

## CRIMES (AMENDMENT) ACT.

### Act No. 31, 1951.

An Act to amend the Crimes Act, 1900, the Criminal Appeal Act of 1912, the Habitual Criminals Act, 1905, the Justices Act, 1902, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 6th November, 1951.]

George VI.  
No. 31, 1951.

**B**E it enacted by the King'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:—

**1.** (1) This Act may be cited as the "Crimes (Amendment) Act, 1951." Short title.

(2) The Crimes Act, 1900, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

**2.** The Principal Act is amended—

(a) by inserting in section four at the end of the definition of "Trustee" the words "and also an executor or administrator";

Amendment  
of Act No.  
40, 1900.  
Sec. 4.  
(Definition of  
"trustee.")  
cf. 6 and 7  
Geo. V. c. 50,  
s. 46.

(b) (i) by inserting next after section sixteen the following new section:—

New sec.  
16A.

16A. In all cases of treason, whether alleged to have been committed before or after the passing of the Crimes (Amendment) Act, 1951, the person charged shall be arraigned and tried in the same manner, and according to the same course and order of trial in every respect as if such person stood charged with murder.

Procedure  
in cases  
of treason.

(ii) by omitting from the matter relating to Part II in section one the figures "16" and by inserting in lieu thereof the figures and letter "16A";

Sec. 1.  
(Consequen-  
tial.)

(c)

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Sec. 17.

(Petit  
treason.)

New s. 22A.

Infanticide.  
cf. 1 and 2  
Geo. VI,  
c. 36, s. 1.

(c) by omitting section seventeen;

(d) by inserting next after section twenty-two the following new section:—

22A. (1) Where a woman by any wilful act or omission causes the death of her child, being a child under the age of twelve months, but at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, then, notwithstanding that the circumstances were such that but for this section the offence would have amounted to murder, she shall be guilty of infanticide, and may for such offence be dealt with and punished as if she had been guilty of the offence of manslaughter of such child.

(2) Where upon the trial of a woman for the murder of her child, being a child under the age of twelve months, the jury are of opinion that she by any wilful act or omission caused its death, but that at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to such child or by reason of the effect of lactation consequent upon the birth of the child, then the jury may, notwithstanding that the circumstances were such that but for the provisions of this section they might have returned a verdict of murder, return in lieu thereof a verdict of infanticide, and the woman may be dealt with and punished as if she had been guilty of the offence of manslaughter of the said child.

(3) Nothing in this section shall affect the power of the jury upon an indictment for the murder of a child to return a verdict of manslaughter or a verdict of not guilty on the ground of insanity, or a verdict of concealment of birth.

(e)

(e) by inserting next after section fifty-two the following new section:—

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New  
sec. 52A.  
Culpable  
driving.

52A. (1) Where the death of any person is occasioned through impact with a motor vehicle being driven by a person—

- (a) under the influence of intoxicating liquor or of a drug; or
- (b) at a speed or in a manner which is dangerous to the public,

the person lastmentioned shall be guilty of the misdemeanour of culpable driving and shall be liable to imprisonment for five years.

(2) Where grievous bodily harm to any person is occasioned through impact with a motor vehicle being driven by a person—

- (a) under the influence of intoxicating liquor or of a drug; or
- (b) at a speed or in a manner which is dangerous to the public,

the person lastmentioned shall be guilty of the misdemeanour of culpable driving and shall be liable to imprisonment for three years.

(3) It shall be a defence to any charge under this section that the death or the grievous bodily harm occasioned, as the case may be, was not in any way attributable to the fact that the person charged was under the influence of intoxicating liquor or of a drug or, as the case may be, to the speed at which or the manner in which the vehicle was driven.

(4) This section shall not take away the liability of any person to be prosecuted for or found guilty of murder, manslaughter or any other offence, or affect the punishment which may be imposed therefor:

Provided that no person who has been convicted or acquitted of an offence under this section shall afterwards be prosecuted for murder or manslaughter or for any other offence

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offence on the same or substantially the same facts, nor shall any person who has been convicted or acquitted of murder or manslaughter or of any other offence be afterwards prosecuted for an offence under this section on the same or substantially the same facts.

(5) Upon the trial of a person who is indicted for murder or manslaughter or for an offence under section fifty-three or fifty-four of this Act in connection with the driving of a motor vehicle by him, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section, to find him guilty of that offence.

(6) In this section, "drug" means a drug to which Part VI of the Police Offences (Amendment) Act, 1908, as amended by subsequent Acts, applies.

Sec. 80.  
(Attempt, etc.,  
to commit  
buggery.)

(f) by inserting in section eighty after the words "with intent to commit the same" the words "with or without the consent of such person";

Sec. 91D.

(g) by omitting section 91D and by inserting in lieu thereof the following section:—

Employment  
in brothel.

91D. Whosoever employs in or suffers to resort to or to be upon any premises which to his knowledge are used as a brothel or house of ill-fame any female shall be liable to penal servitude for five years.

New  
Sec. 93I.

(h) (i) by inserting next after section 93H the following new section:—

Accused  
to prove  
pistol  
licensed  
or his  
exemption.  
cf. Act No.  
10, 1927, s. 4  
(3) (d).

93I. (1) Upon any prosecution under section 93B of this Act, it shall be upon the person accused to prove that the pistol was licensed or that, by reason of the provisions of section 93H of this Act, he is not subject to the provisions of section 93B.

(2) Upon any prosecution under section 93C, 93D or 93E of this Act, it shall be upon the person accused to prove that he is a person to whom, by reason of the provisions

provisions of section 93H of this Act, the section under which he is charged does not apply. No. 31, 1951.

- (ii) by omitting from the matter relating to Part IIIA in section one the figures and letter "93H" and by inserting in lieu thereof the figures and letter "93I"; Sec. 1.  
(Consequential.)
- (i) by omitting sections one hundred and forty-one, one hundred and forty-two, and one hundred and forty-three; Secs. 141,  
142, 143.  
(Stealing trees, etc., third offer ce.)
- (j) by inserting in section 154A after the words "motor car" the words "caravan, trailer"; Sec. 154A.  
(Unlawful use of vehicle, etc.)
- (k) by omitting from section one hundred and fifty-five the words "within the meaning of the two next following sections"; Sec. 155.  
(Definition of clerk or servant.)
- (l) (i) by inserting next after section 178A the following short heading and new section:— New sec.  
178B.

#### VALUELESS CHEQUES.

178B. Whosoever obtains any chattel, money or valuable security by passing any cheque which is not paid on presentation shall, unless he proves— Valueless cheques.  
South Australian Police Act, 1936, s. 90.

- (a) that he had reasonable grounds for believing that that cheque would be paid in full on presentation; and
- (b) that he had no intent to defraud, be liable to imprisonment for one year, notwithstanding that there may have been some funds to the credit of the account on which the cheque was drawn at the time it was passed.
- (ii) by inserting in the matter relating to Part IV, chapter I, in section one after paragraph (f1) the following new paragraph:— Sec. 1.  
(Consequential.)
- (f2) VALUELESS CHEQUES—s. 178B.
- (m) by inserting in section one hundred and seventy-nine after the words "by any false pretence" the words "or by any wilfully false promise"; Sec. 179.  
(False pretences.)
- (n)

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Sec. 180.  
(Causing  
payment,  
etc., by  
false  
pretence.)

(n) by inserting in section one hundred and eighty after the words "by any false pretence" the words "or by any wilfully false promise";

Sec. 182.  
(Conviction  
on charge of  
false  
pretences,  
etc.)

(o) by inserting in section one hundred and eighty-two after the words "by any false pretence" the words "or by any wilfully false promise";

Sec. 183.  
(Trial for  
false  
pretences,  
etc.)

(p) by inserting in section one hundred and eighty-three after the words "by any false pretence" the words "or by any wilfully false promise";

Sec. 196.  
(Setting fire  
to dwelling  
knowing  
person  
therein.)

(q) by inserting in section one hundred and ninety-six after the word "dwelling-house" wherever occurring the words "vehicle or aircraft";

Sec. 197.  
(Setting  
fire to  
dwelling a  
person being  
therein or to  
a church.)

(r) by inserting in section one hundred and ninety-seven after the word "dwelling-house" wherever occurring the words "vehicle or aircraft";

Sec. 198.  
(Setting fire to  
certain other  
buildings.)

(s) by inserting in section one hundred and ninety-eight after the word "dwelling-house" the words "vehicle or aircraft";

Sec. 201.  
(Setting fire to  
things in or  
adjacent to  
buildings.)

(t) by inserting in section two hundred and one after the word "building" wherever occurring the words "vehicle or aircraft";

Sec. 202.  
(Attempting to  
set fire to  
buildings.)

(u) by inserting in section two hundred and two after the word "building" the words "vehicle, aircraft";

Sec. 203.  
(Destroying  
or damaging  
a house with  
gunpowder.)

(v) (i) by inserting in section two hundred and three after the word "dwelling-house" the words "vehicle or aircraft";

(ii) by inserting in the same section after the word "whatsoever" the words "vehicle or aircraft";

(w)

- (w) (i) by inserting in section two hundred and four after the word "building" where first occurring the words "vehicle or aircraft"; **No. 31, 1951.**  
Sec. 204. (Attempting to destroy building with gun-powder.)
- (ii) by inserting in the same section after the word "building" where secondly occurring the words "vehicle, aircraft";
- (x) by omitting section three hundred and thirty-eight; Sec. 333. (False declaration in fraud of revenue.)
- (y) by omitting from section three hundred and forty all the words after the words "direct such person to be prosecuted for perjury in respect thereof" and by inserting in lieu thereof the words "and may commit him, or admit him to bail, to take his trial at the proper court, and may require any person then present to enter into a recognizance to give evidence against the person whose prosecution is so directed. Where there is a committal by a magistrate and bail is not granted the magistrate may issue any necessary warrant"; Sec. 340. (Directing prosecution for perjury.)  
et. 1 and 2  
Geo. V, c. 6,  
s. 9.
- (z) by inserting at the end of subsection three of section 353A the words "and palm-prints"; Sec. 353A. (Power to search person etc.)
- (aa) by inserting next after section three hundred and sixty the following new section:—
- 360A. (1) Every provision of an Act relating to offences punishable upon indictment or upon summary conviction may, unless a contrary intention appears, be construed to apply to bodies corporate as well as to individuals. Indictment of corporations.
- (2) Where a corporation whether alone or jointly with some other person is charged before justices with an indictable offence, the justices may, if they are of opinion that the evidence is sufficient to put the accused corporation upon trial, make an order empowering the prosecutor appointed under section five hundred and seventy-two of this Act to prefer a bill for the offence named in the order or for such other offence

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offence as such prosecutor shall deem proper, and such order shall be deemed to be a committal for trial:

Provided that—

(a) where the offence is an offence which in the case of an adult may be dealt with summarily and the corporation does not appear by a representative or, if it does so appear, consents that the offence should be so dealt with, the offence may be dealt with summarily; and

(b) if the corporation appears by a representative any answer to the question to be put under subsection four of section forty-one of the Justices Act, 1902-1951, may be made on behalf of the corporation by that representative, but if the corporation does not so appear it shall not be necessary to put the question.

(3) Where a bill is found against a corporation the corporation may on arraignment enter in writing by its representative a plea of guilty or not guilty. If no such plea is entered the court shall enter a plea of not guilty and the trial shall proceed as though the corporation had pleaded not guilty.

(4) A representative need not be appointed under the seal of the corporation, and a written statement purporting to be signed by any person being one of the persons having the management of the affairs of the corporation to the effect that the person named has been appointed as the representative of the corporation shall be admissible as prima facie evidence that the person has been so appointed.

(5) Any summons or other document may be served upon the corporation by leaving it at or sending it by post to the registered office of the corporation or to any place at which it trades or carries on business.

(6)



(6) Where the penalty in respect of any offence is a term of imprisonment only, the court before which the offence is tried may, if it thinks fit, in the case of a body corporate, impose a pecuniary penalty not exceeding—

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- (a) where the term of imprisonment does not exceed six months—one hundred pounds;
- (b) where the term of imprisonment exceeds six months but does not exceed one year—two hundred pounds;
- (c) where the term of imprisonment exceeds one year but does not exceed two years—five hundred pounds;
- (d) where the term of imprisonment exceeds two years—one thousand pounds.

In this subsection “imprisonment” includes penal servitude.

(bb) by omitting sections three hundred and seventy-six, three hundred and seventy-seven, three hundred and ninety-seven and three hundred and ninety-eight.

Secs. 376, 377, 397, 398.

(Indictment for murder or manslaughter.

Averment of value of instrument not necessary.

Pleas of attainder and dilatory pleas.)

Further amendment of Act No. 40, 1900.

3. The Principal Act is further amended—

(a) by omitting section four hundred and one;

Sec. 401.

(Jury not to inquire of lands, &c.)

(b) by inserting at the end of section four hundred and five the following new subsection:—

Sec. 405.

(2) Where the accused intends to give evidence or to call any witness or witnesses in support of the defence the accused or his counsel shall be entitled to open the case for the defence before calling his evidence.

Accused may open case before calling witnesses.

(c)

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Sec. 429.  
(Release of  
juvenile  
offenders.)

(c) by omitting section four hundred and twenty-nine;

Sec. 436.  
(Sentences in  
irons.)

(d) by omitting section four hundred and thirty-six;

Sec. 475.  
(Governor  
or judge  
may direct  
inquiry.)

(e) (i) by omitting from subsection one of section four hundred and seventy-five the words "of a prisoner" and by inserting in lieu thereof the words "of any person";

(ii) by omitting from the same subsection the words "of the prisoner" and by inserting in lieu thereof the words "of the person convicted";

(iii) by inserting in subsection four of the same section after the word "practicable" the words "together with his report as to the conclusions to be drawn therefrom";

Sec. 476.  
(Indictable  
offences  
punishable  
summarily  
by consent of  
the accused.)

(f) by omitting from paragraph two of section four hundred and seventy-six the words "one hundred pounds" and by inserting in lieu thereof the words "two hundred and fifty pounds".

Further  
amendment of  
Act No. 40,  
1900.

**4. The Principal Act is further amended—**

Sec. 501.  
(Offences  
punishable  
summarily  
without  
consent  
of accused.)

(a) (i) by omitting from subsection two of section five hundred and one the words and figures "and by section 526A of this Act";

(ii) by omitting from the same subsection the words "or police";

(iii) by inserting at the end of the same section the following new subsection:—

(3) The provisions of section fifty-six of the Justices Act, 1902-1951, shall not apply to proceedings under this section.

(b)

- (b) by omitting from section five hundred and two the words “may be summoned to appear before” and by inserting in lieu thereof the words “may be brought before or may be summoned to appear before”; **No. 31, 1951.**  
Sec. 502.  
 (Possession of skin, etc., of stolen cattle.)
- (c) by inserting at the end of section 526A the following new subsection:—  
Sec. 526A.  
 (Unlawfully using vehicle or boat.)  
 (2) The jurisdiction conferred on two justices by this section shall be exercisable only by a stipendiary magistrate.
- (d) by omitting sections five hundred and thirty-two to five hundred and thirty-eight both inclusive; Sec. 532 to 538.  
 (Injuries to trees, &c.)
- (e) by omitting section five hundred and fifty-two and the sub-heading thereto; Sec. 552.  
 (Discharge of juvenile first offenders.)
- (f) by omitting from section five hundred and fifty-three the words “section of this”; Sec. 553.  
 (Sentence may be for less term, or fine for less amount than that fixed.)
- (g) by inserting in subsection two of section five hundred and fifty-four after the words “three months” the words “with either hard labour or light labour”; Sec. 554.  
 (Recognizance for good behaviour.)
- (h) by inserting at the end of section 556A the following new subsection:—  
Sec. 556A.  
 (Power to permit conditional release of offenders.)  
 (3) Where under subsection one of this section a charge is dismissed or an offender is conditionally discharged, the person charged shall have a right to appeal to a court of quarter sessions on the ground that he was not guilty of the offence charged, and such appeal shall be dealt with as an appeal within the meaning of section one hundred and twenty-two of the Justices Act, 1902-1951.
- (i) (i) by inserting next after section 556A the following new section:—  
New s. 556B.  
 556B. If the court before which an offender is bound by recognizance to appear for conviction or sentence, or any court of summary Proceedings on breach of condition of recognizance.

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summary jurisdiction, is satisfied by information on oath that the offender has failed to observe any condition of his recognizance, it may issue a warrant for his apprehension and upon his apprehension, on being satisfied that he has failed to observe any condition of his recognizance, may convict and sentence him, or sentence him, as the case may require, for the offence with which he was originally charged as if he had not been released on recognizance.

Sec. 1.  
(Consequential.)

- (ii) by omitting from the matter relating to Part XIV, Chapter IV, in section one the letters and figures "s. 556A" and by inserting in lieu thereof the letters and figures "ss. 556A, 556B";

Sec. 561.  
(Forfeiture of recognizance, etc.)

- (j) (i) by omitting from subsection one of section five hundred and sixty-one the words "during the period specified in the recognizance";
- (ii) by inserting in paragraph (b) of the same subsection after the words "dishonest means" the words "during the period specified in the recognizance";
- (iii) by omitting from the same paragraph the words "is getting his livelihood by dishonest means" and by inserting in lieu thereof the words "got his livelihood by dishonest means during such period";
- (iv) by inserting in paragraph (c) of the same subsection after the word "conviction" the words "in respect of any act or thing done or omitted to be done by him during the period specified in the recognizance";
- (v) by inserting in paragraph (d) of the same subsection after the word "conviction" the words "in respect of any act or thing done or omitted to be done by him during the period specified in the recognizance";

(vi)

(vi) by omitting from the same subsection the words "or so much thereof as remains to be performed, under the provisions hereinbefore contained". No. 31, 1951.

(k) by omitting from section five hundred and sixty-two the words "during the period specified in the recognizance". Sec. 362.  
(Otherwise to be discharged and conviction not to be deemed a previous conviction.)

5. The Principal Act is further amended—

- (a) by omitting section two hundred and ninety-nine; Sec. 299.  
(Forging trade mark.)
- (b) by omitting Part VI; Part VI.  
(Coinage offenses.)
- (c) by omitting from section one the matter relating to Part VI. Sec. 1.  
(Consequential.)

6. The Principal Act is further amended—

- (a) by inserting in section one hundred and eighty-five after the word "parchment" the words "in order that the same may be afterwards made or converted into, or used or dealt with as a valuable security,"; Further amendment of Act No. 40, 1900.  
Sec. 185.  
(Inducing persons by fraud to execute instruments.)
- (b) by omitting section three hundred and forty-nine and by inserting in lieu thereof the following section—

349. (1) Every accessory after the fact to murder shall be liable to penal servitude for life. Sec. 349.  
Punishment of accessories after the fact to murder, etc.

(2) Every accessory after the fact to the crime of robbery with arms or in company with one or more person or persons, shall be liable to penal servitude for fourteen years.

- (c) by inserting in section four hundred and forty-one after the word "tried" the words "or any other court of like jurisdiction"; Sec. 441.  
(Judgment after sentence deferred.)

(d)

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545D.

(d) (i) by inserting next after section 545C the following short-heading and new section:—

**(D 4) UNLAWFUL MAKING OR POSSESSION OF  
EXPLOSIVES.**Unlawful  
making or  
possession of  
explosives.**545D.** Whosoever being charged before two Justices with—

(a) having made; or

(b) knowingly having in his possession or under his control,

any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he did not make such substance, or did not have such substance in his possession or under his control, for a lawful purpose, does not satisfy such Justices that he made the explosive substance, or had such substance in his possession or under his control, for a lawful purpose, shall be liable to imprisonment for a term not exceeding six months.

Sec. 1.  
(Conse-  
quential.)

(ii) by inserting in section one after the figures and letter "545C" the letters, words and figures:—

**(D 4) UNLAWFUL MAKING OR POSSESSION OF  
EXPLOSIVES.**Amendment  
of Act No.  
16, 1912.

Sec. 5A.

**7.** The Criminal Appeal Act of 1912, as amended by subsequent Acts, is amended—

(a) by inserting at the end of section 5A the following new subsection:—

Reserving  
question  
of law.

(2) (a) The judge or chairman of quarter sessions before whom any person is tried and acquitted shall, if so requested by counsel for the Crown upon or after the conclusion of the trial, reserve for decision by the Court of Criminal Appeal any question of law arising at or in connection with the trial.

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No such request shall be made without the No. 31, 1954. written consent of the Attorney-General.

(b) The question reserved shall be referred by the judge or chairman to the Court of Criminal Appeal for decision, together with a statement of the circumstances out of which such question arose or such further statement as the Court of Criminal Appeal may require.

(c) The Court of Criminal Appeal shall have power to determine the question reserved.

(d) The determination by the Court of Criminal Appeal of the question reserved shall not in any way affect or invalidate any verdict or decision given at the trial.

(e) Any person charged at the trial or affected by the decision shall be entitled to be heard before the Court of Criminal Appeal upon the determination of the question reserved, and if it appears that such person does not propose to be represented upon such determination, the Attorney-General shall instruct counsel to argue such question before the Court of Criminal Appeal on behalf of such person.

(f) The reasonable costs of legal representation of any person heard before the Court of Criminal Appeal as provided in this section shall be paid by the Crown.

(g) The hearing and determination of any question under this section shall be held in camera:

Provided that nothing in this paragraph shall preclude a barrister or solicitor from being present at the hearing and determination for the purpose of reporting the case for the New South Wales State Reports or Weekly Notes.

(h) No report of any request made pursuant to paragraph (a) of this subsection shall be published. No report of proceedings  
under

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under this subsection shall be published which discloses the name or identity of the person charged at the trial or affected by the decision given at the trial. Any publication in contravention of the foregoing provision shall be punishable as contempt of the Supreme Court.

**Sec. 5B.**  
(Cases  
stated from  
Court of  
Quarter  
Sessions.)

- (b) by omitting from section 5B the words “and such submission shall be dealt with as if it were an appeal under this Act.”

**Amendment  
of Act No.  
27, 1902.**

**Sec. 122.**  
(Appeal to  
Quarter  
Sessions.)

**8. (1)** The Justices Act, 1902, as amended by subsequent Acts, is amended—

- (a) by inserting in subsection one of section one hundred and twenty-two after the words “the making of such conviction or order” the words “, or, where a rule or order has been granted or made under or by virtue of section one hundred and twelve of this Act in respect of the conviction or order, within seven days from the date upon which proceedings consequent thereon concluded”;

**New sec.  
131A.**

- (b) by inserting next after section one hundred and thirty-one the following new section:—

**Cases stated  
from  
Court of  
Quarter  
Sessions.**

131A. (1) A chairman of quarter sessions may submit any question of law arising on any appeal to quarter sessions coming before him not being a question of criminal law to the Supreme Court for determination and the Supreme Court may make any such order or give any such direction to the court of quarter sessions as it thinks fit.

(2) On the hearing of the case stated by the chairman of quarter sessions the Supreme Court shall have full power to determine how and by whom the costs of the proceedings in the Supreme Court are to be borne.

(2)



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(2) The Justices Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Justices Act, 1902-1951. No. 31, 1951.

**9.** The Habitual Criminals Act, 1905, as amended by subsequent Acts, is amended— Amendment  
of Act No.  
15, 1905.

(a) by omitting from the Schedule the words and figures— Schedule.

“148 to 153 inclusive—Larceny” and by inserting in lieu thereof the words and figures “148 to 154A—Larceny”;

(b) by omitting from the Schedule the words and figures—

“Under any of the sections in Part VI of the Crimes Act, 1900—Coinage.

Under the Crimes (Amendment) Act, 1905—Fraudulent misappropriation”;

and by inserting in lieu thereof the following words and figures—

“Under Part IV of the Commonwealth Crimes Act 1914-1946—Coinage.

Under sections 178A or 178B of the Crimes Act, 1900—Fraudulent misappropriation.”

**10.** The Principal Act is further amended to the extent set out in the Schedule to this Act. Further  
amendment of  
Act No. 40,  
1900.  
(Revision.)

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**SCHEDULE.**

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## SCHEDULE.

Sec. 10.

Enactment of Act No. 40, 1900.	Amendment.
Section thirty ..	Omit the words "the preceding sections" and insert in lieu thereof the words "sections twenty-seven to twenty-nine both inclusive."
Section thirty-four	(a) Omit the words "the last preceding section" and insert in lieu thereof the words "section thirty-three"; (b) omit the words "the next following section" and insert in lieu thereof the words "section thirty-five."
Section forty ..	(a) Omit the words "the last preceding section" and insert in lieu thereof the words "section thirty-nine"; (b) omit the words "the next following section" and insert in lieu thereof the words "section forty-one."
Section sixty ..	Omit the words "the last preceding section" and insert in lieu thereof the words "section fifty-nine."
Section seventy-five	Omit the words "the last two preceding sections" and insert in lieu thereof the words "section seventy-three or section seventy-four."
Section 78B ..	Omit the words "the last preceding section" and insert in lieu thereof the word and figures "section 78A."
Section 78c ..	Omit the words "either of the last two preceding sections" wherever occurring and insert in lieu thereof the words and figures "section 78A or section 78B."
Section eighty-eight	Omit the words "either of the two last preceding sections" and insert in lieu thereof the words "section eighty-six or section eighty-seven."
Section ninety-three	Omit the words "the last preceding section" and insert in lieu thereof the words "section ninety-two."
Section ninety-six	Omit the words "the last preceding section" and insert in lieu thereof the words "section ninety-five."
Section one hundred and one.	Omit the words "hereinafter defined" and insert in lieu thereof the words "defined in section one hundred and four."

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**SCHEDULE—continued.**

Enactment of Act No. 40, 1900.	Amendment.
Section one hundred and two.	After the words "crime or offence" insert the words "as is referred to in section one hundred and one."
Section one hundred and three.	After the words "infamous crime" insert the words "as is defined in section one hundred and four."
Section one hundred and four.	Omit the words "the three last preceding sections" and insert in lieu thereof the words "sections one hundred and one, one hundred and two and one hundred and three."
Section one hundred and five.	Omit the words "as aforesaid" and insert in lieu thereof the words "as is referred to in sections ninety-nine to one hundred and three both inclusive."
Section one hundred and fifteen.	Omit the words "the last preceding section" and insert in lieu thereof the words "section one hundred and fourteen."
Section one hundred and twenty-seven.	Omit the words "the last preceding section" and insert in lieu thereof the words "section one hundred and twenty-six."
Section one hundred and thirty.	Omit the words "the next following section" and insert in lieu thereof the words "section one hundred and thirty-one."
Section one hundred and thirty-six.	Omit the words "either of the two last preceding sections" and insert in lieu thereof the words "section one hundred and thirty-four or section one hundred and thirty-five."
Section one hundred and thirty-seven.	Omit the words "in the said two sections" and insert in lieu thereof the words "in section one hundred and thirty-four or in section one hundred and thirty-five."
Section 154A ..	Omit the words "and the next succeeding section" and insert in lieu thereof the words and figures "section and in section 154B."
Section 154B ..	Omit the words "the next preceding section" and insert in lieu thereof the word and figures "section 154A."

SCHEDULE—*continued.*

Enactment of Act No. 40, 1900.	Amendment.
Section one hundred and sixty-four.	Omit the words "the seven next following sections" and insert in lieu thereof the words "sections one hundred and sixty-five to one hundred and seventy-one both inclusive."
Section one hundred and sixty-seven.	Omit the words "the two last preceding sections" and insert in lieu thereof the words "section one hundred and sixty-five or section one hundred and sixty-six."
Section one hundred and seventy-one.	Omit the words "the last preceding section" and insert in lieu thereof the words "section one hundred and seventy."
Section one hundred and seventy-seven.	Omit the words "twelve last preceding sections" and insert in lieu thereof the words "sections from section one hundred and sixty-five to section one hundred and seventy-six both inclusive."
Section one hundred and seventy-eight.	Omit the words "the said twelve sections" and insert in lieu thereof the words "sections one hundred and sixty-five to one hundred and seventy-six both inclusive."
Section one hundred and eighty.	Omit the words "the last preceding section" and insert in lieu thereof the words "section one hundred and seventy-nine."
Section one hundred and eighty-seven.	Omit the words "the two next following sections" and insert in lieu thereof the words "sections one hundred and eighty-eight and one hundred and eighty-nine."
Section one hundred and ninety-one.	Omit the words "the last preceding section" and insert in lieu thereof the words "section one hundred and ninety."
Section one hundred and ninety-five.	Insert after the words "any such act" the words "as is referred to in section one hundred and ninety-four."
Section two hundred	Omit the words "not hereinbefore mentioned" and insert in lieu thereof the words "not mentioned in sections one hundred and ninety-six to one hundred and ninety-nine both inclusive."

SCHEDULE—*continued.*

Enactment of Act No. 40, 1900.	Amendment.
Section two hundred and two.	Omit the words "as aforesaid" and insert in lieu thereof the words "as is referred to in sections one hundred and ninety-six to two hundred and one both inclusive."
Section two hundred and six.	(a) Omit the words "the last preceding section" and insert in lieu thereof the words "section two hundred and five"; (b) omit the words "the next following section" and insert in lieu thereof the words "section two hundred and seven."
Section two hundred and fourteen.	Omit the words "in the three last preceding sections mentioned" and insert in lieu thereof the words "mentioned in section two hundred and eleven, two hundred and twelve or two hundred and thirteen."
Section two hundred and seventeen.	Omit the words "the last preceding section" and insert in lieu thereof the words "section two hundred and sixteen."
Section two hundred and twenty-two.	Omit the words "as in the last preceding section mentioned" and insert in lieu thereof the words "as is mentioned in section two hundred and twenty-one."
Section two hundred and thirty-one.	(a) Omit the words "the last preceding section" and insert in lieu thereof the words "section two hundred and thirty"; (b) omit the words "the next following section" and insert in lieu thereof the words "section two hundred and thirty-two."
Section two hundred and thirty-four.	Omit the words "in the last preceding section mentioned" and insert in lieu thereof the words "mentioned in section two hundred and thirty-three."
Section two hundred and forty-one.	Omit the words "hereinbefore provided" and insert in lieu thereof the words "provided in sections two hundred and thirty-five to two hundred and forty both inclusive."
Section two hundred and forty-seven.	Omit the words "hereinbefore provided" and insert in lieu thereof the words "provided in this Chapter of this Part."
Section two hundred and fifty-two.	Omit the word "herein" and insert in lieu thereof the words "by any provision in this Part."

SCHEDULE—*continued.*

Enactment of Act No. 40, 1939.	Amendment.
Section two hundred and fifty-seven.	Insert after the words "such share, or interest" where firstly occurring the words "as is referred to in section two hundred and fifty-six."
Section two hundred and sixty-two.	Omit the words "in the last section mentioned" and insert in lieu thereof the words "mentioned in section two hundred and sixty-one."
Section two hundred and sixty-three.	Omit the words "in the last two preceding sections mentioned" and insert in lieu thereof the words "mentioned in section two hundred and sixty-one or two hundred and sixty-two."
Section two hundred and sixty-eight.	Omit the words "the two last preceding sections" and insert in lieu thereof the words "sections two hundred and sixty-six and two hundred and sixty-seven."
Section two hundred and seventy-four.	Omit the words "as aforesaid" and insert in lieu thereof the words "as is referred to in section two hundred and seventy-three."
Section two hundred and seventy-six.	Omit the word "herein" and insert in lieu thereof the words "by any provision of this Part."
Section two hundred and seventy-nine.	Omit the words "the five next following sections" and insert in lieu thereof the words "sections two hundred and eighty to two hundred and eighty-four both inclusive."
Section two hundred and eighty-eight.	Omit the words "in the last preceding section mentioned" and insert in lieu thereof the words "mentioned in section two hundred and eighty-seven."
Section two hundred and ninety-two.	Omit the word "herein" and insert in lieu thereof the words "by any provision of this Part."
Section three hundred and twenty-nine.	Omit the words "the next following section" and insert in lieu thereof the words "section three hundred and thirty."
Section three hundred and forty-one.	Omit the words "the last preceding section" wherever occurring and insert in lieu thereof the words "section three hundred and forty."

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SCHEDULE—*continued.*

Enactment of Act No. 40, 1900.	Amendment.
Section three hundred and fifty-six.	Omit the words "either of the two last preceding sections" and insert in lieu thereof the words "section three hundred and fifty-four or section three hundred and fifty-five."
Section four hundred and sixty-three.	(a) Omit from subsection three the words "or the last preceding subsection" and insert in lieu thereof the words "subsection or subsection two of this section"; (b) omit from subsection four the words "the said subsections" and insert in lieu thereof the words "subsection two or subsection three of this section."
Section four hundred and sixty-eight.	Omit the words "the two last preceding sections, and of sections four hundred and thirty-seven and four hundred and fifty-seven" and insert in lieu thereof the words "sections four hundred and thirty-seven, four hundred and fifty-seven, four hundred and sixty-six and four hundred and sixty-seven."
Section four hundred and seventy-six.	Omit the words "the next following section" and insert in lieu thereof the words "section four hundred and seventy-seven."
Section four hundred and seventy-seven.	Omit the words "the last preceding section" and insert in lieu thereof the words "section four hundred and seventy-six."
Section four hundred and seventy-eight.	Omit the words "the last preceding section" and insert in lieu thereof the words "section four hundred and seventy-seven."
Section four hundred and eighty.	Omit the words "In any such case" and insert in lieu thereof the words "Where a charge is disposed of summarily under section four hundred and seventy-nine."
Section four hundred and eighty-one.	(a) Omit the words "in any such case" and insert in lieu thereof the words "upon a charge disposed of summarily under section four hundred and seventy-nine"; (b) omit the words "the last preceding section" and insert in lieu thereof the words "section four hundred and eighty."

SCHEDULE

SCHEDULE—*continued.*

Enactment of Act No. 40, 1900.	Amendment.
Section four hundred and eighty-two.	Omit the words "the nine next following sections" and insert in lieu thereof the words "sections four hundred and eighty-three to four hundred and ninety-one both inclusive."
Section four hundred and eighty-four.	Omit the words "the last preceding section" and insert in lieu thereof the words "section four hundred and eighty-three."
Section four hundred and ninety.	Omit from subsection two the words "the preceding subsection" and insert in lieu thereof the words "subsection one of this section."
Section four hundred and ninety-eight.	Omit the words "such case of assault" and insert in lieu thereof the words "case of assault under sections four hundred and ninety-three to four hundred and ninety-six both inclusive."
Section four hundred and ninety-nine.	Omit the words "such certificate" and insert in lieu thereof the words "a certificate of dismissal under section four hundred and ninety-eight."
Section five hundred.	Omit the words "the preceding sections" and insert in lieu thereof the words "sections four hundred and ninety-three to four hundred and ninety-nine both inclusive."
Section five hundred and six.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and five."
Section five hundred and eight.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and seven."
Section five hundred and fourteen.	Omit the words "the preceding section" and insert in lieu thereof the words "section five hundred and thirteen."
Section five hundred and sixteen.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and fifteen."
Section five hundred and nineteen.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and eighteen."
Section five hundred and twenty-four.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and twenty-three."



SCHEDULE—*continued.*

Enactment of Act No. 40, 1900.	Amendment.
Section five hundred and twenty-six.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and twenty-five."
Section five hundred and thirty.	Omit the words "the twelve sections next following" and insert in lieu thereof the words "sections five hundred and thirty-one to five hundred and forty-two both inclusive."
Section five hundred and thirty-one.	After the words "any such act" insert the words "as is referred to in section five hundred and thirty."
Section five hundred and forty.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and thirty-nine."
Section five hundred and forty-one.	Omit the words "hereinbefore provided" and insert in lieu thereof the words "provided in sections five hundred and thirty to five hundred and forty both inclusive."
Section five hundred and forty-two.	Omit the words "the last preceding section" and insert in lieu thereof the words "section five hundred and forty-one."
Section five hundred and fifty-eight.	Omit from paragraph four the words "hereinafter specified" and insert in lieu thereof the words "specified in section five hundred and sixty-one."
Section five hundred and sixty.	Omit the words "the foregoing provisions" and insert in lieu thereof the words "section five hundred and fifty-eight or section five hundred and fifty-nine."
Section five hundred and sixty-one.	After the words "so discharged" in subsection one insert the words "under section five hundred and fifty-eight or section five hundred and fifty-nine."
Section five hundred and sixty-two	Omit the word "aforesaid" and insert in lieu thereof the words "mentioned in section five hundred and sixty-one."