



Western Australia

Magistrates Court (Civil Proceedings) Act 2004

Magistrates Court Rules Amendment Rules 2025

Magistrates Court Rules Amendment Rules 2025

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Made by the Magistrates Court.

Part 1 — Preliminary

1. Citation

These rules are the *Magistrates Court Rules Amendment Rules 2025*.

2. Commencement

These rules come into operation as follows —

- (a) Part 1 — on the day on which these rules are published on the WA legislation website;
- (b) the rest of the rules — on the day after that day.

**Part 2 — *Magistrates Court (Civil Proceedings)*
*Rules 2005 amended***

3. Rules amended

This Part amends the *Magistrates Court (Civil Proceedings) Rules 2005*.

4. Rule 71 amended

- (1) In rule 71(3) delete “serve the witness summons on the witness at least 14 days before the trial date or an earlier date as directed by the Court.” and insert:

serve —

- (a) the witness summons on the witness at least 14 days before the trial date or by an earlier date as directed by the Court; and
- (b) a copy of the witness summons on each other party as soon as practicable after the summons is served on the witness.

- (2) In rule 71(4) delete “personally.” and insert:

personally on the witness.

- (3) In rule 71(6) after “serves” insert:

a witness with

**Part 3 — Magistrates Court (Minor Cases Procedure)
Rules 2005 amended**

5. Rules amended

This Part amends the *Magistrates Court (Minor Cases Procedure) Rules 2005*.

6. Rule 39 amended

- (1) In rule 39(3) delete “lodge and serve the witness summons on the witness at least 14 days before the trial date.” and insert:

serve —

- (a) the witness summons on the witness at least 14 days before the trial date or by an earlier date as directed by the Court; and
- (b) a copy of the witness summons on each other party as soon as practicable after the summons is served on the witness.

- (2) In rule 39(4) delete “personally.” and insert:

personally on the witness.

- (3) In rule 39(6):

- (a) delete “for you”;
- (b) delete “subsection (3)” and insert:

subrule (5)

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amended

r. 6

(4) In rule 39(7) delete “subsection (4)” and insert:

subrule (6)

Date: 6 March 2025

Mr STEVEN HEATH, Chief Magistrate
Magistrates Court in Perth

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