



# Juries Act 1974

## 1974 CHAPTER 23

An Act to consolidate certain enactments relating to juries, jurors and jury service with corrections and improvements made under the Consolidation of Enactments (Procedure) Act 1949. [9th July 1974]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Qualification for jury service**

Subject to the provisions of this Act, every person shall be qualified to serve as a juror in the Crown Court, the High Court and county courts and be liable accordingly to attend for jury service when summoned under this Act, if—

- (a) he is for the time being registered as a parliamentary or local government elector and is not less than eighteen nor more than sixty-five years of age; and
- (b) he has been ordinarily resident in the United Kingdom, the Channel Islands or the Isle of Man for any period of at least five years since attaining the age of thirteen,

but not if he is for the time being ineligible or disqualified for jury service; and the persons who are ineligible, and those who are disqualified, are those respectively listed in Parts I and II of Schedule 1 to this Act.

### **2 Summoning**

- (1) Subject to the provisions of this Act, the Lord Chancellor shall be responsible for the summoning of jurors to attend for service in the Crown Court, the High Court and county courts and for determining the occasions on which they are to attend when so summoned, and the number to be summoned.
- (2) In making arrangements to discharge his duty under subsection (1) above the Lord Chancellor shall have regard to the convenience of the persons summoned and to their

respective places of residence, and in particular to the desirability of selecting jurors within reasonable daily travelling distance of the place where they are to attend.

- (3) Subject to subsection (2) above, there shall be no restriction on the places in England and Wales at which a person may be required to attend or serve on a jury under this Act.
- (4) Subject to the provisions of this Act, jurors shall be so summoned by notice in writing sent by post, or delivered by hand.

For the purposes of section 26 of the Interpretation Act 1889 (presumption as to receipt of letter properly addressed and sent by post) the notice shall be regarded as properly addressed if the address is that shown in the electoral register, and a notice so addressed, and delivered by hand to that address, shall be deemed to have been delivered personally to the person to whom it is addressed unless the contrary is proved.

- (5) A written summons sent or delivered to any person under subsection (4) above shall be accompanied by a notice informing him—
  - (a) of the effect of sections 1, 9(1), 10 and 20(5) of this Act; and
  - (b) that he may make representations to the appropriate officer with a view to obtaining the withdrawal of the summons, if for any reason he is not qualified for jury service, or wishes or is entitled to be excused;

and where a person attends in pursuance of such a summons, or of a summons under section 6 of this Act, the appropriate officer may put or cause to be put to him such questions as the officer thinks fit in order to establish whether or not the person is qualified for jury service.

- (6) A certificate signed by the appropriate officer and stating that a written summons under this Act, properly addressed and prepaid, was posted by him shall be admissible as evidence in any proceedings, and shall be so admissible without proof of his signature or official character.

### **3 Electoral register as basis of jury selection**

- (1) Every electoral registration officer under the Representation of the People Act 1949 shall as soon as practicable after the publication of any register of electors for his area deliver to such officer as the Lord Chancellor may designate such number of copies of the register as the designated officer may require for the purpose of summoning jurors, and on each copy there shall be indicated those persons on the register whom the registration officer has ascertained to be, or to have been on a date also indicated on the copy, less than eighteen or more than sixty-five years of age.
- (2) The reference in subsection (1) above to a register of electors does not include a ward list within the meaning of section 4(1) of the City of London (Various Powers) Act 1957.
- (3) In Schedule 4 to the said Act of 1949 (provisions which may be contained in regulations as to registration) the new paragraph 2A, and the additional words " or 2A " in paragraph 12(1), inserted by section 26(1) of the Criminal Justice Act 1972, shall continue to have effect notwithstanding the repeal of that section by this Act, but for the reference to that section in the said paragraph 2A there shall be substituted a reference to subsection (1) above.

#### **4 Withdrawal or alteration of summons**

If it appears to the appropriate officer, at any time before the day on which any person summoned under section 2 of this Act is first to attend, that his attendance is unnecessary, or can be dispensed with on any particular day or days, the appropriate officer may withdraw or alter the summons by notice served in the same way as a notice of summons.

#### **5 Panels**

- (1) The arrangements to be made by the Lord Chancellor under this Act shall include the preparation of lists (called panels) of persons summoned as jurors, and the information to be included in panels, the court sittings for which they are prepared, their division into parts or sets (whether according to the day of first attendance or otherwise), their enlargement or amendment, and all other matters relating to the contents and form of the panels shall be such as the Lord Chancellor may from time to time direct.
- (2) A party to proceedings in which jurors are or may be called on to try an issue, and any person acting on behalf of a party to such proceedings, shall be entitled to reasonable facilities for inspecting the panel from which the jurors are or will be drawn.
- (3) The right conferred by subsection (2) above shall not be exercisable after the close of the trial by jury (or after the time when it is no longer possible for there to be a trial by jury).
- (4) The court may, if it thinks fit, at any time afford to any person facilities for inspecting the panel, although not given the right by subsection (2) above.

#### **6 Summoning in exceptional circumstances**

- (1) If it appears to the court that a jury to try any issue before the court will be, or probably will be, incomplete, the court may, if the court thinks fit, require any persons who are in, or in the vicinity of, the court, to be summoned (without any written notice) for jury service up to the number needed (after allowing for any who may not be qualified under section 1 of this Act, and for refusals and challenges) to make up a full jury.
- (2) The names of the persons so summoned shall be added to the panel and the court shall proceed as if those so summoned had been included in the panel in the first instance.

#### **7 Attendance and service**

Subject to the provisions of this Act, a person summoned under this Act shall attend for so many days as may be directed by the summons or by the appropriate officer, and shall be liable to serve on any jury (in the Crown Court or the High Court or any county court) at the place to which he is summoned, or in the vicinity.

#### **8 Excusal for previous jury service**

- (1) If a person summoned under this Act shows to the satisfaction of the appropriate officer, or of the court (or any of the courts) to which he is summoned—
  - (a) that he has served on a jury, or duly attended to serve on a jury, in the prescribed period ending with the service of the summons on him, or

- (b) that the Crown Court or any other court has excused him from jury service for a period which has not terminated,  
the officer or court shall excuse him from attending, or further attending, in pursuance of the summons.
- (2) In subsection (1) above " the prescribed period " means two years or such longer period as the Lord Chancellor may prescribe by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, and any such order may be varied or revoked by a subsequent order under this subsection.
- (3) Records of persons summoned under this Act, and of persons included in panels, shall be kept in such manner as the Lord Chancellor may direct, and the Lord Chancellor may, if he thinks fit, make arrangements for allowing inspection of the records so kept by members of the public in such circumstances and subject to such conditions as he may prescribe.
- (4) A person duly attending in compliance with a summons under this Act shall be entitled on application to the appropriate officer to a certificate recording that he has so attended.
- (5) In subsection (1) above the words "served on a jury" refer to service on a jury in any court, including any court of assize or other court abolished by the Courts Act 1971, but excluding service on a jury in a coroner's court.

## **9 Excusal for certain persons and discretionary excusal**

- (1) A person summoned under this Act shall be entitled, if he so wishes, to be excused from jury service if he is among the persons listed in Part III of Schedule 1 to this Act but, except as provided by that Part of that Schedule in the case of members of the forces and others, a person shall not by this section be exempt from his obligation to attend if summoned unless he is excused from attending under subsection (2) below.
- (2) If any person summoned under this Act shows to the satisfaction of the appropriate officer that there is good reason why he should be excused from attending in pursuance of the summons, the appropriate officer may excuse him from so attending and shall do so if the reason shown is that the person is entitled under subsection (1) above to excusal.
- (3) Crown Court rules shall provide a right of appeal to the court (or one of the courts) before which the person is summoned to attend against any refusal of the appropriate officer to excuse him under subsection (2) above.
- (4) Without prejudice to the preceding provisions of this section, the court (or any of the courts) before which a person is summoned to attend under this Act may excuse that person from so attending.

## **10 Discharge of summons in case of doubt as to capacity to act effectively as a juror**

Where it appears to the appropriate officer, in the case of a person attending in pursuance of a summons under this Act, that on account of physical disability or insufficient understanding of English there is doubt as to his capacity to act effectively as a juror, the person may be brought before the judge, who shall determine whether or not he should act as a juror and, if not, shall discharge the summons; and for this

purpose " the judge" means any judge of the High Court or any Circuit judge or Recorder.

## **11 The ballot and swearing of jurors**

- (1) The jury to try an issue before a court shall be selected by ballot in open court from the panel, or part of the panel, of jurors summoned to attend at the time and place in question.
- (2) The power of summoning jurors under section 6 of this Act may be exercised after balloting has begun, as well as earlier, and if exercised after balloting has begun the court may dispense with balloting for persons summoned under that section.
- (3) No two or more members of a jury to try an issue in a court shall be sworn together.
- (4) Subject to subsection (5) below, the jury selected by any one ballot shall try only one issue (but any juror shall be liable to be selected on more than one ballot).
- (5) Subsection (4) above shall not prevent—
  - (a) the trial of two or more issues by the same jury if the trial of the second or last issue begins within 24 hours from the time when the jury is constituted, or
  - (b) in a criminal case, the trial of fitness to plead by the same jury as that by whom the accused is being tried, if that is so directed by the court under section 4(4) (b) of the Criminal Procedure (Insanity) Act 1964, or
  - (c) in a criminal case beginning with a special plea, the trial of the accused on the general issue by the jury trying the special plea.
- (6) In the cases within subsection (5)(a), (b) and (c) above the court may, on the trial of the second or any subsequent issue, instead of proceeding with the same jury in its entirety, order any juror to withdraw, if the court considers he could be justly challenged or excused, or if the parties to the proceedings consent, and the juror to replace him shall, subject to subsection (2) above, be selected by ballot in open court.

## **12 Challenge**

- (1) In proceedings for the trial of any person for an offence on indictment—
  - (a) that person may challenge not more than seven jurors without cause and all or any of the jurors for cause, and
  - (b) any challenge for cause shall be tried by the judge before whom that person is to be tried.
- (2) Any party to county court proceedings to be tried by a jury shall have the same right of challenge to all or any of the jurors as he would have in the High Court.
- (3) A challenge to a juror in any court shall be made after his name has been drawn by ballot (unless the court, pursuant to section 11(2) of this Act, has dispensed with balloting for him) and before he is sworn.
- (4) The fact that a person summoned to serve on a jury is not qualified to serve shall be a ground of challenge for cause; but subject to that, and to the foregoing provisions of this section, nothing in this Act affects the law relating to challenge of jurors.
- (5) In section 29 of the Juries Act 1825 (challenges to jurors by the Crown) the words " the Crown Court" shall continue to be substituted for the words " any of the courts hereinbefore mentioned " , notwithstanding the repeal by this Act of paragraph 3(2)

of Schedule 4 to the Courts Act 1971 and of the entries relating to the said Act in Schedule 5 to the Criminal Justice Act 1972.

- (6) Without prejudice to subsection (4) above, the right of challenge to the array, that is to say the right of challenge on the ground that the person responsible for summoning the jurors in question is biased or has acted improperly, shall continue to be unaffected by the fact that, since the coming into operation of section 31 of the Courts Act 1971 (which is replaced by this Act), the responsibility for summoning jurors for service in the Crown Court, the High Court and county courts has lain with the Lord Chancellor.

### **13 Separation**

Upon the trial of any person for an offence on indictment the court may, if it thinks fit, at any time before the jury consider their verdict, permit them to separate.

### **14 Views**

Crown Court rules, and rules of court for civil cases, may make provision as respects views by jurors, and the places, to which a juror may be called on to go to view shall not be restricted to any particular county or other area.

### **15 Refreshment**

Jurors, after being sworn, may, in the discretion of the court, be allowed reasonable refreshment at their own expense.

### **16 Continuation of criminal trial on death or discharge of a juror**

- (1) Where in the course of a trial of any person for an offence on indictment 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, but the number of its members is not reduced below nine, the jury shall nevertheless (subject to subsections (2) and (3) below) be considered as remaining for all the purposes of that trial properly constituted, and the trial shall proceed and a verdict may be given accordingly.
- (2) On a trial for murder or for any offence punishable with death subsection (1) above shall not apply on the death or discharge of any member of the jury unless assent to its then applying is given in writing by or on behalf of both the prosecution and the accused or each of the accused.
- (3) Notwithstanding subsection (1) above, on the death or discharge of a member of the jury in the course of a trial of any person for an offence on indictment the court may discharge the jury in any case where the court sees fit to do so.

### **17 Majority verdicts**

- (1) Subject to subsections (3) and (4) below, the verdict of a jury in proceedings in the Crown Court or the High Court need not be unanimous if—
- (a) in a case where there are not less than eleven jurors, ten of them agree on the verdict; and
  - (b) in a case where there are ten jurors, nine of them agree on the verdict.

- (2) Subject to subsection (4) below, the verdict of a jury (that is to say a complete jury of eight) in proceedings in a county court need not be unanimous if seven of them agree on the verdict.
- (3) The Crown Court shall not accept a verdict of guilty by virtue of subsection (1) above unless the foreman of the jury has stated in open court the number of jurors who respectively agreed to and dissented from the verdict.
- (4) No court shall accept a verdict by virtue of subsection (1) or (2) above unless it appears to the court that the jury have had such period of time for deliberation as the court thinks reasonable having regard to the nature and complexity of the case ; and the Crown Court shall in any event not accept such a verdict unless it appears to the court that the jury have had at least two hours for deliberation.
- (5) This section is without prejudice to any practice in civil proceedings by which a court may accept a majority verdict with the consent of the parties, or by which the parties may agree to proceed in any case with an incomplete jury.

## **18 Judgments: stay or reversal**

- (1) No judgment after verdict in any trial by jury in any court shall be stayed or reversed by reason—
  - (a) that the provisions of this Act about the summoning or impanelling of jurors, or the selection of jurors by ballot, have not been complied with, or
  - (b) that a juror was not qualified in accordance with section 1 of this Act, or
  - (c) that any juror was misnamed or misdescribed, or
  - (d) that any juror was unfit to serve.
- (2) Subsection (1)(a) above shall not apply to any irregularity if objection is taken at, or as soon as practicable after, the time it occurs, and the irregularity is not corrected.
- (3) Nothing in subsection (1) above shall apply to any objection to a verdict on the ground of personation.

## **19 Payment for jury service**

- (1) Subject to the following provisions of this section, a person who serves as a juror shall be entitled, in respect of his attendance at court for the purpose of performing jury service, to receive payments, at the prescribed rates and subject to any prescribed conditions, by way of allowance—
  - (a) for travelling and subsistence ; and
  - (b) for financial loss, where in consequence of his attendance for that purpose he has incurred any expenditure (otherwise than on travelling and subsistence) to which he would not otherwise be subject or he has suffered any loss of earnings, or of benefit under the enactments relating to national insurance and social security, which he would otherwise have made or received.
- (2) Subsection (1) above shall not apply to service on a coroner's jury (for which provision for payment is made by the Coroners Act 1887, as amended by this Act).
- (3) The determination of the amounts payable to persons under subsection (1) above, and the manner of making those payments, shall be in accordance with arrangements made

by the Lord Chancellor and all such payments shall be made out of moneys provided by Parliament.

- (4) In subsection (1) above "prescribed" means prescribed by regulations made by statutory instrument by the Lord Chancellor with the consent of the Minister for the Civil Service ; and for the purposes of that subsection a person who, in obedience to a summons to serve on a jury, attends for service as a juror shall be deemed to serve as a juror notwithstanding that he is not subsequently sworn.
- (5) Save as provided by the Coroners Act 1887, no person shall be entitled under any Act other than this Act or under any rule of law, custom or agreement to payment for his services as a juror.
- (6) This section shall not apply to service on a jury summoned for the purposes of a trial of the pyx under section 8 of the Coinage Act 1971.
- (7) Until the coming into force of paragraph 13 of Schedule 27 to the Social Security Act 1973, paragraph (b) of subsection (1) above shall have effect as if the words " and social security " were omitted.

## 20 Offences

- (1) Subject to the provisions of subsections (2) to (4) below—
  - (a) if a person duly summoned under this Act fails to attend (on the first or on any subsequent day on which he is required to attend by the summons or by the appropriate officer) in compliance with the summons, or
  - (b) if a person, after attending in pursuance of a summons, is not available when called on to serve as a juror, or is unfit for service by reason of drink or drugs, he shall be liable to a fine not exceeding £100.
- (2) An offence under subsection (1) above shall be punishable either on summary conviction or as if it were criminal contempt of court committed in the face of the court.
- (3) Subsection (1)(a) above shall not apply to a person summoned, otherwise than under section 6 of this Act, unless the summons was duly served on him on a date not later than fourteen days before the date fixed by the summons for his first attendance.
- (4) A person shall not be liable to be punished under the preceding provisions of this section if he can show some reasonable cause for his failure to comply with the summons, or for not being available when called on to serve, and those provisions have effect subject to the provisions of this Act about the withdrawal or alteration of a summons and about the granting of any excusal.
- (5) If any person—
  - (a) having been summoned under this Act makes, or causes or permits to be made on his behalf, any false representation to the appropriate officer with the intention of evading jury service; or
  - (b) makes or causes to be made on behalf of another person who has been so summoned any false representation to that officer with the intention of enabling the other to evade jury service ; or
  - (c) when any question is put to him in pursuance of section 2(5) of this Act, refuses without reasonable excuse to answer, or gives an answer which he knows to be false in a material particular, or recklessly gives an answer which is false in a material particular; or



- (d) knowing that he is ineligible for jury service under Group A, B or C in Part I of Schedule 1 to this Act, or disqualified under Part II of that Schedule, serves on a jury,

he shall be liable on summary conviction to a fine of not more than £400 in the case of an offence of serving on a jury when disqualified and, in any other case, a fine of not more than £100.

## **21 Supplemental**

- (1) The Lord Chancellor may by order make such amendments or repeals of any provision of any local Act as appear to him necessary or expedient in consequence of the new provisions.
- (2) The Lord Chancellor may by order make such provision as appears to him necessary or expedient for the transition to the new provisions from the former enactments and rules of law which those provisions replace and may in particular by such an order provide for transitory modifications or adaptations of the new provisions, or of the former law which the new provisions replace.
- (3) The power to make orders under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament and shall include power to vary or revoke any order previously made in the exercise of the power.
- (4) A writ or order of venire de novo shall be in such form as the court issuing it considers appropriate.
- (5) Subject to the provisions of this Act, all enactments and rules of law relating to trials by jury, juries and jurors shall continue in force and, in criminal cases, continue to apply to proceedings in the Crown Court as they applied to proceedings before a court of oyer and terminer or gaol delivery.
- (6) In subsections (1) and (2) above references to the new provisions are references to those provisions of this Act which re-enact the provisions of the Courts Act 1971 about trial by jury, juries and jurors and the provisions of section 25 of the Criminal Justice Act 1972 ; and the reference in subsection (2) above to the former enactments and rules of law which the new provisions replace (and to the former law which those provisions replace) is a reference to the enactments and rules of law replaced by the said provisions of the Courts Act 1971 and the provisions of the said section 25.

## **22 Consequential amendments, savings and repeals**

- (1) The Coroners Act 1887 shall have effect subject to the amendments set out in Schedule 2 to this Act (being amendments consequential on certain of the repeals made by this Act).
- (2) Any enactment, instrument or document referring to any enactment repealed by this Act shall, so far as may be necessary for preserving its effect, be construed as referring, or as including a reference, to the corresponding provision of this Act.
- (3) Any instrument or document made, served or given and any other thing done under any enactment repealed by this Act shall have effect as if made, served, given or done under the corresponding provision of this Act.

- (4) The enactments mentioned in Schedule 3 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (5) Nothing in subsections (2) and (3) above shall be construed as affecting the operation of section 38 of the Interpretation Act 1889 (effect of repeals).

**23 Short title, interpretation, commencement and extent**

- (1) This Act may be cited as the Juries Act 1974.
- (2) In this Act—
  - " court ", except where the context otherwise requires, means the Crown Court, the High Court, or a county court;
  - " the appropriate officer " means such officer as may be designated for the purpose in question in accordance with arrangements made by the Lord Chancellor.
- (3) This Act shall come into force at the expiration of the period of one month beginning with the day on which it is passed.
- (4) This Act extends to England and Wales only

## SCHEDULES

### SCHEDULE 1

Sections 1 and 9.

#### INELIGIBILITY AND DISQUALIFICATION FOR AND EXCUSAL FROM JURY SERVICE

##### PART I

##### PERSONS INELIGIBLE

###### *GROUP A*

###### *The Judiciary*

Holders of high judicial office within the meaning of the Appellate Jurisdiction Act 1876.

Circuit judges and Recorders.

Masters of the Supreme Court.

Registrars and assistant registrars of any court.

Metropolitan and other stipendiary magistrates.

Justices of the peace.

The Chairman or President, the Vice-Chairman or Vice-President, and the registrar and assistant registrar of any Tribunal.

A person who has at any time been a person falling within any description specified above in this Group.

###### *GROUP B*

###### *Others concerned with administration of justice*

Barristers and solicitors, whether or not in actual practice as such.

Solicitors' articled clerks.

Barristers' clerks and their assistants.

Legal executives in the employment of solicitors.

The Director of Public Prosecutions and members of his staff.

Officers employed under the Lord Chancellor and concerned wholly or mainly with the day-to-day administration of the legal system or any part of it.

Officers and staff of any court, if their work is wholly or mainly concerned with the day-to-day administration of the court.

Coroners, deputy coroners and assistant coroners.

Justices' clerks and their assistants.

Clerks and other officers appointed under section 15 of the Administration of Justice Act 1964 (Inner London magistrates courts administration).

Active Elder Brethren of the Corporation of Trinity House of Deptford Strond.

A shorthandwriter in any court.

---

*Status: This is the original version (as it was originally enacted).*

---

Governors, chaplains, medical officers and other officers of penal establishments ; members of boards of visitors for penal establishments.

(" Penal establishment" for this purpose means any prison, remand centre, detention centre or borstal institution).

The warden or a member of the staff of a probation home, probation hostel or bail hostel (within the meaning of the Powers of Criminal Courts Act 1973).

Probation officers and persons appointed to assist them.

Members of the Parole Board; members of local review committees established under the Criminal Justice Act 1967.

A member of any police force (including a person on central service under section 43 of the Police Act 1964); special constables ; a member of any constabulary maintained under statute ; a person employed in any capacity by virtue of which he has the powers and privileges of a constable.

A member of a police authority within the meaning of the Police Act 1964; a member of any body (corporate or other) with responsibility for appointing members of a constabulary maintained under statute.

Inspectors of Constabulary appointed by Her Majesty; assistant inspectors of constabulary appointed by the Secretary of State.

Civilians employed for police purposes by a police authority; members of the metropolitan civil staffs within the meaning of section 15 of the Superannuation (Miscellaneous Provisions) Act 1967 (persons employed under the Commissioner of Police of the Metropolis, Inner London justices' clerks, etc.).

A person in charge of, or employed in, any forensic science laboratory.

A person who at any time within the last ten years has been a person falling within any description specified above in this Group.

#### *GROUP C*

*The clergy, etc.*

A man in holy orders.

A regular minister of any religious denomination.

A vowed member of any religious order living in a monastery, convent or other religious community.

#### *GROUP D*

*The mentally ill*

(Expressions used in this Group are to be construed in accordance with the Mental Health Act 1959.)

A person who suffers or has suffered from mental illness, sub-normality, severe subnormality or psychopathic disorder and on account of that condition either—

- (a) is resident in a hospital or other similar institution ; or
- (b) regularly attends for treatment by a medical practitioner.

A person who, under Part VIII of the Mental Health Act 1959, has been determined by a judge to be incapable, by reason of mental disorder, of managing and administering his property and affairs.

A person for the time being in guardianship under section 33 of the Mental Health Act 1959.

## PART II

### PERSONS DISQUALIFIED

A person who has at any time been sentenced in the United Kingdom, the Channel Islands or the Isle of Man—

- (a) to imprisonment for life or for a term of five years or more ; or
- (b) to be detained during Her Majesty's pleasure, during the pleasure of the Secretary of State or during the pleasure of the Governor of Northern Ireland.

A person who at any time in the last ten years has, in the United Kingdom or the Channel Islands or the Isle of Man—

- (i) served any part of a sentence of imprisonment or detention, being a sentence for a term of three months or more ; or
- (ii) been detained in a borstal institution.

## PART III

### PERSONS EXCUSABLE AS OF RIGHT

#### *Parliament*

Peers and peeresses entitled to receive writs of summons to attend the House of Lords.

Members of the House of Commons.

Officers of the House of Lords.

Officers of the House of Commons.

#### *The Forces*

Full-time serving members of—

- any of Her Majesty's naval, military or air forces,
- the Women's Royal Naval Service,
- Queen Alexandra's Royal Naval Nursing Service, or any Voluntary Aid Detachment serving with the Royal Navy.

(A person excusable under this head shall be under no obligation to attend in pursuance of a summons for jury service if his commanding officer certifies to the officer issuing the summons that it would be prejudicial to the efficiency of the service if the person were required to be absent from duty.)

#### *Medical and other similar professions*

The following, if actually practising their profession and registered (including provisionally or temporarily registered), enrolled or certified under the enactments relating to that profession—

- medical practitioners,
- dentists,
- nurses,
- midwives,
- veterinary surgeons and veterinary practitioners,
- pharmaceutical chemists.

---

*Status: This is the original version (as it was originally enacted).*

---

## SCHEDULE 2

Section 22(1).

### AMENDMENTS OF CORONERS ACT 1887

In the Coroners Act 1887—

- (a) after section 19(3) there shall be inserted the following new subsection—
- “(3A) Notwithstanding anything in the foregoing provisions of this section, no juror shall be liable to any penalty for non-attendance on a coroner's jury unless the summons requiring him to attend was duly served on him no later than six days before the day on which he was required to attend.”;
- (b) after section 25 there shall be inserted the following new section—
- ~~“25A~~(1) Subject to section 29(7A) below, a person who serves as a juror in a coroner's court shall be entitled, in respect of his attendance at court for the purpose of performing jury service, to receive payments, at the prescribed rates and subject to any prescribed conditions, by way of allowance—
- (a) for travelling and subsistence ; and
  - (b) for financial loss where in consequence of his attendance for that purpose he has incurred any expenditure (otherwise than on travelling and subsistence) to which he would not otherwise be subject or he has suffered any loss of earnings, or of benefit under the enactments relating to national insurance and social security, which he would otherwise have made or received.
- (2) The amount due to any person in respect of such service shall be ascertained and paid over to him by the coroner.
- (3) In subsection (1) above the expression " prescribed " means prescribed by regulations made by statutory instrument by the Secretary of State with the consent of the Minister for the Civil Service ; and for the purposes of that subsection a person who, in obedience to a summons to serve on a jury, attends for service as a juror shall be deemed to serve as a juror notwithstanding that he is not subsequently sworn.
- (4) Until the coming into force of paragraph 13 of Schedule 27 to the Social Security Act 1973, paragraph (b) of subsection (1) above shall have effect as if the words " and social security " were omitted.”;
- (c) in section 26, after the words " medical witness" there shall be inserted the words " the allowances of every juror ";
- (d) in section 29, after subsection (7) there shall be inserted the following new subsection—
- “(7A) Section 25A of this Act shall not apply in relation to service on a jury under this section but that shall not affect any entitlement to payment that may otherwise be enjoyed by a juror for service on such a jury.”.

*Status: This is the original version (as it was originally enacted).*

SCHEDULE 3

Section 22(4).

REPEALS

Chapter	Short Title	Extent of Repeal
33 & 34 Vict. c. 77.	The Juries Act 1870.	The whole Act.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	Section 35.
12 & 13 Geo. 6. c. 27.	The Juries Act 1949.	Part I. Section 35(2).
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	Section 96(2).
1965 c. 26.	The Criminal Justice Act 1965.	The whole Act.
1967 c. 80.	The Criminal Justice Act 1967.	Section 13.
1971 c. 27.	The Courts Act 1971.	Part V. Schedule 4.
1972 c. 71.	The Criminal Justice Act 1972.	Part II. Schedule 2. In Schedule 5, the entries relating to the Courts Act 1971.
1973 c. 62.	The Powers of Criminal Courts Act 1973.	In Schedule 5, paragraph 48.