
Juries (Amendment) Ordinance (No. 2) 1983

No. 60 of 1983

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 21 December 1983.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

GARETH EVANS
Attorney-General

An Ordinance to amend the *Juries Ordinance 1967*

Short title

1. This Ordinance may be cited as the *Juries (Amendment) Ordinance (No. 2) 1983*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Juries Ordinance 1967*.²

Jurors to be chosen by lot

3. Section 24 of the Principal Ordinance is amended by omitting sub-section (3) and substituting the following sub-sections:

"(3) The Sheriff shall prepare, and furnish the Commissioner with a copy of, a list of the names chosen under sub-section (1) or (2), as the case requires.

"(4) The Commissioner or a person authorized by him for the purpose may make such inquiries as he thinks fit in an endeavour to ascertain whether any person whose name is included on the list referred to in sub-section (3) is a disqualified person and the Commissioner or the first-mentioned person, as the case requires, shall report in writing the result of any such inquiries to the Sheriff.

“(5) A person shall not, except in the performance of a duty under, or otherwise for the purposes of, a law in force in the Territory, either directly or indirectly, make a record of, or divulge or communicate to any person, information obtained in the course of inquiries referred to in sub-section (4).

“(6) Where it appears to the Sheriff, after considering a report made under sub-section (4), that a person whose name is included on the list referred to in sub-section (3) is a disqualified person, the Sheriff shall remove the name of the person from that list and shall, by notice in writing sent by post addressed to him at his last known place of residence, call upon the person to show cause why his name should not be struck off the jury list on the ground that he is a disqualified person.

“(7) Where the Sheriff calls upon a person to show cause under sub-section (6), he shall, in the relevant notice, include a statement to the effect that if the person is aggrieved by a decision of the Sheriff to strike his name off the jury list, he may apply for a review of the decision under section 20.

“(8) The Sheriff shall cause to be served upon each person whose name was chosen under sub-section (1) or (2), as the case requires, and whose name was not, in pursuance of sub-section (6), removed from the list referred to in sub-section (3) a summons in accordance with Form 2 in the Second Schedule together with a notice that contains—

- (a) a statement of the grounds on which, under section 10, persons are not qualified to serve as jurors; and
- (b) a request that if the person believes he is not qualified to serve as a juror on such a ground, he inform the Sheriff to that effect.

“(9) An action or proceeding, civil or criminal, does not lie against the Commissioner or a person authorized by him in pursuance of sub-section (4) personally for or in respect of any act done by him in good faith in connection with the making of a report under that sub-section.

“(10) In this section, ‘Commissioner’ means the person holding, or performing the duties of, the office of Commissioner of Police of the Australian Federal Police.”.

Preparation of panel of jurors, and lists of jurors excused and jury cards

4. Section 27 of the Principal Ordinance is amended by omitting from sub-section (1) “sub-section (1) or (2) of section 24 of this Ordinance” and substituting “sub-section 24 (1) or (2), as the case requires.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 30 December 1983.
2. No. 47, 1967 as amended to date. For previous amendments see Note 2 to No. 6, 1983 and see also No. 6, 1983.