
JUSTICE

JU301*

Magistrates Court (Civil Proceedings) Act 2004

**Magistrates Court (Civil Proceedings)
Amendment Rules (No. 2) 2016**

Made by the Magistrates Court in accordance with the *Magistrates Court Act 2004* section 39.

1. Citation

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules (No. 2) 2016*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Magistrates Court (Civil Proceedings) Rules 2005*.

4. Rule 99A inserted

At the beginning of Part 17 Division 1 insert:

99A. Terms used

In this Division —

administrative staff member means a person referred to in the *Magistrates Court Act 2004* section 26(1);

departmental officer means a person employed in the department of the Public Service principally assisting in the administration of the *Magistrates Court Act 2004*.

5. Rule 103 amended

- (1) Delete rule 103(1) and insert:

- (1) If a document is served by an enforcement officer, an administrative staff member or a departmental officer on behalf of a party, the person who served the

document must, as soon as practicable after the service, give a certificate of the service to the party.

- (2) In rule 103(3) delete “officer.” and insert:

officer, administrative staff member or departmental officer.

Note: The heading to amended rule 103 is to read:

Certificate of service by enforcement officer, administrative staff member or departmental officer

6. Rule 104 amended

In rule 104(1) delete “officer,” and insert:

officer, administrative staff member or departmental officer,

Note: The heading to amended rule 104 is to read:

Affidavit of service by other persons

Mr STEVEN HEATH, Chief Magistrate,
Magistrates Court in Perth.

Date 15 April 2016.
