

Western Australia

## Suitors' Fund Amendment Bill 2017

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Western Australia

LEGISLATIVE ASSEMBLY

*(As amended in Committee)*

**Suitors' Fund Amendment Bill 2017**

**A Bill for**

**An Act to amend the *Suitors' Fund Act 1964*.**

The Parliament of Western Australia enacts as follows:

**s. 1**

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1   **1.     Short title**

2           This is the *Suitors' Fund Amendment Act 2017*.

3   **2.     Commencement**

4           This Act comes into operation as follows —

5           (a) sections 1 to 3 and 6 — on the day on which this Act  
6           receives the Royal Assent;

7           (b) the rest of the Act — on a day fixed by proclamation.

8   **3.     Act amended**

9           This Act amends the *Suitors' Fund Act 1964*.

10 **4.     Section 5 amended**

11       (1) In section 5(1) delete “court, the sum of 10 cents or such other  
12       sum not exceeding 20 cents as may from time to time be  
13       prescribed.” and insert:

14

15           court, a levy of an amount prescribed by the regulations.

16

17       (2) After section 5(2) insert:

18

19       (3) The regulations may prescribe different amounts of  
20       levy for different processes or classes of process.

21       (4) Nothing in this section is to be taken as limiting the  
22       operation of the *Interpretation Act 1984* section 43.

23

24       Note: The heading to amended section 5 is to read:

25           **Levy to be paid to courts**

1 **5. Section 6 amended**

2 (1) In section 6(1) delete “fee” and insert:

3

4 levy

5

6 (2) In section 6(2) delete “additional fee” and insert:

7

8 levy

9

10 Note: The heading to amended section 6 is to read:

11 **Department to advise Treasurer of number of processes upon**  
12 **which levy payable**

13 **6. Section 18 inserted**

14 After section 17 insert —

15 **18. Review of Act**

16 (1) The Minister must review the operation and  
17 effectiveness of this Act, and prepare a report based on  
18 the review, as soon as practicable after the  
19 2<sup>nd</sup> anniversary of the day on which the *Suitors' Fund*  
20 *Amendment Act 2017* section 6 comes into operation.

21 (2) The review must address the following —

22 (a) the effect of the levy payable under section 5 on  
23 access by litigants to the courts;

24 (b) the extent to which recommendations from  
25 reports of the Law Reform Commission of  
26 Western Australia relating to the operation of  
27 this Act have not been implemented; and

28 (c) any other matters that appear to the Minister to  
29 be relevant to the operation and effectiveness of  
30 this Act.

**s. 6**

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- 1           (3) The Minister must cause the report to be laid before  
2           each House of Parliament as soon as practicable after it  
3           is prepared, but not later than 12 months after the  
4           2<sup>nd</sup> anniversary.

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