



# Government Gazette

## OF WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

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

No. 49]

PERTH : TUESDAY, 6th JUNE

[1961

### LOCAL COURTS ACT, 1904-1958.

Crown Law Department,  
Perth, 23rd May, 1961.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Local Courts Act, 1904-1958, has been pleased to make the Rules of Court set out in the Schedule hereunder.

R. C. GREEN,  
Under Secretary for Law.

#### SCHEDULE

##### ORDER 1.—PRELIMINARY.

1. (1) These Rules of Court may be cited as the Local Court Rules, 1961.
- (2) The Local Court Rules, 1923, published in the *Government Gazette* on the 22nd May, 1923 and amended from time to time thereafter, are revoked.
- (3) These Rules shall come into operation at the expiration of one month from the publication of these Rules in the *Government Gazette*.

#### INTERPRETATION.

2. In these rules, unless the context otherwise requires—
  - “the Act” means the Local Courts Act, 1904, as amended from time to time ;
  - “bailiff” includes deputy and assistant bailiff and police officer when acting as a bailiff ;
  - “Bankruptcy Act” means the Bankruptcy Act, 1924, of the Parliament of the Commonwealth of Australia and any Act passed in amendment of or substitution for that Act ;
  - “clear days” means that in all cases in which any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive both of the first and of the last day ;
  - “clerk delegate” means the clerk to whom a delegation in writing is made by the Minister or magistrate under section 130 of the Act ;
  - “court” means the local court having jurisdiction in the action or matter, and includes a magistrate exercising the powers of the court in chambers ;
  - “foreign court” means the court into which process is issued from another court ;
  - “home court” means the court from which process is originally issued ;
  - “order” means the final decision of the court in any matter, and also any decision of the court other than a final decision in any action or matter, and also the decision of the magistrate on an interlocutory application ;
  - “trial” means the hearing of any action or matter in court.