

29. Practice Direction 2 of 2005 - Application for bail – Service on Director of Public Prosecutions and evidence.

Practice direction number 10/2001 is rescinded. The following practice direction will take its place.

Notice of an application for bail under Rule 93.02 of the *Supreme Court Rules* shall be given to the Director of Public Prosecutions by serving the application and supporting affidavit upon the Director not less than 2 days before the hearing of the application.

Service on the Director may be affected by delivering a copy of the documents to the office of the Director, in either Darwin or Alice Springs, or by leaving the same in the Director's box at the facility maintained by the Law Society Northern Territory at the Supreme Court building in Darwin or Law Courts building in Alice Springs.

If the Director wishes to rely upon evidence in opposition to the application, it should be by affidavit filed in the Registry. A copy shall be served on the applicant or the applicant's legal representative.

The deponent to any affidavit may be required by the opposing party to attend for cross-examination, and if he or she fails to attend, the affidavit shall not be used except by special leave of the court.

12 May 2005