



Western Australia

# **Civil Procedure (Representative Proceedings) Act 2022**

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# **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

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Civil Procedure (Representative Proceedings) Act 2022 Pt. 1</i>	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.

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Civil Procedure (Representative Proceedings) Act 2022 Pt. 2-6</i>	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.]*

<b>Defined term</b>	<b>Provision(s)</b>
Court .....	3
group member .....	3
proceeding.....	3
representative party .....	3
representative proceeding .....	3
respondent.....	3
sub-group member .....	3
sub-group representative party.....	3