



Queensland

*Jury Act 1995*

# Jury Regulation 1997

Reprinted as in force on 18 December 2006

Reprint No. 2A

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the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED  
LAST REPRINT BEFORE REPEAL  
See SIA s 54

## Information about this reprint

This regulation is reprinted as at 18 December 2006. 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. Also see list of legislation for any uncommenced amendments.

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

**Also see endnotes for information about—**

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

### **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



## Queensland

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## **Jury Regulation 1997**

[as amended by all amendments that commenced on or before 18 December 2006]

### **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 sheriff<sup>1</sup> 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.
- (1A) For schedule 1, a reference to a District Court district by name is a reference to the district of the District Court of that name under the *District Court of Queensland Act 1967*.
- (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.

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

- (3) A jury district established under subsection (2) consists of an area within a 20km 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.

## **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 6.
- (2) 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.

## **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 of—
  - (a) for travel by motorbike—13 cents for each kilometre; or
  - (b) for travel by another motor vehicle—33 cents for each kilometre.

## 11 Jury fees in civil cases

- (1) The fee payable under section 65(1)(a) or (2)(a) of the Act is \$644.
- (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.

## 12 Transitional provision for Jury Amendment Regulation (No. 1) 2006

- (1) This section applies if—
  - (a) immediately before the commencement of the *Jury Amendment Regulation (No. 1) 2006*, either—
    - (i) a person was a prospective juror for a jury district (the *relevant jury district*) who had been given a notice to prospective jurors and the jury service period for which the person may be summoned under the notice had not started, or had started but had not ended; or
    - (ii) a person was serving as a juror for a jury district (also the *relevant jury district*) and the person had not been discharged by the court; and

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- (b) on the commencement—
  - (i) the area of the relevant jury district was changed; and
  - (ii) as a result of the change, the person would not be a prospective juror or juror for the relevant jury district.
- (2) On the commencement, the following applies to the person as if the area of the relevant jury district had not been changed—
  - (a) the person may be summoned, or continue to be summoned, for jury service for the relevant jury district during the jury service period;
  - (b) the person may serve, or continue to serve, as a juror for the relevant jury district until discharged by the court.
- (3) In this section—

***juror*** includes a reserve juror.

## **Schedule 1      Area of certain jury districts**

### section 4

- 1 Beenleigh jury district—
  - (a) the area of Logan City under the *Local Government (Areas) Regulation 2005*; and
  - (b) the area within a 20km radius of the Beenleigh District Court, to the extent the area is within the Beenleigh District Court district.
- 2 Brisbane jury district—
  - (a) the area within the external boundaries of the local government area of the City of Brisbane under the *Local Government (Areas) Regulation 2005*, section 4(2), other than any part of the area that is not in the Brisbane District Court district; and
  - (b) the areas of Pine Rivers Shire, Redcliffe City and Redland Shire under the *Local Government (Areas) Regulation 2005*, other than any part of the areas that is not in the Brisbane District Court district.
- 3 Cairns jury district—the area within a 25km radius of the Cairns courthouse.
- 4 Hervey Bay jury district—the area within a 15km radius of the Hervey Bay courthouse.
- 5 Ipswich jury district—the areas of the Ipswich, Ipswich West and Bundamba electoral districts under the *Electoral Act 1992*.
- 6 Kingaroy jury district—
  - (a) the area within a 20km radius of the Kingaroy courthouse; and
  - (b) the area of the Cherbourg Shire under the *Local Government (Areas) Regulation 2005*.
- 7 Maryborough jury district—the area within a 15km radius of the Maryborough courthouse, other than any part of the area which is outside the Maryborough District Court district.

**Schedule 1 (continued)**

- 8 Southport jury district—the area that is the Southport District Court district.
- 9 Townsville jury district—the area within a 25km radius of the Townsville courthouse.

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## **Schedule 2      Remuneration and allowances for jurors**

sections 7 and 9

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<b>Juror or reserve juror</b>	
1    Remuneration for each day, or part of a day, a person attends court as a juror, or reserve juror, on the 1 trial . . . .	97.00
2    Additional remuneration for each day, or part of a day, after day 20 that a person attends court as a juror, or reserve juror, on the 1 trial. . . . .	32.00
3    Daily allowance under section 9(2) . . . . .	97.00
4    Meal allowance if the jury is allowed to separate during a lunch adjournment to obtain a meal . . . . .	10.00
5    Meal allowance if the jury is allowed to separate during an evening adjournment to obtain a meal. . . . .	19.00
<b>Person summoned for jury service but not empanelled</b>	
6    Allowance for attending court, for each day or part of a day . . . . .	32.00

## 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 18 December 2006. 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)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	17 February 1997	3 March 1997
1A	1997 SL No. 429	12 December 1997	5 January 1998
1B	1998 SL No. 94	24 April 1998	27 April 1998

  

Reprint No.	Amendments included	Effective	Notes
1C	2004 SL No. 156	16 August 2004	
1D	2005 SL No. 75	29 April 2005	
1E	2005 SL No. 283	1 December 2005	
1F	2006 SL No. 166	1 July 2006	R1F withdrawn, see R2
2	—	1 July 2006	
2A	2006 SL No. 318	18 December 2006	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	2

## 6 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)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

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

**Jury Amendment Regulation (No. 1) 2004 SL No. 156**

notfd gaz 13 August 2004 pp 1165–7

ss 1–2 commenced on date of notification

remaining provisions commenced 16 August 2004 (see s 2)

**District Court Regulation 2005 SL No. 75 ss 1, 4**

notfd gaz 29 April 2005 pp 1392–5

commenced on date of notification

**Jury Amendment Regulation (No. 1) 2005 SL No. 283**

notfd gaz 25 November 2005 pp 1132–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2005 (see s 2)

**Jury Amendment Regulation (No. 1) 2006 SL No. 166**

notfd gaz 30 June 2006 pp 1060–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

**Jury Amendment Regulation (No. 2) 2006 SL No. 318**

notfd gaz 15 December 2006 pp 1861–5

ss 1–2 commenced on date of notification

remaining provisions commenced 18 December 2006 (see s 2)

## **7 List of annotations**

**Jury districts**

s 4 amd 1997 SL No. 429 s 4; 2006 SL No. 166 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

**Juror's remuneration and allowances**

s 7 amd 2004 SL No. 156 s 4

**Attendance allowance increase for person showing financial loss**

s 8 om 2004 SL No. 156 s 5

**Travelling allowance**

s 10 amd 2004 SL No. 156 s 6; 2006 SL No. 318 s 4

**Jury fees in civil cases**

s 11 amd 2004 SL No. 156 s 7; 2005 SL No. 283 s 4; 2006 SL No. 318 s 5

**Transitional provision for Jury Amendment Regulation (No. 1) 2006**

s 12 prev s 12 om R1 (see RA s 40)

pres s 12 ins 2006 SL No. 166 s 5

**SCHEDULE 1—AREA OF CERTAIN JURY DISTRICTS**

amd 1997 SL No. 429 s 5; 2005 SL No. 75 s 4

sub 2006 SL No. 166 s 6

**SCHEDULE 2—REMUNERATION AND ALLOWANCES FOR JURORS**

amd 1997 SL No. 429 s 6

sub 2004 SL No. 156 s 8; 2005 SL No. 283 s 5; 2006 SL No. 318 s 6