINALLY) APPOINTED FOR SURRENDER:

DIFFERENT TIME / PLACE APPOINTED FOR SURRENDER

Puisne Judge

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Form 4 Bail Act 2005

Record of Decision to Vary Conditions of Bail (section 7(1)(d) & (6))

SUPREME COURT

DATE: _____

Name of Defendant: _____

Date of Birth: _____

Case No.: _____

Offence(s): _____

The Defendant having been granted bail by the Supreme Court on _____ with conditions and application having now been made by _____ for variation of those conditions, THE

APPLICATION IS HEREBY:

REFUSED/GRANTED

CONDITIONS NOW VARIED TO INCLUDE:

- (a) recognizance _____
- (b) security _____
- (c) surety(ies) _____
- (d) no contact with witnesses _____
- (e) surrender travel documents _____

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- (f) submit to a curfew_____
- (g) report to police station_____
- (h) make self available for inquiries/reports_____
- (i) section 4(5)_____
- (j) other_____

REASONS FOR VARYING CONDITIONS OF BAIL (section 7(6))

Puisne Judge

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Form 6 Bail Act 2005

Record of Reconsideration of Decision to Grant Bail (section 9(12))

SUPREME COURT

DATE: _____

Name of Defendant: _____

Date of Birth: _____

Case No.: _____

Offence(s): _____

The Defendant having been granted bail by the Supreme Court on _____ with conditions, And Application having now been made By the Prosecutor for Reconsideration of that Decision:

DECISION ON RECONSIDERATION:

REASON(S) (section 9 (12)):

Puisne Judge

Made this 20th day of February, 2006

The Chief Justice