

# Guardianship and Administration and Other Acts Amendment Bill 2008

## Amendments agreed to during Consideration

### 1 **Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 32, lines 18 to 25—

*omit, insert—*

- ‘(3) Before a jury retires to consider its verdict, the judge must allow the jury to separate during a lunch or dinner adjournment to obtain meals.
- ‘(4) However, if the judge considers that allowing the jury to separate during a lunch or dinner adjournment may prejudice a fair trial, the judge may order the jury not to separate.
- ‘(5) Subsection (6) applies subject to subsections (3) and (4).
- ‘(6) Also, before a jury retires to consider its verdict, the judge may, if the judge considers that allowing the jury to separate would not prejudice a fair trial, allow the jury to separate—
  - (a) during an adjournment of the court; or
  - (b) while proceedings are held in the jury’s absence.’.

### 2 **Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 32, line 26, ‘(5)’—

*omit, insert—*

‘(7)’.

### 3 **Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 33, line 7, ‘(6)’—

*omit, insert—*

‘(8)’.

**4 Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 33, line 8, '(5)(b)'—

*omit, insert—*

'(7)(b)'.

**5 Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 33, line 12, '(7)'—

*omit, insert—*

'(9)'.

**6 Clause 26 (Replacement of s 53 (Jury not to separate))—**

At page 33, line 15, '(8)'—

*omit, insert—*

'(10)'.

**7 Clause 27 (Insertion of new s 78)—**

At page 33, line 25, '53(5) and (6)'—

*omit, insert—*

'53(7) and (8)'.