



REPUBLIC OF NAURU

BAIL (AMENDMENT) BILL 2020

No. 30 of 2020

An Act to amend the *Bail Act 2018*.

Certified: 23rd October 2020

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Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Bail (Amendment) Act 2020*.

2 Commencement

This Act commences on certification by the Speaker.

3 Amendment of the Bail Act 2018

The *Bail Act 2018* is amended by the provisions of this Act.

4 Amendment of Section 3

Section 3(1) is amended by deleting the words '*and includes a Resident Magistrate, Judge or Justice of Appeal*' from the definition of the term '*court*'.

5 Amendment of Section 4

Section 4 is deleted and substituted as follows:

'4 Entitlement to bail

- (1) Subject to the provisions of this Act, every accused person has a right to be released on bail.
- (2) A court may grant bail to an accused person charged with an offence in accordance with the provisions of this Act.
- (3) The presumption in favour of the granting of bail to an accused person under subsection (1) may be rebutted by a prosecutor or any other person, where the interests of justice so requires.'

6 Insert new Section 4A

'4A Bail not to be granted in certain circumstances

A person shall not be granted bail where:

- (a) he or she is charged with an offence:
 - (i) of murder, treason or sedition;
 - (ii) under Part 7, Divisions 7.2 and 7.3 and Part 8 of the *Crimes Act 2016*; or