

ÉIRE.

BILLE NA nGIURITHE, 1945.

JURIES BILL, 1945.

Mar do ritheadh ag dhá Thigh an Oireachtais.

As passed by both Houses of the Oireachtas.

ARRANGEMENT OF SECTIONS.

Section.

1. The Principal Act.
2. Amendment of section 13 of the Principal Act.
3. Amendment of section 15 of the Principal Act.
4. Amendment of section 16 of the Principal Act.
5. Amendment of section 63 of the Principal Act.
6. Discharge of juror on death or illness of wife, husband or near relation.
7. Performance of certain jury duties by officer of Central Office.
8. Performance of certain jury duties by Registrar of Wards of Court.
9. Short title, collective citation and construction.

ÉIRE.

BILLE NA nGIURITHE, 1945.

JURIES BILL, 1945.

BILL

entitled

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AN ACT TO AMEND AND EXTEND THE JURIES ACT, 1927.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

The Principal Act.

1.—In this Act the expression “ the Principal Act ” means the Juries Act, 1927 (No. 23 of 1927).

Amendment of Section 13 of the Principal Act.

2.—The following subsection shall be substituted for subsection (1) of section 13 of the Principal Act:—

“ (1) On or after the 15th day of September in the year 1945 and in every subsequent year and before the next following 24th day of November, every secretary of a county council, town clerk of a county or other borough and clerk of an urban district shall prepare in accordance with this Act a draft jurors list for the county, borough or district (as the case may be) and shall complete such draft jurors list and send it to the county registrar having jurisdiction in such county, borough or district on or before the said 24th day of November.”

Amendment of section 15 of the Principal Act.

3.—(1) The following subsections shall be substituted for subsections (3) and (4) of section 15 of the Principal Act:—

“ (3) On or before the 15th day of April in the year 1946 and in every subsequent year every county registrar shall revise and finally settle the draft jurors lists for the registration area of which he is the registration officer and shall so settle such lists that (save for the insertion of the names and other particulars of those exempted persons who become entitled under this Act to have their names inserted therein) the same are in accordance with the register of electors for the said registration area required to be published by him on or before the 15th day of April in the year then current and contain the name of every person who is entered in such register of electors as qualified and liable for and not disqualified for or exempt from service as a juror and the name of no other person.”

(4) The draft jurors lists for any registration area when revised and settled in accordance with the foregoing subsection shall (subject to any alterations subsequently made therein under this Act) be the jurors’ list in force for the purposes of this Act for such registration area for one year from the 15th day of April in the year in which such revision and settlement takes place.”

(2) The jurors lists which, by virtue of subsection (4) of section 15 of the Principal Act, came into force on the 1st day of June, 1945, shall continue in force until the 14th day of April, 1946, and no longer.

4.—The following subsection shall be substituted for subsection (2) of section 16 of the Principal Act:—

Amendment of section 16 of the Principal Act.

5 “ (2) Applications under this section in respect of draft jurors lists revised in the year 1946 or in any subsequent year shall be made before the 1st day of April in such year.”

5.—The following subsection shall be inserted after subsection (4) of section 63 of the Principal Act:—

Amendment of section 63 of the Principal Act.

10 “ (5) In every trial of an issue whether a person is or is not guilty of murder, or of treason, or of treason felony, and in every trial of any other criminal issue in which the jurors are not permitted to separate, the Judge may, if he so thinks fit and notwithstanding subsection (2) of this section, permit the jurors to separate for the purpose of enabling all or any of them to attend religious services and, in order to give effect to such permission, the proper officer shall take such steps as he shall think proper or the Judge shall direct.”

6.—(1) Whenever, in the course of the trial of any issue, the Judge considers it proper that a juror should be discharged for any sufficient cause arising from the death or serious illness of the wife or husband or a near relation of the juror, the Judge may discharge the juror.

Discharge of juror on death or illness of wife, husband or near relation.

25 (2) Where a juror is discharged under this section, the jury shall, unless the Judge otherwise directs or the number of jurors is thereby reduced below ten, be considered as remaining properly constituted for the purposes of the trial, and the trial shall proceed and a verdict may be found accordingly.

7.—(1) This section applies to the following duties so far as they relate to jurors required for any jurisdiction of the High Court other than jurisdiction in lunacy matters, that is to say:—

Performance of certain jury duties by officer of Central Office.

30 (a) the duties for the performance of which provision is made by subsection (1) of section 29 of the Principal Act;

35 (b) the duties for the performance of which provision is made by subsection (1) of section 30 of the Principal Act;

(c) the duties mentioned in subsections (1) and (2) of section 36 of the Principal Act;

40 (d) the duties mentioned in section 63 of the Principal Act (as amended by section 5 of this Act) as being imposed on the proper officer.

(2) On and after the 1st day of September, 1945, and notwithstanding anything contained in Part V of the Principal Act—

45 (a) the duties to which this section applies shall be performed by such officer serving in the Central Office as the President of the High Court may from time to time nominate in that behalf,

(b) in Part V of the Principal Act the expression “ the summoning officer ” shall, where appropriate, mean the officer for the time being so nominated, and

50 (c) where a panel of jurors required for any jurisdiction of the High Court other than jurisdiction in lunacy matters is delivered or sent in pursuance of paragraph (g) of subsection (1) of section 34 or subsection (4) of section 36 of the Principal Act, such panel shall be delivered or sent to the officer for the time being so nominated.

Performance of
certain jury
duties by
Registrar of
Wards of Court.

8.—(1) This section applies to the following duties so far as they relate to jurors required for the jurisdiction of the High Court in lunacy matters, that is to say:—

- (a) the duties for the performance of which provision is made by subsection (1) of section 29 of the Principal Act; 5
- (b) the duties for the performance of which provision is made by subsection (1) of section 30 of the Principal Act;
- (c) the duties mentioned in subsections (1) and (2) of section 36 of the Principal Act;
- (d) the duties mentioned in section 63 of the Principal Act 10
(as amended by section 5 of this Act) as being imposed on the proper officer.

(2) On and after the 1st day of September, 1945, and notwithstanding anything contained in Part V of the Principal Act—

- (a) the duties to which this section applies shall be performed by the Registrar of Wards of Court, 15
- (b) in Part V of the Principal Act the expression “ the summoning officer ” shall, where appropriate, mean the Registrar of Wards of Court, and
- (c) where a panel of jurors required for the jurisdiction of the High Court in lunacy matters is delivered or sent in pursuance of paragraph (g) of subsection (1) of section 34 or subsection (4) of section 36 of the Principal Act, such panel shall be delivered or sent to the Registrar of Wards of Court. 20 25

Short title,
collective
citation and
construction.

9.—(1) This Act may be cited as the Juries Act, 1945.

(2) The Principal Act and this Act may be cited together as the Juries Acts, 1927 and 1945.

(3) The Principal Act and this Act shall be construed together as one Act. 30

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Éire.

BILLE NA nGIURITHE, 1945.

BILLE

dá ngairmtear

Acht do leasú agus do leathnú Achta na nGiúirithe, 1927.

*Rite ag dhá Thigh an Oireachtais,
18ú Iúl, 1945.*

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN TSOLATHAIR.

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JURIES BILL, 1945.

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An Act to amend and extend the Juries Act, 1927.

*Passed by both Houses of the Oireachtas,
18th July, 1945.*

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