

**Reprint  
as at 1 July 2013**



**Juries Amendment Act 2011**

Public Act    2011 No 90  
Date of assent    17 October 2011  
Commencement    see section 2

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**The Parliament of New Zealand enacts as follows:**

**1    Title**

This Act is the Juries Amendment Act 2011.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**This Act is administered by the Ministry of Justice.**

**2 Commencement**

- (1) Sections 4 to 6 come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

Section 2(1): sections 4–6 brought into force, on 5 March 2012, by the Juries Amendment Act 2011 Commencement Order 2011 (SR 2011/414).

Section 2(2): section 7 brought into force, on 1 July 2013, by the Juries Amendment Act 2011 Commencement Order 2013 (SR 2013/166).

**3 Principal Act amended**

This Act amends the Juries Act 1981.

**4 Application**

The amendments made by sections 5 and 6 apply only to a trial for which a jury is constituted after the commencement of this section.

**5 Discharge of juror or jury**

- (1) Section 22(1)(b) is amended by inserting “, subject to subsection (1A),” after “jury and”.
- (2) Section 22 is amended by inserting the following subsection after subsection (1):

“(1A) The court may proceed with fewer than 10 jurors under subsection (1)(b) only if all parties consent to doing so and the court, having regard to the interests of justice, considers that it should do so.”

**6 Consequences of discharge under section 22**

- (1) Section 22A(2) is repealed.
- (2) Section 22A(3) is amended by inserting “under section 22(1)(b)” after “proceeds with fewer than 12 jurors”.

**7 Further amendments to principal Act**

The principal Act is amended as set out in the Schedule.

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## Schedule Amendments to principal Act

s 7

**Section 2**

Definition of **probation officer**: repeal.

**Section 14A(4)**

Omit “accused” and substitute “defendant”.

**Section 20**

Omit “accused” and substitute “defendant”.

**Section 21(1)**

Omit “accused” and substitute “defendant”.

**Section 22A(1)(b)**

Omit “accused” and substitute “defendant”.

**Section 24(2)**

Omit “accused persons in a criminal case are indicted” and substitute “defendants in a criminal case are charged”.

**Section 27(1)**

Omit “accused person or any of the accused persons, or by the accused person or any of the accused persons” and substitute “defendant or any of the defendants, or by the defendant or any of the defendants”.

Omit “indictment” and substitute “charge”.

**Section 32(4)**

Repeal and substitute:

“(4) For the purposes of Part 6 of the Criminal Procedure Act 2011,—

“(a) the imposition of a fine under subsection (1) is to be treated as a sentence; and

“(b) that Part applies as if the person on whom the fine has been imposed had been convicted on a charge and sentenced.”

**Section 32A(1)**

Omit “summary”.

**Section 32B(1)**

Omit “summary”.

Schedule: amended, on 1 July 2013, by section 5 of the Juries Amendment Act 2013 (2013 No 30).

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**Notes****1 *General***

This is a reprint of the Juries Amendment Act 2011. The reprint incorporates all the amendments to the Act as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

**2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

**3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

**4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989***

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

## **5** *List of amendments incorporated in this reprint (most recent first)*

Juries Amendment Act 2013 (2013 No 30): section 5

Juries Amendment Act 2011 Commencement Order 2013 (SR 2013/166)

Juries Amendment Act 2011 Commencement Order 2011 (SR 2011/414)

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