



Jury (Jury Service and Protection of Particulars of Jury List Information) Amendment Rules 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 25th day of March 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 35 of the Juries Act 1981, His Excellency the Governor-General makes the following rules, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the advice of the Minister of the Crown who is responsible for the Ministry of Justice, tendered after consultation with the Chief Justice, the Chief District Court Judge, and the President of the New Zealand Law Society.

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Rules

1 Title

These rules are the Jury (Jury Service and Protection of Particulars of Jury List Information) Amendment Rules 2013.

2 Commencement

These rules come into force on 29 April 2013.

3 Principal rules

These rules amend the Jury Rules 1990 (the **principal rules**).

4 Rule 8 amended (Preparation of final panel in both manual selection and electronic selection courts)

Before rule 8(1), insert:

“(1AA) The jury list information about a person named on a jury list and on a panel that must be included on the panel (and that therefore is the panel information for the purposes of sections 2 and 13(1A) of the Act) is prescribed by this rule as all jury list information about the person except for the person’s address.”

5 Rule 11 amended (Excusal from, or deferral of, jury service)

(1) In rule 11(1)(b), after “section 15”, insert “or 15A”.

(2) In rule 11(1)(b), after “Act”, insert “; or”.

(3) After rule 11(1)(b), insert:

“(c) have cancelled under section 15A(3) of the Act the person’s permanent excusal under section 15A(2) of the Act.”

(4) In rule 11(3), after “section 15(4)”, insert “or 15A(5)”.

- (5) In rule 11(6)(a), after “15”, insert “or 15A”.
- (6) In rule 11(6)(b), after “15(4)”, insert “or 15A(5)”.

6 Rule 12 amended (Registrar to compile and keep record of jurors summoned)

In rule 12(2)(c),—

- (a) after “section 15”, insert “or 15A”; and
- (b) after “the Act”, insert “, and details of any cancellation under section 15A(3) of the Act of any former permanent excusal under section 15A(2) of the Act”.

7 Rule 13 amended (Registrar to prepare jury cards)

In rule 13(1)(c),—

- (a) after “section 15”, insert “or 15A”; and
- (b) after “the Act”, insert “, or has had cancelled under section 15A(3) of the Act his or her former permanent excusal under section 15A(2) of the Act”.

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which amend the Jury Rules 1990, come into force on 29 April 2013, which is also the date appointed for the commencement of Parts 1 and 2 of the Juries (Jury Service and Protection of Particulars of Jury List Information) Amendment Act 2012.

Rule 4 amends rule 8, which relates to the preparation of the final jury panel. *New rule 8(IAA)* prescribes the panel information. The panel information is the jury list information about a person named on a jury list and on a panel that must be included on the panel. *New rule 8(IAA)* therefore also determines the protected particulars of the jury information. Those protected particulars (which are the person’s address) are excluded from the panel, but are accessible on

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Explanatory note

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a request for the purpose made to the Registrar by an eligible person under section 14AB of the Juries Act 1981.

Rule 5 amends rule 11, which relates to excusal from, or deferral of, jury service. The amendments arise from section 15A of the Juries Act 1981, which relates to the Registrar's discretion and duty to excuse from jury service permanently. Some of the amendments insert references to applications to be excused from jury service permanently. Other amendments insert references to applications for cancellation (as of right) of a permanent excusal on the grounds of age.

Rule 6 amends rule 12. The amendments ensure that the record that the Registrar must compile of jurors summoned includes details of permanent excusals from jury service, and of cancellations (as of right) of a permanent excusal on the grounds of age, under section 15A of the Juries Act 1981.

Rule 7 amends rule 13 to ensure that no jury card is prepared for a juror permanently excused from jury service under section 15A of the Juries Act 1981 unless his or her excusal was on the grounds of age and has been cancelled as of right on a written application by the juror for the purpose.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 28 March 2013.

These rules are administered by the Ministry of Justice.
