

**House of Assembly—No 119**

As received from the Legislative Council and read a first time, 7 March 2024

South Australia

**Bail (Conditions) Amendment Bill 2023**

A BILL FOR

An Act to amend the *Bail Act 1985*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Bail (Conditions) Amendment Act 2023*.

#### 5 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

### Part 2—Amendment of *Bail Act 1985*

#### 3—Amendment of section 11—Conditions of bail

Section 11—after subsection (2ad) insert:

10 (2ae) If the applicant has been charged with an offence against section 31(2aa)(b) of the *Intervention Orders (Prevention of Abuse) Act 2009* in respect of an order that is a recognised DVO within the meaning of section 29D of that Act, any grant of bail to the applicant must be made subject to the following conditions:

- 15 (a) the condition referred to in subsection (2)(a)(ia);
- (b) a condition that the applicant agree to be fitted with a device of a kind approved by the Chief Executive Officer for the purpose of monitoring compliance with the condition referred to in subsection (2)(a)(ia) and to comply with all
- 20 reasonable directions of the Chief Executive Officer in relation to the device,

and may be made subject to any other conditions referred to in subsection (2).

25 (2af) Subsection (2ae) does not apply if the applicant was a child at the time of the alleged offence.

## **Schedule 1—Transitional provision**

### **1—Transitional provision**

The amendments to the *Bail Act 1985* effected by this Act only apply in relation to a person taken into custody on a charge of an offence allegedly committed after the commencement of this Act.

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