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PERTH: WEDNESDAY, 25th JANUARY

[1961

MARRIED PERSONS (SUMMARY RELIEF) ACT, 1960.

Crown Law Department,
Perth, 19th January, 1961.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Married Persons (Summary Relief) Act, 1960, has been pleased to make the Rules of Court set out in the Schedule hereunder, to take effect on and from the 1st day of February, 1961.

(Sgd.) R. C. GREEN,
Under Secretary for Law.

Schedule.

1. These rules may be cited as the Married Persons (Summary Relief) Rules, 1961.

2. In these rules—

“file” means all the documents filed on the record of any proceedings in the Court relating to the parties to a marriage including any complaint, summons, application, affidavit, notice, notes of evidence, orders, records of imprisonment and any other document or letter relating to those proceedings.

“place of origin” in relation to an order or a file which is the subject of an application to the Court means the place—

- (a) where the order was first made;
- (b) to which the file is transferred upon the coming into operation of the Act; or
- (c) to which a file is transferred by an Order made under Rule 33 of these rules.

“the Act” means the Married Persons (Summary Relief) Act, 1960.

“third party” means a person, other than a party to the marriage or child of the family, required by the Act or these rules, to be named in, or to be given notice of, a complaint, whether or not notice has, in fact been given to that person.

3. The Court shall have a seal and any summons, notice, warrant, or other process or any certificate issued out of the Court shall be stamped with the seal.

4. The days and hours for the transaction of business at the Court shall (subject to subsection (4) of section 6 of the Act) be the same as are fixed for other courts of summary jurisdiction.