

WESTERN AUSTRALIA

**ACTS AMENDMENT (LEGAL
COSTS) ACT 1997**

No. 29 of 1997

AN ACT to amend the —

- ***Legal Practitioners Act 1893; and***
- ***Official Prosecutions (Defendants' Costs) Act 1973.***

[Assented to 26 September 1997.]

The Parliament of Western Australia enacts as follows:

No. 29] *Acts Amendment (Legal Costs) Act 1997*
s. 1

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Acts Amendment (Legal Costs) Act 1997*.

Commencement

2. This Act comes into operation on the day on which it receives the Royal Assent.

PART 2 — LEGAL PRACTITIONERS ACT 1893

Section 58W amended

3. (1) After section 58W (1) of the *Legal Practitioners Act 1893** the following subsection is inserted —

“

(1a) If —

- (a) another written law refers to a determination under this section; and
- (b) the determination is for purposes of the written law that are, or include, purposes other than the purposes of subsection (1) (the “**other purposes**”),

the Legal Costs Committee may make a determination for the other purposes.

”.

(2) After section 58W (4) the following subsection is inserted —

“

(5) In subsection (1) —

“**remuneration**” includes the reimbursement of expenses properly incurred in the course of, or in connection with, business carried out by a practitioner for a client, whether incurred —

- (a) by the practitioner on behalf of the client;
or
- (b) by the client.

”.

[* Reprinted as at 27 November 1996.]

**PART 3 — OFFICIAL PROSECUTIONS (DEFENDANTS'
COSTS) ACT 1973**

Section 5 amended

4. Section 5 (5) of the *Official Prosecutions (Defendants' Costs) Act 1973** is amended by deleting "prescribed under this Act" and substituting the following —

“
fixed from time to time by a determination under
section 58W of the *Legal Practitioners Act 1893*,
”.

[* Reprinted as approved 23 May 1983.
For subsequent amendments see 1995 Index to
Legislation of Western Australia, Table 1, p. 158 and
Acts Nos. 78 of 1995 and 14 of 1996.]