FORM V

APPLICATION BY ACCUSED FOR AN ORDER TO VARY \* AMOUNT OF BAIL OR \* CONDITION(S) OF BAIL on the papers

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | In the Magistrates’ Court of Victoria at: |  | Court reference: |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | | | |  |
|  | Applicant: |  | of |  |  |
|  |  | *Name of accused* |  | *Address of accused* |  |
|  | Respondent: |  | | |  |
|  |  | *Name of informant and/or Director of Public Prosecutions* | | |  |
|  | Nature of charge: |  | | |  |
|  |  |  | | |  |

**Details of bail**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  | | | | | | | | | | | | |  |
|  | On |  | | Magistrate |  | | | | | | fixed bail at | |  | |  |
|  |  | *date* | |  |  | | | | | |  | | *location* | |  |
|  |  |  | | | | | | | | | | | | |  |
|  | The applicant was admitted to bail on | | | | |  | | | | upon signing an undertaking on the following conditions: | | | | |  |
|  |  | | | | | *date* | | | |  | | | | |  |
|  |  | | | | |  | | | |  | | | | |  |
|  | \* (a) | | a deposit of $ |  | | | | | ; | | | | | |  |
|  |  | | | | | | | | | | | | | |  |
|  | \* (b) | | a surety/sureties | | | |  |  | | | |  | | |  |
|  |  | |  | | | |  |  | | | |  | | |  |
|  |  | |  | | | | of |  | | | | in the amount of $ | |  |  |
|  |  | | *Name of first surety* | | | |  | *Address of first surety* | | | |  | | |  |
|  |  | |  | | | |  |  | | | |  | | |  |
|  |  | |  | | | | of |  | | | | in the amount of $ | |  |  |
|  |  | | *Name of second surety* | | | |  | *Address of second surety* | | | |  | | |  |
|  |  | | | | | | | | | | | | | |  |
|  | \* (c) | |  | | | | | | | | | | | |  |
|  |  | |  |
|  |  | | *any other conditions* | | | | | | | | | | | |  |
|  |  | | | | | | | | | | | | | |  |

**Notice**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | | | | | | | | |  |
|  | To | the Registrar of the Magistrates’ Court at | | |  | | | |  |  |
|  |  | the respondent | | |  | | | | |  |
|  |  | the surety/sureties | | |  | | | | |  |
|  |  |  | | |  | | | | |  |
|  | The applicant will apply to the Magistrates’ Court at | | | | | |  | | for an order - |  |
|  |  |  | | |  | | | | |  |
|  | \* varying the amount of bail fixed as follows: | | | |  | | | | |  |
|  |  |  | | |  | | | | |  |
|  | \* varying  a condition /  the conditions of bail as follows: | | | | | | | | |  |
|  |  | | | | | | | | |  |
|  |  |
|  |  |  | | | | | | | |  |
|  | This application is \*  by consent | | | | | | | | |  |
|  |  |  | | | | | | | |  |
|  | Date: | |  | | |  | |  | |  |
|  |  |  | |  | |  | | *Signature of applicant* | |  |
|  |  | | | | | | | | |  |

|  |  |
| --- | --- |
| **Listing of Application** | **YES** |
| Applicant consents to matter proceeding on the papers |  |
| Respondent consents to the matter proceeding on the papers |  |

|  |  |  |
| --- | --- | --- |
| **DOCUMENTS ATTACHED** | | **YES** |
| Copy of charge(s) | |  |
| Statement of Alleged Facts | |  |
| Agreed criminal history (if any) | |  |
| Dot point outline of reasons that variation is sought | |  |
| Consent to variation and outline of any relevant matters on behalf of respondent | |  |
| Signed consent by surety (where applicable) | |  |
| Any supporting materials to be relied upon by applicant |  |  |
| Copy of current bail conditions |  |  |

|  |
| --- |
|  |
| *Signature of legal practitioner of Accused OR Accused* |

DATE:

Name of legal practitioner or Accused:  
 Email:  
 Telephone:

|  |
| --- |
|  |
| *Signature of Prosecutor* |

DATE:

Name of Prosecutor  
 Email:  
 Telephone:

**ACCUSED: IMPORTANT INFORMATION**

You must give the court, informant, and the prosecutor 3 days notice for the hearing of this application.

If the application is urgent, you should ask the prosecuting authority if they agree to the application being heard sooner.

If they do not agree, you may apply to the court for your application to be heard sooner. This is an application for 'an order dispensing with the notice requirement'.