



ANALYSIS

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1976, No. 48

An Act to amend the Juries Act 1908

[14 November 1976]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Juries Amendment Act 1976, and shall be read together with and deemed part of the Juries Act 1908 (hereinafter referred to as the principal Act).

2. Exemption from jury service—(1) Section 6 of the principal Act (as substituted by section 2 (1) of the Juries Amendment Act 1951) is hereby amended—

(a) By omitting from paragraph (gg) of subsection (1) (as inserted by section 4 (3) of the Juries Amendment Act 1963) the word “woman”, and substituting the word “person”:

(b) By omitting from the said paragraph (gg) (as so inserted) the word “convent”, and substituting the words “monastery, convent,”.

(2) The said section 6 (as so substituted) is hereby amended by repealing paragraph (pp) (as inserted by section 4 (7) of the Juries Amendment Act 1963), and substituting the following paragraph:

“(pp) The spouse of an officer of a penal institution or work centre:”.

(3) The said section 6 (as so substituted) is hereby further amended by repealing subsection (2A) (as inserted by section 4 (9) of the Juries Amendment Act 1963), and substituting the following subsection:

“(2A) A parent, or a person in the position of a parent, who has the continuous responsibility for the day-to-day supervision of a child under the age of 6 years shall be exempt from serving on any jury if he or she notifies the Jury Officer or the Sheriff in writing that he or she is such a parent or person and that he or she does not wish to serve as a juror.”

(4) Section 17 of the principal Act (as substituted by section 5 of the Juries Amendment Act 1963) is hereby amended by omitting from subsection (2) the words “a woman”, and substituting the words “a person to whom section 6 (2A) of this Act applies”.

(5) Section 4 of the Juries Amendment Act 1963 is hereby amended by consequentially repealing subsections (7) and (9).

3. Jury districts—Section 12 of the principal Act (as substituted by section 2 of the Juries Amendment Act 1966) is hereby amended by omitting from subsection (2) the expression “fifteen miles”, and substituting the expression “30 kilometres”.

4. Deferring preparation of new jury lists for one year—(1) Notwithstanding anything in section 14 or section 15 of the principal Act, for the purposes of the preparation of new jury lists following the general election of members of the House of Representatives held on the 29th day of November 1975—

(a) It shall be sufficient compliance by the Sheriff of a jury district with the requirements of section 14 (1) of the principal Act if, on or before the 1st day of May 1977, he does everything that he was required to do under that provision on or before the 1st day of May 1976:

(b) It shall be sufficient compliance by the Registrar of Electors of a Maori electoral district with the requirements of section 15 (1) of the principal Act if, not later than the 1st day of June 1977, he does everything that he was required to do under that provision not later than the 1st day of June 1976.

(2) No Sheriff of a jury district and no Registrar of Electors of a Maori electoral district shall be held liable in any manner whatever for failing to comply, before the commencement of this Act and subsequent to the said general election of members of the House of Representatives, with the provisions of section 14 (1) or, as the case may require, section 15 (1) of the principal Act by the respective dates specified in those provisions.

5. Issue of precept to Sheriff—Section 63 of the principal Act is hereby amended by omitting the words “the Sheriff’s district”, and substituting the words “the jury district”.

6. Names of jurors to be called within precincts of Court—(1) Section 100 of the principal Act is hereby amended by omitting the words “, in open Court,”.

(2) The said section 100 is hereby further amended by adding, as subsection (2), the following subsection:

“(2) The proper officer of the Court, on delivery to him of the panel, shall, within the precincts of the Court, publicly call aloud the names of the jurors in the said panel one after another to determine which of them (if any) has failed to attend the Court, and shall record the name of any such juror so failing to attend.”

7. Swearing jurors in civil and criminal cases—(1) Section 104 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) After a jury is constituted as aforesaid, but before the case is opened or the accused given in charge, the jurors shall be sworn in open Court in the appropriate form in the Eighth Schedule to this Act.”

(2) Section 106 of the principal Act is hereby consequentially repealed.