Western Australia

Civil Procedure (Representative Proceedings) Act 2022

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Defined terms

Western Australia

Civil Procedure (Representative Proceedings) Act 2022

An Act to provide for representative proceedings in civil proceedings in the Supreme Court.

## Part 1 — Preliminary

##### 1. Short title

This is the *Civil Procedure (Representative Proceedings) Act 2022*.

##### 2. Commencement

This Act comes into operation as follows —

(a) Part 1 — on the day on which this Act receives the Royal Assent;

(b) the rest of the Act — on a day fixed by proclamation.

##### 3. Terms used

In this Act —

Court means the Supreme Court;

group member means a member of a group of persons on whose behalf a representative proceeding has been commenced;

proceeding means a civil proceeding in the Court;

representative party means a person who commences a representative proceeding or who is substituted as a representative party under this Act;

representative proceeding means a proceeding commenced as a representative proceeding under this Act;

respondent means a person against whom relief is sought in a representative proceeding;

sub‑group member means a person included in a sub‑group established under section 18;

sub‑group representative party means a person appointed to be the sub‑group representative party for sub‑group members or who is substituted as a sub‑group representative party under this Act.

##### 4. Proceedings to which Act applies

(1) This Act applies to a proceeding commenced on or after the day on which this section comes into operation, whether the cause of action accrued before, on or after that day.

(2) This Act does not prevent the commencement or continuance of proceedings under any provision of the rules of the Court providing for proceedings by or against a person as representing others who have the same interest in proceedings.

##### 5. Act binds Crown

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

[Parts 2‑6 have not come into operation.]

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Notes

This is a compilation of the *Civil Procedure (Representative Proceedings) Act 2022*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

| **Short title** | **Number and year** | **Assent** | **Commencement** |
| --- | --- | --- | --- |
| *Civil Procedure (Representative Proceedings) Act 2022* Pt. 1 | 30 of 2022 | 14 Sep 2022 | 14 Sep 2022 (see s. 2(a)) |

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

| **Short title** | **Number and year** | **Assent** | **Commencement** |
| --- | --- | --- | --- |
| *Civil Procedure (Representative Proceedings) Act 2022* Pt. 2-6 | 30 of 2022 | 14 Sep 2022 | To be proclaimed (see s. 2(b)) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

Court 3

group member 3

proceeding 3

representative party 3

representative proceeding 3

respondent 3

sub-group member 3

sub-group representative party 3