

## **EXPLANATORY STATEMENT**

### **Select Legislative Instrument 2005 No. 199**

Minute No.    of 2005 – Attorney-General

Subject -        *Jury Exemption Act 1965*

*Jury Exemption Amendment Regulations 2005 (No. 1)*

Subsection 4(2) of the *Jury Exemption Act 1965* (the Act) provides that the Governor-General may make regulations for or in relation to exempting a Commonwealth employee, or a person included within a class of Commonwealth employees, from liability to serve as a juror in Federal courts, Federal courts exercising jurisdiction in a specified State or Territory, courts of a specified Territory, courts of the States or in the courts of a specified State.

The *Jury Exemption Regulations 1987* (the Principal Regulations) provide for exemptions from liability to serve as a juror for certain persons, including persons occupying offices or positions relating to public administration listed in regulation 7.

The *Jury Exemption Amendment Regulations 2005 (No. 1)* (the Regulations) amend the Principal Regulations by omitting paragraphs 7(2)(h) and (i) from the list in regulation 7. These offices came under the now obsolete Departments of the Parliamentary Reporting Staff and the Joint House respectively which, together with the Department of the Parliamentary Library, were abolished from midnight on 31 January 2004. These Departments were replaced by the Department of Parliamentary Services on 1 February 2004. The Regulations reflect this change, as well as the fact that greater staffing flexibility and distribution of skills has removed the requirement for the current equivalents of these positions to be exempt from jury duty.

Details of the Regulations are set out in the Attachment.

The Act specifies no conditions that need to be satisfied before the power to make the Regulations may be exercised.

The Department of Parliamentary Services was consulted on the Regulations following its request that the changes contained in the Regulations be made. No further consultation was necessary for this legislative instrument as this instrument is of a minor or machinery nature only. It has no direct, or substantial indirect, effect on business.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations will commence on the day after they are registered.

Authority: Subsection 4(2) of the  
*Jury Exemption Act 1965*

## **ATTACHMENT**

### **Details of the *Jury Exemption Amendment Regulations 2005 (No. 1)***

#### **Regulation 1 – Name of Regulations**

Regulation 1 provides that the Regulations be called the *Jury Exemption Amendment Regulations 2005 (No. 1)*

#### **Regulation 2 – Commencement**

Regulation 2 provides that the Regulations commence on the day after they are registered.

#### **Regulation 3 – Amendment of *Jury Exemption Regulations 1987***

Regulation 3 provides for the amendment of the Principal Regulations as set out in Schedule 1.

#### **Schedule 1 – Amendment**

#### **Item [1] – Paragraphs 7(2)(h) and (i)**

Item 1 amends the Principal Regulations by omitting paragraphs 7(2)(h) and (i). The paragraphs omitted are as follows:

- ‘(h) a person holding, or for the time being performing the duties of, any of the following offices in the Department of the Parliamentary Reporting Staff:
  - (i) Principal Parliamentary Reporter;
  - (ii) Senior Executive Band 1;
  - (iii) Director;
  - (iv) Assistant Director;
  - (v) Sound and Vision Officer Grade 4;
  - (vi) Sound and Vision Officer Grade 3;
  - (vii) Principal Editor;
  - (viii) Senior Editor;
  - (ix) Editor;
  - (x) Keyboard Manager;
  - (xi) Hansard Editorial Support Supervisor;
  - (xii) Systems Administrator;
  - (xiii) Assistant Systems Administrator;
  - (xiv) Publishing Manager; and
- (i) a person holding, or for the time being performing the duties of, the office of Secretary to the Joint House Department; and’