

NORTHERN TERRITORY OF AUSTRALIA

JURIES REGULATIONS 1983

As in force at 1 July 2021

Table of provisions

| | | |
|----|---|---|
| 1 | Citation | 1 |
| 4 | Jury district of Darwin | 1 |
| 5 | Jury district of Alice Springs..... | 2 |
| 6 | Fee for civil trial | 2 |
| 7 | Random selection by computer | 3 |
| 8 | Fees | 3 |
| 9 | Fares | 4 |
| 10 | Form of acknowledgement | 4 |
| 11 | Transitional matters for <i>Juries Amendment Regulations 2007</i> | 4 |

Schedule 2

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 2021

JURIES REGULATIONS 1983

Regulations under the *Juries Act 1962*

1 Citation

These Regulations may be cited as the *Juries Regulations 1983*.

4 Jury district of Darwin

- (1) For section 20 of the Act, the jury district of Darwin comprises the area of land in the following divisions:
- (a) Blain;
 - (b) Brennan;
 - (c) Casuarina;
 - (d) Drysdale;
 - (e) Fannie Bay;
 - (f) Fong Lim;
 - (g) Goyder;
 - (h) Johnston;
 - (i) Karama;
 - (j) Nelson;
 - (k) Nightcliff;
 - (l) Port Darwin;
 - (m) Sanderson;
 - (ma) Spillett;
 - (n) Wanguri.

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- (2) In this regulation:

division, see section 3 of the *Electoral Act 2004*.

5 Jury district of Alice Springs

- (1) For section 20 of the Act, the jury district of Alice Springs comprises the area of land in the municipality of Alice Springs.

- (2) In this regulation:

municipality, see section 15 of the *Local Government Act 2019*.

6 Fee for civil trial

- (1) For section 8(1) of the Act, the prescribed fee is:

- (a) if the trial lasts 9 days or less – 240 monetary units for each day of the trial; or
- (b) if the trial lasts 10 days or more – 480 monetary units for each day of the trial.

- (1A) The fee is to be calculated based on the value of a monetary unit on the first day of the trial.

- (2) For section 8(2) of the Act, the party liable to the fee:

- (a) must, before the court sits on the first day of the trial, submit a written estimate of the number of days the trial will last and pay an amount equal to the prescribed fee for a trial of the length estimated; and
- (b) if the estimate is exceeded – must, before the trial resumes on the first day on which the estimate is exceeded, submit a revised estimate and pay an amount equal to the prescribed fee for a trial of the length estimated less the amount already paid; and
- (c) if the revised estimate is exceeded – must, before the trial resumes on the first day on which the revised estimate is exceeded, submit a further revised estimate and pay an amount equal to the prescribed fee for a trial of the length estimated less the amount already paid; and
- (d) must continue as indicated above if the trial lasts longer than the period estimated in the last estimate submitted under this regulation.

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- (3) If a court sits with the jury for part of a day, the day is counted as a whole day for subregulations (1) and (2).
 - (4) If it appears, at the end of a trial, that the amount paid under subregulation (2) exceeds the fee actually payable under subregulation (1), the amount overpaid must be refunded to the party.

7 Random selection by computer

For the purposes of section 27 of the Act, the prescribed manner for the random selection by computer of the persons to be summoned from those whose names appear in the jury list for Darwin or the jury list for Alice Springs is any system for random selection by computer which, for a statistical analysis over a population of 120,000, gives a variation from the expected value of less than plus or minus 0.5% based on percentiles of 12,000.

8 Fees

- (1) For section 60 of the Act, an employee who continues to receive ordinary pay and who has no deductions from other leave entitlements while on leave to attend for jury service is taken to have received payment for attendance.

Example for subregulation (1)

If, under by-law 20 of the Public Sector Employment and Management By-laws, the Chief Executive Officer releases an employee for jury service without deduction from pay or leave credits, that employee is taken to have received payment.

- (2) However, if the sheriff or deputy sheriff is satisfied that subsection (1) does not apply, the payment a juror or talesman is entitled to receive for attendance is:
 - (a) for each day, or part day, of service as a juror for a trial:
 - (i) 60 monetary units – if the trial lasts 9 days or less; or
 - (ii) 120 monetary units – if the trial lasts 10 days or more; and
 - (b) 20 monetary units for each day, or part day, the person attends for service, but does not serve as a juror for a trial.
- (2A) If a trial commences before 1 July in a year and concludes after 1 July of that year, the juror or talesman is entitled to receive payment as if the trial had commenced after 1 July of that year.

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- (3) If it is proved to the satisfaction of the sheriff that as result of attendance on a day, or part day, the juror or talesman has suffered financial loss, the juror or talesman is entitled to receive an additional amount for that attendance equal to the lesser of:
- (a) the amount by which the loss exceeds the amount payable under subregulation (2); and
 - (b) either:
 - (i) 30 monetary units – if the person serves as a juror for a trial; or
 - (ii) 20 monetary units – in any other case.

9 Fares

- (1) A person whose residence is more than one kilometre from the relevant Supreme Court is entitled to be paid for each journey made between the person's residence and the Court to attend the Court as a juror or talesman or to return home afterwards.
- (2) The fare payable under this regulation for a journey is:
- (a) if public transport is available – the amount payable by the juror or talesman for using public transport for the journey; or
 - (b) in any other case – an amount calculated at 0.27 monetary units for each kilometre of the journey, measured along the shortest practicable road route.

10 Form of acknowledgement

- (1) For the purposes of section 68(2)(d) of the Act, the form of acknowledgement in answer to a jury summons, shall be in accordance with the form set out in Schedule 2.
- (2) The form referred to in subregulation (1) shall be completed in accordance with such directions and instructions as are specified in the form.

11 Transitional matters for *Juries Amendment Regulations 2007*

If immediately before the commencement of the *Juries Amendment Regulations 2007* (the **2007 regulations**) a trial lasting 10 days or more has commenced but has not concluded:

- (a) for regulation 6 the prescribed amounts must be re-calculated as if the trial had commenced after the commencement of the 2007 regulations; and

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- (b) for regulation 8 the juror or talesman is entitled to receive payment as if the trial had commenced after the commencement of the 2007 regulations.

Schedule 2

regulation 10(1)

NORTHERN TERRITORY OF AUSTRALIA

Juries Act 1962

section 68(2)(d)

ACKNOWLEDGEMENT BY JUROR OF RECEIPT OF JURY SUMMONS

1. Fill in the personal details as requested below.
2. Tear off and return the acknowledgement, in the envelope provided, to the Sheriff.
3. Please bring the part of the summons retained by you to the Court on the day appointed for you to attend.

I,....., hereby acknowledge receipt of this summons.

.....
Signature

Home address:.....Phone.....

Postal address: (if different from home address)
.....

Work address:.....Phone.....

Dated:

ENDNOTES
1 KEY

Key to abbreviations

| | |
|------------------------------|-------------------------------------|
| amd = amended | od = order |
| app = appendix | om = omitted |
| bl = by-law | pt = Part |
| ch = Chapter | r = regulation/rule |
| cl = clause | rem = remainder |
| div = Division | renum = renumbered |
| exp = expires/expired | rep = repealed |
| f = forms | s = section |
| Gaz = Gazette | sch = Schedule |
| hdg = heading | sdiv = Subdivision |
| ins = inserted | SL = Subordinate Legislation |
| lt = long title | sub = substituted |
| nc = not commenced | |

2 LIST OF LEGISLATION***Juries Regulations (SL No. 41, 1983)***

| | |
|-----------|-----------------|
| Notified | 21 October 1983 |
| Commenced | 21 October 1983 |

Amendment of the Juries Regulations (SL No. 4, 1987)

| | |
|-----------|------------------|
| Notified | 11 February 1987 |
| Commenced | 11 February 1987 |

Juries Regulations (SL No. 40, 1989)

| | |
|-----------|-----------------|
| Notified | 10 January 1990 |
| Commenced | 10 January 1990 |

Juries Amendment Act 1990 (Act No. 63, 1990)

| | |
|-------------|------------------|
| Assent date | 14 December 1990 |
| Commenced | 14 December 1990 |

Amendment of Juries Regulations (SL No. 30, 1997)

| | |
|-----------|------------------|
| Notified | 12 November 1997 |
| Commenced | 12 November 1997 |

Statute Law Revision Act (No. 2) 2003 (Act No. 44, 2003)

| | |
|-------------|-------------|
| Assent date | 7 July 2003 |
| Commenced | 7 July 2003 |

Electoral (Consequential Amendments) Act 2004 (Act No. 12, 2004)

| | |
|-------------|---|
| Assent date | 1 March 2004 |
| Commenced | 15 March 2004 (s 2, s 2 <i>Electoral Act 2004</i> (Act No. 11, 2004) and Gaz S6, 15 March 2004) |

Juries Amendment Regulations 2007 (SL No. 27, 2007)

| | |
|-----------|----------------|
| Notified | 22 August 2007 |
| Commenced | 22 August 2007 |

Juries Amendment Regulations 2010 (SL No. 27, 2010)

Notified 29 November 2010
Commenced 29 November 2010

Juries Amendment Regulations 2017 (SL No. 6, 2017)

Notified 12 April 2017
Commenced 12 April 2017

Juries Amendment Regulations 2019 (SL No. 8, 2019)

Notified 19 June 2019
Commenced 1 July 2019 (r 2)

Local Government Act 2019 (Act No. 39, 2019)

Assent date 13 December 2019
Commenced pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz S27*, 30 June 2021)

Amending Legislation

Statute Law Revision Act 2020 (Act No. 26, 2020)

Assent date 19 November 2020
Commenced 20 November 2020 (s 2)

Local Government Amendment Act 2021 (Act No. 15, 2021)

Assent date 25 May 2021
Commenced 26 May 2021 (s 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1, 4 and 5.

4 LIST OF AMENDMENTS

r 2 rep No. 27, 2007, r 3
r 3 amd Act No. 63, 1990, s 3; Act No. 44, 2003, s 6; Act No. 12, 2004, s 7
rep No. 27, 2010, r 3
r 4 amd No. 40, 1989; Act No. 63, 1990, s 3; No. 30, 1997; No. 27, 2007, r 4;
No. 6, 2017, r 3
sub No. 27, 2010, r 3
r 5 amd No. 4, 1987; Act No. 63, 1990, s 3; No. 27, 2010, r 4; Act No. 39, 2019,
s 370
r 6 sub No. 27, 2007, r 5
amd. No. 8, 2019, r 4
r 7 amd No. 27, 2007, r 6
r 8 sub No. 27, 2007, r 7
amd No. 8, 2019, r 5
r 9 sub No. 27, 2007, r 7
amd No. 8, 2019, r 6
r 11 ins No. 27, 2007, r 8
sch 1 rep No. 27, 2007, r 9
sch 2 amd No. 27, 2007, r 10