

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

**New South Wales**



ANNO VICESIMO SEXTO

**ELIZABETHÆ II REGINÆ**

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**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.]

**BE**

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*Criminal Appeal (Amendment).*

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

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

(b)

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*Criminal Appeal (Amendment).*

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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".
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