



Juries Act 1960

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JURIES ACT 1960

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Juries Act 1960

An Act relating to juries

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Juries Act 1960*.

Repeal

2. The Rules for Summoning, Drawing and Empanelling Juries, in force immediately before the commencement of this Act, are repealed.

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Definitions

4. In this Act, unless the contrary intention appears —
 - “ballot-box” means the box into which jury cards are placed by the proper officer under subsection 28(2);
 - “Court” means the Supreme Court;
 - “Judge” means a Judge of the Supreme Court, and includes the Chief Justice;
 - “jury card” means a card prepared in pursuance of paragraph 27(b);
 - “jury list” means the jury list prepared in pursuance of Part 4;
 - “jury precept” means a precept issued under section 20;
 - “panel of jurors” means a list of names prepared in pursuance of paragraph 27(a);
 - “prescribed” means prescribed by rules of Court made under, or in force by virtue of, the *Supreme Court Act 1960*, or by Regulations made under this Act;
 - “proper officer” means an officer appointed by the Judge as the proper officer for the purposes of this Act;
 - “Registrar” means the Registrar of the Supreme Court appointed under section 12 of the *Supreme Court Act 1960*, and, in relation to a matter in respect of which the Deputy Registrar of the Supreme Court appointed under that section is empowered to exercise and perform the powers and functions of the Registrar, includes the Deputy Registrar;
 - “Sheriff” means the Sheriff of Norfolk Island appointed under section 15 of the *Supreme Court Act 1960*, and includes a person appointed by the Registrar under subsection (4) of that section to exercise and perform the powers and functions of the Sheriff;
 - “talesman” means a person appointed to serve as a juror under subsection 31(2) or subsection 33(2);
 - “the Territory” means Norfolk Island.

PART 2 — TRIAL BY JURY

Juries in criminal cases

5. (1) Subject to sections 5A and 5B, an offence prosecuted in the Supreme Court shall be tried by a jury.

(2) The jury is to consist of 12 jurors.

Trial by Judge alone in criminal proceedings

5A. (1) An accused person in criminal proceedings prosecuted in the Supreme Court shall be tried by a Judge alone if —

- (a) the accused person elects in writing to undergo such a trial; and
- (b) the accused person produces a certificate signed by a barrister or solicitor stating that —
 - (i) he or she has advised the accused in relation to the election; and
 - (ii) the accused person has made the election freely; and
- (c) the election is made before the Court first allocates a date for the person's trial; and
- (d) where there is more than 1 accused person in the proceedings —
 - (i) each other accused person also elects to be tried by the Judge alone; and
 - (ii) each accused person's election is made in respect of all offences with which he or she is charged.

(2) An accused person who elects to be tried by a Judge alone may, at any time before he or she is arraigned, elect to be tried by a jury.

(3) If an accused person makes and then withdraws an election, he or she shall not make another election.

(4) Rules of Court may be made with respect to elections under this section.

Verdict of Judge in criminal proceedings

5B. (1) A Judge who tries criminal proceedings without a jury may make any finding that could have been made by a jury as to the guilt of the accused person and any such finding has, for all purposes, the same effect as a verdict of a jury.

(2) The judgment in criminal proceedings tried by a Judge alone shall include the principles of law applied by the Judge and the findings of fact on which the Judge relied.

(3) In criminal proceedings tried by a Judge alone, if a law of Norfolk Island would otherwise require a warning to be given to a jury in such proceedings, the Judge shall take the warning into account in considering his or her verdict.

Majority verdict in criminal proceedings

5C. (1) Subject to subsection 5C(2), where a jury, having retired to consider its verdict in criminal proceedings —

- (a) has remained in deliberation for at least 4 hours and the jurors have not then reached their verdict; and
- (b) if a sufficient number agree to enable the jury to return a majority verdict,

a majority verdict shall be returned.

(2) No verdict that an accused person is guilty of murder or treason shall be returned by majority.

(3) In this section “majority verdict” means a verdict in which at least 10 jurors concur and “by majority” has a corresponding meaning.

Continuation of trial on death or discharge of juror

5D. (1) Notwithstanding subsection 5(2), where in the course of any trial in criminal proceedings any member of the jury dies or is discharged by the court whether as being through illness incapable of continuing to act or for any other reason, the jury shall be considered as remaining for all the purposes of that trial properly constituted if the number of its members is not reduced below 10, and if the court so orders.

(2) Where the number of members of a jury is reduced to 11 or 10, a unanimous verdict is for all purposes (including subsection 5C(2)), that of all of the remaining members.

Transition

5E. Section 5D applies to every trial commencing after that section comes into effect and whether the alleged offences in respect of which the trial is to be held took place before or after that date.

Juries in civil cases

6. Where, in pursuance of section 22 of the *Supreme Court Act 1960*, the Court orders the trial of a civil suit or an issue of fact in a civil suit with a jury, the jury shall consist of 6 jurors chosen and returned in accordance with this Act.

Payment of fees for jurors in civil cases

7. (1) Where, in pursuance of section 22 of the *Supreme Court Act 1960*, the Court orders the trial of a civil suit or an issue of fact in a civil suit with a jury upon the application of a party to the suit, that party shall pay to the Sheriff such fees as are prescribed.

(2) The Judge may order that the fees so paid be costs in the suit.

PART 3 — QUALIFICATIONS OF JURORS AND LIABILITY TO SERVE**Liability to serve as jurors**

8. Each man and each woman whose name is on the residential roll kept under section 298 of the *Local Government Act 1993* (NSW) (as it applies in the Territory because of section 18A of the *Norfolk Island Act 1979* (Commonwealth)) is, unless he or she is a disqualified person or is exempt from serving as a juror, liable to serve as a juror.

Persons disqualified

9. A person —

- (a) who has been convicted by a court, whether in the Territory or elsewhere, of an offence punishable by imprisonment for one year or longer and has not been granted a free pardon in respect of that offence;
- (b) who is unable to read, write and speak the English language; or
- (c) who is of unsound mind,

is not qualified to serve as a juror.

Persons exempt

10. The following persons are exempt from serving as jurors and the names of those persons shall not be inserted in the jury list :

- (a) the Administrator;
- (b) clergymen in holy orders, priests of the Roman Catholic faith and other ministers of a religion having established congregations;
- (c) Magistrates, Coroners and Justices of the Peace;
- (d) the Registrar of the Supreme Court and the Deputy Registrar of that Court;
- (e) the Clerk of the Court of Petty Sessions and the Deputy Clerk of that Court;
- (f) the Sheriff;
- (g) practising barristers and solicitors and their clerks;
- (h) members of the Police Force of the Territory;
- (i) members of the Fire Brigade of the Territory;
- (j) public servants under the direct supervision of —
 - (i) the Registrar;
 - (ii) the Clerk of the Court of Petty Sessions; or
 - (iii) the Crown Counsel to the Administration;
- (k) members of the Legislative Assembly;
- (l) practising medical practitioners;
- (m) practising pharmacists;
- (n) practising dentists;
- (na) practising nursing;
- (nb) practising nursing aids;
- (nc) telephonists employed in the Telephone Exchange;
- (nd)
 - (i) radiographers; and
 - (ii) medical scientists,employed by the Norfolk Island Hospital;
- (ne) an editor of a newspaper or magazine;
- (o) school teachers who are engaged in full-time teaching of organised classes at schools;
- (p) persons who are blind, dumb, or deaf; or
- (pa) persons who are so incapacitated by disease or infirmity as to be incapable of serving as a juror;
- (q) persons above the age of 70 years who claim exemption;

- (r) a person holding, or for the time being performing the duties of, the office of —
- (i) Official Secretary to the Administrator;
 - (ii) Finance Manager within the public service;
 -
 - (iv) Collector of Customs;
 - (v) Crown Counsel to the Administration;
 - (vi) Lighterage Manager;
 - (vii) an employee of OTC Limited;
 - (viii) principal officer in the Territory (however described) of the Department of Transport and Communications or Civil Aviation Authority;
 - (ix) Postmaster;
 - (x) Works Manager within the public service; or
 - (xi) Electricity Manager within the public service.
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Impeachment of verdict of jury

11. The verdict of a jury shall not be impeached on the ground that a juror was not qualified to serve, or was exempt from serving, as a juror unless the exemption or lack of qualification was submitted before the juror was sworn.

Liability of unqualified or exempted persons to serve as jurors

12. A person whose name is on the jury list (other than a person disqualified from serving as a juror under section 9 or exempt from serving as a juror under section 10) is not excused from attendance on the Court as a juror by reason of a disqualification or exemption unless the disqualification or exemption was claimed at the revision of the jury list in pursuance of this Act.

Power of Judge to excuse jurors who are candidates or officers at election

13. A Judge may, upon application by a person summoned to attend as a juror, order that he be excused from attendance on any day on which it is made to appear that he is a candidate, or has to perform any official duty requiring his personal attendance, at an election or poll held or taken under a law in force in the Territory.

Power of Judge to discharge or excuse person summoned as a juror

14. On proof on oath, or by affidavit or statutory declaration, to the satisfaction of a Judge that a person summoned to attend as a juror ought to be excused from attendance by reason of ill-health, pregnancy, the need for the juror to care for a child or for an aged or ill person, or any other matter of special urgency or importance, the Judge may, if he thinks fit, in chambers or in open court, excuse that person from further attendance on the Court or from attendance on the Court for any period during the sittings of the Court.

One or 2 partners, etc, may be exempted

15. A Judge, on proof to his satisfaction, in chambers or in open court, that 2 or more partners who are members of the same partnership or 2 or more persons employed in the same establishment have been summoned to attend as jurors on the same days, may excuse one or more of those partners or persons from attendance during one or more of those days.

PART 4 — JURY LIST**Jury list**

16. (1) As soon as practicable after the commencement of this Act, and at such other times as the Registrar directs, the Sheriff shall prepare a jury list.

(2) The jury list shall contain, in alphabetical order, the names of persons qualified to serve, and not exempt from serving, as jurors, together with the addresses and occupations of those persons.

(3) The names on the list shall be prefixed by numbers in regular arithmetical series.

(4) As soon as practicable after the Sheriff has prepared the jury list, the Sheriff is to —

- (a) publish in the Gazette a notice in the form specified in Schedule 1, stating that the list will be revised by the Registrar at a public hearing to be held in the Court House on a date specified in the notice; and
- (b) make available, at the places specified in the notice, a copy of the list for public inspection.

Revision of jury list

17. (1) The Registrar shall, at the public hearing referred to in subsection 16(4), revise the jury list —

- (a) by striking out the names of persons who appear to him to be persons who are not qualified or liable to serve, or are exempt from serving, as jurors;
- (b) by inserting the names of persons who appear to him to be persons who are qualified and liable to serve, and are not exempt from serving, as jurors and whose names have been omitted from the list; and
- (c) by correcting any other errors or mistakes.

(1A) The name of a person who has claimed exemption under paragraph 10(q) must not be inserted into the jury list unless the person elects to have his or her name so inserted.

(2) When the revision of the list has been completed, the Registrar shall sign the list as revised and cause the list to be transmitted to the Sheriff.

(3) The list, as so revised, is the jury list and remains in force until superseded by a new jury list.

Corrections of mistakes in jury list

18. The Sheriff, on showing to the satisfaction of the Registrar that the jury list contains an error in the name, address or occupation of a person whose name appears in the list and that there is no question as to the identity of the person, may, by leave of the Registrar in writing, cause the error to be corrected.

PART 5 — JURY PRECEPTS AND SUMMONSES**Definition**

19. In this Part, unless the contrary intention appears, “the Sheriff”, in relation to a jury precept that, under section 22, is directed to a person other than the Sheriff, means that person.

Jury precepts

20. When a date is fixed for a sitting of the Supreme Court at which a trial by jury is to be held, the Administrator shall issue under his hand a precept directed to the Sheriff requiring him to summon jurors before the Court.

Term of precept

21. A jury precept shall —
- (a) be in accordance with the form in Schedule 2;
 - (b) specify the number of jurors required and the time and place at which the attendance of jurors is required; and
 - (c) be issued and delivered to the Sheriff at least 7 clear days before the time so specified.

Provision for cases where Sheriff is interested

22. If it appears to the Administrator that the Sheriff is a party to, or interested in, a matter to be tried before a jury, the Administrator may direct a jury precept to such other person as the Administrator thinks fit.

Choosing of jurors

23. (1) When a jury precept is delivered to the Sheriff, the Sheriff is to choose the jurors to be summoned by —

- (a) selecting in accordance with subsection 23(2) as many numbers as are equal to the number of jurors required by the precept; and
- (b) matching the numbers with the numbers prefixing, in accordance with subsection 16(3), the names on the jury list.

(2) The selection is to be conducted by the generation by a computer, from all of the numbers included in the arithmetical series referred to in subsection 16(3), of a random numerical sequence.

- (3) If the operation of subsection 23(1) results in —
- (a) the choosing of the name of a person who has been removed from the jury list under section 17; or
 - (b) the choosing of the name of a person whom the Sheriff knows to be dead, to have left the Territory or to be not qualified to serve, or to be exempt from serving, as a juror,

the Sheriff is to repeat the process described in subsection 23(1) until the number of jurors required by the jury precept has been chosen.

Jurors not liable to be summoned until list exhausted

24. Where a person whose name appears on the jury list has, during the time when that jury list has been in use, attended the Court in pursuance of a summons under this Act or served as a juror, that person shall not be summoned as a juror until all other persons whose names so appear have been so summoned or have so served.

Summons to jurors

25. The Sheriff shall, as soon as practicable after the jurors have been chosen in pursuance of section 23, cause to be served upon each juror so chosen a summons in writing, signed by the Sheriff, in accordance with the form in Schedule 3.

Service of summons

26. (1) A summons to a juror may be served on the juror —
- (a) by delivering the summons to the juror;
 - (b) by leaving the summons at the last known or usual place of residence or business of the juror with a person who is apparently a resident of, or employed at, that place and apparently over the age of 16 years; or
 - (c) by sending the summons by registered post to the juror at the last known or usual place of residence or business of the juror.

(2) The person who serves a summons on a juror shall endorse on a duplicate of the summons the date, time and method of service of the summons and shall transmit the duplicate to the Registrar.

(3) A summons to a juror is of no effect unless it is served on the juror at least 4 clear days before the time specified in the summons for his attendance.

Panel of jurors

27. The Sheriff shall, before the time when a jury precept is to be returned into the Court —

- (a) prepare a list showing the names, in alphabetical order, and the addresses and occupations, of the persons summoned in pursuance of the jury precept;
- (b) prepare, in respect of each person whose name appears on the list referred to in paragraph 27(a), a card showing the name, address and occupation of that person; and
- (c) prepare a list showing the names, in alphabetical order, of persons not summoned by virtue of paragraph 23(3)(b) and the reasons why those persons were not summoned.

Sheriff's return to precept

28. (1) Upon the day and at the place named in a jury precept for the appearance of the jurors required to be summoned by the jury precept, the Sheriff shall —

- (a) return into the Court the jury precept with the panel of jurors relating to the precept annexed to the precept;
- (b) furnish to the proper officer the jury cards relating to the precept; and
- (c) furnish to the Court the list prepared in relation to the precept in pursuance of paragraph 27(c).

(2) Upon receipt of the jury cards, the proper officer shall place the cards in a ballot-box approved by a Judge.

Inspection of jury panels

29. (1) Unless the Judge otherwise orders before or during the trial, no person is allowed to inspect or to obtain a copy of a panel of jurors annexed to a precept for the appearance of jurors at the trial of a criminal issue.

(2) A party to the trial of a civil issue may, at a convenient time before the trial, inspect or obtain a copy of the panel of jurors annexed to a precept for the appearance of jurors at that trial.

Informalities etc, not to invalidate verdict

30. An omission or informality with respect to a jury list, a jury precept or a panel of jurors does not affect or invalidate any verdict returned by a jury which is in other respects according to law.

PART 6 — STRIKING AND EMPANELLING JURY

Division 1 — Criminal Trials

Striking jury in criminal cases

31. (1) At a criminal trial, the proper officer is to draw the jury cards out of the ballot-box one at a time, and call aloud the name, address and occupation on each card, until 12 persons appear and remain approved as indifferent, and those persons, on being duly sworn, are to be the jury to try the issues at the trial.

(2) If the whole number of the jury cards is exhausted, by challenge or otherwise, before 12 persons so appear and remain approved, the Crown or the prisoner may pray a tales and, thereupon, the Court may command the Sheriff forthwith to appoint from amongst such of the bystanders as are qualified and liable to serve as jurors as many good and lawful persons as are sufficient to make up 12 persons for the trial of the issue.

(3) A card bearing the name of a juror who has been called but not sworn shall, immediately after the jury has been sworn, be returned to the ballot-box.

(4) When the verdict of the jury has been given and recorded or the jury has been discharged, whichever first occurs, the jury cards bearing the names of the jurors empanelled shall, unless the Court otherwise orders, be returned to the ballot-box.

Different issues may be tried by same jury in criminal cases

32. Where a jury has tried, or been drawn to try a criminal issue, the Court may, if no objection is made on behalf of the Crown or another party to another criminal issue —

- (a) try that other issue with that jury without the jury cards of the jurors being returned to the ballot-box and redrawn; or
- (b) order the names of any jurors to the withdrawal of whom the parties consent, or who are justly challenged or excused by the Court, to be set aside and other jury cards to be drawn from the ballot-box and try that

other issue with the residue of the original jury and with such jurors whose names appear on the cards so drawn as appear and are approved as indifferent.

Division 2 — Civil Trials

Striking jury in civil cases

33. (1) When a civil issue that is to be tried with a jury is called on for trial, the proper officer —

- (a) shall draw the jury cards out of the ballot-box one at a time and call aloud the name, address and occupation on each card until a number of jurors (being jurors who, after all challenges for cause are allowed, remain approved as indifferent) equal to twice the number of jurors required to be empanelled appear; and
- (b) shall compile a list of the names of those jurors.

(2) If the whole number of jury cards is exhausted, by challenge or otherwise, before the list contains the names of a number of jurors equal to twice the number of jurors required to be empanelled —

- (a) the Court may command the Sheriff to appoint from amongst such of the bystanders as are qualified and liable to serve as jurors as many good and lawful men as are sufficient to make up that number; and
- (b) the Sheriff, upon so doing, shall place the names of the jurors so appointed on the list.

(3) Upon the list being completed, the list shall be delivered by the Sheriff successively to the plaintiff and to the defendant, each of whom may strike out from the list a number of names equal to one fourth of the number of names contained in the list.

(4) From the names that then remain on the list, a number of jurors equal to the number required shall be selected by the proper officer by taking names from the list in the order in which they appear on the list until the required number is obtained.

(5) The jurors so selected shall be sworn and empanelled as the jurors for the trial.

(6) A card bearing the name of a juror who has been called but not empanelled shall, immediately after the jury has been sworn, be returned to the box.

(7) When the trial has been completed, the cards bearing the names of the jurors empanelled shall, unless the Court otherwise orders, be returned to the box.

(8) In this section, “the plaintiff” includes the plaintiff’s counsel, solicitor or agent and the “the defendant” includes the defendant’s counsel, solicitor or agent.

Different issues may be tried by same jury in civil cases

34. (1) Where a jury has tried, or been drawn to try, a civil issue, the Court may, if no objection is made on behalf of the plaintiff or defendant to another civil issue —

- (a) try that other issue with that jury without the jury cards of the jurors being returned to the ballot-box and redrawn; or
- (b) order the names of any jurors to the withdrawal of whom the parties consent, or who are justly challenged or excused by the Court, to be set aside and other jurors to be selected in their stead and try that other issue with the residue of the original jury and with such jurors so selected as appear and are approved as indifferent.

(2) The selection of jurors for the purposes of paragraph 34(1)(b) shall be made in the same manner as the striking of a jury for the trial of a civil issue equal in number to the number of jurors to be so selected.

Reducing list where party does not appear

35. Where a plaintiff or defendant does not appear in person, or by counsel, solicitor or agent, names on the list of jurors may be struck out on his behalf under subsection 33(3) by the proper officer or by some other officer of the Court approved by the Court.

PART 7 — CHALLENGE

Right of challenge

36. Subject to the provisions of this Act, challenge to the array and to the polls may be made and allowed for such and the like cause, in such and the like form and manner and under and subject to the like laws, rules and Regulations in every respect as by law was or were established, used and practised in like cases in the Territory immediately before the commencement of this Act.

Standing jurors by

37. Nothing in this Act affects the power of the Court on the trial of a criminal issue to order, at the prayer of those prosecuting for the Crown, a juror to stand by until the panel of jurors is gone through.

Challenge in criminal cases

38. (1) A person arraigned may challenge peremptorily 8 jurors and shall not, except for cause shown, be allowed challenges in excess of that number.

(2) A peremptory challenge upon the trial of a criminal issue in excess of the number of peremptory challenges allowed under subsection 38(1) or subsection 38(3) is void and the trial shall proceed as if no challenge had been made.

(3) The Crown may, upon the trial of a criminal issue, peremptorily challenge 8 jurors.

Time for challenging in criminal cases

39. A challenge upon the trial of a criminal issue shall be made as the juror comes to take his seat and before he takes it.

Challenge in civil cases

40. Subject to section 33, a person is not entitled to challenge a juror upon the trial of a civil issue except for cause shown.

Informalities in summoning jurors

41. (1) An omission, error or irregularity by the Sheriff or any of his officers in the time and mode of service of a summons on a juror, or the summoning or return of a juror by a wrong name (where there is no question as to his identity), is not a cause of challenge either to the array or to the juror.

(2) A matter that might have been objected by way of challenge to the polls or to the array does not invalidate or affect any verdict in any case, civil or criminal, unless the objection is taken by way of challenge.

PART 8 — OFFENCES**Non-attendance on summons**

42. A person shall comply with a summons to attend as a juror served on him under this Act.

Penalty: 5 penalty units.

Talesmen

43. A talesman shall not —

- (a) fail to appear when required so to do by a Judge; or
- (b) wilfully withdraw himself from the presence of the Court.

Penalty: 5 penalty units.

Excuse from attendance

44. It is a defence to a prosecution for an offence against section 42 or 43 for the person charged to show that he has been excused from attendance as a juror at all material times by or under this Act.

Limit of 3 days in civil cases

45. Where a juror summoned, or a talesman appointed, for the trial of a civil issue or issues has attended for 3 consecutive days, he is excused from further attendance unless the Court otherwise orders.

Personation of jurors

46. A person shall not personate, or attempt to personate, a juror whose name is on a panel of jurors for the purpose of sitting as that juror.

Penalty: 5 penalty units.

Excess of fees

47. A juror shall not, under pretence of receiving fees or remuneration for attending a trial, receive or take from any person a sum in excess of the compensation which he is entitled to receive under this Act for his attendance.

Penalty: 5 penalty units.

Corruptly influencing a juror

48. A person who corruptly influences a juror, or a juror who consents to being corruptly influenced, is guilty of an offence punishable upon conviction by imprisonment for a period not exceeding 5 years.

Penalty for dismissal of employee summoned as juror

49. An employer shall not dismiss an employee or alter his position in his employment to his prejudice by reason of the fact that the employee was summoned to attend or serve as a juror or by reason of the manner in which the employee carried out his duty as a juror.

Penalty: 5 penalty units.

PART 9 — MISCELLANEOUS**Swearing of jurors**

50. (1) Jurors shall be sworn in open court in accordance with the appropriate form in Schedule 4.

(2) A juror may, instead of being sworn, make an affirmation in accordance with the appropriate form in Schedule 4, with such alterations as are necessary, and a juror so making an affirmation shall, for the purposes of this Act, be deemed to be sworn.

Payment of jurors

51. A juror summoned in pursuance of a precept, or a talesman, who attends the Court is, for each day during his attendance upon the Court, whether he has actually served upon a jury or not, entitled to receive compensation for the attendance at the prescribed rates.

Court may order refreshment for jury

52. The Court may, on any trial, order to be supplied to the jury such reasonable refreshment as the Court thinks fit, and notwithstanding that the jury has retired to consider its verdict.

Regulations

53. The Commonwealth Minister may make Regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to this Act.

SCHEDULE 1
NORFOLK ISLAND
Juries Act 1960
JURY LIST

Section 16

Notice is hereby given that —

- (a) I have caused a list to be made out of persons residing in Norfolk Island who are liable to serve as jurors;
- (b) copies of the list are available for public inspection at the following places —
;
- (c) the Registrar will, at a public hearing at the Court House
at o'clock in the noon on the
day of , 20 , proceed to examine and correct the list when all persons
having any objection to offer to the list may attend if they shall think fit.

Dated this day of 20 .

Sheriff

SCHEDULE 2
NORFOLK ISLAND
Juries Act 1960
JURY PRECEPT

Section 21

To the Sheriff

In pursuance of the *Juries Act 1960*, I command you to summon before the Supreme Court to be held at the Court House, Norfolk Island, at o'clock in the noon on the day of 20 , persons of Norfolk Island qualified by law as jurors to make a jury for all such matters as shall be then and there required of them and to return into the Supreme Court on that date —

- (a) this precept;
- (b) the names of the jurors summoned;
- (c) proof of the service, and of the time and the manner of service, of a summons on each of those jurors; and
- (d) the reason why each of any other jurors chosen to be summoned, but not summoned, were not served with a summons.

Given under my hand at Norfolk Island, this day of 20 .

Administrator

SCHEDULE 3
NORFOLK ISLAND
Juries Act 1960
SUMMONS TO JURORS

Section 25

To

You are hereby required to appear as a juror in the Supreme Court at the Court House, Norfolk Island on the day of 20 ,
at o'clock in the noon, and you are there to attend from day to day until you shall be discharged by the Court. Failure to attend in obedience to this summons is punishable by a fine not exceeding 5 penalty units.

Dated this day of 20 .

Sheriff

SCHEDULE 4
NORFOLK ISLAND
Juries Act 1960

Section 50

FORM OF OATH IN CRIMINAL CASES

“You and each of you shall well and truly try and true deliverance make between our Sovereign Lady the Queen and all persons whom you shall have in charge and a true verdict give according to the evidence. So help you God!”

FORM OF OATH IN CIVIL CASES

“You and each of you shall well and truly try the issues in all causes that may be brought before you for trial or inquiry and a true verdict give according to the evidence. So help you God!”

NOTES

The *Juries Act 1960* as shown in this consolidation comprises Act No. 7 of 1960 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Juries Act 1960</i>	7, 1960	14.4.60	
<i>Juries Act 1971</i>	1, 1971	16.3.71	
<i>Juries Act 1974</i>	4, 1974	4.10.74	
<i>Ordinances Citation Act 1976</i>	11, 1976	25.11.76	
<i>Ordinances Revision Act 1979</i>	13, 1979	7.8.79	5
<i>Ordinances Revision Act 1980</i>	6, 1980	10.8.79	
<i>Ordinances Revision (Decimal Currency) Act 1980</i>	31, 1980	15.1.81	
<i>Statute Law Revision (Penalties and Fees) Act 1984</i>	9, 1985	13.5.85	4
<i>[Previously consolidated as at 21 April 1986 incorporating above amendments]</i>			
<i>Juries Amendment Act 1990</i>	14, 1990	9.8.90	
<i>Juries Amendment Act 1997</i>	4, 1997	27.3.97	
<i>[Previously consolidated as at 16 December 2002 incorporating above amendments]</i>			
<i>Juries (Amendment) Act 2006</i>	21, 2006	3.11.06	
<i>[Previously consolidated as at 6 November 2006 incorporating above amendments]</i>			
<i>Juries (Amendment) Act 2007</i>	1, 2007	29.1.07	
<i>[Previously consolidated as at 30 January 2007]</i>			
<i>Interpretation (Amendment) Act 2012</i> <i>[to substitute throughout —</i> <i>Commonwealth Minister for Minister;</i> <i>and to substitute Minister for executive</i> <i>member]</i>	14, 2012	28.12.12	
<i>[Previously consolidated as at 26 February 2013]</i>			

Ordinance	Registration	Commencement	Application, saving and transitional provision
Norfolk Island Continued Laws Amendment Ordinance 2015 (No. 2, 2015) (now cited as Norfolk Island Continued Laws Ordinance 2015 (see F2015L01491))	17 June 2015 (F2015L00835)	18 June 2015 (s 2(1) item 1)	Sch 1 (items 344, 345)
as amended by			
Norfolk Island Continued Laws Amendment (2016 Measures No. 2) Ordinance 2016 (No. 5, 2016)	10 May 2016 (F2016L00751)	Sch 4 (item 31): 1 July 2016 (s 2(1) item 4)	—

Table of Amendments

Provisions affected	How affected
	ad = added or inserted am = amended rep = repealed rs = repealed and substituted
1	am 1, 1971; 4, 1974; 11, 1976
3	rep 14, 1990
4	am 14, 1990
5	am 14, 1990; 4, 1997
5A	ad 4, 1997
5B	ad 4, 1997
5C	ad 4, 1997
5D	ad 1, 2007
5E	ad 1, 2007
8	rs 4, 1974
	am Ord No 2, 2015 (as am by Ord No 5, 2016)
10	am 4, 1974; 13, 1979 6, 1980; 14, 1990; 21, 2006; Ord No 2, 2015 (as am by Ord No 5, 2016)
10A	ad 4, 1974
	rep 14, 1990
13	am 14, 1990
14	am 14, 1990
15	am 14, 1990
16	am 4, 1974; 14, 1990
17	am 4, 1974; 21, 2006
18	am 4, 1974
23	rs 14, 1990
27	am 14, 1990
28	am 14, 1990
31	am 1, 1971; 14, 1990
38	am 4, 1997
42	am 1, 1971; 9, 1985
43	am 1, 1971; 9, 1985; 14, 1990
46	am 1, 1971; 9, 1985
47	am 1, 1971; 9, 1985
49	am 1, 1971; 9, 1985
Schedule 1	am 4, 1974; 14, 1990
Schedule 3	am 31, 1980; 9 of 1985