

EXPLANATORY STATEMENT  
AUSTRALIAN CAPITAL TERRITORY  
JURIES (AMENDMENT) ORDINANCE 1983  
No. 6 of 1983

The Ordinance amends the Juries Ordinance 1967 ('the Principal Ordinance') to enable a person, who serves as a juror for a trial in the Australian Capital Territory Supreme Court, to apply to the Sheriff for the payment of expense incurred by that person during his jury service and as a result of that service.

Under the Juries Ordinance 1967 jurors are entitled to be paid a prescribed fee for each day they serve as a member of a jury. However, two recent cases (in which jurors, through circumstances that arose after a trial commenced, incurred expense directly attributable to the requirement that they attend Court each day for jury service) have shown the need for the inclusion of a provision in the Principal Ordinance to enable an additional payment to be made to cover such expense. This is particularly so in view of the difficulties involved, in so far as the continued conduct of a trial is concerned, in agreeing to excuse a juror after the trial has commenced.

Section 1 provides that the Ordinance may be cited as the Juries (Amendment) Ordinance 1983.

Section 2 defines the 'Principal Ordinance' to mean the Juries Ordinance 1967.

Section 3 inserts a new section 51A ('Payment of juror's expenses') in the Principal Ordinance.



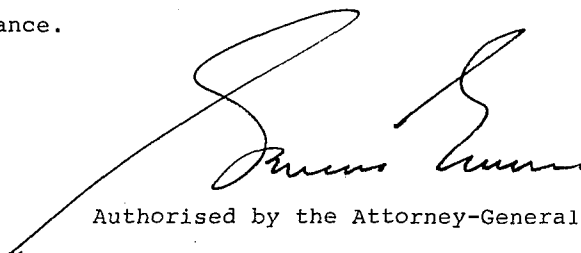
Section 51A enables a person who serves as a juror for a trial in the Australian Capital Territory Supreme Court to apply to the Sheriff for the payment of expense incurred during his service as a juror, being expense which he would not have incurred but for that service (paragraph 51A(1)(a)).

The expense must have been incurred in circumstances arising after the person was sworn as a juror, being circumstances that would have constituted a sufficient cause for the person to be excused jury service if they had arisen before he was sworn (paragraph 51A(1)(b)).

The Sheriff is required to consider the application and may grant payment to the applicant of the whole of the amount of the expense incurred or such lesser amount as the Sheriff considers reasonable (sub-section 51A(2)).

A person who is aggrieved by a decision of the Sheriff may apply in writing to a Magistrate for a review of the decision (sub-section 51A(3)).

Section 4 amends section 52 of the Principal Ordinance consequential upon the insertion of new section 51A in the Principal Ordinance.



Authorised by the Attorney-General