



ANNO VICESIMO

**ELIZABETHAE II REGINAE**

A.D. 1971

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**No. 31 of 1971**

An Act to amend the Juries Act, 1927, as amended.

[Assented to 22nd April, 1971]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Juries Act Amendment Act, 1971".

(2) The Juries Act, 1927-1969, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Juries Act, 1927-1971".

(3) The Juries Act, 1927-1969, is hereinafter referred to as "the principal Act".

Repeal of  
s. 16 of  
principal Act  
and enactment  
of section in  
its place—  
Power to  
discharge  
juror.

2. Section 16 of the principal Act is repealed and the following section is enacted and inserted in its place:—

16. (1) On proof on oath or by affidavit or statutory declaration to the satisfaction of the Sheriff that any person summoned as a juror ought to be excused from attendance by reason of illhealth or conscience or any matter of special urgency or importance the Sheriff may if he thinks fit at any time before the person is required by his summons to attend in any Court, excuse the person from serving as a juror for the whole or any part of the period of the sittings of the Court.

(2) On proof on oath or by affidavit or statutory declaration to the satisfaction of the Judge or Court before whom or which any person is summoned as juror—

(a) that the person has not applied pursuant to subsection (1) of this section to the Sheriff to be excused or has so applied and the Sheriff has not excused such person;

and

(b) that the person ought to be excused from attendance by reason of illhealth or conscience or any matter of special urgency or importance,

that Judge or that Court may, if he or it thinks fit, in chambers or in open court discharge the person from further attendance on the Court, or excuse the person from attendance for any period during the sittings of the Court.

3. Section 22 of the principal Act is amended by striking out the passage "by ballot" and inserting in lieu thereof the passage "in the manner provided by section 23 or by section 23a of this Act".

Amendment of  
principal Act,  
s. 22—  
Preparation  
of lists.

4. Section 23 of the principal Act is amended by striking out from subsection (1) the word "The" being the first word in the subsection and inserting in lieu thereof the passage "Where the manner of selection of the names of jurors to be contained in the annual jury list is to be by ballot the".

Amendment of  
principal Act,  
s. 23—  
Mode of  
ballot.

5. The following section is enacted and inserted in the principal Act immediately after section 23 thereof:—

Enactment of  
s. 23a of  
principal Act—

23a. (1) Where the manner of selection of the names of jurors to be contained in the annual jury list is to be the method provided by this section the following provisions shall apply:—

Selection by  
computer.

(a) prior to the month of November in the year next preceding the year in respect of which the selection is to be made the Sheriff shall forward to a prescribed officer a schedule showing the number of electors enrolled for each subdivision in each of the jury districts and jury regions, together with the quotas of men and women jurors required for each subdivision which quota shall be ascertained by the Sheriff by reference to paragraphs (b), (c) and (c1) of subsection (2) of section 23 of this Act;

(b) the prescribed officer shall cause programmes to be written for a computer to produce in respect of each jury district or jury region a random series of numbers in which the numbers selected will provide for each subdivision the quotas of men and women jurors set out in the schedule referred to in paragraph (a) of this subsection;

(c) the programmes shall provide for the computer to exclude from the random series of numbers any number which from the particulars contained in the subdivision roll appear to relate to a person who is not qualified or liable to serve as a juror;

(d) when all such series of numbers for a particular jury district or jury region have been produced the prescribed officer shall cause the computer to print a list of such numbers, each designated with a successive number and showing the surname, Christian names, address and occupation of the person appearing on the subdivision roll to which such number relates;

and

(e) when the list is complete it shall for the year in respect of which the selection is to be made constitute the annual jury list for the jury district or jury region to which it relates.

(2) In this section and in section 35a of this Act "prescribed officer" means the Executive Officer of the Automatic Data Processing Authority or, any person acting in the office of such Executive Officer or any person for the time being in charge of the operation of any electronic computer on behalf of the Government of the State.

Amendment of  
principal Act,  
s. 32—  
Balloting for  
jurors.

6. Section 32 of the principal Act is amended by striking out the word "shall" first occurring and inserting in lieu thereof the passage "may return a panel of jurors compiled in accordance with section 35a of this Act or may".

Enactment of  
s. 35a of  
principal Act—

7. The following section is enacted and inserted in the principal Act immediately after section 35 thereof:—

Annual jury  
lists prepared  
by computer.

35a. (1) Where an annual jury list is prepared pursuant to the provisions of section 23a of this Act the Sheriff may also give to a prescribed officer a further schedule setting out the number of jury panels needed for the year for which the annual jury list has been prepared, and the quotas of men and women each panel must contain to enable exempt persons to be rejected and still provide a sufficient panel to satisfy the precept.

(2) The prescribed officer shall cause programmes to be written for the computer to select from such annual jury list by random series of numbers sufficient persons to meet the requirements of the jury panels set out in the schedule referred to in subsection (1) of this section and shall cause the computer to print lists of such numbers showing the surname, Christian names, address and occupation of the person to which each of such numbers relates.

(3) The lists shall be delivered by the prescribed officer to the Sheriff who, on receipt of a precept issued pursuant to section 29 of this Act, shall strike out from each list the names of persons who are exempt from serving as jurors, or who are not qualified to so serve pursuant to section 12 of this Act or who are the wives of persons whose names appear on that list and the persons remaining on the list shall constitute the panel of jurors returnable with the precept.

8. The third schedule to the principal Act is repealed and the following schedule is enacted and inserted in its place:—

Repeal of third  
schedule of  
principal Act,  
and enactment  
of schedule in  
its place—  
Section 13.

### THIRD SCHEDULE

#### PERSONS EXEMPT FROM SERVING AS JURORS

Air lines, commercial, persons in the employ of.  
Ambulance Brigade members.  
Banks, Managers and tellers of.  
Barristers and solicitors, actually practising and their clerks.  
Clergymen, Roman Catholic Priests and Ministers of any religious denomination provided they follow no secular occupation except that of schoolmaster.  
Coroners.  
Corporations (Municipal) Mayors and Town Clerks of.  
Courts of Justice, Judges and Magistrates of, and their wives.  
District Councils, Chairmen or Mayors and Clerks of.  
Electricity Trust of South Australia, persons in the employ of.  
Fire Brigades and Emergency Fire Services, officers and members of.  
Governor and officers and servants of the household of.  
Licensed pilots, and the masters, officers and crews of trading vessels and of tugs.  
Medical practitioners, dentists and pharmaceutical chemists, registered and actually practising.  
Members of Executive Council.  
Members of either House of Parliament.  
Municipal Tramways Trust, persons in the employ of.  
Newspapers, Editors, publishers and journalists of.  
Notaries Public.  
Nurses, if actually practising.  
Opticians, registered and actually practising.  
Physiotherapists, registered and actually practising.  
Officers in the public service of South Australia, or other State Government authority, or of Parliament.

Persons who are blind, deaf or dumb, or of unsound mind, or otherwise incapacitated by disease or infirmity.

Persons who have an inadequate knowledge of the English language.

Police officers and their wives.

Schools, masters and teachers of.

South Australian Railways Commissioner, persons in the service of.

University professors and lecturers, and the Registrar of.

Veterinary surgeons or practitioners, registered and actually practising.

Women who are members of a religious order living in a convent, or other religious order.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.