



*Jury Act 1995*

# **Jury Regulation 2017**

**Current as at 1 October 2017**





## Queensland

# Jury Regulation 2017

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# Jury Regulation 2017

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Jury Regulation 2017*.

### 2 Commencement

- (1) This regulation, other than part 7, commences on 2 September 2017.
- (2) Part 7 commences on 1 October 2017.

### 3 Dictionary

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

## Part 2 Way to elect to be eligible for jury service

### 4 Way persons aged 70 or more may elect to be eligible for jury service—Act, s 4

- (1) For section 4(4) of the Act, the prescribed way a person who is 70 years or more may elect to be eligible for jury service is to give a signed written notice to the sheriff of Queensland stating—
  - (a) the person's full name, age and address; and
  - (b) that the person elects to be eligible for jury service.
- (2) The written notice may be given—
  - (a) by post; or

*Note—*

On the commencement, the sheriff's address is—

The sheriff of Queensland

PO Box 15167

City East Qld 4002

- (b) by giving the notice by email or other electronic means.

*Note—*

On the commencement, the notice may be sent by email to  
Jury.Brisbane@justice.qld.gov.au.

## Part 3 Jury districts

### 5 Jury districts—Act, s 7

- (1) For section 7(1) of the Act, the following areas are established as jury districts—
- (a) each area described in schedule 1, column 2;
  - (b) each area within a 20km radius of the courthouse at a place at which the District Court is constituted and held under the *District Court of Queensland Act 1967*, section 6, if that area is not in a jury district mentioned in schedule 1.
- (2) Each jury district described in schedule 1, column 2 is assigned the name set out opposite it in schedule 1, column 1.
- (3) Each jury district established under subsection (1)(b) has the same name as the place at which 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.

- (4) For schedule 1—
- (a) 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*; and

- (b) a reference to a city or shire by name is a reference to the city or shire of that name declared as a local government area under the repealed *Local Government Act 1993* as in force immediately before 15 March 2008.

*Note—*

15 March 2008 was the changeover day declared under the *Local Government Act 1993*, section 159YE(2) for all new, adjusted and continuing local government areas listed in schedule 1A of that Act. See the notice published in the gazette on 23 November 2007 at page 1680.

- (5) For section 7(2) of the Act, the boundaries for each jury district established under subsection (1) are the boundaries of the area or areas comprising the jury district.

## **6 Chief executive to keep maps of jury areas mentioned in sch 1**

- (1) The chief executive must keep a copy of each map or area map mentioned in schedule 1 at the sheriff's office.
- (2) A copy of each map or area map mentioned in schedule 1 may be accessed by members of the public, free of charge, at the sheriff's office.

*Note—*

On the commencement, a map or area map may be inspected at the Supreme and District Court (Brisbane) Registry at the Queen Elizabeth II Courts of Law at 415 George Street, Brisbane.

# **Part 4 Assigning and delegating sheriff's functions**

## **7 Persons to whom responsibility for sheriff's functions may be assigned—Act, s 8**

For section 8(1) of the Act, the following officers or persons are prescribed for the following jury districts—

- (a) for the Cairns jury district—

- (i) the registrar of the District Court at Cairns;
- (ii) the registrar of the Supreme Court at Cairns;
- (b) for the Rockhampton jury district—
  - (i) the registrar of the District Court at Rockhampton;
  - (ii) the registrar of the Supreme Court at Rockhampton;
- (c) for the Townsville jury district—
  - (i) the registrar of the District Court at Townsville;
  - (ii) the registrar of the Supreme Court at Townsville;
- (d) for another jury district other than the Brisbane jury district—
  - (i) the registrar of the District Court at the courthouse at the centre of the jury district;
  - (ii) if there is a Supreme Court at the courthouse at the centre of the jury district—the registrar of the Supreme Court at the courthouse;
  - (iii) if there is no registrar of the Supreme Court at the courthouse at the centre of the district—the registrar of the Magistrates Court at the courthouse at the centre of the jury district.

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

For section 72(2) of the Act, the following persons are prescribed for the following jury districts—

- (a) for the Brisbane jury district—
  - (i) the registrar of the District Court at Brisbane;
  - (ii) the registrar of the Supreme Court at Brisbane;
- (b) for the Cairns jury district—
  - (i) the registrar of the District Court at Cairns;
  - (ii) the registrar of the Supreme Court at Cairns;





[s 11]

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- (2) The person is entitled to a daily 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) However, 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.

## **11 Travelling allowance**

- (1) A person summoned for jury service, jurors and reserve jurors are entitled to one of the following for attending or returning from court—
  - (a) if public transport is reasonably available and can reasonably be used—reimbursement for the cost of public transport fares;
  - (b) if the person travels by a booked hire vehicle or taxi because public transport is not reasonably available or can not reasonably be used—reimbursement of the fares the person properly spends in attending or returning from court;
  - (c) if the person travels by private motor vehicle because the person can not reasonably travel by public transport, a booked hire vehicle or taxi—an allowance at the rate of—
    - (i) for travel by motorbike—15 cents for each kilometre; or
    - (ii) for travel by another motor vehicle—40 cents for each kilometre.
- (2) In this section—

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**booked hire vehicle** see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

**light rail vehicle** means a light rail vehicle under the *Transport Infrastructure Act 1994*, schedule 6.

**public transport** means a bus, ferry, light rail vehicle or a train.

## 12 Jury fees in civil cases—Act, s 65

- (1) The fee payable under section 65(1)(a) or (2)(a) of the Act is \$815.30.
- (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 sections 10 and 11.
- (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.

## Part 6 Transitional provisions

### 13 Written notice continues under this regulation

If a written notice given under the *Jury Regulation 2007*, section 4 had effect immediately before the expiry of that regulation, the notice is taken to be a notice given under section 4.

## **14 Jury Regulation 2007 references**

A reference in any document to the *Jury Regulation 2007* may, if the context permits, be taken to be a reference to this regulation.

# Schedule 1 Particular jury districts

## section 5

| <b>Column 1</b><br><b>Name</b> | <b>Column 2</b><br><b>Description</b>   |
|--------------------------------|---|
| Beenleigh jury district        | Logan City as shown on area map LGB78 edition 9 and the area within a 20km radius of the Beenleigh District Court, to the extent the area is within the Beenleigh District Court district.  |
| Brisbane jury district         | <p>The following areas, to the extent the areas are within the Brisbane District Court district—</p> <ul style="list-style-type: none"> <li>(a) the City of Brisbane as shown on map LGB1 edition 6, sheets 1 to 4;</li> <li>(b) Pine Rivers Shire as shown on area map LGB104 edition 5;</li> <li>(c) Redcliffe City as shown on area map LGB108 edition 1;</li> <li>(d) Redland Shire as shown on area map LGB109 edition 4.</li> </ul> |
| Cairns jury district           | The area within a 25km radius of the Cairns courthouse.   |
| Hervey Bay jury district       | The area within a 15km radius of the Hervey Bay courthouse.   |
| Ipswich jury district          | The areas of the Bundamba, Ipswich and Ipswich West electoral districts under the <i>Electoral Act 1992</i> as in existence on 1 May 2017.  |
| Kingaroy jury district         | The area within a 20km radius of the Kingaroy courthouse and Cherbourg Shire as shown on area map LGB151 edition 1.   |

| <b>Column 1</b>           | <b>Column 2</b>  |
|---------------------------|--|
| <b>Name</b>               | <b>Description</b>   |
| Maryborough jury district | The area within a 15km radius of the Maryborough courthouse, to the extent the area is within the Maryborough District Court district. |
| Southport jury district   | The area that is the Southport District Court district.  |
| Townsville jury district  | The area within a 25km radius of the Townsville courthouse.  |

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## Schedule 2      Remuneration and allowances

sections 9 and 10

|   | \$     |
|---|--------|
| <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   | 40.85  |
| <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                                     | 122.10 |
| 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 | 40.85  |
| 4 Daily allowance under section 10(2)   | 122.10 |
| 5 Meal allowance if the jury is allowed to separate during a lunch adjournment to obtain a meal   | 14.40  |
| 6 Meal allowance if the jury is allowed to separate during an evening adjournment to obtain a meal                                      | 24.35  |

## Schedule 3 Dictionary

### section 3

***area map*** means a map or group of maps showing the external boundaries of a local government area of a local government or former local government.

***registrar***—

- (a) of a Magistrates Court—means a registrar of the Magistrates Court under the *Magistrates Courts Act 1921*, section 3; or
- (b) of the District Court—means a person appointed as a registrar under the *District Court of Queensland Act 1967*, section 36; or
- (c) of the Supreme Court—means a person appointed as a registrar under the *Supreme Court of Queensland Act 1991*, section 69.



## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

## 2 Key

### Key to abbreviations in list of legislation and annotations

| <b>Key</b>  | <b>Explanation</b>                    | <b>Key</b>    | <b>Explanation</b>         |
|-------------|---------------------------------------|---------------|----------------------------|
| <b>AIA</b>  | <b>= Acts Interpretation Act 1954</b> | <b>(prev)</b> | <b>= previously</b>        |
| <b>amd</b>  | <b>= amended</b>                      | <b>proc</b>   | <b>= proclamation</b>      |
| <b>amd</b>  | <b>= amendment</b>                    | <b>prov</b>   | <b>= provision</b>         |
| <b>t</b>    |                                       |               |                            |
| <b>ch</b>   | <b>= chapter</b>                      | <b>pt</b>     | <b>= part</b>              |
| <b>def</b>  | <b>= definition</b>                   | <b>pubd</b>   | <b>= published</b>         |
| <b>div</b>  | <b>= division</b>                     | <b>R[X]</b>   | <b>= Reprint No. [X]</b>   |
| <b>exp</b>  | <b>= expires/expired</b>              | <b>RA</b>     | <b>= Reprints Act 1992</b> |
| <b>gaz</b>  | <b>= gazette</b>                      | <b>reloc</b>  | <b>= relocated</b>         |
| <b>hdg</b>  | <b>= heading</b>                      | <b>renu</b>   | <b>= renumbered</b>        |
|             |                                       | <b>m</b>      |                            |
| <b>ins</b>  | <b>= inserted</b>                     | <b>rep</b>    | <b>= repealed</b>          |
| <b>lap</b>  | <b>= lapsed</b>                       | <b>(retro</b> | <b>= retrospectively</b>   |
|             |                                       | <b>)</b>      |                            |
| <b>notf</b> | <b>= notified</b>                     | <b>rv</b>     | <b>= revised version</b>   |
| <b>d</b>    |                                       |               |                            |
| <b>num</b>  | <b>= numbered</b>                     | <b>s</b>      | <b>= section</b>           |

| <b>Key</b>    | <b>Explanation</b>        | <b>Key</b>   | <b>Explanation</b>                             |
|---------------|---------------------------|--------------|--|
| <b>o in c</b> | = <b>order in council</b> | <b>sch</b>   | = <b>schedule</b>                              |
| <b>om</b>     | = <b>omitted</b>          | <b>sdiv</b>  | = <b>subdivision</b>                           |
| <b>orig</b>   | = <b>original</b>         | <b>SIA</b>   | = <b>Statutory Instruments Act 1992</b>        |
| <b>p</b>      | = <b>page</b>             | <b>SIR</b>   | = <b>Statutory Instruments Regulation 2012</b> |
| <b>para</b>   | = <b>paragraph</b>        | <b>SL</b>    | = <b>subordinate legislation</b>               |
| <b>prec</b>   | = <b>preceding</b>        | <b>sub</b>   | = <b>substituted</b>                           |
| <b>pres</b>   | = <b>present</b>          | <b>unnum</b> | = <b>unnumbered</b>                            |
|               |                           | <b>m</b>     |  |
| <b>prev</b>   | = <b>previous</b>         |              |  |

### **3 Table of reprints**

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

| <b>Current as at</b> | <b>Amendments included</b> | <b>Notes</b> |
|----------------------|----------------------------|--------------|
| 2 September 2017     | none                       |              |

| Current as at  | Amendments included | Notes  |
|----------------|---------------------|--|
| 1 October 2017 | 2017 SL No. 167     | certain provs commenced<br>RA ss 7(1)(k), 40 |

## 4 List of legislation

### Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

#### Jury Regulation 2017 SL No. 167

made by the Governor in Council on 24 August 2017

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 25 August 2017

ss 1–2 commenced on date of notification

pt 1 hdg, s 3, pts 2–6, schs 1–3 commenced 2 September 2017 (see s 2(1))

pt 7 commenced 1 October 2017 (see s 2(2))

exp 1 September 2027 (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 Regulation 2017 SL No. 167

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 25 August 2017

ss 1–2 commenced on date of notification

pt 7 commenced 1 October 2017 (see s 2(2))

## 5 List of annotations

### Travelling allowance

s 11 amd 2017 SL No. 167 s 16