

WESTERN AUSTRALIA

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**SUPREME AND FAMILY COURTS  
(MISCELLANEOUS AMENDMENTS)  
ACT**

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**No. 37 of 1989**

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**AN ACT to amend the *Supreme Court Act 1935* and the *Family Court Act 1975*.**

[Assented to 21 December 1989]

The Parliament of Western Australia enacts as follows:

**PART 1—PRELIMINARY**

**Short title**

**1.** This Act may be cited as the *Supreme and Family Courts (Miscellaneous Amendments) Act 1989*.

**Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

PART 2—*SUPREME COURT ACT 1935***Principal Act**

3. In this Part the *Supreme Court Act 1935*\* is referred to as the principal Act.

[\*Reprinted as at 25 July 1986 and amended by Acts Nos. 22 and 50 of 1986, 65 and 82 of 1987 and 14 of 1988.]

**Section 4 amended**

4. Section 4 of the principal Act is amended in the definition of “Petitioner” by deleting “a petitioner under Part VI., and”.

**Section 7 amended**

5. Section 7 of the principal Act is amended in subsection (1) (a) by deleting “12” and substituting “16”.

**Section 11 amended**

6. Section 11 of the principal Act is amended by inserting after subsection (1) the following subsection—

“ (1a) Every person appointed to be an acting Judge of the Supreme Court shall, when he enters on the execution of his office, take the oath of allegiance and the judicial oath prescribed in the Second Schedule, in the presence of the Governor. ”.

**Section 11B amended**

7. Section 11B of the principal Act is amended in subsection (5) (b) by deleting “65” and substituting the following—

“ 70 ”.

**Section 49 amended**

8. Section 49 of the principal Act is amended by inserting after subsection (1) the following subsection—

“ (1a) Every person to whom the Governor assigns, by commission, duties or the exercise of any jurisdiction under subsection (1) shall, before he commences to exercise those duties or that jurisdiction so assigned, take the oath of allegiance and judicial oath prescribed in the Second Schedule, in the presence of the Governor. ”.

**Second Schedule amended**

9. The Second Schedule to the principal Act is amended by inserting before “a Master” the following—

“ a Commissioner of the Supreme Court of Western Australia or ”.

**Reference to the “great seal  
in Her Majesty’s name” amended**

10. The principal Act is amended by deleting “great seal in Her Majesty’s name” wherever it occurs in the provisions referred to in the Table to this section and substituting in each case the following—

“ Public Seal of the State ”.

## TABLE

Sections 7 (1) (a), 10 (3), 11 (1) and (2), 11A (1) and 11D (2).

PART 3—*FAMILY COURT ACT 1975***Section 13 amended**

11. Section 13 of the *Family Court Act 1975*\* is amended by deleting “or 11” and substituting the following—

“ or acting Judge under section 11 ”.

[\*Reprinted as at 1 March 1988 and amended by Act No. 41 of 1988.]