



Jury Exemption Act 1965

Act No. 13 of 1965 as amended

This compilation was prepared on 31 January 2013
taking into account amendments up to Act No. 174 of 2012

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act to exempt certain persons from liability to serve as Jurors

1 Short title [see Note 1]

This Act may be cited as the *Jury Exemption Act 1965*.

2 Commencement [see Note 1]

This Act shall come into operation on a date to be fixed by Proclamation.

4 Certain persons not liable to serve as jurors

- (1) A person, or a person included within a class of persons, referred to in the Schedule to this Act is not liable, and shall not be summoned, to serve as a juror in a Federal court, a court of a State or a court of a Territory.
- (2) The Governor-General may make regulations for or in relation to:
 - (a) exempting a Commonwealth employee, or a person included within a class of Commonwealth employees, specified in the regulations from liability to serve as a juror:
 - (i) in Federal courts;
 - (ii) in Federal courts exercising jurisdiction in a specified State or Territory; or
 - (iii) in the courts of a specified Territory; and
 - (b) exempting a Commonwealth employee, or a person included within a class of Commonwealth employees, specified in the regulations from liability to serve as a juror in the courts of the States or in the courts of a specified State.
- (3) A Commonwealth employee shall not be summoned to serve as a juror in a court in which, by reason of the regulations, he or she is exempt from serving as a juror.
- (4) In this section, *Commonwealth employee* means:
 - (a) a person employed under an Act; and
 - (b) a member, officer or employee of a body established by or under an Act.

5 Proceedings not invalidated where exempt person serves as a juror

Nothing in this Act operates so as to affect the validity of any verdict or judgment taken or given, or anything done, in proceedings in which a person who, by reason of this Act or the regulations, is not liable to serve as a juror serves as a juror.

The Schedule

Section 4(1)

The Governor-General

Members of the Federal Executive Council

Justices of the High Court and of the courts created by the Parliament

Senators

Members of the House of Representatives

Members of the Fair Work Commission

Members and special members of the Australian Federal Police

Members of the Defence Force other than members of the Reserves

Members of the Reserves who are rendering continuous full time service

Table of Acts**Notes to the *Jury Exemption Act 1965*****Note 1**

The *Jury Exemption Act 1965* as shown in this compilation comprises Act No. 13, 1965 amended as indicated in the Tables below.

The *Jury Exemption Act 1965* was amended by the *Workplace Relations Amendment (Work Choices) (Consequential Amendments) Regulations 2006 (No. 1)* (SLI 2006 No. 50). The amendment is incorporated in this compilation.

All relevant information pertaining to application, saving or transitional provisions prior to 22 March 2001 is not included in this compilation. For subsequent information *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of Commencement	Application, saving or transitional provisions
<i>Jury Exemption Act 1965</i>	13, 1965	18 May 1965	17 Sept 1970 (<i>see Gazette</i> 1970, p. 5842)	
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Statute Law Revision Act 1981</i>	61, 1981	12 June 1981	S. 116: 30 Sept 1983 (<i>see Gazette</i> 1983, No. S222) (a)	—
<i>Industrial Relations (Consequential Provisions) Act 1988</i>	87, 1988	8 Nov 1988	Ss. 1 and 2: 8 Nov 1988 Remainder: 1 Mar 1989 (<i>see</i> s. 2(2) and <i>Gazette</i> 1989, No. S53)	—
<i>Statute Law Revision Act 1996</i>	43, 1996	25 Oct 1996	Schedule 5 (item 75): Royal Assent (b)	—
<i>Law and Justice Legislation Amendment Act 1999</i>	125, 1999	13 Oct 1999	Schedule 11: Royal Assent (c)	—
<i>Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001</i>	10, 2001	22 Mar 2001	Schedule 2 (items 63, 94, 95): 19 Apr 2001 (d)	Sch. 2 (items 94, 95) [<i>see</i> Table A

Table of Acts

Act	Number and year	Date of Assent	Date of Commencement	Application, saving or transitional provisions
<i>Fair Work (State Referral and Consequential and Other Amendments) Act 2009</i>	54, 2009	25 June 2009	Schedule 5 (items 40, 41, 86): (e)	Sch. 5 (item 86) [see Table A]
<i>Fair Work Amendment Act 2012</i>	174, 2012	4 Dec 2012	Schedule 9 (item 1280): 1 Jan 2013	—

Act Notes

- (a) The *Jury Exemption Act 1965* was amended by section 116 only of the *Statute Law Revision Act 1981*, subsection 2(2) of which provides as follows:
- (2) Parts III, X and XV and section 116 shall come into operation on a date to be fixed by Proclamation.
- (b) The *Jury Exemption Act 1965* was amended by Schedule 5 (item 75) only of the *Statute Law Revision Act 1996*, subsection 2(1) of which provides as follows:
- (1) Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.
- (c) The *Jury Exemption Act 1965* was amended by Schedule 11 only of the *Law and Justice Legislation Amendment Act 1999*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (d) The *Jury Exemption Act 1965* was amended by Schedule 2 (item 63) only of the *Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the 28th day after the day on which it receives the Royal Assent.
- (e) Subsection 2(1) (items 13 and 21) of the *Fair Work (State Referral and Consequential and Other Amendments) Act 2009* provides as follows:
- (1) Each provision of this Act 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
13. Schedule 5, items 32 to 64	Immediately after the commencement of Part 2-4 of the <i>Fair Work Act 2009</i> .	1 July 2009 (see F2009L02563)
21. Schedule 5, Part 3	Immediately after the commencement of Part 2-4 of the <i>Fair Work Act 2009</i> .	1 July 2009 (see F2009L02563)

Table of Amendments
Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 3	rep. No. 216, 1973
S. 4	am. No. 216, 1973; No. 43, 1996
The Schedule	am. No. 61, 1981; No. 87, 1988; No. 125, 1999; No. 10, 2001; SLI 2006 No. 50; No. 54, 2009; No. 174, 2012

Table A**Application, saving or transitional provisions**

Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001 (No. 10, 2001)

Schedule 2**94 Saving—old regulations**

- (1) Regulations that were in effect under any Act immediately before the commencement of this item continue to have effect after that time as if members of an arm of the Defence Force who were members of a particular part or component of that arm immediately before the commencement of this item were still members of that part or component after that time, even if that part or component no longer exists.

Example: Assume that, immediately before the commencement of this item, regulations imposed training obligations on members of the Air Force Specialist Reserve. Those obligations would continue to apply to former members of that Reserve after commencement, even though the Air Force Specialist Reserve itself is no longer mentioned in the *Air Force Act 1923* and the members have now become members of the Air Force Reserve.

- (2) However, regulations that continue in effect under this item do so only to the extent that they are not amended or revoked by later regulations.

95 Regulations about transitional matters

- (1) The regulations may make provision in relation to other saving and transitional matters in connection with the amendments made by this Schedule.
- (2) In particular, such regulations may deal with the status, after the commencement of the amendments, of persons who were members of the Defence Force immediately before that time.
- (3) Subitem (2) does not limit the scope of subitem (1).
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Table A

Fair Work (State Referral and Consequential and Other Amendments) Act 2009
(No. 54, 2009)

Schedule 5

86 Application of items 40 and 41

Despite the amendments made by items 40 and 41 of this Schedule, the *Jury Exemption Act 1965*, as in force immediately before the commencement of those items, continues to apply, on and after that commencement, in relation to members of the Australian Industrial Relations Commission and the Australian Fair Pay Commission, as those members continue to hold office because of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*, as if those amendments had not been made.