

# Jury Regulation 2004

[2004-511]



New South Wales

## Status Information

### Currency of version

Historical version for 9 January 2009 to 30 June 2009 (accessed 20 May 2024 at 11:58)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
*Jury Amendment (Fees and Allowances) Regulation 2009 (246)* (LW 19.6.2009) (not commenced — to commence on 1.7.2009)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 19 June 2009

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# Jury Regulation 2004



New South Wales

## 1 Name of Regulation

This Regulation is the *Jury Regulation 2004*.

## 2 Interpretation

(1) In this Regulation:

**the Act** means the *Jury Act 1977*.

(2) Notes in the text of this Regulation do not form part of this Regulation.

## 3 Jury districts

(1) In determining the electoral districts and parts of electoral districts that are to comprise the jury districts constituted under section 9 (2) of the Act, the sheriff must ensure that:

- (a) the address of each person whose name appears on an electoral roll is included in one, but not more than one, jury district, and
- (b) there will, in the sheriff's opinion, be a sufficient number of persons eligible to be called for jury service in each jury district.

(2) The sheriff may keep jury district records in computerised form.

## 4 Alternate procedure where sheriff interested in case

The person holding the office of Director-General of the Attorney General's Department is prescribed for the purposes of section 24 (1) of the Act.

### 4A Identity of certain persons must not be disclosed

(1) The identity of a person who is a principal witness must not be disclosed under section 38 (7) (a), (8) (a) or (9) (a) of the Act if:

- (a) the person is an officer in respect of whom an assumed identity approval is in force under the *Law Enforcement and National Security (Assumed Identities) Act 1998*, or

- (b) the person is an officer in respect of whom an assumed identity approval was in force under the *Law Enforcement and National Security (Assumed Identities) Act 1998* at the relevant time, or
  - (c) the person is a participant in an authorised operation within the meaning of the *Law Enforcement (Controlled Operations) Act 1997*, or
  - (d) the person was a participant in an authorised operation within the meaning of the *Law Enforcement (Controlled Operations) Act 1997* at the relevant time.
- (2) This clause does not apply to a jury selected before the commencement of this clause.

## **5 Payment for jury service**

- (1) For the purposes of section 72 (1A) of the Act, the prescribed rate at which a person in attendance for jury service at a court or coronial inquest is entitled to be paid for attendance on any day is the sum of the attendance fee (if applicable), the travelling allowance and the refreshment allowance (if applicable) calculated in respect of that day in accordance with Scales A, B and C, respectively, in Schedule 1.
- (1A) In the case of a person who is an employee at the time the person is in attendance for jury service, the attendance fee referred to in subclause (1) is payable only if the person's full wage or salary is reduced during that time and only to the extent of that reduction.
- (2) A person's claim for an attendance fee set out in Scale A in Schedule 1 is to be accompanied by a statutory declaration verifying:
- (a) if the person was an employee at the time the person was in attendance for jury service—that he or she was not paid a full wage or salary by his or her employer while attending for jury service, or
  - (b) that the person was not employed at the time the person was in attendance for jury service.

## **6 Repeal**

- (1) The *Jury Regulation 1999* is repealed.
- (2) Any act, matter or thing that, immediately before the commencement of this Regulation, had effect under the *Jury Regulation 1999* is taken to have effect under this Regulation.

## **Schedule 1 Scales of daily fees and allowances payable for attendance**

**for jury service**

(Clause 5)

Scale A Attendance fee	Fee per day
1st day of attendance:	
(a) if a person attends for less than 4 hours on that day but is not selected for jury service	Nil
(b) if a person attends for less than 4 hours on that day and is selected for jury service	\$44.00
(c) if a person attends for 4 hours or more on that day (whether or not the person is selected for jury service)	\$88.40
2nd-5th day of attendance	\$88.40
6th-10th day of attendance	\$102.60
11th and subsequent days of attendance	\$119.70

**Note—**

See clause 5 (2) regarding the requirement of submitting a completed statutory declaration if a person in attendance for jury service claims an attendance fee.

**Scale B Travelling allowance**

On each day that a person is in attendance for jury service, for one journey each way between the place of residence of that person, as shown on the jury roll, and the court or coronial inquest attended, the person is entitled to be paid at the rate of 29.60 cents per kilometre with:

- (a) a minimum payment of \$4.00 each way (being a minimum payment for 14 kilometres each way), and
- (b) a maximum payment of \$29.60 each way (being a maximum payment for 100 kilometres each way),

whether or not public transport is used.

**Scale C Refreshment allowance**

If a person serving as a juror is released by the judge or coroner during a luncheon adjournment, the juror is entitled to be paid a refreshment allowance of \$6.50.