

EXPLANATORY MEMORANDUM

Australian Capital Territory  
Juries (Amendment) Ordinance 1979

The purpose of the proposed law is to amend the Juries Ordinance 1967 so as to abolish the entitlement that women now have, upon notification to the Sheriff, to exemption as of right from jury service. The abolition of this right will remove the distinction between the liability of men and women for jury service. There is a need, however, to provide for the special problems associated with jury service of pregnant women and persons, whether male or female, having the care of children, the aged and those in ill-health. The measure will, therefore, widen the discretionary ability of a Judge or the Sheriff to excuse persons from attendance, if summoned or appointed to attend for jury service, to include reference to these circumstances.

- 2. Clause 1 is the short title.
- 3. Clause 2 provides for commencement on a date fixed by Gazette notice.
- 4. Clause 3 defines the "Principal Ordinance".
- 5. Clause 4 omits paragraph (p) of section 11 of the Principal Ordinance. This paragraph exempts from jury service women who have given notice under section 12.

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6. Clause 5 repeals section 12, which permits a woman to notify the Sheriff that she does not wish her name to be included in the jury list or that she wishes it to be struck off if it has been included.

7. Clause 6 repeals and replaces section 14 by a new section which will empower the Judge or Sheriff to excuse from attendance for jury service any person who ought to be excused because of illness, pregnancy, care of children or aged or ill persons, or circumstances of sufficient importance or urgency.

# AUSTRALIAN CAPITAL TERRITORY

No. of 1979

## AN ORDINANCE

To amend the *Juries Ordinance 1967*

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 this \_\_\_\_\_ day of \_\_\_\_\_ 1979.

Governor-General

By, His Excellency's Command,

Attorney-General

### JURIES (AMENDMENT) ORDINANCE 1979

1. This Ordinance may be cited as the *Juries (Amendment) Ordinance 1979*.\*

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the *Gazette*. Commencement

3. In this Ordinance, "Principal Ordinance" means the *Juries Ordinance 1967*.<sup>†</sup> Principal Ordinance

4. Section 11 of the Principal Ordinance is amended by omitting paragraph (p). Persons exempt from serving as jurors

5. Section 12 of the Principal Ordinance is repealed. Repeal

6. Section 14 of the Principal Ordinance is repealed and the following section substituted:

" 14. If the Judge or the Sheriff is satisfied that a person summoned or appointed to attend to serve as a juror ought to be excused from attendance by reason— Excusing of jurors by the Judge or Sheriff

- (a) of illness;
- (b) of pregnancy;

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\* Notified in the *Commonwealth of Australia Gazette* on \_\_\_\_\_ 1979.  
 † Ordinance No. 47, 1967 as amended by No. 65, 1977 and No. 46, 1978.  
 13122/79 Cat. No. —Recommended retail price 20c 83/24.8.1979

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(c) that the person has the care of children or of aged or ill persons; or

(d) of circumstances of sufficient importance or urgency, the Judge or the Sheriff may, at any time after service of the summons or the appointment, as the case may be, excuse the person from attendance or further attendance on the Court during such period as the Judge or Sheriff specifies.”.