



JURY AMENDMENT RULES 1997

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 17th day of February 1997

Present:

THE HON WINSTON PETERS PRESIDING IN COUNCIL

PURSUANT to section 35 of The Juries Act 1981, His Excellency the Governor-General, acting on the advice of the Minister of the Crown who is responsible for the Department for Courts tendered after consultation with the Chief Justice, the Chief District Court Judge, and the President of the New Zealand Law Society, and by and with the advice and consent of the Executive Council, makes the following rules.

RULES

1. Title and commencement—(1) These rules may be cited as the Jury Amendment Rules 1997, and are part of the Jury Rules 1990* (“the principal rules”).

(2) These rules come into force on 1 April 1997.

2. Chief Registrar of Electors to prepare lists and forward to Registrars—Rule 5 of the principal rules is amended by adding, after subclause (3), the following subclause:

*S.R. 1990/226
Amendment No. 1: S.R. 1991/184
Amendment No. 2: S.R. 1996/141

“(4) The Chief Registrar of Electors must, if requested by the chief executive of the Department for Courts, supply a copy of the jury list to the Registrar in electronic form.”

3. Registrar to ensure confidentiality of jury list—The principal rules are amended by revoking rule 7, and substituting the following rule:

“7. The Registrar must ensure that the jury list and any copies of it or information taken from it is kept secure from unauthorised use, and generally must take all such steps as the Registrar considers necessary to protect the confidentiality of the list, having regard to the provisions of section 9 (6) of the Act.”

4. Registrar to check provisional panel and draw up final panel—The principal rules are amended by revoking rule 9, and substituting the following rule:

“9. (1) After preparing the written record required by rule 8 (3), but before summoning the jurors in accordance with rule 10, the Registrar must check the record and strike out the name and other particulars of any person who, according to the Registrar’s information, is dead or has left New Zealand or is over the age of 65 years, or who is otherwise prevented from serving on a jury by the Act or excused by an order of a Judge from jury service for a period not yet expired.

“(2) For the purposes of this rule, the Registrar may, electronically or otherwise, compare the provisional jury panel with any databank of convicted persons held by the Department for Courts and omit any person who is disqualified from jury service under section 7 of the Act.

“(3) The Registrar must not keep records of persons who are disqualified from jury service under section 7 of the Act.

“(4) After complying with subclauses (1) to (3), the Registrar must set out the remaining names, addresses, and occupations (but not dates of birth) in a fresh record, and that record constitutes the jury panel.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 1 April 1997, amend the Jury Rules 1990.

Rule 2 amends rule 5 of the principal rules to provide that the Chief Registrar of Electors must, if requested by the chief executive of the Department for Courts, provide a copy of the jury list in electronic form.

Rule 3 revokes rule 7 of the principal rules, which relates to the confidentiality of the jury list, and substitutes a new rule. The new rule requires the Registrar to keep the jury list and any copies of it or information taken from it secure from unauthorised use and generally protect the confidentiality of the list. The new rule is in more general terms than the existing rule. It is intended to apply to copies of the list held in electronic form as well as copies of the list held in paper form.

Rule 4 revokes rule 9 of the principal rules, which relates to drawing up the final jury panel, and substitutes a new rule. *Subclause (1)* is the same as existing rule 9 (1) of the principal rules. It requires the Registrar to check the provisional panel and strike from it the details of any person who is prevented from serving on a jury by the Act or who is excused from service by a Judge.

Subclause (2) is new. It provides that the Registrar may compare the provisional jury panel with any databank of convicted persons held by the Department for Courts and omit any person who is disqualified from jury service under section 7 of the Act. The comparison may be done electronically or otherwise.

Subclause (3) is new. It provides that the Registrar must not keep records of persons who are disqualified from jury service under section 7 of the Act.

Subclause (4) is substantially the same as existing rule 9 (2) of the principal rules.

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These rules are administered in the Department for Courts.