

EXTRAORDINARY



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GOVERNMENT OF FIJI

BAIL (AMENDMENT) DECREE 2012
(DECREE NO. 28 OF 2012)

IN exercise of the powers vested in me as the President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

TO AMEND THE BAIL ACT 2002

Short title and commencement

1. This Decree may be cited as the Bail (Amendment) Decree 2012 and shall come into force on the date of its publication in the *Gazette*.

Section 26 amended

2. Section 26 of the Bail Act 2002 is amended by deleting the section and substituting with the following—

“Penalty for absconding or breaching conditions of bail

(1) A person who has been released on bail and who fails without reasonable cause to surrender to custody, or otherwise without reasonable cause, breaches any condition of bail imposed by Court, commits an offence and is liable on conviction to a fine of \$2,000 or 12 months imprisonment, or both.”

(2) The burden is on the defendant to prove that he or she had reasonable excuse for failing to surrender to custody or for a breach of his or her bail conditions.”

GIVEN under my hand this 11th day of April 2012.

EPELI NAILATIKAU
President of the Republic of Fiji