

NORTHERN TERRITORY OF AUSTRALIA

JURIES REGULATIONS

As in force at 22 August 2007

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Regulations as in force at 22 August 2007. Any amendments that commence after that date are not included.

JURIES REGULATIONS

Regulations under the *Juries Act*

1 Citation

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

3 Definition

In these Regulations, ***division*** means a division within the meaning of the *Electoral Act*, and ***municipality*** has the same meaning as in the *Local Government Act*.

4 Jury district of Darwin

The jury district of Darwin comprises the area of land in the divisions of Port Darwin, Fannie Bay, Brennan, Nightcliff, Millner, Johnston, Sanderson, Casuarina, Wanguri, Karama, Drysdale, Blain and Nelson.

5 Jury district of Alice Springs

The jury district of Alice Springs comprises the area of land in the municipality of Alice Springs.

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 for each day of the trial;
or
 - (b) if the trial lasts 10 days or more – \$480 for each day of the trial.

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- (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.
- (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 – if the trial lasts 9 days or less; or
 - (ii) \$120 – if the trial lasts 10 days or more; and
 - (b) \$20 for each day, or part day, the person attends for service, but does not serve as a juror for a trial.
- (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 – if the person serves as a juror for a trial; or
 - (ii) \$20 – 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

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- (b) in any other case – an amount calculated at 27 cents 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
- (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

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 <i>Gaz S6</i> , 15 March 2004)

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

Notified	22 August 2007
Commenced	22 August 2007

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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
r 4	amd No. 40, 1989; Act No. 63, 1990, s 3; No. 30, 1997; No. 27, 2007, r 4
r 5	amd No. 4, 1987; Act No. 63, 1990, s 3
r 6	sub No. 27, 2007, r 5
r 7	amd No. 27, 2007, r 6
rr 8 – 9	sub No. 27, 2007, r 7
r 11	ins No. 27, 2007, r 8
sch 1	rep No. 27, 2007, r 9
sch 2	amd No. 27, 2007, r 10