

TASMANIA

JURIES AMENDMENT BILL 2007

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JURIES AMENDMENT BILL 2007

(Brought in by the Minister for Justice and Workplace Relations, the Honourable Steven Kons)

A BILL FOR

An Act to amend the *Juries Act 2003*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Juries Amendment Act 2007*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Juries Act 2003** is referred to as the Principal Act.

*No. 48 of 2003

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4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting the definition of “questionnaire”.

5. Section 8 amended (Deferral of jury service)

Section 8 of the Principal Act is amended as follows:

(a) by omitting subsection (2) and substituting the following subsection:

(2) The application is to be made before the person by or for whom it is made is selected to be empanelled for a jury under section 29.

(b) by omitting from subsection (3) “an” and substituting “the”;

(c) by omitting from subsection (3)(a) “a person’s” and substituting “the”.

6. Section 20 amended (Jury list)

Section 20 of the Principal Act is amended by inserting after subsection (4) the following subsections:

(4A) Without limiting the generality of subsection (4), the Sheriff, by notice, may require a person on a jury list to

produce a document to determine if the person is qualified for jury service.

(4B) A person, without reasonable excuse, must not fail to comply with a requirement under subsection (4A).

Penalty: Fine not exceeding 30 penalty units or imprisonment for a term not exceeding 3 months.

7. Sections 21 and 22 repealed

Sections 21 and 22 of the Principal Act are repealed.

8. Section 53 amended (Allowances and remuneration for jury service)

Section 53 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

- (2) However, a person who attends for but is excused from jury service is not entitled to be paid any allowances or remuneration if he or she –
- (a) was aware of a circumstance that may constitute a reason for being excused under this Act; and
 - (b) did not apply to the Sheriff to be excused at the first reasonable

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opportunity after becoming so aware.

9. Section 66 amended (Proof of service)

Section 66 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “questionnaire or a”;
- (b) by omitting from subsection (1) “questionnaire or” second occurring;
- (c) by omitting from subsection (1) “questionnaire or” third occurring;
- (d) by omitting from subsection (2) “questionnaire or” first occurring;
- (e) by omitting from subsection (2)(a) “questionnaire or”.