

EXPLANATORY STATEMENT

Jury Exemption Regulations

Statutory Rules 1987 No.186

Issued by authority of the Attorney-General

The purpose of the regulations is to repeal the existing Jury Exemption Regulations and substitute regulations exempting certain Commonwealth employees from jury service in all Federal, State or Territory Courts. The net effect is that a significantly greater number of Commonwealth employees will become available for jury service than was previously the case.

Regulation 1

This regulation provides that the regulations may be cited as the Jury Exemption Regulations.

Regulation 2

This regulation provides that the regulations shall come into operation on 1 October 1987.

Regulation 3

This regulation provides that, unless the contrary appears, "the Act" means the Jury Exemption Act 1965. It further provides that each of the Territories is a specified Territory for the purposes of subsection 4(2) of the Act.

Regulation 4

This regulation provides for the exemption from liability to serve as a juror in all courts of any Commonwealth employee

who occupies or performs the duties of an office or position the salary of which is not less than the salary for the time being payable to a Senior Executive Level 5 in the Australian Public Service.

Regulation 5

This regulation provides for the exemption from liability to serve as a juror in all courts of the Commonwealth employees specified in it. These are persons whose duties with respect to the administration of justice are incompatible with jury service. The following are exempted by the regulation

- . an officer or employee providing legal professional services in the Attorney-General's Department, Office of Parliamentary Counsel or the Office of the Director of Public Prosecutor;
- . an officer or employee of the High Court of Australia, Federal Court of Australia, Family Court of Australia, Supreme Court of the Australian Capital Territory or the Magistrates Court of the Australian Capital Territory;
- . a chemist in the Australian Government Analytical Laboratories whose duties include appearing as an expert witness in court proceedings;
- . a person appointed as Administrator, Superintendent, custodial officer, medical officer or otherwise as staff under section 6 of the Remand Centres Ordinance 1976 (A.C.T.);
- . a person holding or performing duties in the Welfare Services Branch, A.C.T. Office, Department of the Arts, Sport, the Environment, Tourism and Territories as Assistant Secretary, Director, Youth and Family Services, Assistant Director, Youth Services, Social Worker or welfare worker (Clerical Assistant, Grade 8).

- . a person holding or performing the duties of the position of Chief Fire Control Officer or Deputy Chief Fire Control Officer under the Careless Use of Fire Ordinance 1936 (A.C.T.);
- . a member of the Australian Federal Police;
- . a member of the National Crime Authority or the staff of the Authority;
- . a protective service officer or special protective service officer of the Australian Protective Service;
- . a person employed by the Australian Bureau of Criminal Intelligence, the Australian Police Staff College or the National Police Research Unit.

Regulation 6

This regulation provides for the exemption from liability to serve as a juror in all courts of all the Commonwealth employees specified in it. These are persons whose duties are such that their absence would cause serious inconvenience to the public. The following are exempted by the regulation:

- . a veterinary officer or other person employed in the Department of Primary Industries and Energy to plan, co-ordinate and monitor measures to limit the importation of exotic diseases into, or outbreak of exotic diseases in, Australia;
- . a person holding or performing the duties of a General Superintendent or Medical Superintendent at the Repatriation General Hospitals named therein;
- . a person holding, or performing the duties of a position in the Australian Capital Territory Electricity Authority of System Operator, Electrical Control Operator Grade 1, System Control Engineer, Chief Electrical Inspector or Senior Installation Inspector, Safety;

- . a person employed by the Australian Institute of Marine Science as Field Operations Manager and Diving Officer or as Assistant Diving Officer.

Regulation 7

This regulation provides for the exemption from liability to serve as a juror in all courts of Commonwealth employees specified in it. These are persons whose duties are such that their absence would cause serious inconvenience in the administration of Commonwealth Departments and Agencies. The following are exempted by the regulation

- . the Official Secretary to the Governor-General;
- . a person performing duties as Secretary to a Royal Commission or a Committee of Inquiry established under an Act;
- . a person performing the duties in the staff of a Minister of State or a Principal Private Secretary, Principal Adviser, Senior Private Secretary, Senior Adviser, Private Secretary, Adviser or Press Secretary;
- . a person constituting a Coal Industry Tribunal; and
- . a person holding as for the time being performing the duties of a position as Industrial Registrar or Deputy Industrial Registrar.

Regulation 8

This regulation repeals the existing Jury Exemption Regulations.