**GUARANTEE OF BAIL**

**Bail Act 1985 s 7(2)**

[*SUPREME/MAGISTRATES/DISTRICT/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

**Defendant/Youth**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Defendant/Youth entering into bail agreement** | | | | | |
| Defendant/Youth |  | | | | |
| **Full Name** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  | |  |  |
| **City/town/suburb** | **State** | | **Postcode** | **Country** |
|  | | | | |
| **Email address** | | | | |
| Date of Birth and Licence number |  | |  | | |
| **Date of Birth** | | **Driver’s Licence No** | | |
| Phone Details |  | |  | | |
| **Type (eg. home; work; mobile) – Number** | | **Another number** | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Guarantor entering into Guarantee** | | | | | |
| Guarantor |  | | | | |
| **Full Name** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. home; work; mobile) – Number** | | | **Another number** | |

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| --- |
| **Guarantee**   1. I, the Guarantor, GUARANTEE that the [*Defendant/Youth*]will obey  * all of the terms and conditions of the [*Defendant/Youth*]’s Bail Agreement dated [*date*]. * condition[*s*] [*number(s)*] of the [*Defendant/Youth*]’sBail Agreement dated [*date*].  1. I UNDERTAKE (promise) that:   (a) if the [*Defendant/Youth*]fails to obey a term or condition of the bail agreement to which this Guarantee relates, I will forfeit to the Crown the sum of $[*amount*].  (b) I will take all reasonable steps to ensure that the [*Defendant/Youth*]obeys the terms and conditions of that Bail Agreement.  (c) [*other promises*].   1. I DECLARE that:    1. I know the [*Defendant/Youth*];    2. I am of or above the age of 18 years;    3. I have been given a copy of the Bail Agreement in relation to which this Guarantee is given;    4. I am confident that the [*Defendant/Youth*]will obey the terms and conditions of that Bail Agreement; and 2. I UNDERSTAND that:    1. if I know, or have reasonable grounds to suspect, that the [*Defendant/Youth*]has failed to obey a term or condition of the Bail Agreement in relation to which this Guarantee is given, then I am required to take reasonable steps to inform a member of the police force that the failure has, or may have, occurred, and that if I fail to do so then **I may be liable to a fine of up to $1,250**; and    2. that this guarantee is in force for so long as the person is on bail, subject to the terms of this Guarantee being varied or the Guarantee being revoked.   …………………………………………  Signature of Guarantor  …………………………………………  Name printed  before me ………………………………………………  Signature of authorised witness  **witness must be the Judicial Officer granting bail, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Youth is in a training centre, the person in charge of a prison if the Defendant is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court**  ………………………………………….  Printed name and title of witness **stamp here if applicable**  ………………………….  Date |