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WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

4393



PERTH, FRIDAY, 26 SEPTEMBER 2008 No. 165 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

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JURIES ACT 1957

JURIES REGULATIONS 2008

Western Australia

Juries Regulations 2008

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Juries Act 1957

Juries Regulations 2008

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Juries Regulations 2008*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Acts Amendment (Justice) Act 2008* Part 14 comes into operation.

Juries Regulations 2008**Part 2** Payments for juries in civil trials**r. 3**

Part 2 — Payments for juries in civil trials**3. Prescribed time and amounts**

- (1) For the purposes of section 44(1) of the Act, the prescribed time is 10.00 a.m. on each day of the civil trial.
- (2) For the purposes of section 44(1)(a) of the Act, the prescribed amount is \$1 195.
- (3) For the purposes of section 44(1)(b) of the Act, the prescribed amount is \$147.
- (4) For the purposes of section 44(3)(a) of the Act, the prescribed amount is \$147.

Juries Regulations 2008

Fees, allowances and expenses

Part 3**r. 4****Part 3 — Fees, allowances and expenses****4. Fees for doing jury service**

- (1) Subject to these regulations, for the purposes of section 58B(5) and (6) of the Act, the sums set out in the Table to this subregulation are prescribed as a fee in respect of doing jury service.

Table of allowances for doing jury service

	\$
If the time of attendance does not exceed one half-day	10.00
If the time of attendance exceeds one half-day but does not exceed 3 days, for each day	15.00
If the time of attendance exceeds 3 days, for each day after the third day	20.00

- (2) If the summoning officer is satisfied that a person doing jury service has by reason of so serving lost income in an amount greater than a fee prescribed under subregulation (1), the summoning officer may pay the person a fee that equals that loss.

5. Travel allowance or expenses

- (1) For the purposes of section 58B(2) of the Act, the fee paid by a person doing jury service for travelling on a public conveyance each way between the person's usual residence and the court is prescribed as an expense.
- (2) For the purposes of section 58B(2) of the Act, when a public conveyance is not available for travel each way by a person doing jury service between the person's usual residence and the court, the prescribed allowance for road travel each way between the person's usual residence and the court is 37.5 cents per kilometre.

Juries Regulations 2008**Part 3** Fees, allowances and expenses**r. 6**

6. Prescribed class of employer

For the purposes of section 58B(4) of the Act, the following are prescribed as a class of employer —

- (a) a Government department;
- (b) a State instrumentality;
- (c) a State trading concern.

7. Juror who is employed under a contract of service

- (1) A person doing jury service who is employed by an employer under a contract of service other than an employer in a class prescribed under regulation 6 must give the summoning officer written advice of the name and business address of his or her employer.

Penalty: a fine of \$1 000.

- (2) The advice referred to in subregulation (1) must be given no later than 14 days after completing the service.

8. Reimbursement of employer

- (1) If the employer under a contract of service of a person who does jury service (the *juror*) applies to the summoning officer under section 58B(4) of the Act, the summoning officer is to pay to the employer any fee otherwise payable to the juror under these regulations for the juror's service.
- (2) An application under subregulation (1), verified by a statutory declaration, must provide the following information in support of the claim —
 - (a) the employer's Australian Business Number;
 - (b) the earnings paid by the employer to the juror for any period that the juror did jury service;
 - (c) the name of the juror;
 - (d) the juror's occupation with the employer;

Juries Regulations 2008

Fees, allowances and expenses

Part 3**r. 9**

- (e) the hourly rate paid by the employer to the juror;
- (f) the number of hours of service of the juror lost by the employer as a result of the juror doing jury service.

9. *Juries (Allowances to Jurors) Regulations repealed*

The *Juries (Allowances to Jurors) Regulations* are repealed.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.