

Notes

¹ This is a compilation of the *District Court of Western Australia Act 1969* and includes the amendments made by the other written laws referred to in the following table ^{1a}. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>District Court of Western Australia Act 1969</i>	84 of 1969	17 Nov 1969	1 Apr 1970 (see s. 2 and <i>Gazette</i> 26 Mar 1970 p. 903)
<i>District Court of Western Australia Act Amendment Act 1970</i>	14 of 1970	29 Apr 1970	Act other than s. 3(b): 29 Apr 1970 (see s. 2(1)); s. 3(b): 18 May 1970 (see s. 2 and <i>Gazette</i> 18 May 1970 p. 1331)
<i>District Court of Western Australia Act Amendment Act (No. 2) 1970</i>	100 of 1970	8 Dec 1970	8 Dec 1970
<i>District Court of Western Australia Act Amendment Act 1972</i>	40 of 1972	16 Jun 1972	Act other than s. 3-6, 8, 9, 11 and 12: 16 Jun 1972 (see s. 2(1)); s. 3-6, 8, 9 and 12: 13 Jul 1972 (see s. 2(2) and <i>Gazette</i> 30 Jun 1972 p. 2098); s. 11: 13 Jul 1972 (see s. 2(3) and <i>Gazette</i> 30 Jun 1972 p. 2098)
<i>Acts Amendment (Judicial Salaries and Pensions) Act 1972 Pt. II</i>	91 of 1972	4 Dec 1972	1 Jan 1973 (see s. 2)
Reprint of the <i>District Court of Western Australia Act 1969</i> approved 9 Apr 1973 (includes amendments listed above)			
<i>Acts Amendment (Judicial Salaries and Pensions) Act 1974 Pt. II</i>	23 of 1974	23 Oct 1974	1 Jul 1974 (see s. 2)
<i>Acts Amendment (Judicial Salaries and Pensions) Act 1975 Pt. II</i>	45 of 1975	18 Sep 1975	8 Aug 1975 (see s. 2)
<i>District Court of Western Australia Act Amendment Act 1975</i>	58 of 1975	24 Oct 1975	1 Jan 1976 (see s. 2 and <i>Gazette</i> 7 Nov 1975 p. 4125)
<i>Acts Amendment (Jurisdiction of Courts) Act 1976 Pt. I</i>	69 of 1976	6 Oct 1976	1 Jan 1977 (see s. 2 and <i>Gazette</i> 24 Dec 1976 p. 5028)
<i>Acts Amendment (Expert Evidence) Act 1976 Pt. III</i>	111 of 1976	25 Nov 1976	25 Nov 1976
<i>Acts Amendment (Supreme Court and District Court) Act 1978 Pt. III</i>	112 of 1978	12 Dec 1978	1 Apr 1970 (see s. 2)

Short title	Number and year	Assent	Commencement
Reprint of the <i>District Court of Western Australia Act 1969</i> approved 5 Sep 1980 (includes amendments listed above)			
<i>Acts Amendment (Jurisdiction of Courts) Act 1981</i> Pt. II	118 of 1981	14 Dec 1981	1 Feb 1982 (see s. 2 and <i>Gazette</i> 22 Jan 1982 p. 175)
<i>Acts Amendment (Judicial Appointments) Act 1982</i> Pt. III	7 of 1982	6 May 1982	6 May 1982
<i>Acts Amendment (Abolition of Capital Punishment) Act 1984</i> Pt. VIII	52 of 1984	5 Sep 1984	3 Oct 1984
<i>District Court of Western Australia Amendment Act 1984</i>	122 of 1984	27 Dec 1984	s. 1-7, 12 and 13: 24 Jan 1985 (see s. 2(1)); s. 8-11: 1 Mar 1985 (see s. 2(2) and <i>Gazette</i> 1 Mar 1985 p. 777)
<i>Acts Amendment (Sexual Assaults) Act 1985</i> Pt. V	74 of 1985	20 Nov 1985	1 Apr 1986 (see s. 2 and <i>Gazette</i> 28 Feb 1986 p. 605)
<i>Acts Amendment (Financial Administration and Audit) Act 1985</i> s. 3	98 of 1985	4 Dec 1985	1 Jul 1986 (see s. 2 and <i>Gazette</i> 30 Jun 1986 p. 2255)
<i>Commercial Arbitration Act 1985</i> s. 3(1)	109 of 1985	7 Jan 1986	1 Apr 1986 (see s. 2 and <i>Gazette</i> 28 Feb 1986 p. 605)
<i>Acts Amendment (Penalties for Contempt of Court) Act 1986</i> Pt. II	71 of 1986	4 Dec 1986	4 Dec 1986 (see s. 2)
Reprint of the <i>District Court of Western Australia Act 1969</i> as at 12 Feb 1987 (includes amendments listed above)			
<i>Acts Amendment (Legal Practitioners, Costs and Taxation) Act 1987</i> Pt. IV	65 of 1987	1 Dec 1987	12 Feb 1988 (see s. 2(2) and <i>Gazette</i> 12 Feb 1988 p. 397)
<i>Judges' Salaries and Pensions Amendment Act 1987</i> s. 8	82 of 1987	1 Dec 1987	1 Dec 1987 (see s. 2)
<i>Supreme and District Courts (Miscellaneous Amendments) Act 1991</i> Pt. 3	14 of 1991	21 Jun 1991	21 Jun 1991 (see s. 2)
<i>Acts Amendment (Sexual Offences) Act 1992</i> s. 6(8)	14 of 1992	17 Jun 1992	1 Aug 1992 (see s. 2 and <i>Gazette</i> 28 Jul 1992 p. 3671)
<i>Acts Amendment (Jurisdiction and Criminal Procedure) Act 1992</i> Pt. 3	53 of 1992	9 Dec 1992	1 Mar 1993 (see s. 2(1) and <i>Gazette</i> 26 Jan 1993 p. 823)
<i>Financial Administration Legislation Amendment Act 1993</i> s. 11	6 of 1993	27 Aug 1993	1 Jul 1993 (see s. 2(1))
<i>Acts Amendment (Public Sector Management) Act 1994</i> s. 3(2)	32 of 1994	29 Jun 1994	1 Oct 1994 (see s. 2 and <i>Gazette</i> 30 Sep 1994 p. 4948)

Short title	Number and year	Assent	Commencement
Reprint of the <i>District Court of Western Australia Act 1969</i> as at 20 Feb 1996 (includes amendments listed above)			
<i>Local Government (Consequential Amendments) Act 1996</i> s. 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
<i>Criminal Law Amendment Act 1996</i> Pt. 3	36 of 1996	10 Oct 1996	10 Oct 1996 (see s. 2(1))
<i>Financial Legislation Amendment Act 1996</i> s. 64	49 of 1996	25 Oct 1996	25 Oct 1996 (see s. 2(1))
<i>Acts Amendment (Auxiliary Judges) Act 1997</i> Pt. 2	23 of 1997	18 Sep 1997	18 Sep 1997 (see s. 2)
<i>Statutes (Repeals and Minor Amendments) Act 1997</i> s. 48	57 of 1997	15 Dec 1997	15 Dec 1997 (see s. 2(1))
Reprint of the <i>District Court of Western Australia Act 1969</i> as at 1 Jan 1999 (includes amendments listed above)			
<i>Courts Legislation Amendment Act 2000</i> Pt. 2 (s. 3-7)	27 of 2000	6 Jul 2000	s. 3-5: 6 Jul 2000 (see s. 2(1)); s. 6 and 7: 28 Jul 2001 (see s. 2(2) and <i>Gazette</i> 27 Jul 2001 p. 3797)
<i>State Records (Consequential Provisions) Act 2000</i> Pt. 3	53 of 2000	28 Nov 2000	1 Dec 2001 (see s. 2 and <i>Gazette</i> 30 Nov 2001 p. 6067)
Reprint of the <i>District Court of Western Australia Act 1969</i> as at 19 Jan 2001 (includes amendments listed above except those in the <i>Courts Legislation Amendment Act 2000</i> s. 6-7 and the <i>State Records (Consequential Provisions) Act 2000</i>)			
<i>Vexatious Proceedings Restriction Act 2002</i> s. 13	23 of 2002	18 Sep 2002	28 Sep 2002 (see s. 2 and <i>Gazette</i> 27 Sep 2002 p. 4877)
<i>Acts Amendment (Equality of Status) Act 2003</i> Pt. 17	28 of 2003	22 May 2003	1 Jul 2003 (see s. 2 and <i>Gazette</i> 30 Jun 2003 p. 2579)
<i>Acts Amendment and Repeal (Courts and Legal Practice) Act 2003</i> s. 32, 111 and 125	65 of 2003	4 Dec 2003	1 Jan 2004 (see s. 2 and <i>Gazette</i> 30 Dec 2003 p. 5722)
<i>Acts Amendment (Court of Appeal) Act 2004</i> s. 32	45 of 2004	9 Nov 2004	1 Feb 2005 (see s. 2 and <i>Gazette</i> 14 Jan 2005 p. 163)
<i>Courts Legislation Amendment and Repeal Act 2004</i> Pt. 10 ³	59 of 2004	23 Nov 2004	1 May 2005 (see s. 2 and <i>Gazette</i> 31 Dec 2004 p. 7128)
<i>Criminal Procedure and Appeals (Consequential and Other Provisions) Act 2004</i> Pt. 7	84 of 2004	16 Dec 2004	2 May 2005 (see s. 2 and <i>Gazette</i> 31 Dec 2004 p. 7129 (correction in <i>Gazette</i> 7 Jan 2005 p. 53))
Reprint 7: The <i>District Court of Western Australia Act 1969</i> as at 19 Aug 2005 (includes amendments listed above)			
<i>Limitation Legislation</i>	20 of 2005	15 Nov 2005	15 Nov 2005 (see s. 2)

Short title	Number and year	Assent	Commencement
<i>Amendment and Repeal Act 2005 Pt. 5</i> ⁵			

1a On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
<i>State Superannuation (Transitional and Consequential Provisions) Act 2000 s. 75</i> ⁴	43 of 2000	2 Nov 2000	To be proclaimed (see s. 2(2))
<i>Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Act 2005 Pt. 6</i> ⁶	24 of 2005	2 Dec 2005	To be proclaimed (see s. 2)

2 The *Superannuation and Family Benefits Act 1938* was repealed by the *State Superannuation Act 2000* s. 39, but its provisions continue to apply to and in relation to certain schemes because of the *State Superannuation (Transitional and Consequential Provisions) Act 2000* s. 26.

3 The *Courts Legislation Amendment and Repeal Act 2004* contains transitional provisions about enforcing judgments given before the *Civil Judgments Enforcement Act 2004* commenced (1 May 2005).

4 On the date as at which this compilation was prepared, the *State Superannuation (Transitional and Consequential Provisions) Act 2000* s. 75 had not come into operation. It reads as follows:

“

75. Various provisions repealed

The provisions listed in the Table to this section are repealed.

Table of provisions repealed

Act	Provision
..... <i>District Court of Western Australia Act 1969</i> s. 15

”.

5 The *Limitation Legislation Amendment and Repeal Act 2005* s. 10(2) reads as follows:

“

10. Section 37 amended and a savings provision

- (2) The *District Court of Western Australia Act 1969* section 37, as it was immediately before commencement day, continues to apply to causes of action that accrued before commencement day as if subsection (1) had not been enacted.

”

6

On the date as at which this compilation was prepared, the *Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Act 2005* Pt. 6 had not come into operation. It reads as follows:

“

**Part 6 — *District Court of Western Australia Act 1969*
amended**

17. The Act amended in this Part

The amendments in this Part are to the *District Court of Western Australia Act 1969*.

18. Section 11 amended

Section 11(2) is repealed and the following subsection is inserted instead —

“

- (2) Before a person who is appointed to be a District Court Judge, an acting District Court Judge, an auxiliary District Court Judge, or a commissioner of the Court, performs any function of the office, he or she shall take before the Governor, a Supreme Court Judge, or some person authorised for the purpose by the Governor, an oath or affirmation in the form set out in Schedule 1.

”

19. Section 27 amended

- (1) Section 27(2) is repealed.
(2) Section 27(3) is amended by deleting “Sections 174, 176 and 177” and inserting instead —
“ Section 174 ”.

20. Schedule replaced

The Schedule is repealed and the following schedule is inserted instead —

“

Schedule 1 — Oath and affirmation of office

[s. 11(2)]

I, [name], [insert an oath or affirmation according to the *Oaths, Affidavits and Statutory Declarations Act 2005*] that I will faithfully serve the people and the State of Western Australia in the office of [title of office] of the District Court of Western Australia and I will do right to all manner of people, according to law, without fear or favour, affection or ill will.

