



Jury Exemption Regulations 1987

Statutory Rules No. 186, 1987 as amended

made under the

Jury Exemption Act 1965

Compilation start date: 12 April 2013

Includes amendments up to: SLI No. 51, 2013

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

The compiled instrument

This is a compilation of the *Jury Exemption Regulations 1987* as amended and in force on 12 April 2013. It includes any amendment affecting the compiled instrument to that date.

This compilation was prepared on 30 May 2013.

The notes at the end of this compilation (the *endnotes*) include information about amending Acts and instruments and the amendment history of each amended provision.

Uncommenced provisions and amendments

If a provision of the compiled instrument is affected by an uncommenced amendment, the text of the uncommenced amendment is set out in the endnotes.

Application, saving and transitional provisions for amendments

If the operation of an amendment is affected by an application, saving or transitional provision, the provision is identified in the endnotes.

Modifications

If a provision of the compiled instrument is affected by a textual modification that is in force, the text of the modifying provision is set out in the endnotes.

Provision ceasing to have effect

If a provision of the compiled instrument has expired or otherwise ceased to have effect in accordance with a provision of the instrument, details of the provision are set out in the endnotes.

Contents

1	Name of Regulations	1
2	Commencement	1
3	Interpretation	1
4	Exemption of certain Commonwealth employees	1
5	Exemptions relating to administration of justice	1
6	Exemptions relating to public need	3
7	Exemptions relating to public administration	3
8	Repeal	5

Endnotes	6
Endnote 1—Legislation history	6
Endnote 2—Amendment history	7
Endnote 3—Uncommenced amendments [none]	8
Endnote 4—Misdescribed amendments [none]	9

1 Name of Regulations

These Regulations are the *Jury Exemption Regulations 1987*.

2 Commencement

These Regulations shall come into operation on 1 October 1987.

3 Interpretation

- (1) In these Regulations, unless the contrary intention appears, *the Act* means the *Jury Exemption Act 1965*.
- (2) For the purposes of these Regulations, each of the Territories is a specified Territory.

4 Exemption of certain Commonwealth employees

A person holding, or for the time being performing the duties of, an employment as a Commonwealth employee in respect of which the rate of salary equals or exceeds the rate of salary for the time being payable to an officer of the Australian Public Service occupying an office classified as Senior Executive Band 3 is exempt from liability to serve as a juror:

- (a) in Federal courts; and
- (b) in the courts of a specified Territory; and
- (c) in the courts of the States.

5 Exemptions relating to administration of justice

- (1) A person to whom this regulation applies is exempt from liability to serve as a juror:
 - (a) in Federal courts; and
 - (b) in the courts of a specified Territory; and
 - (c) in the courts of the States.
- (2) This regulation applies to the following persons:

- (a) an officer or employee of:
 - (i) a Department; or
 - (ii) the Office of Parliamentary Counsel; or
 - (iii) the Office of the Director of Public Prosecutions; being an officer or employee whose duties involve the provision of legal professional services;
- (b) an officer or employee of:
 - (i) the High Court of Australia; or
 - (ii) the Federal Court of Australia; or
 - (iii) the Family Court of Australia; or
 - (iv) the Federal Circuit Court of Australia;
- (c) a person employed as a chemist in the Australian Government Analytical Laboratories, being a person whose duties include appearing as an expert witness in court proceedings;
- (g) a member within the meaning of the *Australian Federal Police Act 1979* and a person employed under section 24 of that Act;
- (h) the Chief Executive Officer within the meaning of the *Australian Crime Commission Act 2002* and an examiner or a member of the staff of the Australian Crime Commission within the meaning of that Act;
- (j) a person not otherwise referred to in this subregulation for the time being employed by:
 - (ii) the Australian Police Staff College; or
 - (iii) the National Police Research Unit;
- (k) a member, or a member of the staff, of the Administrative Appeals Tribunal;
- (l) a member, or a member of the staff, of the National Native Title Tribunal;
- (m) a staff member, within the meaning of the *Australian Securities Commission Act 1989*, being a staff member whose duties involve:
 - (i) providing legal professional services; or
 - (ii) investigating matters.

6 Exemptions relating to public need

- (1) A person to whom this regulation applies is exempt from liability to serve as a juror:
 - (a) in Federal courts; and
 - (b) in the courts of a specified Territory; and
 - (c) in the courts of the States.

- (2) This regulation applies to a veterinary officer or other person employed in the Department of Primary Industries and Energy whose duties relate to the planning, co-ordination and monitoring of measures to limit the importation of exotic diseases into, or outbreak of exotic diseases in, Australia.

7 Exemptions relating to public administration

- (1) A person to whom this regulation applies is exempt from liability to serve as a juror:
 - (a) in Federal courts; and
 - (b) in the courts of a specified Territory; and
 - (c) in the courts of the States.

- (2) This regulation applies to:
 - (a) the Official Secretary to the Governor-General; and
 - (b) a person performing duties as Secretary to:
 - (i) a Royal Commission; or
 - (ii) a Committee of Inquiry established under an Act; and
 - (c) a person holding, or for the time being performing the duties of, one of the following positions in relation to a Minister of State:
 - (i) Principal Private Secretary;
 - (ii) Principal Adviser;
 - (iii) Senior Private Secretary;
 - (iv) Senior Adviser;
 - (v) Private Secretary;
 - (vi) Adviser;
 - (vii) Press Secretary; and

- (e) the Industrial Registrar, and any Deputy Industrial Registrar, within the meaning of subsection 62(2) of the *Workplace Relations Act 1996*; and
- (f) a person holding, or for the time being performing the duties of, one of the following offices in the Department of the Senate:
 - (i) Clerk of the Senate;
 - (ii) Deputy Clerk of the Senate;
 - (iii) Clerk-Assistant (Table);
 - (iv) Clerk-Assistant (Procedure);
 - (v) Clerk-Assistant (Management);
 - (vi) Clerk-Assistant (Committees);
 - (vii) Usher of the Black Rod;
 - (viii) Principal Parliamentary Officer, Table Office;
 - (ix) Secretary to a committee established by the Senate, or jointly by the Senate and the House of Representatives, including a committee established by an Act; and
- (g) a person holding, or for the time being performing the duties of, one of the following offices in the Department of the House of Representatives:
 - (i) Clerk of the House of Representatives;
 - (ii) Deputy Clerk of the House of Representatives;
 - (iii) First Clerk Assistant;
 - (iv) Clerk Assistant (Procedure);
 - (v) Assistant Secretary (Committees);
 - (vi) Clerk Assistant (Table);
 - (vii) Assistant Secretary (Corporate Services);
 - (viii) Serjeant-at-Arms;
 - (ix) Director (Programming), Table Office;
 - (x) Director (Legislation and Records), Table Office;
 - (xi) Secretary to a committee established by the House of Representatives, or jointly by the House of Representatives and the Senate, including a committee established by an Act; and

- (j) a person holding, or for the time being performing the duties of, one of the following positions in the Department of Defence:
 - (i) Deputy Director, Defence Signals Directorate;
 - (ii) Director-General, Alliance Policy and Management;
 - (iii) Deputy Chief of Facility, Joint Defence Facility, Pine Gap;
 - (iv) Australian Chief of Security, Joint Defence Facility, Pine Gap;
 - (v) Engineer Class 3, Joint Defence Facility, Pine Gap; and
- (k) a person holding, or for the time being performing the duties of, the position of Parliamentary Liaison Officer in the Department of the Prime Minister and Cabinet.

8 Repeal

Statutory Rules 1970 No. 131, 1971 No. 73 and 1972 No. 61 are repealed.

Endnotes

Endnote 1—Legislation history

Endnotes

Endnote 1—Legislation history

This endnote sets out details of the legislation history of the *Jury Exemption Regulations 1987*.

Number and year	Gazettal or FRLI registration date	Commencement date	Application, saving and transitional provisions
1987 No. 186	18 Sept 1987	1 Oct 1987	
1989 No. 185	6 July 1989	6 July 1989	—
1990 No. 205	4 July 1990	4 July 1990	—
1992 No. 123	14 May 1992	14 May 1992	—
as amended by			
1992 No. 289	11 Sept 1992	11 Sept 1992	—
1997 No. 316	17 Nov 1997	17 Nov 1997	—
2002 No. 326	20 Dec 2002	1 Jan 2003 (<i>see r. 2</i>)	—
2004 No. 221	22 July 2004	22 July 2004	—
2005 No. 199	2 Sept 2005 (<i>see</i> F2005L02330)	3 Sept 2005	—
51, 2013	11 Apr 2013 (<i>see</i> F2013L00649)	Schedule 1 (item 66): (a)	—

(a) Section 2 (item 2) of the *Federal Circuit Court of Australia Legislation (Consequential Amendments) Regulation 2013 (No. 1)* provides as follows:

- 2 Each provision of this regulation specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
2. Schedule 1	Immediately after the commencement of Schedules 1 and 2 to the <i>Federal Circuit Court of Australia Legislation Amendment Act 2012</i> .	12 April 2013

Endnote 2—Amendment history

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This endnote sets out the amendment history of the *Jury Exemption Regulations 1987*.

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
r. 1	rs. 2002 No. 326
r. 4	am. 1992 No. 123; 1997 No. 316
r. 5	am. 1992 No. 123 (as am. by 1992 No. 289); 1997 No. 316; 2002 No. 326; 2004 No. 221; No. 51, 2013
r. 6	am. 1992 No. 123; 1997 No. 316
r. 7	am. 1989 No. 185; 1990 No. 205; 1992 No. 123; 1997 No. 316; 2005 No. 199

Endnotes

Endnote 3—Uncommenced amendments [none]

Endnote 3—Uncommenced amendments [none]

There are no uncommenced amendments.

Endnote 4—Misdescribed amendments [none]

Endnote 4—Misdescribed amendments [none]

There are no misdescribed amendments.