



Queensland

# Jury Regulation 2007

## Subordinate Legislation 2007 No. 187

made under the  
*Jury Act 1995*

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**1 Short title**

This regulation may be cited as the *Jury Regulation 2007*.

**2 Commencement**

This regulation commences on 2 September 2007.

**3 Definitions**

The dictionary in schedule 3 defines particular words used in this regulation.

**4 How persons aged 70 or more may elect to be eligible for jury service—Act, s 4(4)**

A person who is 70 years or more may elect to be eligible for jury service only by giving to the sheriff of Queensland a signed written notice stating the following—

- (a) the person's full name, age and address;
- (b) that the person elects to be eligible for jury service.

*Editor's note—*

For a person who posts the notice, the sheriff's address is—

The sheriff of Queensland

PO Box 15167

City East 4002

**5 Jury districts—Act, s 7**

- (1) Each area described in schedule 1 is established as a jury district with the name given to it in the schedule.
- (2) 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*.
- (3) A jury district is also established for each place—
  - (a) at which the District Court is constituted under the *District Court of Queensland Act 1967*, section 6; and
  - (b) that is not in a jury district mentioned in schedule 1.

- (4) A jury district established under subsection (3) consists of an area within a 20km radius of the courthouse at, and has the same name as, the place at which the District Court is held.

*Example for subsection (4)—*

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

- (5) The boundaries for each jury district established under subsection (1) or (3) are the boundaries of the area or areas comprising the jury district.

## **6 Persons to whom responsibility for sheriff's functions assigned—Act, s 8(1)**

Responsibility for carrying out the sheriff of Queensland's functions under the Act in a jury district is assigned—

- (a) for the Cairns jury district, to each of the following—
  - (i) the registrar of the District Court at Cairns;
  - (ii) the far northern sheriff;
  - (iii) a deputy sheriff; and
- (b) for the Rockhampton jury district, to each of the following—
  - (i) the registrar of the District Court at Rockhampton;
  - (ii) the central sheriff;
  - (iii) a deputy sheriff; and
- (c) for the Townsville jury district, to each of the following—
  - (i) the registrar of the District Court at Townsville;
  - (ii) the northern sheriff;
  - (iii) a deputy sheriff; and
- (d) for another jury district other than the Brisbane jury district, to each of the following—
  - (i) the registrar of the District Court at the courthouse at the centre of the jury district;
  - (ii) a deputy sheriff.

**7 Persons to whom sheriff may delegate—Act, s 72**

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

- (a) for the Brisbane jury district, to each of the following—
  - (i) the registrar of the District Court at Brisbane;
  - (ii) a deputy sheriff; and
- (b) for the Cairns jury district, to each of the following—
  - (i) the registrar of the District Court at Cairns;
  - (ii) the far northern sheriff;
  - (iii) a deputy sheriff; and
- (c) for the Rockhampton jury district, to each of the following—
  - (i) the registrar of the District Court at Rockhampton;
  - (ii) the central sheriff;
  - (iii) a deputy sheriff; and
- (d) for the Townsville jury district, to each of the following—
  - (i) the registrar of the District Court at Townsville;
  - (ii) the northern sheriff;
  - (iii) a deputy sheriff; and
- (e) for another jury district, to each of the following—
  - (i) the registrar of the District Court at the courthouse at the centre of the jury district;
  - (ii) a deputy sheriff.

**8 Juror's remuneration and allowances—Act, s 63**

The remuneration and allowances to which a person is entitled under section 63 of the Act are stated in schedule 2.

**9 Juror's allowance after day 20—Act, s 63**

- (1) This section applies to a person who has attended court as a juror or reserve juror for a single trial for 20 weekdays.
- (2) The person is entitled to the allowance in schedule 2, item 4 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 a sheriff.
- (4) The sheriff may ask a juror or reserve juror to give the sheriff details of the amount of the person's lost earnings for the day.
- (5) If the person does not give the details for a day, the person is not entitled to the allowance for the day.

**10 Travelling allowance—Act, s 63**

- (1) A person summoned for jury service is entitled to 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 km; or
  - (b) for travel by another motor vehicle—33 cents for each km.

**11 Jury fees in civil cases—Act, s 65**

- (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 comprised of both of the following—
  - (a) the total amount of remuneration payable to jurors and reserve jurors for the day;

- (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 a sheriff gives the person required to pay the fee written notice of the amount payable.

## 12 Transitional provision for Jury Regulation 2007

- (1) If, before the expiry, a person had given a notice of election under the *Jury Regulation 1997*, section 3, and the notice had effect immediately before the expiry, the notice continues to have effect as if were a notice given under section 4.
- (2) If, immediately before the expiry, a jury district existed under the *Jury Regulation 1997*, section 4(2), the jury district is taken to be established under section 5(3).
- (3) If, immediately before the expiry, a person was entitled to remuneration or an allowance under the *Jury Regulation 1997*, section 7, 9 or 10, the person continues to be entitled to the remuneration or allowance as if it were remuneration or an allowance to which the person is entitled under section 8, 9 or 10.
- (4) If, immediately before the expiry, a fee was payable under the *Jury Regulation 1997*, section 11, the fee continues to be payable by person as if it were payable under section 11.
- (5) This section does not limit the *Acts Interpretation Act 1954*, section 20.
- (6) In this section—

*expiry* means the expiry of the *Jury Regulation 1997*.

## 13 Jury Regulation 1997 references

A reference in any document to the *Jury Regulation 1997* may, if the context permits, be taken to be a reference to this regulation.

## Schedule 1      Particular jury districts

### section 5

- 1    Beenleigh jury district is—
  - (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 is—
  - (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 is the area within a 25km radius of the Cairns courthouse.
- 4    Hervey Bay jury district is the area within a 15km radius of the Hervey Bay courthouse.
- 5    Ipswich jury district is the areas of the Bundamba, Ipswich and Ipswich West electoral districts under the *Electoral Act 1992*.
- 6    Kingaroy jury district is—
  - (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 is 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 is the area that is the Southport District Court district.
- 9 Townsville jury district is the area within a 25km radius of the Townsville courthouse.

## Schedule 2      Remuneration and allowances

sections 8 and 9

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

## Schedule 3      Dictionary

### section 3

***central sheriff*** means a person appointed as central sheriff under the *Supreme Court Act 1995*, section 273.

***deputy sheriff*** means a person appointed as a deputy sheriff under the *Supreme Court Act 1995*.

***far northern sheriff*** means a person appointed as far northern sheriff under the *Supreme Court Act 1995*, section 273.

***northern sheriff*** means a person appointed as northern sheriff under the *Supreme Court Act 1995*, section 273.

***registrar*** means a person appointed as a registrar under the *District Court of Queensland Act 1967*, section 36.

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### ENDNOTES

- 1     Made by the Governor in Council on 2 August 2007.
- 2     Notified in the gazette on 3 August 2007.
- 3     Laid before the Legislative Assembly on . . .
- 4     The administering agency is the Department of Justice and Attorney-General.