



NORTHERN TERRITORY OF AUSTRALIA

No. 4 of 1997

AN ACT

to amend the Criminal Code

[Assented to 26 March 1997]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Criminal Code Amendment Act 1997*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. INCAPACITY OF JUROR

Section 373(1) of the Criminal Code is omitted and the following substituted:

"(1) If at any time during the trial -

(a) a juror dies; or

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(b) the court is of the opinion that -

- (i) the juror is not indifferent as between the Crown and the accused person; or
- (ii) by reason of any matter of urgency or importance a juror should be discharged from further attendance,

the court may, in its discretion -

- (c) discharge the jury; or
 - (d) discharge the juror and direct that the trial shall proceed with the remaining jurors."
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