

Australian Capital Territory

Juries (Payment) Determination 2010

Disallowable instrument DI2010–270

made under the

Juries Act 1967, s 51 (Payment of jurors)

EXPLANATORY STATEMENT

This disallowable instrument determines payments made to jurors under the *Juries Act 1967*. Under section 51 of the *Juries Act 1967*, a person summoned or appointed to serve as a juror is entitled to be paid the amount determined by the Minister for the person's attendance at the court in accordance with the summons or appointment, whether or not the person serves as a juror.

Schedule 1 of the instrument lists the amounts that a juror is to be paid under section 51. The payments which will apply from the date of commencement are listed in column 3. The payments which applied previously under the Juries Fees Regulation 1968 (repealed) are listed in column 4.

The 2009-10 and 2010-11 ACT Budgets forecast CPI indices of 2.25% for 2009-10 and 2.5% for 2010-11. These indices have been applied to payments set from 1 July 2008 in the Juries Fees Regulation 1968 (repealed), in order to index the payments to the current period.

Previously, a payment scale applied for days 1 – 5 and 6 – 10 inclusive. Payments now apply for days 1 – 4 and 5-10 inclusive, consistent with court administrative arrangements under which jury payments are made.

The payments in column 3 will apply from the commencement of the *Justice and Community Safety Legislation Amendment Act 2010 (No 3)*, part 3.1. Part 3.1 substitutes a new section 51 of the *Juries Act 1967* to allow the prescribed scale of jury payments to be determined by the Minister, by way of disallowable instrument. Setting the jury payment scale by way of disallowable instrument instead of regulation will allow the payment scale to be indexed annually in a more administratively efficient manner, whilst maintaining an appropriate level of Assembly scrutiny through tabling a disallowable instrument.