

CROWN LAW

CW301

DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969-1987

Pursuant to the powers conferred by the District Court of Western Australia Act 1969-1987, and all other powers hereunto enabling, the Judges of the District Court of Western Australia hereby make the following rules.

AMENDMENTS OF RULES OF THE DISTRICT COURT

Principal Rules

1. The rules made pursuant to the powers conferred by the District Court of Western Australia Act 1969, reprinted in the *Government Gazette* on 2 July 1982 pursuant to the Reprinting of Regulations Act 1954 and amended by adding the rules published in the *Government Gazette* on 17 December 1982 those published in the *Government Gazette* on 11 July 1986 and those published in the *Government Gazette* on 17 November 1989, are referred to hereinafter as the principal rules.

Commencement

2. These amendments shall come into operation on the day on which they are published in the *Government Gazette*.

0.2 amended

3. Rule 3 of Order 2 of the principal rules is amended in paragraph (b) by deleting "rules 9 or 10" and substituting " rule 9 ".

4. The principal rules are amended by adding after rule 5 of Order 2 the following rule—

“ 5A.(1) Where in relation to—

(a) proceedings in respect of which the Registrar presides over a pre-trial conference; or

(b) a matter arising from proceedings which is within the jurisdiction of the Registrar under the Act or the rules applicable to the Court, the parties to the proceedings or their solicitors file or tender a written consent to the making of an order in the proceedings or the matter the Registrar may, without referring the matter to or bringing it before a Judge and without any other application, settle, sign and seal an order in accordance with the terms of the consent.

(2) It must be stated in the order referred to in sub-rule (1) that it is made by consent.

(3) An order made in accordance with the requirements of sub-rules (1) and (2) has the same force and validity as if it had been made after a hearing by the Court. ”

5. Rule 9 or Order 2 of the principal rules is amended by deleting sub-rule (1) and substituting the following sub-rule—

“ (1) A person affected by an order or decision by the Registrar may, except where an appeal lies direct to the Full Court of the Supreme Court, appeal therefrom to a Judge in chambers. ”

6. Order 2 of the principal rules is amended by deleting rule 10.

Dated 29 August 1990.

D. C. HEENAN, Chief Judge.

Paul J. HEALY, Judge.

I. R. GUNNING, Judge.

H. H. JACKSON, Judge.

Brian T. O'DEA, Judge.

R. KEALL, Judge.

F. J. WHELAN, Judge.

R. J. VIOL, Judge.

K. J. HAMMOND, Judge.

J. G. BARLOW, Judge.

G. SADLEIR, Judge.

P. J. WILLIAMS, Judge.

A. KENNEDY, Judge.

D. D. CHARTERS, Judge.