

South Australia

Juries (Remuneration for Jury Service) Regulations 2002

under the *Juries Act 1927*

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1—Short title

These regulations may be cited as the *Juries (Remuneration for Jury Service) Regulations 2002*.

4—Interpretation

In these regulations—

Act means the *Juries Act 1927*;

CPI means the Consumer Price Index (All Groups) for the City of Adelaide published by the Australian Bureau of Statistics;

daily rate means the remuneration payable to a juror in accordance with clause 1 or 2 of the Schedule (as the case may be);

indexation factor, in relation to a financial year, means 1 or the quotient obtained by dividing the CPI for the March quarter last preceding the financial year by the CPI for the March quarter 2007, whichever is the greater;

long trial—see regulation 5(2).

5—Remuneration of jurors (section 70 of Act)

- (1) Subject to this regulation, a juror who attends court in compliance with a summons to render jury service is, under section 70(1) of the Act, entitled to be remunerated in accordance with the scale set out in the Schedule.
- (2) The Minister may, on the advice of the court, by notice in the Gazette, declare a criminal trial to be a *long trial* for the purposes of these regulations.
- (3) The Minister may make a declaration under subregulation (2) before or after the jury is empanelled for the trial.

- (4) A juror who is empanelled for a long trial is entitled to be paid the applicable daily rate in respect of each sitting day of the trial (whether or not the juror is required to attend the court each sitting day) from the day on which the jury is empanelled until—
- (a) if the juror is excused from further attendance during the trial—the juror is excused; or
 - (b) if the juror dies during the trial—the juror's death; or
 - (c) in any other case—the jury is dismissed.
- (5) The maximum daily rate—
- (a) prescribed by clause 1(b) of the Schedule for each day's attendance at court by a juror (other than a juror empanelled for a long trial) in compliance with the summons will, at the commencement of each financial year (other than the financial year commencing on 1 July 2007), be adjusted by multiplying that amount by the indexation factor applicable to the financial year on which the day falls; and
 - (b) prescribed by clause 2(b)(ii) of the Schedule for each sitting day of a long trial for a juror empanelled for the long trial will, at the commencement of each financial year (other than the financial year commencing on 1 July 2007), be adjusted by multiplying that amount by the indexation factor applicable to the financial year on which the sitting day falls.
- (6) The sum of the daily rate and any amount for monetary loss suffered or necessarily incurred expenditure (other than travelling expenses) to be paid on any day to a juror must not—
- (a) in the case of a long trial—exceed the maximum daily rate prescribed by clause 2(b)(ii) of the Schedule (as adjusted from time to time under subregulation (5)(b)); and
 - (b) in any other case—exceed the maximum daily rate prescribed by clause 1(b) of the Schedule (as adjusted from time to time under subregulation (5)(a)).
- (7) Travelling expenses (if any) to be paid for each day's attendance at court by a juror in compliance with the summons—
- (a) are in addition to any other amount payable to the juror; and
 - (b) will, at the commencement of each financial year (other than the financial year commencing on 1 July 2007), be adjusted by multiplying the amount prescribed by clause 3 of the Schedule by the indexation factor applicable to the financial year on which the day falls.

Schedule—Scale of remuneration

- 1 For each day's attendance at court by a juror (other than a juror empanelled for a long trial) in compliance with the summons—
- (a) if the attendance did not cause the juror to suffer a monetary loss, or to necessarily incur expenditure, exceeding \$20.00 \$20.00
 - (b) if the sheriff is satisfied that the attendance caused the juror to suffer a monetary loss, or to necessarily incur expenditure, exceeding \$20.00—a sum equal to the loss or expenditure but not exceeding \$125.00

- 2 For a juror empanelled for a long trial—
- (a) for each day's attendance at court in compliance with the summons before being empanelled—as set out in clause 1(a) or (b) (as the case may be)
 - (b) for each sitting day of the long trial after being empanelled—
 - (i) if attending court did not or would not cause the juror to suffer a monetary loss, or to necessarily incur expenditure, exceeding \$20.00 \$20.00
 - (ii) if the sheriff is satisfied that attending court did or would cause the juror to suffer a monetary loss, or to necessarily incur expenditure, exceeding \$20.00—a sum equal to the loss or expenditure but not exceeding \$225.00
- 3 For each day of attending court, travelling expenses incurred travelling between the court and the juror's residence, for each kilometre travelled \$0.60

Note—

If travelling expenses are to be paid to a juror, the minimum amount to be paid to the juror for each day's attendance at court is 12 times the amount fixed for each kilometre.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Juries (Remuneration for Jury Service) Regulations 2002* were revoked by Sch 2 (cl 1) of the *Juries (Remuneration for Jury Service) Regulations 2017* on 22.8.2017.

Legislation revoked by principal regulations

The *Juries (Remuneration for Jury Service) Regulations 2002* revoked the following:

Juries Act (Scale of Remuneration for Jury Service) Regulations 1989

Principal regulations and variations

Year	No	Reference	Commencement
2002	153	<i>Gazette 8.8.2002 p3028</i>	8.8.2002: r 2
2003	264	<i>Gazette 18.12.2003 p4629</i>	18.12.2003: r 2
2007	181	<i>Gazette 28.6.2007 p2844</i>	1.7.2007: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>rr 2 and 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2007</i>
r 4		
indexation factor	varied by 181/2007 r 4	1.7.2007
r 5		
r 5(5)	substituted by 181/2007 r 5	1.7.2007
r 5(6)	varied by 264/2003 r 4(1)	18.12.2003
	substituted by 181/2007 r 5	1.7.2007
r 5(7)	inserted by 264/2003 r 4(2)	18.12.2003
	substituted by 181/2007 r 5	1.7.2007
Sch	substituted by 181/2007 r 6	1.7.2007

Historical versions

18.12.2003