

Ratification  
of  
regulations.

(1B.) All regulations purporting to have been made under the provisions of this Act in force prior to the passing of \**“The Civil Defence Acts Amendment Act of 1942,”* which if made after the passing of such last-mentioned Act would be valid and lawful are hereby ratified and (subject to the power of the Governor in Council to repeal or modify any such regulation) every such regulation shall be, and it is hereby declared always was, valid and lawful.”

6 GEO. VI.  
No. 37.  
THE  
JURY  
(WAR  
EMERGENCY)  
ACT OF 1942.

## An Act to make Special Provision with respect to Juries for the Period during which His Majesty is Engaged in War.

[ASSENTED TO 9TH DECEMBER, 1942.]

**B**E it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as *“The Jury (War Emergency) Act of 1942.”*

Duration of Act.

2. This Act shall, unless sooner repealed, continue in force until six months after His Majesty ceases to be engaged in war and no longer.

Number of jurors in criminal trial.

3. Notwithstanding anything in †*“The Jury Acts, 1929 to 1934,”* or in any other Act, for the purposes of any criminal trial with a jury the jury shall consist of seven persons :

Provided that the preceding provisions of this section shall not apply in relation to the trial of a person on any charge, if the court or a judge thinks fit by reason of the gravity of the matters in issue, to direct that those provisions shall not apply, and shall not in any case apply in relation to the trial of a person on a charge of treason, wilful murder, or murder or any of

\* This Act.

† 20 G. 5 No. 19 and amending Act. See v. 4, pp. 322 *et seq.*

1942.

*Jury (War Emergency) Act.*

the crimes in the second paragraph of section eighty-one, in section eighty-two, and in section five hundred and forty-one of the \**“Criminal Code”* :

Provided further that section six hundred and twenty-eight of the \**“Criminal Code”* shall continue to apply in relation to every criminal trial in which, by virtue of the preceding provisions of this section, the jury consists of seven persons and for the purposes of such application the said section shall have effect as if the word “six” were substituted for the word “ten.”

4. On and from the first day of June, one thousand nine hundred and forty-three, and thereafter while this Act continues in force section six of †*“The Jury Acts, 1929 to 1934,”* (which provides that the liability to serve upon a jury ceases at the age of sixty years) shall have effect as if the words “sixty-five years” were substituted for the words “sixty years” where such lastmentioned words twice occur therein. Qualifications of jurors.

5. While this Act continues in force subsection two of section twenty-two of †*“The Jury Acts, 1929 to 1934,”* shall, in relation to every criminal trial in which, by virtue of the provisions of section three of this Act, the jury is to consist of seven persons, have effect as if in that subsection the words “twenty-eight persons” were substituted for the words “forty-eight persons” where such lastmentioned words twice occur : Number of jurors to be summoned.

Provided that the preceding provisions of this section shall apply so as not to limit the power of the Supreme Court or a Circuit Court to issue a jury precept under the said section twenty-two requiring not less than forty-eight jurors to be summoned to serve at any sittings at which the trial of any person on a charge of treason, wilful murder, murder or any of the crimes in the second paragraph of section eighty-one, in section eighty-two, and in section five hundred and forty-one of the \**“Criminal Code”* is set down for hearing or, if any such trial is set down for hearing after a panel of less than forty-eight jurors has been so precepted, to make an order enlarging such panel.

\* 63 V. No. 9, Sch. I. See v. 2, p. 665.

† 20 G. 5 No. 19 and amending Act. See v. 4, pp. 322 *et seq.*

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*Jury (War Emergency) Act. 6 GEO. VI. No. 37, 1942.*

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S. 32 of the  
Jury Acts  
modified.

**6.** While this Act continues in force subsections two and three of section thirty-two of \**“The Jury Acts, 1929 to 1934”* shall, in relation to every criminal trial in which, by virtue of the provisions of section three of this Act, the jury is to consist of seven persons, have effect as if in those subsections the word “seven” were substituted for the word “twelve” wherever such lastmentioned word occurs.

Peremptory  
challenges  
where jury  
is to consist  
of seven  
persons.

**7.** In relation to any criminal trial in which, by virtue of the provisions of section three of this Act, the jury is to consist of seven persons, subsection three of section thirty-five of \**“The Jury Acts, †1925 to 1934”* shall while this Act continues in force have effect as if in that subsection the word “seven” were substituted for the word “twelve.”

S. 613 of the  
“Criminal  
Code”  
modified.

**8.** While this Act continues in force section six hundred and thirteen of the ‡*“Criminal Code”* shall, in relation to every criminal trial in which, by virtue of the provisions of section three of this Act, the jury is to consist of seven persons, have effect as if in that section the word “seven” were substituted for the word “twelve.”

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\* 20 G. 5 No. 19 and amending Acts. See v. 4, pp. 322 *et seq.*

† “1925.” *Sic in Gazette, semble “1929.”*

‡ 63 V. No. 9, Sch. I. See v. 2, p. 665.

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