

CRIMINAL PROCEDURE ORDINANCE
1933.*

309

Amended 33/61

An Ordinance relating to Trials upon indictment of Offences against the laws of the Commonwealth and of the Northern Territory.

1. This Ordinance may be cited as the *Criminal Procedure Ordinance* 1933.* Short title.

2. The trial on indictment of any offence against any law of the Northern Territory, other than an offence punishable by death, shall be by a Judge without a jury: Trials by Judge.

Provided that where a person is charged with an offence punishable by death, nothing in this section shall prevent or render illegal—

- (a) a verdict by the jury that the person is guilty of an offence not so punishable; or
- (b) a sentence passed upon that person for the offence of which he is so found guilty.

3. If on the trial on indictment of any offence against a law of the Commonwealth the jury fail to agree upon a unanimous verdict, the verdict of a majority consisting of not less than nine of the jurors shall for all purposes be deemed to be the verdict of the jury. Trial of offences against laws of the Commonwealth.

4. Where, in the Criminal Law Consolidation Act, 1876, of the State of South Australia, in its application to the Territory, or in any other law of the Northern Territory relating to the trial on indictment of offences against that law, other than offences punishable by death, any reference is made to the verdict or opinion of a jury (or similar words having the like effect) that reference shall be deemed to be a reference to a finding or opinion of the Judge. References in Acts of South Australia to the jury.

* No. 2, 1933; notified in *Commonwealth Gazette* and commenced on 25th May, 1933.