
JUSTICE

JU301

District Court of Western Australia Act 1969

District Court Amendment Rules 2020

SL 2020/18

Made by the judges of the District Court.

1. CitationThese rules are the *District Court Amendment Rules 2020*.**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 amendedThese rules amend the *District Court Rules 2005*.**4. Rule 61A replaced**

Delete rule 61A and insert:

61A. Return of security for costs deposit

(1) In this rule —

concluded, in relation to an appeal, means decided, dismissed or discontinued;***former security for costs provision*** means —

- (a) rule 51(5) or 53(6) of these rules as in force before the day on which the *District Court Amendment Rules 2010* rules 9 and 10 came into operation; or
- (b) the repealed *District Court Rules 1996* Order 8 rule 6 or 10; or
- (c) the repealed *District Court (Appeal) Rules 1977* rule 7 or 11;

security for costs deposit means an amount paid by a party to the Court as security for the costs of an appeal.

- (2) This rule applies to a security for costs deposit paid under —
- (a) an order of the Court; or
 - (b) a former security for costs provision.
- (3) The Court must return the security for costs deposit to the party who paid the deposit if —
- (a) the appeal to which the deposit relates —
 - (i) has not concluded, but no action has been taken on the appeal for 12 months; or
 - (ii) has concluded, and within 12 months after the day on which the appeal concluded the Court made no order, and the parties did not file a written agreement, as to the disposal of the deposit (whether under these rules, the repealed *District Court Rules 1996* or the repealed *District Court (Appeal) Rules 1977*);and
 - (b) no claim has been made on the deposit.

His Honour KEVIN FREDERICK SLEIGHT,
Chief Justice of the District Court,
District Court of Western Australia.

Date 11 March 2020.