

Queensland



Jury Act 1995

JURY REGULATION 1997

**Reprinted as in force on 27 April 1998
(includes amendments up to SL No. 94 of 1998)**

Reprint No. 1B *

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the Office of the Queensland Parliamentary Counsel
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* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to another software program. The content has not changed.

Information about this reprint

This regulation is reprinted as at 27 April 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



JURY REGULATION 1997

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JURY REGULATION 1997

[as amended by all amendments that commenced on or before 27 April 1998]

1 Short title

This regulation may be cited as the *Jury Regulation 1997*.

2 Commencement

This regulation commences on 17 February 1997.

3 How persons aged 70 or more may elect to be eligible for jury service

A person who is 70 years or more may elect to be eligible for jury service only by giving to the sheriff¹ a signed notice of election stating the person's full name, age and address.

4 Jury districts

(1) Each area described in schedule 1 is a jury district with the name given to it in the schedule.

(2) Also, there is a jury district for each place where the District Court is held that is not in a jury district included in schedule 1.

(3) A jury district established under subsection (2) consists of an area within a 13 km radius of the courthouse at, and has the same name as, the place where the District Court is held.

Example for subsection (3)—

If the District Court is held at Toowoomba, the name of the jury district is the Toowoomba jury district.

1 The sheriff's address is—
The sheriff of Queensland
Supreme Court
George Street
Brisbane 4000

5 Responsibility for sheriff's functions assigned

Responsibility for carrying out the sheriff's functions under the Act in a jury district other than the Brisbane jury district is assigned—

- (aa) for the Cairns jury district—to the registrar of the District Court at Cairns, the far northern sheriff and deputy far northern sheriff; and
- (a) for the Rockhampton jury district—to the registrar of the District Court at Rockhampton, the central sheriff and deputy central sheriff; and
- (b) for the Townsville jury district—to the registrar of the District Court at Townsville, the northern sheriff and deputy northern sheriff; and
- (c) for another jury district—to the deputy sheriff and the registrar of the District Court at the courthouse at the centre of the jury district.

6 Delegation by sheriff

The persons to whom the sheriff may delegate the sheriff's powers under the Act are—

- (a) for the Brisbane jury district—the registrar of the District Court at Brisbane, a deputy sheriff, under sheriff or assistant under sheriff; and
- (aa) for the Cairns jury district—the registrar of the District Court at Cairns, the far northern sheriff or deputy far northern sheriff; and
- (b) for the Rockhampton jury district—the registrar of the District Court at Rockhampton, the central sheriff or deputy central sheriff; and
- (c) for the Townsville jury district—the registrar of the District Court at Townsville, the northern sheriff or deputy northern sheriff; and
- (d) for another jury district—the deputy sheriff or the registrar of the District Court at the courthouse at the centre of the jury district.

7 Juror's remuneration and allowances

(1) The remuneration and allowances payable under section 63 of the Act are in schedule 2, items 1 to 5.

(2) However, if the jury is not allowed to separate during a lunch adjournment to obtain meals, the daily remuneration for a juror (or reserve juror) must be reduced by \$8.00.

(3) For schedule 2, items 1 and 2, a juror or reserve juror locked up on a Saturday, Sunday or court holiday is taken to have attended court that day.

8 Attendance allowance increase for person showing financial loss

(1) This section applies to a person who—

- (a) is entitled to an allowance for a day for attending court and not being empanelled; and
- (b) satisfies the sheriff the attendance has caused the person financial loss for the day of more than the allowance.

(2) The person's allowance is increased to the amount of the financial loss on the day up to the maximum amount in schedule 2, item 5(b).

9 Juror's allowance after day 20

(1) This section applies to a person who has attended court as a juror or reserve juror on the 1 trial for 20 weekdays.

(2) The person is entitled to the allowance in schedule 2, item 3 for each weekday, after the 20th weekday of the person's attendance, on which the trial is adjourned for the full day or the person is not required to attend court.

(3) The allowance for a day must be reduced by the amount of the juror's or reserve juror's earnings for the day as decided by the sheriff.

(4) The sheriff may ask a juror or reserve juror to provide the sheriff with details of the amount of the person's lost earnings for the day.

(5) If the person does not provide the details for a day, the person is not entitled to the allowance for the day.

10 Travelling allowance

(1) A person summonsed for jury service must be reimbursed the amount of public transport fares or, if a bus, train or ferry is not reasonably available or can not reasonably be used, taxi fares, the person properly spends in attending or returning from court.

(2) However, a person who can not reasonably travel by public transport or taxi and travels by private motor vehicle is entitled to an allowance at the rate per kilometre payable to a public service officer for the vehicle under the *Public Service Act 1996*.

11 Jury fees in civil cases

(1) The fee payable under section 65(1)(a) or (2)(a) of the Act is \$380.

(2) The fee payable under section 65(1)(b) or (2)(b) of the Act is—

- (a) the total amount of remuneration payable to jurors and reserve jurors for the day; and
- (b) the total amount payable under section 9.

(3) The fee payable under subsection 2(a) is payable before the start of each day of the trial.

(4) The fee payable under subsection 2(b) is payable within 7 days after the sheriff gives the person required to pay the fee written notice of the amount payable.

SCHEDULE 1**AREA OF CERTAIN JURY DISTRICTS**

section 4

1A. Beenleigh jury district—the area of the Beenleigh District Court district.

1. Brisbane jury district—the area of the following electoral districts established under the *Electoral Act 1992* (other than the part of the area in the Beenleigh District Court district)—

Archerfield

Ashgrove

Aspley

Brisbane Central

Bulimba

Capalaba

Chatsworth

Chermside

Clayfield

Cleveland

Everton

Ferny Grove

Greenslopes

Inala

Indooroopilly

Kallangur

Kedron

Kurwongbah

Lytton

SCHEDULE 1 (continued)

Mansfield

Moggill

Mount Coot-tha

Mount Gravatt

Mount Ommaney

Murrumba

Nudgee

Redcliffe

Redlands

Sandgate

South Brisbane

Springwood

Sunnybank

Woodridge

Yeronga

2. Cairns jury district—the area within a 20 km radius of the Cairns courthouse.

3. Ipswich jury district—the area within a 10 km radius of the Ipswich courthouse, other than the part of the area in the Moggill electoral district.

4. Maroochydore jury district—the area within an 18 km radius of the Maroochydore courthouse.

5. Southport jury district—the area within a 25 km radius of the Southport courthouse.

6. Townsville jury district—the area within a 20 km radius of the Townsville courthouse.

SCHEDULE 2**REMUNERATION AND ALLOWANCES FOR JURORS**

sections 7 to 9

\$

Jurors and reserve jurors

- | | | |
|----|--|-------|
| 1. | Remuneration for each day, or part of a day, a person attends court as a juror or reserve juror | 51.00 |
| 2. | Additional remuneration for each day, or part of a day, a person attends court as a juror or reserve juror on the 1 trial— | |
| | (a) for days 4 to 10 | 8.00 |
| | (b) for days 11 to 15 | 21.00 |
| | (c) for days 16 to 20 | 30.00 |
| | (d) after day 20 | 64.00 |
| 3. | Daily allowance under section 9(2) | 51.00 |
| 4. | Meal allowance if the jury is allowed to separate during an evening adjournment to obtain a meal | 15.00 |

Persons summonsed for jury service but not empanelled

- | | | |
|----|--|-------|
| 5. | Allowance for attending court— | |
| | (a) unless financial loss of more than \$22.00 is shown. . | 22.00 |
| | (b) maximum. | 51.00 |

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 April 1998. Future amendments of the Jury Regulation 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	3 March 1997
1A	to SL No. 429 of 1997	5 January 1998

5 List of legislation

Jury Regulation 1997 SL No. 14

made by the Governor in Council on 30 January 1997
notfd gaz 31 January 1997 pp 376–8
ss 1–2 commenced on date of notification
remaining provisions commenced 17 February 1997 (see s 2)
exp 1 September 2007 (see SIA s 54)

amending legislation—

Jury Amendment Regulation (No. 1) 1997 SL No. 429

notfd gaz 12 December 1997 pp 1631–4
ss 1–2 commenced on date of notification
remaining provisions commenced 12 December 1997 (see s 2)

Jury Amendment Regulation (No. 1) 1998 SL No. 94

notfd gaz 24 April 1998 pp 1730–2
commenced on date of notification

6 List of annotations

Jury districts

s 4 amd 1997 SL No. 429 s 4

Responsibility for sheriff's functions assigned

s 5 amd 1998 No. 94 s 3

Delegation by sheriff

s 6 amd 1998 No. 94 s 4

Repeal

s 12 om R1 (see RA s 40)

SCHEDULE 1—AREA OF CERTAIN JURY DISTRICTS

amd 1997 SL No. 429 s 5

SCHEDULE 2—REMUNERATION AND ALLOWANCES FOR JURORS
amd 1997 SL No. 429 s 6

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