



Australian Capital Territory

# **Juries Regulation 2018**

**SL2018-4**

made under the

**Juries Act 1967**

**Republication No 1**

**Effective: 26 April 2018 – 20 June 2019**

Republication date: 26 April 2018

Regulation not amended

## About this republication

### The republished law

This is a republication of the *Juries Regulation 2018*, made under the *Juries Act 1967* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 26 April 2018. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial amendments

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Juries Regulation 2018

made under the

**Juries Act 1967**

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26/04/18

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Australian Capital Territory

# Juries Regulation 2018

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made under the

[Juries Act 1967](#)

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**1 Name of regulation**

This regulation is the *Juries Regulation 2018*.

**2 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

**3 Disqualified people, exempt people and people who may claim exemption—Act, s 11**

- (1) A person mentioned in schedule 1, part 1.2, column 2 is disqualified for the period mentioned in column 3.
- (2) A person mentioned in schedule 1, part 1.3, column 2 is exempt for the period mentioned in column 3.
- (3) A person mentioned in schedule 1, part 1.4 may claim an exemption.

## **Schedule 1**      **Jury service**

(see s 3)

### **Part 1.1**      **General**

#### **1.1**      **Meaning of *standard*—sch 1**

In this schedule:

*standard* means the period during which a person is employed in the occupation or affected by the circumstance mentioned in schedule 1, part 1.3, column 2.

*Note 1*    *Doctor, enrolled nurse, nurse, nurse practitioner* and *public trustee and guardian* are defined in the [Legislation Act](#), dictionary, pt 1.

*Note 2*    *Nurse* includes a midwife (see [Legislation Act](#), dict, pt 1).

## Part 1.2 Disqualified people

Table 1.2

column 1 item	column 2 disqualified people	column 3 disqualification period
1	a person who has been convicted, within or outside the ACT, of an offence punishable by life imprisonment	life
2	a person who has been convicted, within or outside the ACT, of a terrorist offence	life
3	<p>a person who has been convicted, within or outside the ACT, of an offence—</p> <p>(a) involving—</p> <p>(i) actual or threatened violence; or</p> <p>(ii) endangering life; and</p> <p>(b) punishable by imprisonment for 15 years or more</p> <p><b>Examples</b> murder, manslaughter, grievous bodily harm</p> <p><i>Note</i> An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see <a href="#">Legislation Act</a>, s 126 and s 132).</p>	life
4	a person who has been convicted, within or outside the ACT, of a sexual offence punishable by imprisonment for 10 years or more	life
5	a person who has been convicted, within or outside the ACT, of unlawfully possessing or making explosives	life



<b>column 1 item</b>	<b>column 2 disqualified people</b>	<b>column 3 disqualification period</b>
6	a person who has been convicted, within or outside the ACT of an offence and given a prison sentence, other than a prison sentence for failing to pay a fine, when 18 years or older	(a) if sentence less than 3 months—5 years after the sentence or post-prison good behaviour order or parole ends; or (b) if sentence 3 months or more—10 years after the sentence or post-prison good behaviour order or parole ends
7	a person who has been convicted, within or outside the ACT of an offence and given a detention order, other than a detention order for failing to pay a fine, when under 18 years	3 years after the detention period ends
8	a person who has been convicted, within or outside the ACT of an offence and given a good behaviour order, whether or not there is a community service order attached	3 years after the good behaviour order ends
9	a person who has been convicted, within or outside the ACT of an offence punishable by imprisonment, who is awaiting sentencing or the outcome of an appeal	period until sentence imposed or outcome of appeal known

## Part 1.3 Exempt people

Table 1.3

column 1 item	column 2 exempt people	column 3 exemption period
1	a person exempt from serving as a juror under— <ul style="list-style-type: none"> <li>• the <i>Jury Exemption Act 1965</i> (Cwlth), section 4 or regulations under that section; or</li> <li>• the <i>Navigation Act 2012</i> (Cwlth), section 89</li> </ul>	standard
2	a magistrate or coroner	2 years after the appointment as magistrate or coroner ends
3	an employee of the government of a foreign country or of an international organisation	standard
4	the official secretary to the Governor-General	standard
5	an Australian legal practitioner under the <i>Legal Profession Act 2006</i> , or an employee of an Australian legal practitioner	standard
6	a practising doctor	standard
7	a police officer	5 years after the employment as police officer ends
8	a person with full-time duties as a member of an emergency service	standard
9	a person living in the Jervis Bay Territory	standard
10	a judge or associate judge of the Supreme Court	2 years after the appointment as judge or associate judge ends
11	a member of the Legislative Assembly or a member of staff of a member of the Legislative Assembly who is an adviser or private secretary	standard
12	a director-general	standard

<b>column 1 item</b>	<b>column 2 exempt people</b>	<b>column 3 exemption period</b>
13	a public servant in the staff of the following: <ul style="list-style-type: none"> <li>(a) the Supreme Court;</li> <li>(b) the Magistrates Court</li> </ul>	2 years after the employment ends
14	a public servant providing legal professional services in the staff of the Justice and Community Safety Directorate	standard
15	a public servant providing legal professional services in the staff of the following: <ul style="list-style-type: none"> <li>(a) the Legal Aid Commission (A.C.T.);</li> <li>(b) the Office of the Director of Public Prosecutions</li> </ul>	2 years after the employment ends
16	a person holding any of the following positions in the Legislative Assembly: <ul style="list-style-type: none"> <li>(a) clerk;</li> <li>(b) deputy clerk;</li> <li>(c) clerk assistant;</li> <li>(d) sergeant-at-arms;</li> <li>(e) editor of debates;</li> <li>(f) secretary to a committee of the Assembly</li> </ul>	standard
17	an employee at any of the following places: <ul style="list-style-type: none"> <li>(a) a place declared to be a detention place under the <i>Children and Young People Act 2008</i>, section 142;</li> <li>(b) a place approved as a place of care under the <i>Children and Young People Act 2008</i>, section 525;</li> <li>(c) a place declared to be a therapeutic protection place under the <i>Children and Young People Act 2008</i>, section 625</li> </ul>	2 years after the employment ends
18	the emergency services commissioner and a chief officer, or deputy chief officer, of an emergency service	standard
19	an employee of ACT Corrective Services	2 years after the employment ends

**Schedule 1**  
**Part 1.3**

Jury service  
Exempt people

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<b>column 1 item</b>	<b>column 2 exempt people</b>	<b>column 3 exemption period</b>
20	a person appointed as any of the following: (a) a royal commission under the <i>Royal Commissions Act 1991</i> , section 5; (b) a board of inquiry under the <i>Inquiries Act 1991</i> , section 5; (c) a member of the judicial council established under the <i>Judicial Commissions Act 1994</i> , section 5A; (d) a member of a judicial commission under the <i>Judicial Commissions Act 1994</i> , section 6	standard
21	a public servant during the period the public servant is made available to a royal commission, board of inquiry or judicial commission	standard
22	a commissioner under the <i>Human Rights Commission Act 2005</i> or the public trustee and guardian under the <i>Public Trustee and Guardian Act 1985</i>	2 years after the appointment ends
23	a person for whom a guardian has been appointed under the <i>Guardianship and Management of Property Act 1991</i>	standard

## Part 1.4 People who may claim exemption

Table 1.4

column 1 item	column 2 people who may claim exemption
1	a minister of religion
2	a practising member of a religious society or order the beliefs or principles of which are incompatible with jury service
3	a professor, lecturer, school principal or teacher engaged in full-time teaching of organised classes at a university, college or school
4	an editor of a newspaper
5	a practising nurse, practising enrolled nurse, practising nurse practitioner
6	a household officer or member of staff of the Governor-General
7	a person who is 70 years old or older
8	a person with disability within the meaning of the <i>Disability Services Act 1991</i> , including a person who is totally or partially blind, or totally or partially deaf
9	a person who is subject to a mental health order under the <i>Mental Health Act 2015</i>
10	a person who is unable to read and speak the English language
11	a person who lives with, and is caring full-time for, a person who is sick or infirm or who is a person with disability within the meaning of the <i>Disability Services Act 1991</i>

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This regulation was made as part of the *Courts and Other Justice Legislation Amendment Act 2018* (see A2018-9 s 89) and is taken to have been made under the *Juries Act 1967* A1967-47 (see s 53 (1) as ins by A2018-9 s 88).

#### **Juries Regulation 2018 SL2018-4**

taken to have been notified LR 29 March 2018 (A1967-47 s 53 (3) (a) as ins by A2018-9 s 88)

s 1 commenced 29 March 2018 (LA s 75 (1))

remainder taken to have commenced 26 April 2018 (A1967-47 s 53 (3) (b) as ins by A2018-9 s 88)

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