

6. Definitions

(1) In this Act, unless the contrary intention appears —

“**action**” means a civil proceeding commenced by writ or in such other manner as is prescribed by rules of court and includes suit but does not include any criminal proceeding;

“**auxiliary District Court judge**” means an auxiliary District Court judge appointed under section 18A(1);

“**cause**” includes any action, suit or other original proceeding between a plaintiff and a defendant and any criminal proceeding;

“**defendant**” includes every person served with any writ of summons or process, or served with notice of, or entitled to attend, a civil proceeding;

“**District Court judge**” means a judge of the Court, acting judge of the Court or auxiliary District Court judge;

“**judgment**” includes a judgment, order or other decision or determination of the Court or a District Court judge;

“**jurisdiction**” includes all powers and authorities incidental to the exercise of jurisdiction;

“**jurisdictional limit**” means \$500 000 and, on and after 1 January 2009, means \$750 000;

“**legal practitioner**” means a legal practitioner as defined in the *Legal Practice Act 2003*;

“**matter**” means a proceeding in the Court that is commenced otherwise than by writ;

“**party**” includes a person served with notice of, or attending a proceeding, although not named in the record;

“**plaintiff**” includes every person asking any relief (otherwise than by way of counterclaim as a defendant) against any other person by any form of proceeding;

“**practice and procedure**” includes matters relating to costs, the method of pleading, the institution, conduct, trial or hearing and adjudication in any proceeding, the attendance of witnesses, the custody on bail of accused or convicted persons and the enforcement and execution of judgments and all the jurisdiction and powers conferred and the matters prescribed, provided for, or regulated by the rules of court;

“**registrar**” means the Principal Registrar, a registrar, or a deputy registrar, appointed under section 25;

“**section**” means a section of this Act;

“**sheriff**” means the Sheriff of Western Australia and any deputy sheriff appointed by the Sheriff of Western Australia;

“**the Chief Judge**” means the District Court judge appointed the Chief Judge and includes a District Court judge appointed to Act in the office of Chief Judge under section 18(2a);

“**the Court**” means The District Court of Western Australia established under this Act.

(2) For the purposes of this Act, “**legal experience**” is —

- (a) standing and practice in the State as a legal practitioner;
- (b) standing and practice in another State or a Territory as a barrister or solicitor of the Supreme Court of that State or Territory;
- (c) judicial service (including service as a judge of a court, a magistrate or other judicial officer) in the State or elsewhere in a common law jurisdiction; or
- (d) a combination of 2 or more kinds of legal experience defined in this subsection.

[Section 6 amended by No. 7 of 1982 s. 8; No. 122 of 1984 s. 6; No. 53 of 1992 s. 9(3); No. 23 of 1997 s. 4; No. 57 of 1997 s. 48(1); No. 65 of 2003 s. 32(2), 111(2), (3), 125(2); No. 59 of 2004 s. 82(1) and 85.]