

*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*

*Legislative Council,  
7th September, 1899.*

*621.*

*Hon. Mr. MacGregor.*

## SUMMARY CONVICTIONS FOR INDICTABLE OFFENCES.

### ANALYSIS.

Title.	
1. Short Title.	4. Jurisdiction.
2. Accused may plead guilty.	5. Form of plea.
3. Consequences of plea of "Guilty."	6. No objection to be made to information after plea of "Guilty."

### A BILL INTITULED

AN ACT to make Provision for the Sentencing of Persons who plead guilty of Indictable Offences. 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. The Short Title of this Act is "The Summary Convictions for Indictable Offences Act, 1899." Short Title.

10 2. When any Court at the close of the preliminary hearing of any information shall propose to commit any accused person for trial for any indictable offence not punishable by death, an intimation shall be made in open Court, by or on behalf of the Court, to the accused, in the following words:— Accused may plea guilty.

15 "This Court proposes to commit you for trial; but you may, if you so desire, plead guilty to the offence charged. If you now plead guilty, you will not afterwards be allowed to deny your guilt, and you will be committed to the Supreme Court for sentence."

20 3. If on such intimation the accused shall plead guilty to the offence charged, the following consequences shall ensue:— Consequences of plea of "Guilty."

(1.) The Court shall thereupon commit the accused to the Supreme Court for sentence.

(2.) The accused shall, so soon as practicable, be brought before the Supreme Court or some Judge thereof for sentence.

25 (3.) Any Judge of the Supreme Court before whom any accused so committed shall be brought shall have the same powers of sentencing or otherwise dealing with the accused, and of finally disposing of the charge and of all incidental matters, as such Judge would have had if the accused on arraignment at any criminal sessions of the Supreme Court had pleaded guilty to the offence charged

30 on an indictment found by a grand jury.

(4.) All proceedings relating to a commitment for trial shall apply, as nearly as may be, to a commitment for sentence, and bail may be similarly granted; but no person shall be bound over to give evidence on any commitment for sentence unless the committing Court shall otherwise order. 5

Jurisdiction.

4. The power created by this Act of committing the accused to the Supreme Court for sentence shall not be exercised by any Court unless such Court consists of a Stipendiary Magistrate, or includes a Stipendiary Magistrate who shall join in the exercise of such power. 10

Form of plea.

5. A plea of "Guilty" for the purposes of this Act shall be indorsed upon the information, and shall be in the following form:—

"I plead guilty to the offence charged in the within information. 15

"Dated this                    day of                    ."

And the accused shall either sign the same, or shall affix his mark thereto, and such mark shall be certified to by the Stipendiary Magistrate.

No objection to be made to information after plea of "Guilty."

6. No objection on any ground whatever shall be taken to any information to which any accused shall have pleaded guilty, and no accused who shall have pleaded guilty to any such information shall afterwards be allowed to withdraw such plea. 20