

DRAFT FOR CONSULTATION

Juries (Age of Excusal) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this amendment is to increase the age at which the Registrar has the discretion and duty to excuse a person summoned to attend as a juror. Currently anyone above the age of 65 can automatically be excused from jury service on the basis of their age. This amendment will increase this age to 72.

Section 15 of the Act currently details what the Registrar's discretion and duty to excuse from jury service on a particular occasion is based on. Under section 15(2), the Registrar must excuse a person who is or is over the age of 65. Section 15A(2) provides that the Registrar must also excuse a person who is or is over the age of 65 from jury service permanently on written application.

As social dynamics have changed and people work and engage in society later into life, as well as the increasing difficulty to fulfil the numbers required for jury trial, it is considered appropriate to increase the age of automatic excusal. In 2016, the age of retirement of Judges was lifted to 70, however they could continue to be appointed as an acting Associate Judge.

The summoning of jurors is, at essence, a law of averages. Decreasing the number of people who would be able to exercise an automatic excusal from service will reduce the number of summons requiring being sent, increasing the efficiency of the process and reducing the costs involved to the Ministry.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force on the day after Royal assent.

Clause 3 identifies the Juries Act 1981 as the Act amended by the Bill.

Clause 4 amends section 15 to increase the age that a person may be excused from jury duty on a particular occasion from 65 years to 72 years.

Clause 5 amends section 15A to increase the age that a person may be excused from jury service permanently from 65 years to 72 years.

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Juries (Age of Excusal) Amendment Act **2024**.
- 2 Commencement**
This Act comes into force on the day after Royal assent.
- 3 Principal Act**
This Act amends the Juries Act 1981.
- 4 Section 15 amended (Registrar's discretion and duty to excuse from jury service on particular occasion)**
In section 15(2)(aa), replace "65 years" with "72 years".
- 5 Section 15A amended (Registrar's discretion and duty to excuse from jury service permanently)**
In section 15A(2), replace "65 years" with "72 years".