

Supreme Court of Judicature (Amendment) Bill

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Bill No: 50/1973

Read the first time: 28th August 1973

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Expenditure of Public Money

Supreme Court of Judicature (Amendment) Bill

Bill No. 50/1973

Read the first time on 28th August 1973.

An Act to amend the Supreme Court of Judicature Act (Chapter 15 of the Revised Edition).

Be enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1. This Act may be cited as the Supreme Court of Judicature (Amendment) Act, 1973, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Supreme Court of Judicature Act (hereinafter in this Act referred to as “the principal Act”) is hereby amended by deleting the words “Assistant Registrar” appearing at the end of the definition of “Registrar” and substituting therefor the words “Assistant Registrars”.

Repeal and re-enactment of section 42

3. Section 42 of the principal Act is hereby repealed and the following substituted therefor: —

“Interpretation

42. In this Part, unless the context otherwise requires, the expression “appellant” includes the Public Prosecutor when he appeals under this Part against the acquittal of any person by the High Court or against the sentence imposed on any person convicted by the High Court in the exercise of its original criminal jurisdiction.”.

Repeal and re-enactment of section 44

4. Section 44 of the principal Act is hereby repealed and the following substituted therefor: —

“Jurisdiction to hear and determine criminal appeals

44.—(1) The Court of Criminal Appeal shall have jurisdiction to hear and determine any appeal against any decision made by the High Court in the exercise of its original criminal jurisdiction, subject nevertheless to the provisions of this or any other written law regulating the terms and conditions upon which such appeals may be brought.

(2) An appeal by a person convicted shall be either against the conviction or against the sentence or against both:

Provided that where an accused person has pleaded guilty and been convicted on such plea there shall be no appeal except as to the extent or legality of the sentence.

(3) An appeal by the Public Prosecutor shall be either against the acquittal of an accused person or against the sentence imposed upon an accused person by the High Court.

(4) An appeal may lie on a question of fact or a question of law or on a question of mixed fact and law.

(5) The Court of Criminal Appeal shall also have jurisdiction to hear and determine matters brought before it in accordance with the provisions of section 59 or 60 of this Act.”.

Amendment of section 46

5. Subsection (1) of section 46 of the principal Act is hereby amended by deleting the words “Judge by whom the appellant was convicted” appearing in the second line thereof and substituting therefor the words “trial Judge”.

Repeal and re-enactment of section 49

6. Section 49 of the principal Act is hereby repealed and the following substituted therefor: —

“Transmission of papers to respondent

49.—(1) The Registrar shall as soon as practicable furnish the respondent or his advocate and solicitor with a copy of the proceedings in the case and a copy of the notice of appeal and of the petition of appeal.

(2) When an appeal is presented against an acquittal the High Court may issue a