

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ

No. 10

An Act to amend 'The Small Debts Ordinance, 1863.'
[Assented to 20th August, 1887.]

BE it enacted by His Excellency the Governor of Western Preamble
Australia and its Dependencies, by and with the advice and
consent of the Legislative Council thereof, as follows:—

1. That the magistrate's and clerk's fees charged in and about the
bringing in a Local Court of an action in which the amount sought to
be recovered does not exceed five pounds, shall not be those contained
in Schedule B to the said Ordinance, but in lieu thereof a sum shall
Reduction of
Fees in actions
for sums not
exceeding £5

The Small Debts Act, 1887

be charged and paid in respect thereof, varying with the amount sought to be recovered, according to the following scale :

When the sum sought to be recovered does not exceed ten shillings	There shall be paid in lieu of such magistrate's and clerk's fees a fee of one shilling.
Exceeds ten shillings but does not exceed a pound	} Two shillings.
Exceeds a pound but does not exceed one pound ten shillings	} Three shillings.
Exceeds one pound ten shillings but does not exceed two pounds	} Four shillings.
Exceeds two pounds but does not exceed two pounds ten shillings	} Five shillings.
Exceeds two pounds ten shillings but does not exceed three pounds	} Six shillings.
Exceeds three pounds but does not exceed three pounds ten shillings	} Seven shillings.
Exceeds three pounds ten shillings but does not exceed four pounds	} Eight shillings.
Exceeds four pounds but does not exceed four pounds ten shillings	} Nine shillings.
Exceeds four pounds ten shillings but does not exceed five pounds	} Ten shillings.

Power of magistrate to certify for costs in certain cases

2. That notwithstanding any Act or Ordinance or any Rule of Court to the contrary, it shall be in the power of the magistrate of a Local Court to award costs to the plaintiff on the scale for actions brought for a sum exceeding twenty pounds on any amount recovered, however small, or to the defendant who successfully defends an action brought for any amount, however small, provided the said magistrate certify that the action involved some novel or difficult point of law, or that the question litigated was of importance to some class or body of persons, or of general or public interest.

Jurisdiction of Local Courts extended to £100

3. The jurisdiction of Local Courts as defined by Sections 8 and 13 of 'The Small Debts Ordinance, 1863,' shall be extended to the sum of One hundred pounds, and whenever in Sections 8, 13, 83, and 85, the words 'fifty pounds' are mentioned, the words 'one hundred pounds' shall be read in lieu thereof.

Fees

4. The fees to be taken in proceedings in Court in cases above thirty pounds and not exceeding fifty pounds, as mentioned in Schedule B to the said Ordinance, shall apply to all cases above fifty pounds.

Short title

5. This Act may be cited as 'The Small Debts Act, 1887.'

F. NAPIER BROOME,
GOVERNOR.