

JM304*

Local Courts Act 1904

Local Court Amendment Rules (No. 2) 1998

Made by the Governor in Executive Council.

1. Citation

These rules may be cited as the *Local Court Amendment Rules (No. 2) 1998*.

2. Commencement

These rules take effect one month after their publication in the *Government Gazette*.

3. The rules amended

The amendments in these rules are to the *Local Court Rules 1961**.

[* *Reprinted 26 February 1996.*

For amendments to 17 June 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 168.]

4. Appendix amended

- (1) Part II of the Appendix is amended, under the heading “BAILIFF FEES”, in each item listed in column 1 of the Table to this rule by deleting the amount set out opposite that provision in column 2 of the Table and substituting instead the amount in column 3 of the Table.

Table

Column 1	Column 2	Column 3
Item 1(a)	\$13.50	\$15.00
Item 1(b)	\$18.90	\$21.00
Item 2(c)	\$13.50	\$21.00
Item 2(d)	\$13.50	\$21.00
Item 3(b)(i)	\$4.50	\$5.00
Item 3(b)(ii)(I)	\$4.50	\$5.00
Item 3(b)(ii)(II)	\$1.50	\$1.70
Item 3(b)(ii)(III)	\$4.50	\$5.00
Item 5	\$30.00	\$47.00
Item 7	\$80.00	\$90.00
Item 8(a)	\$100.00.	\$150.00.
Item 9	\$3.00	\$3.30
Item 13	\$27.00	\$29.50

- (2) Part II of the Appendix is amended, under the heading “BAILIFF FEES” —

- (a) by deleting items 2(a) and 2(b) and inserting instead —

“

2. (a) Warrant Fee which includes execution, (attempted execution), initial attendance, initial enquiry, seizure of goods, service of any notice and returns, investigation, appraisal of seizable goods, arrest and conveying a debtor to court when executing a bench warrant or chamber warrant, and eviction when executing a warrant of possession. \$40.00

”;

- (b) by deleting item 4 and inserting instead —

“

4. Preparation for Sale
 Provided the clerk is satisfied duties have been carried out, the following fees are allowed:
 For each REVS or other official record search (personalty) \$5.00
 Bill of Sale and Encumbrance search (personalty) \$10.00
 Encumbrance Investigation (realty) \$45.00
 Implementation of an advertising program (realty or personalty) \$55.00

”;

- (c) in item 8(b) by inserting after “Delivery” —

“ (Replevin) ”; and

- (d) by deleting item 14(a) and inserting instead —

“

14. (a) Attendance on a Judgment Summons hearing or related matter —
 Where the Bailiff is situated at Albany, Armadale, Bunbury, Fremantle, Geraldton, Joondalup, Midland, Kalgoorlie, or Rockingham \$2.00
 Other situations \$1.00

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.