



Crimes (Criminal Appeals) Amendment Act Commencement Order 2001

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 3rd day of December 2001

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 2 of the Crimes (Criminal Appeals) Amendment Act 2001, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- 1 Title**
This order is the Crimes (Criminal Appeals) Amendment Act Commencement Order 2001.

2 Commencement of Crimes (Criminal Appeals) Amendment Act 2001

The Crimes (Criminal Appeals) Amendment Act 2001 comes into force on 10 December 2001.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings the Crimes (Criminal Appeals) Amendment Act 2001 into force on 10 December 2001. The Act amends provisions in the Crimes Act 1961 that are concerned with rights to appeal to the Court of Appeal or to apply for leave to appeal to that court.

The principal changes include the following:

- the 10-day time limit for appealing (as prescribed by section 388(1)) is increased to 28 days;
 - the duty of the Solicitor-General is set out in new section 390;
 - all appeals or applications for leave to appeal must be dealt with by way of an oral hearing unless the Judge or Court making the decision on the mode of hearing determines that the appeal or application can be fairly dealt with on the papers and either the appeal or application has no realistic prospect of success or clearly should be allowed;
 - every judgment of the Court (except a judgment relating to a preliminary or incidental matter) must be accompanied by reasons.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 4 December 2001.

This order is administered in the Ministry of Justice.
