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[1972

SUPREME COURT ACT, 1935-1971.

PURSUANT to the powers conferred by the Supreme Court Act, 1935-1971 and all other powers hereunto enabling, the Judges of the Supreme Court of Western Australia hereby make the following rules.

AMENDMENT OF THE RULES OF THE SUPREME COURT, 1971.

Principal rules.

1. In these rules the Rules of the Supreme Court, 1971 published in the *Government Gazette* on 18th November, 1971 as amended by rules so published on 17th December, 1971 are referred to as the principal rules.

Order 81A added.

2. The principal rules are amended by adding after Order 81 the following heading and Order:—

ORDER 81 A.

References under the Environmental Protection Act, 1971.

Definition.

1. In this Order the Environmental Protection Act, 1971 is referred to as the Act.

2. (1) An application under section 42 of the Act to refer a matter to the Court or a Judge for the opinion of the Court shall be made by originating motion returnable in open court.

(2) The applicant shall be the plaintiff in the proceedings and, subject to any order made under rule 3, the Environmental Protection Authority established under section 9 of the Act shall be the defendant.

Directions to be sought.

3. (1) When the notice of motion has been filed, the plaintiff shall apply by summons to a Judge in Chambers for directions regarding the persons to be served or joined as parties, the representation of persons affected by the proceedings, the time for appearance, the date and mode of hearing, and any other necessary matters.

(2) The summons shall set out precisely the directions sought.

Application of O. 54.

4. Subject to this Order, the provisions of Order 54 shall apply to and in relation to applications of the kind mentioned in rule 2.

Dated the 19th day of May, 1972.

L. W. JACKSON, C.J.
J. E. VIRTUE, S.P.J.
JOHN HALE, J.
FRANCIS BURT, J.
J. M. LAVAN, J.
JOHN WICKHAM, J.
R. WALLACE, J.