
Fourth Session Third Parliament Trinidad and Tobago
24 Elizabeth II



TRINIDAD AND TOBAGO
Act No. 20 of 1975

[L.S.]

AN ACT to amend the Jury Ordinance, Ch. 4. No. 2.

[Assented to 27th August, 1975]

BE IT ENACTED by the Queen's Most Excellent Majesty, ^{Enactment}
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and by
the authority of the same, as follows:—

1. This Act may be cited as the Jury (Amendment) Act, ^{Short title}
1975.

Interpretation
Ch. 4, No. 2

2. In this Act "the Ordinance" means the Jury Ordinance.

Section 2 of
the Ordinance
amended

3. Section 2 of the Ordinance is amended by inserting in their appropriate alphabetical order the following definitions:—

Ch. 33, No. 1 "Board of Inland Revenue" means the Board of Inland Revenue established by section 3 of the Income Tax Ordinance;

No. 41 of 1967 "Chief Election Officer" has the same meaning as in section 2 of the Representation of the People Act, 1967;

No. 35 of 1971 "National Insurance Board" means the National Insurance Board established by section 3 of the National Insurance Act, 1971;

"registration officer" and "assistant registration officer" have the same meanings as in the Representation of the People Act, 1967.

Section 4 of
the Ordinance
amended

4. Section 4 of the Ordinance is amended—

- (a) by renumbering the section as section 4(1);
- (b) by substituting the words "seven hundred and twenty dollars" for the words "four hundred and eighty dollars" occurring in subparagraph (i) of paragraph (e) of the section as renumbered;
- (c) by substituting the words "six hundred dollars" for the words "three hundred dollars" occurring in subparagraph (ii) of the section as renumbered;
- (d) by substituting the words "three thousand dollars" for the words "one thousand four hundred and forty dollars" occurring in subparagraph (iii) of the section as renumbered;
- (e) by adding immediately after subsection (1) the following subsection:—

"(2) Notwithstanding subsection (1), a married woman shall be qualified to be a juror if—

- (a) her husband is qualified to be a juror; and

- (b) she possesses the qualifications specified in paragraphs (a) and (d) of subsection (1).”.

5. Section 7 of the Ordinance is amended by adding the following:—

Section 7 of
the Ordinance
amended

“the spouses of the following persons—Judges of the Supreme Court; Members of Parliament; Mayors and Deputy Mayors; Magistrates and their clerks; Justices of the Peace; Barristers and Solicitors and their clerks; Officers of Courts of Justice; and Officers of the Police Service.”.

6. Section 8 of the Ordinance is amended—

Section 8 of
the Ordinance
amended

- (a) by renumbering the section as section 8(1);
- (b) by substituting the words “eight hundred and forty dollars” for the words “six hundred dollars” occurring in paragraph (a) of the section as renumbered;
- (c) by substituting the words “seven hundred and twenty dollars” for the words “four hundred and eighty dollars” occurring in paragraph (b) of the section as renumbered;
- (d) by substituting the words “six thousand dollars” for the words “two thousand four hundred dollars” occurring in paragraph (c) of the section as renumbered;
- (e) by adding immediately after subsection (1) the following subsection—

“(2) Notwithstanding subsection (1), a married woman who is qualified to serve as a juror under subsection (2) of section 4, shall be liable to serve as a special juror, if her husband is qualified and liable to serve as such a juror.”.

7. The Ordinance is amended by adding immediately after section 8 the following section:—

New section
inserted

“Qualification
to be stated
on registra-
tion record
card

8A. Every registration officer and every assistant registration officer when making out a registration record card for a person who is entitled to be registered by virtue

of section 18(1) of the Representation of the People Act, 1967, shall, if that person is qualified to serve as a juror, state in the prescribed manner—

- (a) the nature of the qualification under paragraph (e) of subsection (1) of section 4 (hereinafter referred to as “the section”) of that person, and where that person is a married woman who is qualified to serve as a juror under subsection (2) of section 4, the nature of the qualification of her husband under the section; and
- (b) whether that person is qualified as a special juror.”.

Section 9 of the Ordinance repealed and replaced

8. Section 9 of the Ordinance is repealed and replaced as follows:—

“Preparation of list of jurors

9. (1) In the year 1976 and in every alternate year thereafter, the Chief Election Officer shall cause each registration officer to make a list of the names of all persons residing in his registration area who are qualified to serve as jurors.

(2) In the exercise of his power under subsection (1) the Chief Election Officer is authorised and required—

- (a) to make diligent enquiry as to persons who are qualified to serve as jurors and in particular by all lawful ways and means to ascertain whether such persons can read and write the English language and understand it when spoken;
- (b) to inspect and make copies of or extracts from the House Rate Book of any City or Borough and the assessment rolls of any Ward; and the Town Clerk of every City or Borough and the Revenue Officer for every Ward shall

render such assistance and accord such facilities as may be necessary for that purpose;

- (c) to demand and receive—
- (i) from the Chairman of the Board of Inland Revenue the names and addresses of persons who according to the income tax returns are qualified to serve as jurors; and
 - (ii) from the Chairman of the National Insurance Board the names and addresses of employed persons, as defined in section 2 of the National Insurance Act, 1971, who, according to information supplied for the purposes of that Act, are qualified to serve as jurors;
- (d) to serve on any employer, a notice setting out clearly the qualifications of a juror and requiring the employer to make a return on the Form D set out in the Schedule of all persons in his employment who are qualified to serve as jurors;
- (e) to enquire of, or consult with, the Official Receiver in bankruptcy and the Registrar of the Supreme Court, who are required to give the necessary assistance regarding the qualifications or disqualifications of any of the persons whose names it is intended to enter in such list.

Form D.
The
Schedule

(3) The Chairman of the Board of Inland Revenue and the Chairman of the National Insurance Board shall furnish merely names and addresses and shall

not in any manner disclose the income of persons who are qualified to serve as jurors.

(4) An employer who—

(a) fails to make the return required by paragraph (d) of subsection (2) within the period specified in the notice; or

(b) wilfully makes the incorrect or incomplete return,

is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

(5) The lists referred to in subsection (1) shall each be revised by a Magistrate appointed by the Governor-General for that purpose.”

New sections
inserted

9. The Ordinance is amended by inserting immediately after section 9 the following sections:—

“Form of
list

9A. (1) The list referred to in subsection (1) of section 9 shall show in respect of each person who is qualified to serve as a juror the name, place of abode, sex, business or occupation of the person and the nature of the qualification referred to in paragraph (a) of section 8A.

(2) If any person to whom subsection (1) applies is qualified to serve as a special juror, the letters S.J. shall be set opposite the name of that person in a separate column.

(3) Each list shall show, as far as practicable the name of the person in full, arranged according to the alphabetical order of the surname and shall be according to Form A in the Schedule.

Form A.

List to be
sent to
Reviser

9B. (1) Each list shall be—

(a) printed in alphabetical order;

(b) signed by the registration officer who prepared it; and

(c) sent not later than the 15th of February in the year in which it was prepared to the Reviser for revision.

(2) The Reviser shall cause—

(a) copies of the lists with a notice mentioning the place and time at which objections to the lists will be heard, to be affixed in such places as he may direct in order to give publicity to the lists; and

(b) the lists to be published in the *Gazette* during the month of April in the year in which it was prepared.”.

10. Section 10 of the Ordinance is repealed and replaced as follows:—

Section 10
of the Ordinance
repealed and
replaced

“Revising of
lists

10. (1) The Reviser shall, during the month of May hear objections to the lists, and revise and settle them accordingly. While he is hearing objections any person may appear before him and object to his name being included in or excluded from the list.

(2) The Reviser shall hear and determine every such objection and for that purpose may examine an objector and his witnesses, if any, on oath. After hearing and determining every such objection, the Reviser shall, where necessary, correct the lists.

(3) The Reviser shall have the powers given to Magistrates by the Summary Courts Ordinance for enforcing the attendance of witnesses.

(4) As soon as practicable after the Reviser has heard and determined an objection, his decision shall be notified to the objector.

(5) The lists referred to in subsection (1) when duly corrected, if correction is necessary, shall be signed by the Reviser and when so signed shall supersede any such list in existence at the commencement of this Act. The Reviser shall cause the lists to be delivered to the Marshal on or before the 15th day of June in the year in which it is prepared. On receipt of the lists the Marshal shall cause them to be appropriately numbered and when so numbered they shall constitute the Jurors Book.

(6) The decision of the Reviser shall be notified to the Chief Election Officer and the Marshal. The Marshal shall make any necessary corrections in the Jurors Book.

(7) The Jurors Book shall be brought into use on the 1st day of July next after it is prepared and shall be used for two years next following, and thereafter until another Jurors Book is prepared in accordance with this Ordinance."

Section 13
of the Ordinance
amended

11. Section 13 of the Ordinance is amended by substituting for paragraph (b) of subsection (2) the following—

"(b) the place of abode, sex, business or occupation and the nature of the qualification referred to in paragraph (a) of section 8A."

Section 14
of the Ordinance
repealed and
replaced

12. Section 14 of the Ordinance is repealed and replaced as follows—

"Form and
mode of
service of
jury
summons
Form C.

14. (1) Where a person is required to serve as a juror, he shall be served with a summons in accordance with Form C in the Schedule.

(2) Each summons shall be served by the Marshal or his assistants.

(a) personally on the person or left for him at his usual place of abode or business with some person there residing or employed; and

(b) at least three days before the first day of the sessions at which he is required to attend.

13. Section 28 of the Ordinance is repealed and replaced as follows:—

Section 28 of the Ordinance repealed and replaced

“Marshal to cause list of special jurors to be prepared

28. (1) The Marshal shall, within ten days of receipt of the list pursuant to subsection (4) of section 10, take from it the name of each person who is qualified to serve as a special juror, and shall cause to be made a list containing—

- (a) the name of each such juror in its appropriate alphabetical order; and
- (b) the place of abode, sex, business or occupation and the nature of the qualification referred to in paragraph (a) of section 8A.”.

14. Section 31 of the Ordinance is repealed and replaced as follows:—

Section 31 of the Ordinance repealed and replaced

“Payment of common jurors

31. Jurors other than jurors summoned on special juries shall be entitled to be paid, in respect of their travelling to and from and attendance at the place to which they are summoned—

- (a) such travelling and subsistence allowances; and
- (b) such compensation for loss of earnings which they would otherwise have made being a loss necessarily suffered by attendance at the place to which they are summoned,

as the Governor-General may by regulations prescribe and subject to any prescribed conditions.”.

15. The Ordinance is amended by adding immediately after section 38 the following section:—

New section added

“Victimization for serving as a juror

39. (1) An employer shall not—

- (a) dismiss a person in his employment or adversely alter or affect the position of that person by reason of the fact that the person is summoned to serve, serves or has served as a juror;

(b) with intent to dissuade or prevent a person in his employment from serving as a juror, threaten to dismiss the person or in any other way to alter or affect adversely the position of any such person who is summoned to serve as a juror or who serves or has served as a juror.

(2) An employer who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment; and the magistrate who makes the order for conviction may also order that the person be reimbursed any wages lost by him, and notwithstanding any rule of law to the contrary, direct that the person be reinstated in his former position or in a similar position.

(3) In any proceedings for an offence under subsection (2), if all the facts and circumstances constituting the offence other than any specific intent are proved, the defendant may be convicted unless he proves that he did not have the specific intent in question.”.

Schedule to
Ordinance
amended

16. The Schedule to the Ordinance is amended—

(a) by substituting for Form A the following—

THE JURY ORDINANCE, CH. 4, No. 2

(Section 9A)

FORM A

LISTS OF JURORS

List returned by A.B. Registration Officer for the registration area
of persons qualified to serve as jurors

Christian and Surname in full	Place of abode	Sex	Business or Occupation	Nature of qualification under paragraph (e) of subsection (1) of section 4	Whether qualified as Special Juror
Caesar, Julius	112, First East Street	Male	Agriculturist	Seised of freehold property the annual value of which is not less than eight hundred and forty dollars	S.J.
Caesar, Julia	112, First East Street	Female	Housewife	Husband is seised of freehold property the annual value of which is not less than eight hundred and forty dollars	S.J.
Cicero, Claudia	20, Chacon Street	Female	Clerk	Salary is not less than three thousand dollars per annum	

Dated this day of , 1975.

*Registration Office for the
Registration Area of ”;*

- (b) by deleting the words“(or warden)” occurring in Form C thereof;
- (c) by substituting the words “Chief Election Officer” for the words “Warden, or Clerk of the Peace” and the words “under paragraph (e) of subsection (1) of section 4” for the words “under paragraph (e) of section 4” occurring in Form D.

17. The enactment mentioned in the first column of the Schedule is amended to the extent specified in the second column thereof.

Enactment
amended

SCHEDULE

FIRST COLUMN
Enactment

Representation of the
People Act, 1967.
No. 41 of 1967.

SECOND COLUMN
Extent of Amendments

The Fifth Schedule is amended by adding
at the end of Form No. 12 (Registration
Record Card—Back) the following—

“Nature of the qualification under para-
graph (e) of subsection (1) of section 4
(If the person being registered is a
married woman who is qualified to
serve as a juror under subsection (2)
of section 4 of the Jury Ordinance,
state the nature of the qualification of
her husband)

Whether qualified as common or
special juror”.

Passed in the House of Representatives this 25th day
of July, 1975.

J. E. CARTER
Acting Clerk of the House

Passed in the Senate this 12th day of August, 1975.

M. CARRINGTON
Acting Clerk of the Senate