

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 39 of 1933.

AN ORDINANCE

To amend the *Juries Ordinance 1932-1933*.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows :—

1.—(1.) This Ordinance may be cited as the *Juries Ordinance* Short title and citation.
(No. 2) 1933.

(2.) Section one of the *Juries Ordinance 1933* is amended by omitting sub-section (3.).

(3.) The *Juries Ordinance 1932*, as amended by the *Juries Ordinance 1933*, is in this Ordinance referred to as the Principal Ordinance.

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Juries Ordinance 1932-1933*.

2. This Ordinance shall come into operation on the first day of Commencement.
January, One thousand nine hundred and thirty-four.

3. Section four of the Principal Ordinance is amended—

Definitions.

(a) by omitting the definition of "District Registrar";

(b) by omitting the definition of "Justice" and inserting in its stead the following definition :—

" 'Judge' means the Judge of the Supreme Court ; "

(c) by inserting, after the definition of "Prescribed", the following definition :—

" 'Registrar' means the Registrar of the Supreme Court ; "

(d) by omitting from the definition of "the Court" the words "High Court" and inserting in their stead the words "Supreme Court";

(e) by omitting the definition of "the High Court";

48.—PRICE 3d.

(f) by omitting the definition of "the Sheriff" and inserting in its stead the following definition:—

" 'the Sheriff' means the Sheriff of the Territory ; " ;
and

(g) by inserting at the end thereof the following definition:—

" 'the Supreme Court' means the Supreme Court of the Australian Capital Territory. " .

Justice may
excuse jurors
who are
candidates or
officers at
election.

4. Section eleven of the Principal Ordinance is amended by omitting the words "A Justice" and inserting in their stead the words "The Judge".

Power of Judge
to discharge or
excuse person
summoned as
juror.

5. Section twelve of the Principal Ordinance is amended by omitting the words "a Justice" and inserting in their stead the words "the Judge".

One of two
partners, &c.,
may be
exempted.

6. Section thirteen of the Principal Ordinance is amended by omitting the words "A Justice" and inserting in their stead the words "The Judge".

Revision of
list.

7. Section fifteen of the Principal Ordinance is amended by omitting the words "High Court" (wherever occurring) and inserting in their stead the words "Supreme Court".

Trial by jury
in criminal
cases.

8. Section sixteen of the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Criminal
special jury.

9. Section seventeen of the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Special juries
in civil cases.

10. Section eighteen of the Principal Ordinance is amended by omitting the words ", in pursuance of the *High Court Procedure Act* 1903-1925, the Court or a Justice" and inserting in their stead the words "the Judge".

Grand jury
precepts.

11. Section twenty of the Principal Ordinance is amended—

(a) by omitting the words "a Justice of the High Court" and inserting in their stead the words "the Judge";

(b) by omitting the words "High Court" (second occurring) and inserting in their stead the words "Supreme Court".

Special jury
precepts.

12. Section twenty-one of the Principal Ordinance is amended by omitting the words "a Justice of the High Court" and inserting in their stead the words "the Judge".

Number of
jurors to be
summoned.

13. Section twenty-three of the Principal Ordinance is amended by omitting the words "Justice issuing the precept" and inserting in their stead the word "Judge".

14. Section twenty-four of the Principal Ordinance is amended—

(a) by omitting the words “High Court or a Justice thereof” and inserting in their stead the words “the Supreme Court”; and

Provision for cases where sheriff is interested.

(b) by omitting the words “or Justice”.

15. Section twenty-eight of the Principal Ordinance is amended by omitting the words “High Court” and inserting in their stead the words “Supreme Court”.

Jurors not liable to be summoned until list exhausted.

16. Section twenty-nine of the Principal Ordinance is amended—

(a) by omitting the words “a Justice of the High Court” and inserting in their stead the words “the Judge”; and

(b) by omitting the word “Justice” (second occurring) and inserting in its stead the word “Judge”.

Mistakes in names may be corrected.

17. Section thirty of the Principal Ordinance is amended by omitting the words “High Court” and inserting in their stead the words “Supreme Court”.

Sheriff's return to precept.

18. Section forty-two of the Principal Ordinance is amended by omitting the words “or a Justice thereof”.

Trying different issues by the same jury in civil cases.

19. Section forty-seven of the Principal Ordinance is amended—

(a) by omitting the words “any Justice of the High Court” and inserting in their stead the words “the Judge”; and

(b) by omitting the word “Justice” (second occurring) and inserting in its stead the word “Judge”.

Order for view.

20. Section forty-eight of the Principal Ordinance is amended—

(a) by omitting the words “Justice of the High Court” and inserting in their stead the word “Judge”; and

(b) by omitting the word “Justice” (second occurring) and inserting in its stead the word “Judge”.

View by two or more.

21. Section fifty-three of the Principal Ordinance is amended by omitting the word “District” (wherever occurring).

Liability of Coroners' juries.

22. Section fifty-five of the Principal Ordinance is amended by omitting the words “High Court” and inserting in their stead the words “Supreme Court”.

Payment of jury.

23. Section fifty-six of the Principal Ordinance is amended—

(a) by omitting the words “presiding Justice of the High Court” and inserting in their stead the word “Judge”; and

(b) by omitting the word “Justice” (second occurring) and inserting in its stead the word “Judge”.

Prolonged sittings.

Trials to
continue
notwithstanding
jury reduced in
number.

24. Section fifty-seven of the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Rules of Court.

25. Section fifty-nine of the Principal Ordinance is amended by omitting the words "Justices of the High Court or a majority of them" and inserting in their stead the word "Judge".

Regulations.

26. Section sixty of the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Amendment of
Third Schedule.

27. The Third Schedule to the Principal Ordinance is amended by omitting the words "District Registrar of the High Court" and inserting in their stead the words "Registrar of the Supreme Court".

Amendment of
Fourth
Schedule.

28. The Fourth Schedule to the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Amendment of
Fifth Schedule

29. The Fifth Schedule to the Principal Ordinance is amended by omitting the words "High Court" and inserting in their stead the words "Supreme Court".

Dated the Twenty-third day of December, One thousand nine hundred and thirty-three.

ISAAC A. ISAACS,
Governor-General.

By His Excellency's Command,
A. J. McLACHLAN,
for Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.