

JUSTICE

JM301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES 1996

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules 1996*.

Principal rules

2. In these rules the *Rules of the Supreme Court 1971** are referred to as the principal rules.

[* Reprinted as at 21 November 1994.
For amendments to 13 May 1996 see 1995 Index to Legislation of
Western Australia, Table 4, p. 268.]

Order 20 amended

3. Order 20 Rule 19 of the principal rules is amended by repealing paragraph (4).

Order 59 amended

4. Order 59 Rule 3 (1) of the principal rules is amended by inserting after "made by summons" the following —

“ and must specify the grounds on which the application is made ”.

Order 60 amended

5. Order 60 Rule 1 (1) (z) of the principal rules is amended by deleting "section 136 (2)" and substituting the following —

“ section 84ZW ”.

Order 64 amended

6. (1) Order 64 Rule 1 of the principal rules is amended by deleting subparagraph (c) and substituting the following subparagraph —

“

- (c) **“compensation magistrate’s court”** means a compensation magistrate’s court established in accordance with Part VI of the *Workers’ Compensation and Rehabilitation Act 1981*;

”.

(2) Order 64 Rule 3 of the principal rules is amended —

- (a) in paragraph (1) by deleting “the Board” and inserting the following —

“ a compensation magistrate’s court ”;

- (b) in paragraph (2) —

- (i) in subparagraph (c) by inserting after “registrar” the following —

“ or clerk ”; and

- (ii) by inserting after “judgment, order” the following —

“ , decision ”;

and

- (c) in paragraph (4) —

- (i) by inserting after “registrar” the following —

“ or clerk ”; and

- (ii) in subparagraph (c) by inserting after “order” the following —

“ , decision ”.

(3) Order 64 Rule 4 of the principal rules is amended —

- (a) in paragraph (1) (b) —

- (i) by deleting “section 136 (2)” and substituting the following —

“ section 84ZW ”; and

- (ii) by deleting “determination or order of the Board” and substituting the following —

“ decision of a compensation magistrate’s court ”;

and

- (b) in paragraph (4) by deleting “or order” and substituting the following —

“ , order or decision ”.

(4) Order 64 Rule 6 (1) of the principal rules is amended by inserting after “registrar” the following —

“ , clerk ”.

Order 71 amended

7. Order 71 Rule 8 (2) of the principal rules is amended by deleting subparagraphs (b) and (c) and substituting the following subparagraph —

“
(b) was served as a partner with the writ or with notice of the writ,
”

Order 83A amended

8. Order 83A Rule 3 of the principal rules is amended by deleting “or unless an undertaking to pay the fee has been given to the Court or to the officer, as the case may be”.

Fifth Schedule amended

9. The Fifth Schedule to the principal rules is amended in Part II in item 14 (c) by deleting “in a personal application”.

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Dated the 17th day of July 1996.

DAVID K. MALCOLM, Chief Justice's signature.

G. A. KENNEDY,
B. ROWLAND,
E. M. FRANKLYN,
D. A. IPP,
HENRY WALLWORK,
M. J. MURRAY,
TERENCE A. WALSH,
R. J. M. ANDERSON,
K. WHITE,
GRAEME SCOTT,
C. O. STEYTLER,
K. H. PARKER,
D. C. HEENAN,
Judges' signatures.

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