

2. Section 206 of the said Act is repealed and the following substituted therefor:

Punishment for capital murder.

"**206.** (1) Every one who commits capital murder is guilty of an indictable offence and shall be sentenced to death.

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Punishment for non-capital murder.

(2) Every one who commits non-capital murder is guilty of an indictable offence and shall be sentenced to imprisonment for life.

Exception for persons under age of eighteen years.

(3) Notwithstanding subsection (1), a person who appears to the court to have been under the age of eighteen 10 years at the time he committed a capital murder shall not be sentenced to death upon conviction therefor but shall be sentenced to imprisonment for life.

Minimum punishment.

(4) For the purposes of Part XX, the sentence of imprisonment for life prescribed by this section is a minimum 15 punishment."

3. The said Act is further amended by adding thereto, immediately after section 492 thereof, the following section:

Capital murder to be specifically charged.

"**492A.** No person shall be convicted of capital murder unless in the indictment charging the offence he is specifically 20 charged with capital murder."

4. Subsections (1) and (2) of section 515 of the said Act are repealed and the following substituted therefor:

Pleas permitted.

"**515.** (1) An accused who is not charged with an offence punishable by death and is called upon to plead may plead 25 guilty or not guilty, or the special pleas authorized by this Part and no others.

Refusal to plead.

(2) Where an accused who is not charged with an offence punishable by death refuses to plead or does not answer 30 directly, the court shall order the clerk of the court to enter a plea of not guilty.

Pleas where offence punishable by death.

(2a) An accused who is charged with an offence punishable by death and is called upon to plead may plead not guilty, or the special pleas authorized by this Part and no others.

Where no plea offered.

(2b) Where an accused who is charged with an offence 35 punishable by death does not plead not guilty or one of the special pleas authorized by this Part or does not answer directly, the court shall order the clerk of the court to enter a plea of not guilty."

5. Subsection (4) of section 516 of the said Act is re- 40 pealed and the following substituted therefor:

Pleading over.

"(4) When the pleas referred to in subsection (3) are disposed of against the accused, he may plead guilty or not guilty, unless he is charged with an offence punishable by death, in which case the court shall order the clerk of 45 the court to enter a plea of not guilty."