



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

JURY ACT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to June 11, 2016. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



JURY ACT
Chapter J-5.1

REGULATIONS

Pursuant to section 39 of the *Jury Act* R.S.P.E.I. 1988, Cap. J-5.1 Council, upon the recommendation of the judges of the Supreme Court, made the following regulations:

1. Definition

In these regulations “**Act**” means the *Jury Act* R.S.P.E.I. 1988, Cap. J-5.1. (EC431/92)

2. Form

A Juror Information Return and Summons is to be in Form A of the Schedule. (EC431/92)

3. Idem

A Reply to Application for Relief from Jury Service is to be in Form B of the Schedule. (EC431/92)

4. Idem

A Jury List is to be in Form C of the Schedule. (EC431/92)

5. Juror fee

Revoked by EC357/16. (EC431/92; 357/16)

6. Travel expenses

Revoked by EC357/16. (EC431/92; 357/16)

SCHEDULE

**FORM A
JUROR INFORMATION RETURN AND SUMMONS
JUROR SUMMONS**

TO:
(Name)
.....
(Address)
Prince Edward Island,
(Postal Code)

YOU ARE COMMANDED to attend Her Majesty’s Supreme Court of Prince Edward Island at the Court House at in the Province of Prince Edward Island on theday of, 20..... at the hour ofo’clock in the noon to serve as a juror and to continue in attendance at the court from day to day or as the presiding judge shall direct.

YOU ARE FURTHER REQUIRED to complete and return to the sheriff named below, one copy of the Juror Information Return within FIVE days of receipt of this summons.

.....
(Name of Sheriff)
.....
(Address)
Prince Edward Island
.....
(Postal Code)
.....
(Telephone)

NOTICE

The *Jury Act* requires a person served with a Juror Information Return and Summons to accurately and truthfully complete it and mail or deliver one completed copy to the sheriff within FIVE days after its receipt or within any other time that the sheriff may direct. An envelope addressed to the sheriff with pre-paid postage is provided for your convenience. Please contact the sheriff for further information or assistance.

Keep one copy for your records. Return one completed copy to the Sheriff.

**JUROR INFORMATION RETURN
(Parts A. B. C. D. and E. must be completed)**

You have been selected at random for jury service. If you are not disqualified from jury service for any of the reasons given below and are not granted relief from jury service by the sheriff or, failing that, by the court, *you must attend at the time and place set out in the attached Juror Summons.*

PART A. QUALIFICATIONS OF JURORS

Every Prince Edward Island resident who is a Canadian citizen and has reached the age of 18 years is qualified to serve as a juror.

- I am qualified to serve as a juror.
- If you are not qualified please check the reason that applies to you:
- I am not a resident of Prince Edward Island.
- I am not a Canadian citizen.
- I am under the age of 18 years.

PART B. DISQUALIFICATION FROM JURY SERVICE

Those persons qualified to serve as a juror under Part A who fall into one of the categories set out below are disqualified by the *Jury* Act from service as a juror in any civil or criminal proceeding tried by a jury. Please indicate by a check mark if any of the following disqualifications apply to you:

1. I am -
 - a member of the Privy Council, the Senate or the House of Commons,
 - a member, officer or employee of the Legislative Assembly or the Executive Council,
 - a person engaged in the administration of justice, including,
 - (i) a member and employees of any police force,
 - (ii) a probation officer,
 - (iii) an employee of the Office of the Attorney General,
 - (iv) an employee of the Department of Justice of Canada or the Department of the Solicitor General of Canada,
 - (v) a court officer of any court of justice whether of general or local jurisdiction including every sheriff, sheriff's officer, constable or bailiff
2. I am or have been -
 - a judge of the provincial court, of the Supreme Court or of the Court of Appeal,
 - a barrister, solicitor or attorney, whether or not in actual practice,
 - a justice of the peace,
 - a coroner.

3. I am a spouse of a person who holds one of the positions or occupations mentioned above,

Specify
(Attach additional page if necessary)

4. I am -
 a person convicted within the previous five years of an offence for which the punishment could have been a fine of \$3,000 or more or a sentence of imprisonment exceeding twelve months, unless pardoned.

5. Persons falling into the categories set out below are also disqualified from jury service:
 Persons who are legally confined in an institution,
 Persons who are certified incompetent. (If either reason applies, please check the appropriate box and provide below the name, address and telephone number(s) of the person furnishing this information)

6. None of the above reasons for disqualification apply to me.

PART C. RELIEF FROM JURY SERVICE

The Jury Act provides for an application for relief from jury service where a person who is summoned to serve as a juror wishes to seek relief from jury service. Application for exemption shall be made by submitting to the sheriff an Application for Relief from Jury Service at least 5 days before the opening of the court. The conditions under which a person may be exempted from service as a juror are set out in Part F.

PART D. POSSIBLE JUROR DISQUALIFICATION

Do you understand the English language [] []
Yes No
Do you understand the French language [] []
Yes No

WARNING

Section 34 of the Jury Act states:

- 34. Every person who
(a) is required to complete and return a Juror Information Return and, without reasonable excuse fails to do so;
(b) without reasonable excuse, gives false or misleading information in a Juror Information Return or in an Application for Relief from Jury Service;
(c) contravenes any other provision of this Act,
is guilty of an offence and liable on a summary conviction to a fine of not more than \$1,000 or to imprisonment for not more than one month.

PART E. CERTIFICATE

I certify that

- (a) I am the person named in the Juror Summons;
(b) the contents of the Juror Information Return are true and correct to the best of my knowledge, information and belief;
(c) my true and correct name and address are
[] as set out in the Juror Summons,
[] as follows:

(Name)
(Address)
Prince Edward Island (Postal Code)

(d) my telephone numbers are
Residence
Work

DATED at , Prince Edward Island, the day of , 20.
(Signature)

Jurors are requested to be at the Courthouse at least 15 minutes before Court is scheduled to commence.

RELIEF FROM JURY SERVICE -

The application below must be completed if you wish to apply for relief from jury service. Please note -

- (a) this application may be completed by or on behalf of the person summoned as a juror;
(b) the application is to be made to the sheriff not less than 5 days before the opening of the court;
(c) the sheriff may require further information from you to support your application;
(d) the sheriff will notify you whether your application has been accepted or refused.

PART F. APPLICATION FOR RELIEF FROM JURY SERVICE

I apply to be relieved from attendance for jury service at the time and place set out in the Juror Summons for the reason indicated below.

*(Please check the appropriate box and give details)

- 1. [] I have reached the age of 65 years and do not wish to serve as a juror.
- 2. [] I have served on a jury within two years of the date of this summons and do not wish to serve as a juror.
- 3. [] My attendance would cause or result in serious hardship, loss or inconvenience to me, to others or to the general public.
- 4. [] I am suffering from a physical, mental or other infirmity that is incompatible with the discharge of the duties of a juror.
- 5. [] I am a practising member of a religion or religious order that makes jury service incompatible with the beliefs of my religion or religious order.

* Details:
(Attach additional page if necessary)

I certify the above statement is true.

DATED the day of, 20.....

.....
(Signature)

If this application has been completed on behalf of the person summoned as a juror, the following additional information is required.

Name of person completing application

Address

Prince Edward Island (Postal Code)

Telephone Number (s) (Residence)

..... (Work)

.....
(Signature)

(EC431/92; 699/00; 742/08)



FORM B

REPLY TO APPLICATION FOR RELIEF FROM JURY SERVICE

TO:
(Name)

.....
Prince Edward Island(Postal Code)

[]
Your application for relief from jury service has been granted and your attendance at the time and place set out in the Juror Summons is NOT required.

[]
Your application for relief from jury service has been refused and your attendance at the time and place set out in the Juror Summons IS required. However, you may apply for an order dispensing with your attendance to a judge of the Supreme Court of Prince Edward Island before the date set out in the Juror Summons or to the presiding trial judge on the date set out in the Juror Summons.

[]
Your application for relief from jury service cannot be processed until the following information is received:
(Specify)

DATED the day of, 20.....

.....
(Name of Sheriff)
.....
(Address)
Prince Edward Island
.....
(Postal Code)
.....
(Telephone)

(EC431/92; 699/00)

FORM C

JURY LIST FOR:COUNTY

NO.	NAME	ADDRESS	PHONE NO.	COMMENTS
			H W	
			H W	
			H W	
			H W	
			H W	
			H W	
			H W	
			H W	
			H W	
			H W	

.....
REGISTRAR

.....
SHERIFF

(EC431/92; 699/00)

