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PERTH : MONDAY, 30th SEPTEMBER.

[1957.

LOCAL COURTS ACT, 1904-1954.

Crown Law Department,
Perth, 18th September, 1957.

Ex. Co. No. 1809.

HIS Excellency the Lieutenant-Governor in Executive Council, acting pursuant to the provisions of the Local Courts Act, 1904-1954, has been pleased to make the rules of court set out in the Schedule hereunder.

R. C. GREEN,
Under Secretary for Law.

Schedule.

Rules of Court.

1. The Local Court Rules, 1923, made under the provisions of the Local Courts Act, 1904, as published in the *Government Gazette* on the 22nd May, 1923, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to in these rules as the principal rules.

2. Order V, rule 17 of the principal rules is amended by substituting for the words "reasonable sum" in the penultimate line of the second paragraph the words "similar fee."

3. Order XXXVII, rule 1 of the principal rules is amended—

- (a) by adding after the rule number "1" the subrule number "(1)";
- (b) by substituting for all the words after the word "allowed" in line two the following passage:— "in accordance with the appropriate scale for the time being specified in Part III of the Appendix";
- (c) by adding subrules as follows:—

(2) (a) For the purposes of this rule Scales of Costs are classified in Part III of the Appendix as follows:—

(i) Scale A—Where the sum recovered in, or the subject matter of, the action or matter before the court does not exceed £20;

(ii) Scale B—Where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £20 but does not exceed £50;

(iii) Scale C—where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £50 but does not exceed £100;

(iv) Scale D—Where the sum recovered in, or the subject matter of, the action or matter before the court exceeds £100;

(v) Scale E—Special Scale which shall be awarded in accordance with paragraph (b) of this subrule.

(b) Costs in accordance with the Special Scale shall be allowed only where the court orders upon application at the trial, that by reason of the complexity of the law, or of the issues or of the facts, or for some other special reason, which shall be stated in the order, costs in accordance with that Scale shall be allowed.