

MAGISTRATES COURT (GENERAL) AMENDMENT RULES (NO. 2) 2011

**461. Hon GIZ WATSON to the parliamentary secretary representing the Attorney General:**

I refer to the Magistrates Court (General) Amendment Rules (No. 2) 2011 tabled in this place on 25 May 2011, which inserted rule 28B.

- (1) Is the court thereby permitted to deal with a contested hearing of a civil case in chambers?
- (2) What matters must the court consider when deciding whether or not to deal with a civil case or an aspect of a civil case in chambers?
- (3) Where are these requirements specified?

**Hon MICHAEL MISCHIN replied:**

I thank the honourable member for some notice of the question.

- (1) No. Contested hearings of a civil case are not heard in chambers.
- (2) The court considers the following when deciding whether to deal with a civil case or an aspect of a civil case in chambers: convenience to parties; expense to parties; whether by consent; where only one party is involved in the application; applications where parties are not required to appear; and security issues.
- (3) Requirements are not specified.