

SUITORS' FUND (No. 2).

No. 58 of 1978.

AN ACT to amend the Suitors' Fund Act, 1964-1977.

[Assented to 21st September, 1978.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Suitors' Fund Act Amendment Act (No. 2), 1978.* Short title and citation.

(2) In this Act the Suitors' Fund Act, 1964-1977, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Suitors' Fund Act, 1964-1978.

Amendment
to section 6.

2. Section 6 of the principal Act is amended in line ten of subsection (1) by the insertion, after the passage "Supreme Court," of the passage "The District Court of Western Australia,".

Amendment
to section 10.

3. Section 10 of the principal Act is amended by the repeal of subsection (2) and the substitution of the following subsections—

(2) Whenever an appeal against the decision of a Court in any proceedings to The District Court of Western Australia on a question of law succeeds, The District Court of Western Australia may, upon application made to it in that behalf by any party to the proceedings, grant to the respondent to the appeal or to all or any of several respondents to the appeal an indemnity certificate in respect of that appeal.

(3) The jurisdiction conferred upon the Supreme Court or The District Court of Western Australia by subsection (1) or (2) of this section may be exercised by a Judge of the Supreme Court or a District Court Judge, as the case may be, sitting in chambers. .

Amendment
to section 13.

4. Section 13 of the principal Act is amended by the repeal of subsection (1) and the substitution of the following subsection—

(1) In the case of an application for—

(a) an indemnity certificate, The District Court of Western Australia or the Supreme Court; or

(b) a costs certificate, the Supreme Court,

may grant or refuse that application and no appeal lies against that grant or refusal. .
