



# Government Gazette

OF

## WESTERN AUSTRALIA

(Published by Authority at 4 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER.)

No. 43.]

PERTH : FRIDAY, 29th MAY

[1959.]

## SUPREME COURT ACT, 1935-1957.

Crown Law Department,  
Perth, 25th May, 1959.

THE following amendments of the Rules of the Supreme Court, 1909, are published for general information.

R. C. GREEN,  
Under Secretary for Law.

## SUPREME COURT ACT, 1935-1957.

## Amendment of the Rules of the Supreme Court, 1909.

WE, the Honourable Albert Asher Wolff, Chief Justice, the Honourable Lawrence Walter Jackson, Senior Puisne Judge, and the Honourable John Evenden Virtue, the Honourable Roy Vivian Nevile and the Honourable Gordon Bede D'Arcy, Puisne Judges of the Supreme Court of Western Australia, acting in pursuance of the powers conferred by the Supreme Court Act, 1935-1957, and of every other power enabling us in this behalf, do amend the Rules of the Supreme Court, 1909, in the manner hereinafter mentioned, and declare that such amendments shall come into operation upon publication thereof in the *Government Gazette*.

## 1.—Order XXXIV.

Rules 2 to 7, both inclusive, are rescinded and in lieu thereof the following Rules to stand as Rules 2 and 3 are inserted:—

2. The application for an order for the trial by a jury of any cause or matter, or of any question or issue of fact, shall be made within seven days after notice of trial has been given.

3. In every cause or matter, unless a trial with a jury is ordered, the mode of trial shall be by a Judge without a jury: Provided that in any such case, the Court or a Judge may at any time order any cause, matter, or question or issue of fact to be tried by a Judge with a jury or by a Judge sitting with assessors, or by a referee with or without assessors.

Rule 8 is amended by deleting the passage "Subject to the provisions of the preceding Rules of this Order" at the commencement of the Rule.