

JURY ACT
CONSOLIDATION OF JURY REGULATIONS

R-034-99

In force March 31, 1999

(Current to: July 28, 2013)

AS AMENDED BY:

R-013-2011

In force September 7, 2011

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Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

Citation of Acts

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (Note: The Supplement is in three volumes.)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (Note: This is a Nunavut regulation made on or after January 1, 2000.)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (Note: This is a Nunavut statutory instrument made on or after January 1, 2000.)

JURY REGULATIONS

INTERPRETATION

1. In these regulations,

"Act" means the *Jury Act*; (*Loi*)

"jury list" means the list of names, prepared by the Sheriff, of the persons who are qualified to serve as jurors; (*liste des jurés*)

"jury management data base" means the jury list maintained in a computer data base; (*base de données de gestion du jury*)

"jury panel" means the persons who are summoned by the Sheriff to serve as jurors at the sittings of the Court and from whom a jury may be selected for the trial of an action. (*tableau des jurés*)

COMPILATION OF JURY LIST

2. The Sheriff shall, as soon as practicable after November 1 in each year, request access to the lists and rolls set out in subsection 3(1) that he or she considers appropriate for the selection of persons who are apparently qualified to serve as jurors and for the compilation of a jury list.

3. (1) For the purposes of selecting persons who are apparently qualified to serve as jurors and compiling the jury list under section 8 of the Act, the Sheriff or a person designated by the Sheriff may have access to

- (a) **repealed, R-013-2011,s.2;**
- (b) lists of voters compiled for elections of local authorities under the *Local Authorities Elections Act*;
- (c) assessment rolls compiled under the *Property Assessment and Taxation Act*;
- (c.1) lists, in the custody or control of the Registrar of Motor Vehicles, of holders of
 - (i) certificates of registration,
 - (ii) driver's licences, or
 - (iii) Nunavut-issued identification;
- (c.2) lists of persons employed in the public service of Nunavut;
- (c.3) lists of tenants in the custody or control of the Nunavut Housing Corporation;
- (c.4) lists of residential customers in the custody or control of the Qulliq Energy Corporation;

- (d) publicly available lists of names of individuals and corresponding addresses or other contact information, such as municipal telephone directories; and
- (e) any other source of possible information, not otherwise protected by law, that the Sheriff considers appropriate.

(2) A person with control of a list or roll set out in subsection (1) shall provide the information in the list or roll requested to the Sheriff, or a person designated by the Sheriff, when and in the form requested. R-013-2011,s.2,3.

- 4.** (1) As soon as practicable on receipt of the information obtained under section 3, the Sheriff, or a person designated by the Sheriff, shall
- (a) select, from that information, the names and addresses of persons who are apparently qualified to serve as jurors;
 - (b) compile a jury list consisting of the information selected under paragraph (a); and
 - (c) cause the information from the jury list to be entered into the jury management data base.

(2) The Sheriff may direct that information in the jury management data base be amended or deleted as he or she considers necessary.

SELECTION OF JURY PANEL

5. The form of the written order to be issued to the Sheriff, referred to in subsection 12(1) of the Act, is set out in the Schedule. R-013-2011,s.4.

6. (1) For the purposes of selecting a jury panel under subsection 12(2) of the Act, the Sheriff shall make a random selection of names from the jury management data base that will, in his or her opinion, comprise a sufficient number of persons to constitute a jury panel for the sittings of the Court.

(2) If the Sheriff is unable to use a computer for the purposes of subsection (1), he or she may make a manual random selection.

- 7.** The Sheriff shall certify that
- (a) a random selection of names was made from the information received by the Sheriff;
 - (b) no irregularities arose in the selection process; and
 - (c) in his or her opinion, the jury panel comprises a sufficient number of persons from which to select a jury for the sittings of the Court.

SUMMONS

8. (1) For the purposes of subsection 16(1) of the Act, the summons to a person on the jury panel must be in a form approved by the Sheriff, and must contain the following information and notices:

- (a) the place, date and time at which the person summoned is required to attend for jury selection;
- (b) a notice that the person summoned may apply orally or in writing to the Sheriff to be excused from service as a juror at any time before the time indicated for appearance on the summons;
- (c) the maximum amount of the fine for failing to obey a summons or failing to answer to one's name when called by the Clerk; and
- (d) the address for the Sheriff's office.

(2) A summons may contain such additional information or notices as the Sheriff considers necessary.

9. Service of a summons under paragraph 16(2)(a) of the Act shall be effected by leaving the summons with the person named in the summons.

10. (1) Service of a summons under paragraph 16(2)(b) of the Act shall be effected by leaving the summons at the usual place of abode of the person named in the summons with a person who does not appear to be under 16 years of age.

(2) Prior to effecting service of a summons by leaving it with a responsible member of the household of the person named in the summons, the person effecting service shall make reasonable enquiries to ensure that the person named in the summons is not available to be personally served.

(3) A person who serves a summons by leaving it with a responsible member of the household of the person named in the summons shall record the name and age of the person with whom the summons was left.

11. Service of a summons under paragraph 16(2)(c) of the Act shall be effected by posting the summons to the last known address of the person named in the summons.

12. (1) Each summons that is served under paragraph 16(2)(b) or (c) of the Act must be accompanied by a form for acknowledgement of service, addressed to the Sheriff, in a form approved by the Sheriff.

(2) A person who is served with a summons shall complete the form for acknowledgement of service and deliver or mail it to the Sheriff within the number of days specified in the form.

SELECTION OF JURORS FROM THE PANEL

13. (1) The Sheriff shall write the name of each person who has been summoned by the Sheriff and who is not excused from serving as a juror on a separate card or piece of paper, each of which is a uniform size, and shall place the cards or pieces of paper in a suitable container and deliver it to the Clerk.

(2) Immediately before the commencement of each trial for which a jury is required, the Clerk shall, in open Court, cause the container to be shaken and the cards or pieces of paper in it thoroughly mixed, and shall then draw out the cards or pieces of paper one at a time, shaking the container after each drawing, and shall continue to draw out such cards or pieces of paper so long as it is necessary to do so in order to obtain a complete jury.

(3) The cards or pieces of paper selected bearing the names of persons subsequently sworn as jurors shall be kept apart until the verdict is given or the jury is dismissed or discharged and shall then be returned to the container unless no other action or proceeding remains to be tried by a jury at that sittings of the Court.

REPEAL

14. *The Compilation and Selection of Jury Regulations, R.R.N.W.T. 1990, c.J-3, are repealed.*

COMMENCEMENT

15. **These regulations come into force March 31, 1999.**

SCHEDULE

(Section 5)

IN THE NUNAVUT COURT OF JUSTICE

IN THE MATTER OF the *Jury Act*

WRITTEN ORDER

To the Sheriff of Nunavut:

You are required to select a jury panel and summon each person on the jury panel to attend for jury service for the sittings of the Court to be held at
....., Nunavut, commencing at
on

Given under my hand and the seal of the Nunavut Court of Justice at
....., Nunavut, on

(*Seal of the Court*)

.....
Clerk of the Nunavut Court of Justice

R-013-2011,s.5.