

## CRIMES AMENDMENT ACT.

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### Act No. 4, 1926.

**George V,** An Act to amend section four hundred and seven  
**No. 4.** of the Crimes Act, 1900, in certain respects.  
 [Assented to, 17th March, 1926.]

**B**E it enacted by the King's Most Excellent Majesty,  
 by and with the advice and consent of the Legis-  
 lative Council and Legislative Assembly of New South  
 Wales in Parliament assembled, and by the authority of  
 the same, as follows :—

Short title  
 and  
 construction.

**1.** This Act may be cited as the "Crimes Amend-  
 ment Act, 1926," and shall be read and construed with  
 the Crimes Act, 1900, as amended by subsequent Acts.

Amendment  
 of Act 1900  
 No. 40, s. 407.

**2.** The Crimes Act, 1900, is amended by omitting  
 paragraph two of the proviso to section four hundred  
 and seven and by inserting in lieu thereof the following  
 new paragraph :—

(2) The failure of an accused person or of the  
 wife or husband, as the case may be, of an accused  
 person to give evidence, shall not be made the  
 subject of any comment by the judge or by counsel  
 for the Crown.

Where two or more persons are being tried  
 together, and comment is made, by or on behalf of  
 any of them, upon the failure of any of them, or of  
 the husband or wife, as the case may be, of any of  
 them, to give evidence, the judge may make such  
 observations to the jury in regard to such comment  
 or such failure to give evidence as he thinks fit.