

1987/195



THE JURY RULES 1982, AMENDMENT NO. 5

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 6th day of July 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 35 of the Juries Act 1981, His Excellency the Governor-General, acting on the advice of the Minister of Justice 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, hereby makes the following rules.

RULES

1. Title and commencement—(1) These rules may be cited as the Jury Rules 1982, Amendment No. 5, and shall be read together with and deemed part of the Jury Rules 1982* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the 1st day of August 1987.

2. Fee for jury in civil cases—The principal rules are hereby amended by revoking rule 24 (as substituted by rule 2 of S.R. 1987/51), and substituting the following rule:

*S.R. 1982/77

Amendment No. 1: (Revoked by S.R. 1986/297)

Amendment No. 2: (Revoked by S.R. 1987/51)

Amendment No. 3: S.R. 1986/297

Amendment No. 3: S.R. 1987/51

“24. The fee payable in a civil case under section 31 of the Act for every day or part of a day on which the jury serves shall be as follows:

	\$
“(a) For the first day or part of a day	600.00
“(b) For each subsequent day or part of a day	300.00.”

3. Fees and expenses—The principal rules are hereby amended by revoking the Second Schedule (as substituted by rule 2 (1) of S.R. 1986/297), and substituting the Second Schedule set out in the Schedule to these rules.

- 4. Revocation**—The following rules are hereby revoked:
- (a) The Jury Rules 1982, Amendment No. 3 (S.R. 1986/297);
 - (b) The Jury Rules 1982, Amendment No. 3 (S.R. 1987/51).

Rule 3

SCHEDULE

NEW SECOND SCHEDULE SUBSTITUTED

Rule 26

“SECOND SCHEDULE

FEEs AND EXPENSES

PART A

Fees

1. The rates at which fees shall be paid to jurors for attendance at sittings of the Court, whether in civil or criminal cases, shall be as follows:

	\$
(a) For every day on which attendance is required for a period not exceeding 3 hours	16.00
Provided that the fee prescribed by paragraph (b) of this clause may be paid in any case where the Registrar is satisfied that the juror, through attendance at Court, will be absent from work for a full day:	
(b) For every day on which attendance is required for a period exceeding 3 hours	32.00
Provided that where attendance is required after 6 o'clock in the afternoon but not later than 9 o'clock in the evening, the fee shall be	45.00
And provided further that where attendance is required after 9 o'clock in the evening, the fee shall be	65.00

2. Notwithstanding clause 1 of this Part, the Secretary may authorise the sums payable under that clause to be increased in any case where the Secretary considers that, by reason of exceptional circumstances, it is desirable to do so.

PART B

Expenses

The expenses to be paid to jurors for travelling to and returning from any sittings of the Court shall be as follows:

- (a) The actual cost of travelling by public conveyance:

- (b) In special circumstances, where the Registrar thinks fit, the cost of travelling by taxi:
- (c) Where no public conveyance is available, and no allowance is made under paragraph (b) of this Part, if the distance travelled exceeds 3 kilometres one way, an allowance at the rate of 36c a kilometre.”

P. G. MILLEN,
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 have 2 purposes. First, they increase the fees payable to jurors. Secondly, they clear up the confusion caused by the fact that the last amending rules (S.R. 1987/51) were incorrectly named as Amendment No. 3 instead of Amendment No. 4. The result is that there are now 2 sets of amending rules with the same title. Both are revoked and replaced by these rules.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 9 July 1987.
These rules are administered in the Department of Justice.