



Australian Capital Territory

Juries Regulation 2018

SL2018-4

made under the

Juries Act 1967

Republication No 2

Effective: 21 June 2019

Republication date: 21 June 2019

Last amendment made by [A2019-17](#)

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 21 June 2019. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 21 June 2019.

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):

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

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

Editorial changes

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 includes 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). 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 \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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R2
21/06/19

Juries Regulation 2018
Effective: 21/06/19

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Australian Capital Territory

Juries Regulation 2018

made under the

[Juries Act 1967](#)

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 | a person who has been convicted, within or outside the ACT, of an offence— (a) involving— (i) actual or threatened violence; or (ii) endangering life; and (b) punishable by imprisonment for 15 years or more Examples murder, manslaughter, grievous bodily harm | 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 |

| column 1 item | column 2 disqualified people | column 3 disqualification period |
|--------------------------|--|--|
| 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"> the <i>Jury Exemption Act 1965</i> (Cwlth), section 4 or regulations under that section; or the <i>Navigation Act 2012</i> (Cwlth), section 89 | 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 engaged in full-time or part-time duties as a member of an emergency service (not including on a casual or volunteer basis) | 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 |

| column 1 item | column 2 exempt people | column 3 exemption period |
|--------------------------|---|--------------------------------------|
| 13 | a public servant in the staff of the following: (a) the Supreme Court; (b) the Magistrates Court | 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: (a) the Legal Aid Commission (A.C.T.); (b) the Office of the Director of Public Prosecutions | 2 years after the employment ends |
| 16 | a person holding any of the following positions in the Legislative Assembly: (a) clerk; (b) deputy clerk; (c) clerk assistant; (d) sergeant-at-arms; (e) editor of debates; (f) secretary to a committee of the Assembly | standard |
| 17 | an employee at any of the following places: (a) a place declared to be a detention place under the <i>Children and Young People Act 2008</i> , section 142; (b) a place approved as a place of care under the <i>Children and Young People Act 2008</i> , section 525; (c) a place declared to be a therapeutic protection place under the <i>Children and Young People Act 2008</i> , section 625 | 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

| column 1 item | column 2 exempt people | column 3 exemption period |
|--------------------------|--|--------------------------------------|
| 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 or part-time teaching of organised classes (not including on a casual or voluntary basis) 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

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).

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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)

as amended by

Justice and Community Safety Legislation Amendment Act 2019 A2019-17 pt 8

notified LR 14 June 2019
s 1, s 2 commenced 14 June 2019 (LA s 75 (1))
pt 8 commenced 21 June 2019 (s 2)

4 Amendment history

Exempt people

sch 1 pt 1.3 am A2019-17 s 21

People who may claim exemption

sch 1 pt 1.4 am A2019-17 s 22

Endnotes

5 Earlier republications

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|----------------------------------|------------------------------|-------------------------------|--------------------------|
| R1 26 Apr 2018 | 26 Apr 2018– 20 June 2019 | not amended | new regulation |

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