

Criminal jurisdiction of Supreme Court in respect of Samoa.

81. (1.) The criminal jurisdiction of the Supreme Court of New Zealand shall extend to offences committed in Samoa against the laws of the Territory, and may be exercised in New Zealand in respect of such offences in the same manner as if they were indictable offences committed in New Zealand.

(2.) Such jurisdiction shall be exercised only over offenders found in New Zealand.

(3.) In respect of any offence which is within the jurisdiction of the Supreme Court under this section the like preliminary proceedings before Justices of the Peace or a Stipendiary Magistrate may be taken in New Zealand as in the case of indictable offences committed in New Zealand.

(4.) The punishment to be imposed by the Supreme Court for any such offence shall be that which is provided for that offence by the laws of Samoa. Any person so liable to be imprisoned may be sentenced to imprisonment with or without hard labour as the Supreme Court thinks fit.

(5.) No prosecution in New Zealand for an offence committed in Samoa shall be commenced without the leave of the Attorney-General.

*Cases stated by the High Court.*

High Court may state a case for the Supreme Court.

82. (1.) The High Court may in any proceeding pending before it, whether civil or criminal, either on the application of any party or of its own motion, state a case on any question of law for determination by the Supreme Court of New Zealand.

(2.) The determination by the Supreme Court of any case so stated shall be binding on the High Court.

(3.) There shall be no appeal from any such determination to the Court of Appeal.

(4.) Every case so stated shall be under the seal of the High Court, and shall be filed by the Registrar of that Court in the office of the Supreme Court at Wellington.

(5.) The Registrar of the Supreme Court shall thereupon set down the case for hearing at some convenient sitting of the Supreme Court.

(6.) The determination of the Supreme Court shall be embodied in an order, and a duplicate of that order under the seal of the Court shall be transmitted by the Registrar of that Court to the Registrar of the High Court.

(7.) In and by such order the Supreme Court may fix and award the costs of the argument and determination of the special case, and the High Court shall by judgment or order give effect to the order so made by the Supreme Court.

(8.) The Supreme Court may send back for amendment any case so stated by the High Court.

*Appeals from the High Court.*

Jurisdiction of Supreme Court on appeal from the High Court.

83. Subject to the provisions of this Order, an appeal shall lie to the Supreme Court of New Zealand from any final judgment of the High Court, whether in its civil or criminal jurisdiction,—

(a.) As of right, from any conviction by the High Court in the exercise of its criminal jurisdiction whereby the appellant has been sentenced to imprisonment for a term exceeding six months or to a fine not less than one hundred pounds ;

(b.) As of right, when the matter in dispute on the appeal amounts to or is of the value of two hundred pounds or upwards ; and

(c.) At the discretion of the High Court in any other case, if in the opinion of that Court the question involved in the appeal is one which by reason of its general or public importance, or of the magnitude of the interests affected, or for any other reason, ought to be submitted to the Supreme Court of New Zealand for decision.