

Mr. Wilford.

CRIMES AMENDMENT.

ANALYSIS.

- Title.
1. Short Title. | 3. Court of Appeal may pass any other sentence.
2. Right of appeal. | 4. This Act to be read as part of Crimes Act.

A BILL INTITULED

AN ACT to amend the Crimes Act, 1908, and to provide for
Further Appeals to the Court of Appeal. Title.

5 **BE IT ENACTED** by the General Assembly of New Zealand
in Parliament assembled, and by the authority of the same, as
follows:—

1. This Act may be cited as the Crimes Amendment Act, 1916. Short Title.

2. In addition to the provisions provided in the Crimes Act,
1908, regarding the reserving questions of law for the Court of
10 Appeal, it is hereby enacted and provided— Right of appeal.

(a.) That any accused person may, if the Court before which he
is tried refuses to reserve any question of law, appeal to
the Court of Appeal against his conviction on any ground
of appeal which involves a question of law alone.

15 (b.) That any accused person may, with the leave of the Court
of Appeal, appeal against his conviction on any ground
of appeal that involves a question of fact alone, or a
question of united law and fact, or any other ground
which appears to the Court of Appeal to be a sufficient
20 ground of appeal, if the Court before which he is tried
refuses under subsection three of section four hundred
and forty-two to reserve such a question.

(c.) That any accused person may, with the leave of the Court
of Appeal, appeal against the sentence passed on his con-
25 viction unless the sentence is one fixed by law.

3. On an appeal against a sentence the Court of Appeal shall,
if it thinks a different sentence should have been passed, quash the
sentence passed at the trial and pass any other sentence warranted
in law by its verdict (whether more or less severe) in substitution
30 therefor as they think ought to be passed, and in any other case
shall dismiss the appeal, and shall have power to award costs against
the accused person if the Court deems the appeal frivolous, or one
that should not have been brought.

4. This Act shall be read as part of the Crimes Act, 1908.

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