

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*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Revocation

The *Juries Act (Scale of Remuneration for Jury Service) Regulations 1989* (see *Gazette 22.12.1988 p2178*) are revoked.

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 2002, whichever is the greater;

long trial—see regulation 5(2).

5—Remuneration of jurors (s 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 for a long trial prescribed by clause 2(b) of the Schedule in respect of a sitting day of a long trial will, at the commencement of each financial year (other than the financial year commencing on 1 July 2002), be adjusted by multiplying that amount by the indexation factor applicable to the financial year on which the sitting day falls.
- (6) The total amount (comprising the daily rate and any necessarily incurred costs and travelling expenses) to be paid on any day to a juror for jury service must not—
 - (a) in the case of a long trial—exceed the maximum daily rate prescribed by clause 2(b) of the Schedule (as adjusted from time to time under subregulation (5));
 - (b) in any other case—exceed the maximum daily rate prescribed by clause 1(b) of the Schedule.

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 exceeding \$20 \$ 20
 - (b) if the sheriff is satisfied that the attendance caused the juror to suffer a monetary loss exceeding \$20—a sum equal to the loss but not exceeding \$ 100
- 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 exceeding \$20 \$ 20

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| | (ii) if the sheriff is satisfied that attending court did or would cause the juror to suffer a monetary loss exceeding \$20—a sum equal to the loss but not exceeding | \$ 200 |
| 3 | For each day on which the sheriff is satisfied that a juror has necessarily incurred costs by attending court, a sum equal to the costs but not exceeding | \$ 80 |
| 4 | For each day of attending court, travelling expenses incurred travelling between the court and the juror's residence, for each kilometre travelled | 20 cents. |

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations

| Year | No | Reference | Commencement |
|------|-----|-------------------------------|---------------|
| 2002 | 153 | <i>Gazette 8.8.2002 p3028</i> | 8.8.2002: r 2 |