

CRIMINAL APPEAL (AMENDMENT) ACT 1986 No. 211

NEW SOUTH WALES



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CRIMINAL APPEAL (AMENDMENT) ACT 1986 No. 211

NEW SOUTH WALES



Act No. 211, 1986

An Act to amend the Criminal Appeal Act 1912 as a consequence of and in connection with the enactment of the Director of Public Prosecutions Act 1986; to provide an appeal to the Court of Criminal Appeal against the staying of indictments; and for other purposes. [Assented to 23 December 1986]

Criminal Appeal (Amendment) 1986

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 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day or days as may be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 16, 1912

3. The Criminal Appeal Act 1912 is amended in the manner set forth in Schedule 1.

Transitional provision

4. The amendment made by Schedule 1 (2) does not apply to the staying of an indictment before the commencement of that amendment.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CRIMINAL APPEAL ACT 1912

(1) Section 5A (**Point of law stated by judge**)—

Section 5A (2)—

After "Attorney-General" wherever occurring, insert "or Director of Public Prosecutions".

(2) Section 5C (**Appeal against quashing or staying of an indictment**)—

After "quashed" where firstly occurring, insert "or stayed".

Criminal Appeal (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE CRIMINAL APPEAL ACT 1912—*continued*

(3) Section 5C—

After “Attorney-General”, insert “or the Director of Public Prosecutions”.

(4) Section 5D (**Appeal by Crown against sentence**)—

After “Attorney-General”, insert “or the Director of Public Prosecutions”.
