

# Jury Regulation 2004

[2004-511]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 August 2010 to 31 August 2010 (accessed 26 November 2024 at 9:46)

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 Act 2010 No 55](#), Sch 2 [2] (except to the extent that it inserts a note to clause 5 (4)) and [3] excepted) (not commenced)
- **See also**  
[Law Enforcement and National Security \(Assumed Identities\) Bill 2010](#)
- **Repeal**  
The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2010.

### 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 1 September 2010

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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 of the Act, if a person is entitled to be paid for attendance for jury service at a court or coronial inquest, the amount to be paid is to be calculated in accordance with this clause.
- (2) The amount is to be calculated as the sum of the following:
  - (a) an attendance allowance calculated in accordance with the Table in Part 1 of Schedule 1,
  - (b) the travelling allowance calculated in accordance with Part 2 of Schedule 1,
  - (c) the refreshment allowance calculated in accordance with Part 3 of Schedule 1.
- (3) A person who is employed at the time the person is in attendance for jury service is entitled to an attendance allowance only if:
  - (a) the person's full wage, salary or income is reduced during that time as a result of the jury service and then only to the extent of the reduction, or
  - (b) the person is not paid any of the wage, salary or income that the person would normally be entitled to during that time, or
  - (c) the person is required to reimburse his or her employer the amount of the jury allowance.
- (4) The sheriff may require a person who claims or intends to claim a jury allowance to supply such information as the sheriff considers necessary to determine the amount of jury allowance, if any, to which the person is entitled.
- (5) In this clause and Schedule 1, a reference to a person who is employed includes a reference to:
  - (a) a person who is a full-time, part-time or casual employee, and

(b) a person who is an independent contractor or a self-employed person.

## 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 Jury service allowances

(Clause 5)

### Part 1 Attendance allowance

Column 1	Column 2	Column 3
Period of attendance	Daily allowance for person who is not employed	Daily allowance for person who is employed
Attendance for less than 4 hours on day 1 if person not selected for jury service	Nil	Nil
Attendance for less than 4 hours on day 1 if person selected for jury service	\$50	\$50
Attendance for 4 hours or more on day 1 (whether or not person selected for jury service)	\$100	\$100
Attendance for days 2–10	\$100	\$100
Attendance for day 11 and onwards	\$100	\$225

### Part 2 Travelling allowance

On each day that a person is in attendance for jury service, the person is entitled to be paid as follows 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:

- (a) for a journey of not more than 14 kilometres—\$4.30 each way,
- (b) for a journey of more than 14 kilometres but not more than 100 kilometres—30.70 cents per kilometre each way,
- (c) for a journey of 100 kilometres or more—\$30.70 each way.

### Part 3 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 \$6.60, but only if the juror does not accept any refreshment provided free of charge.