

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 November, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend section 5A (2) of the Criminal Appeal Act, 1912, with respect to the submission of questions of law to the Court of Criminal Appeal.

BE

Criminal Appeal (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Criminal Appeal Short title. (Amendment) Act, 1977".

2. The Criminal Appeal Act, 1912, is amended—

Amendment
of Act No.
16, 1912.
Sec. 5A (2).

(a) by omitting section 5A (2) (a), (b) and (c) and by inserting instead the following paragraphs :— (Submission of question of law.)

10 (a) Where a person tried on indictment has been acquitted (whether in respect of the whole or part of the indictment) either before or after the commencement of the Criminal Appeal (Amendment) Act, 1977, the Attorney-General
15 may at any time after the conclusion of the trial submit for determination by the Court of Criminal Appeal any question of law arising at or in connection with the trial.

20 (b) The Attorney-General shall submit with the question to be determined a statement of the circumstances out of which the question arose and thereafter shall furnish such further statement as the Court of Criminal Appeal may require.

25 (c) The Court of Criminal Appeal shall hear and determine any question submitted to it under this subsection.

(b)

Criminal Appeal (Amendment).

- 5 (b) by omitting from section 5A (2) (d) and (e) the word "reserved" wherever occurring and by inserting instead the word "submitted";
- (c) by omitting from section 5A (2) (h) the word "request" and by inserting instead the word "submission".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[8c]

Capital Budgeting

(b) by omitting from section 2A (2) (D) and (e) 1.2
the words "whenever occurring" and the
words "the word 'bottled'";

(c) by substituting in section 2A (2) (D) the words
"request" and by inserting instead the words
"substantive"

2

CRIMINAL APPEAL (AMENDMENT) BILL, 1977

No. , 1977.

A BILL FOR

An Act to amend section 5A (2) of the Criminal Appeal Act, 1912, with respect to the submission of questions of law to the Court of Criminal Appeal.

[MR F. J. WALKER—16 November, 1977.]

BE

Criminal Appeal (Amendment).

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(Amendment) Act, 1977".

2. The Criminal Appeal Act, 1912, is amended—

Amendment
of Act No.
16, 1912.
Sec. 5A (2).

(a) by omitting section 5A (2) (a), (b) and (c) and (Submission
by inserting instead the following paragraphs :— of question
of law.)

10 (a) Where a person tried on indictment has
been acquitted (whether in respect of the whole
or part of the indictment) either before or after
the commencement of the Criminal Appeal
15 (Amendment) Act, 1977, the Attorney-General
may at any time after the conclusion of the trial
submit for determination by the Court of Criminal
Appeal any question of law arising at or in
connection with the trial.

20 (b) The Attorney-General shall submit with
the question to be determined a statement of the
circumstances out of which the question arose and
thereafter shall furnish such further statement as
the Court of Criminal Appeal may require.

25 (c) The Court of Criminal Appeal shall hear
and determine any question submitted to it under
this subsection.

(b)

Criminal Appeal (Amendment).

- 5 (b) by omitting from section 5A (2) (d) and (e) the word "reserved" wherever occurring and by inserting instead the word "submitted";
- (c) by omitting from section 5A (2) (h) the word "request" and by inserting instead the word "submission".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

General Provisions

- (b) by adding to section 24 (2) (a) and (b) the words "and the word 'appended'";
- (c) by adding to section 24 (2) (a) and (b) the words "and the word 'appended'";

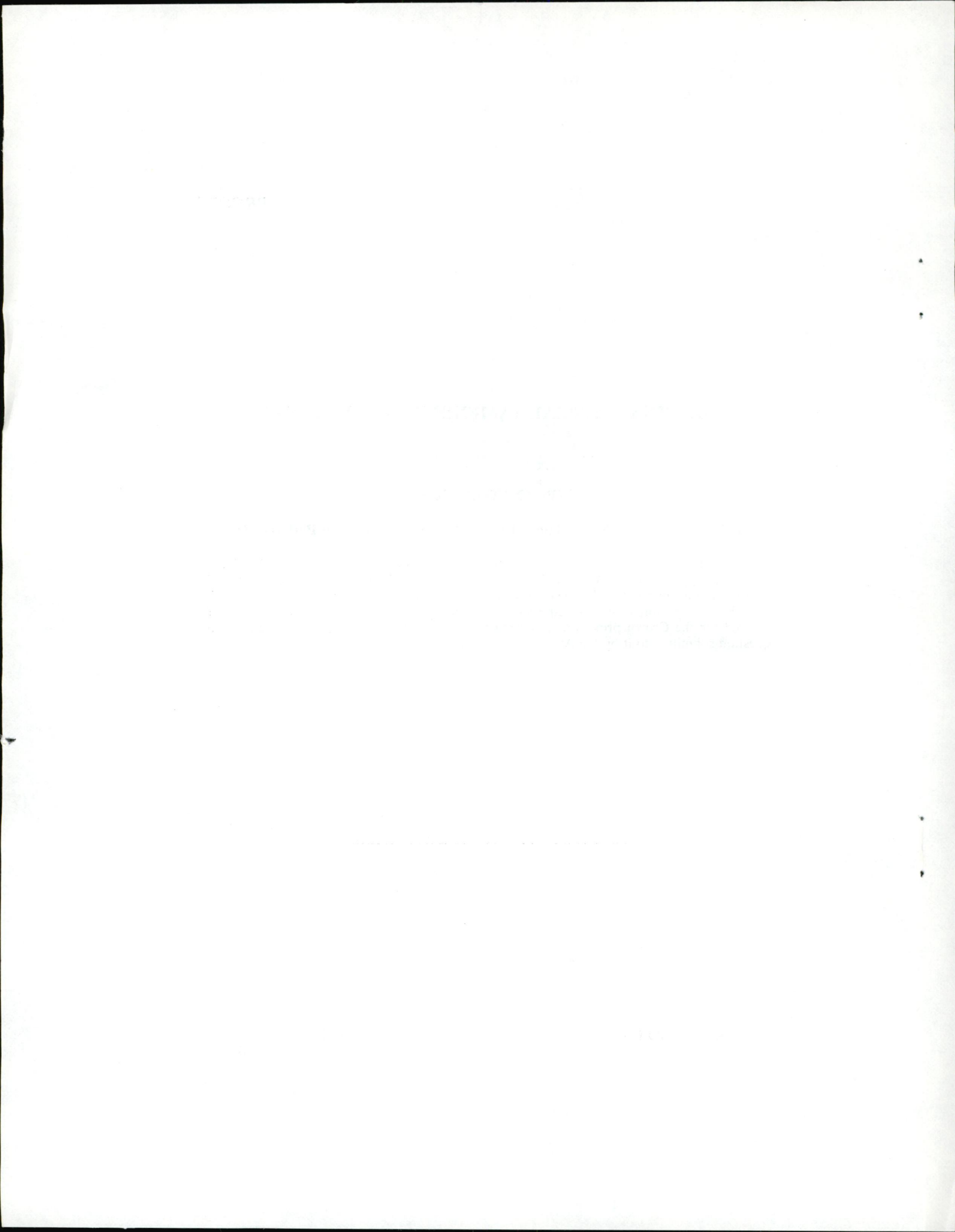
PROOF

CRIMINAL APPEAL (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE object of this Bill is to substitute for the provisions of section 5A (2) of the Criminal Appeal Act, 1912, requiring the Court of Criminal Appeal to hear and determine any question of law (being a question which arose at or in connection with the trial of a person who was acquitted) reserved by the trial Judge at the request of counsel for the Crown provisions requiring that Court to hear and determine any such question submitted to it by the Attorney-General.



PROOF

CRIMINAL APPEAL (AMENDMENT) BILL, 1977

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A BILL FOR

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of Act No.
16, 1912.

Sec. 5A (2).

(a) by omitting section 5A (2) (a), (b) and (c) and (Submission
by inserting instead the following paragraphs :— of question
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been acquitted (whether in respect of the whole
or part of the indictment) either before or after
the commencement of the Criminal Appeal
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submit for determination by the Court of Criminal
Appeal any question of law arising at or in
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and determine any question submitted to it under
this subsection.

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Criminal Appeal (Amendment).

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- 5 (c) by omitting from section 5A (2) (h) the word "request" and by inserting instead the word "submission".

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

2
The following information was obtained from the files of the
Internal Security - Communist Division, New York Office, on
(c) the subject of this report, and (d) the subject of this report.

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Internal Security - Communist Division, New York Office, on
(c) the subject of this report, and (d) the subject of this report.

(Name withheld) (New York Office)

NY 100-100000

**CRIMINAL APPEAL (AMENDMENT) ACT,
1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 114, 1977.

An Act to amend section 5A (2) of the Criminal Appeal Act, 1912, with respect to the submission of questions of law to the Court of Criminal Appeal. [Assented to, 9th December, 1977.]

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Criminal Appeal (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Criminal Appeal (Amendment) Act, 1977".

Amendment of Act No. 16, 1912. **2.** The Criminal Appeal Act, 1912, is amended—

Sec. 5A (2).
(Submission of question of law.)

(a) by omitting section 5A (2) (a), (b) and (c) and by inserting instead the following paragraphs :—

(a) Where a person tried on indictment has been acquitted (whether in respect of the whole or part of the indictment) either before or after the commencement of the Criminal Appeal (Amendment) Act, 1977, the Attorney-General may at any time after the conclusion of the trial submit for determination by the Court of Criminal Appeal any question of law arising at or in connection with the trial.

(b) The Attorney-General shall submit with the question to be determined a statement of the circumstances out of which the question arose and thereafter shall furnish such further statement as the Court of Criminal Appeal may require.

(c) The Court of Criminal Appeal shall hear and determine any question submitted to it under this subsection.

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Criminal Appeal (Amendment).

- (b) by omitting from section 5A (2) (d) and (e) the word "reserved" wherever occurring and by inserting instead the word "submitted";
- (c) by omitting from section 5A (2) (h) the word "request" and by inserting instead the word "submission".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

NOV 14 1977

THE UNIVERSITY OF CHICAGO

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with ...
lower ...

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 November, 1977.*

New South Wales



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I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Criminal Appeal (Amendment).

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(Submission
of question
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2. The Criminal Appeal Act, 1912, is amended—

(a) by omitting section 5A (2) (a), (b) and (c) and by inserting instead the following paragraphs :—

(a) Where a person tried on indictment has been acquitted (whether in respect of the whole or part of the indictment) either before or after the commencement of the Criminal Appeal (Amendment) Act, 1977, the Attorney-General may at any time after the conclusion of the trial submit for determination by the Court of Criminal Appeal any question of law arising at or in connection with the trial.

(b) The Attorney-General shall submit with the question to be determined a statement of the circumstances out of which the question arose and thereafter shall furnish such further statement as the Court of Criminal Appeal may require.

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- (b) by omitting from section 5A (2) (d) and (e) the word "reserved" wherever occurring and by inserting instead the word "submitted";
- (c) by omitting from section 5A (2) (h) the word "request" and by inserting instead the word "submission".

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1977.*

April 26, 1977

General Agent (Insurance)

(b) By or through any other person (2)(b) and (c) the word "insured" wherever occurring and by inserting therein the word "insured".

(c) By or through any other person (2)(c) the word "insured" and by inserting therein the word "insured".

In the event you wish to have the above worded to the

WALTER

Company

Insurance Policy
Number 123456789

**CRIMINAL APPEAL (AMENDMENT) ACT,
1977**

New South Wales



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Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
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New South Wales



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In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1977.*

General Agent (Insurance)

(b) By or through any other person (2)(b) and (c) the word "person" wherever occurring and by inserting therein the word "submitted";

(5) By inserting therein section 24 (2)(c) the word "person" and by inserting therein the word "submitted";

In testimony whereof, I have hereunto set my hand and the seal of the State of New York at Albany, New York, this 26th day of April, 1977.

WALTER J. WATKINS
Governor

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Governor