



New South Wales

## **Jury Amendment (Miscellaneous) Regulation 1996**

under the

**Jury Act 1977**

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Jury Act 1977*.

JEFFREY SHAW, Q.C., M.L.C.,  
Attorney General

### **Explanatory note**

The object of this Regulation is:

- (a) to remove from the *Jury Regulation 1993* forms made obsolete by amendments contained in the *Jury Amendment Act 1996* and to correct a note to an existing form, and
- (b) to prescribe the Director-General of the Attorney General's Department as the person who is to exercise certain functions of the sheriff in a trial or inquest in which the sheriff is involved, and
- (c) to prescribe penalties and short descriptions for certain offences that may be dealt with under new penalty notice provisions inserted in the *Jury Act 1977* by the *Jury Amendment Act 1996*.

This Regulation is made under the *Jury Act 1977* including section 76 (the general regulation-making power) and sections 24, 26, 66 and 72.

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Clause 1                   Jury Amendment (Miscellaneous) Regulation 1996

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## **Jury Amendment (Miscellaneous) Regulation 1996**

### **1 Name of Regulation**

This Regulation is the *Jury Amendment (Miscellaneous) Regulation 1996*.

### **2 Commencement**

This Regulation commences on 8 November 1996.

### **3 Amendment of Jury Regulation 1993**

The *Jury Regulation 1993* is amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendments

(Clause 3)

**[1] Clause 5 Notice of inclusion on draft jury roll**

Omit the clause.

**[2] Clause 6**

Omit the clause. Insert instead:

**6 Alternate procedure where sheriff interested in case**

The person holding the office of Director-General of the Attorney General's Department is prescribed for the purposes of section 24 (1) of the Act.

**[3] Clause 7 Summons for jury service**

Omit "section 27 (1)". Insert instead "section 26 (1)".

**[4] Clauses 8A and 8B**

Insert after clause 8:

**8A Penalty notices for failure to inform sheriff of disqualification or ineligibility or to attend for jury service**

For the purposes of section 66 of the Act, the penalty prescribed for an alleged contravention of section 61 or 63 of the Act is \$250.

**8B Short descriptions**

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column I of the Table to this clause is:
  - (a) the expression specified opposite that provision in Column 2 of the Table, or
  - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

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#### Schedule 1 Amendments

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- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of the Table to this clause, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

**Table**

<b>Column 1</b>	<b>Column 2</b>
section 61 (1)	fail to return questionnaire
section 61 (2)	'return incomplete questionnaire
section 61 (3)	give false information in questionnaire
section 63	fail to attend for jury service

#### [5] **Clause 9 Payment for jury service**

Omit "section 72 (1)". Insert instead "section 72 (1A)".

#### [6] **Schedule 1 Forms**

Omit Forms 1 and 2.

#### [7] **Schedule 1, Form 3**

Omit "section 27 (1)" from Form 3.  
Insert instead "section 26 (1)".

#### [8] **Schedule 1, Form 3**

Omit "\$200". Insert instead "\$500".