

SMALL CLAIMS TRIBUNALS.

No. 19 of 1975.

AN ACT to amend the Small Claims Tribunals Act,
1974.

[Assented to 13th May, 1975.]

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 *Small Claims Tribunals Act Amendment Act, 1975*.

Short title
and citation.

(2) In this Act the Small Claims Tribunals Act, 1974 is referred to as the principal Act.

Act No. 69
of 1974.

(3) The principal Act as amended by this Act may be cited as the Small Claims Tribunals Act, 1974-1975.

Section 4
amended.
(Interpreta-
tion.)

2. Subsection (1) of section 4 of the principal Act is amended—

(a) by deleting the definition “consumer” and substituting the following definition—

“consumer” means—

(a) a person, other than an incorporated person, who buys or hires goods otherwise than for re-sale or letting on hire or than in the course of or for the purposes of a trade or business carried on by him, or than as a member of a business partnership, or for whom services are supplied for fee or reward otherwise than in the course of or for the purpose of a trade or business carried on by him, or than as a member of a business partnership; or

(b) a person who is or was the tenant of any premises let to him for the purposes of a dwelling and otherwise than for the purposes of assigning or sub-letting or for the purposes of a trade or business carried on by him;

(b) by adding after the word “premises” in the last line of the definition “small claim” the words “let to the tenant for the purpose of a dwelling and otherwise than for the purpose of assigning or sub-letting or for the purposes of a trade or business carried on by him”; and

(c) by deleting the definition “trader” and substituting the following definition—

“trader” means—

(a) a person who in the field of trade or commerce carries on a business of supplying goods

or providing services or who regularly holds himself out as ready to supply goods or to provide services of a similar nature; or

- (b) a person who is or was the landlord of any premises let to the tenant for the purpose of a dwelling and otherwise than for the purposes of assigning or sub-letting by the tenant or for the purposes of a trade or business carried on by the tenant; .

3. Subsection (1) of section 20 of the principal Act is repealed and re-enacted as follows—

Section 20
amended.
(Orders of
tribunals.)

(1) Where a settlement is made in respect of a claim referred to a Small Claims Tribunal, the tribunal shall, on the request of any party to the settlement, make an order that gives effect to the terms of the settlement. .
