



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 5

### CRIMINAL JUSTICE

#### *Jury service*

#### **95 Excusal from jury service**

- (1) The Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 is amended as follows.
- (2) In section 1 (qualification of jurors)—
  - (a) in subsection (1), after “below” insert “ and to section 1A ”,
  - (b) in subsection (2), after “service” in the second place where it occurs insert “ in relation to civil proceedings ”,
  - (c) in subsection (3), after “service” in the first place where it occurs insert “ in relation to civil proceedings ”,
  - (d) in subsection (5), after “above” insert “ or under section 1A ”, and
  - (e) in subsection (6), after paragraph (a) insert—
    - “(aa) section 1A;”.
- (3) After section 1 insert—

#### **“1A Excusal of jurors in relation to criminal proceedings**

- (1) Subject to subsection (3), a person who is qualified under section 1(1) but is among the persons listed in Part III of Schedule 1 to this Act (being persons excusable as of right from jury service) is to be excused from jury service in relation to criminal proceedings on any occasion where the person—
  - (a) has been required to provide information under section 3(2) of the Jurors (Scotland) Act 1825 (c.22); and

---

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 95. (See end of Document for details)*

---

- (b) gives written notice to the sheriff principal that the person wishes to be excused, before the end of the period of 7 days beginning with the day on which the person receives the requirement.
- (2) Without prejudice to subsection (1), a person who is qualified under section 1(1) but is among the persons listed in Group C of Part III of Schedule 1 to this Act is to be excused from jury service in relation to criminal proceedings on any occasion where—
- (a) the person has been required to provide information under section 3(2) of the Jurors (Scotland) Act 1825; and
  - (b) the person's commanding officer certifies to the sheriff principal that it would be prejudicial to the efficiency of the force of which the person is a member were the person required to be absent from duty.
- (3) Subsection (1) does not apply to a person who is qualified under section 1(1) but is among the persons listed in paragraph (a)(iii) of Group F of Part III of Schedule 1 to this Act (persons who have attained the age of 71), but instead such a person is to be excused from jury service in relation to criminal proceedings on any occasion where—
- (a) in the case of a person who has been required to provide information under section 3(2) of the Jurors (Scotland) Act 1825, the person gives written notice to the sheriff principal that the person wishes to be excused; or
  - (b) in the case of a person who has been cited to attend for jury service, the person—
    - (i) gives written notice to the clerk of court issuing the citation that the person wishes to be excused, before the date on which the person is cited first to attend; or
    - (ii) attends in compliance with the citation and intimates to the court that the person wishes to be excused.”.
- (4) In section 3(1)(a) (offences in connection with jury service), after “been” insert “ required to provide information under section 3(2) of the Jurors (Scotland) Act 1825 or ”.

---

**Commencement Information**

**II** S. 95 in force at 10.1.2011 by [S.S.I. 2010/413](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 95.