

No. 12

5th Session, 13th Legislature, Alberta
7 Elizabeth II, 1959

BILL 12

A Bill to amend The Jury Act

HON. MR. MANNING

Explanatory Note

Subsections (11) and (12) of section 19 presently read:

“(11) In a district where the same person discharges the duties of the Clerk of the Court and of the sheriff, that person may appoint an official or employee in the office of the Clerk or sheriff, and the official or employee shall draw the envelopes.

(12) When

- (a) either the Clerk or sheriff is ill or absent, the district court judge shall appoint an official or employee from either the office of the Clerk or sheriff to perform the duties under this section of the ill or absent official, or
- (b) both the Clerk and sheriff are ill or absent, the district court judge shall appoint to perform the duties under this section of the Clerk and sheriff two officials or employees from either the office of the Clerk or sheriff, but if two such officials or employees are not available, the judge shall appoint one such official or employee together with a magistrate or justice of the peace residing in the judicial district.”

At the present time these provisions do not permit going beyond employees of clerks and sheriffs for substitutes in personnel required in the jury panel selection procedure. In small judicial offices, this sometimes creates difficulties because of the few people who may be called upon. The amendment would extend the list of persons who may substitute for clerks, sheriffs and their employees.

BILL

No. 12 of 1959

An Act to amend The Jury Act

(Assented to _____, 1959)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Section 19 of *The Jury Act*, being chapter 165 of the Revised Statutes is amended by striking out subsections (11) and (12) and by substituting the following:

(11) In a district where the same person discharges the duties of the Clerk of the Court and of the sheriff, that person may appoint an employee in the office of the Clerk or sheriff to draw the envelopes, or if no employee is available, he may appoint a barrister or other person residing in the judicial district to draw the envelopes, and the person appointed shall draw the envelopes.

(12) When either the Clerk or sheriff is ill or absent, the district court judge shall appoint an employee from either the office of the Clerk or sheriff to perform the duties under this section of the ill or absent Clerk or sheriff, or if no employee is available, the district court judge shall appoint to perform those duties a barrister or other person residing in the judicial district, and when both the Clerk and sheriff are ill or absent, the district court judge shall appoint, to perform the duties under this section of the Clerk and sheriff, two employees from the office of the Clerk or sheriff or either office, but if an employee is not available, the judge shall appoint a magistrate, justice of the peace or barrister residing in the judicial district to perform the duties under this section of the ill or absent Clerk or sheriff.

2. This Act comes into force on the day upon which it is assented to.

No. 12

FIFTH SESSION

THIRTEENTH LEGISLATURE

7 ELIZABETH II

1959

BILL

An Act to amend The Jury Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING
