#### Part A

REGISTRY AT:	

#### **MAGISTRATES COURT of WESTERN AUSTRALIA**

MAGISTRATES COURT (CIVIL PROCEEDINGS) ACT 2004

-	Court registry copy
	Case number:
	Date lodged:

		CON	SUMER/TRAD	ER	COU	NTERCL	AIM				
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			FOR	RM	8A						
	-										
CLAIMANT	١	Name:									
In original claim	A	Address:						Po	stcode:		
☐ Consumer											
☐ Trader (full trading name	e)										
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DEFENDANT	1	Name:									
In original claim		Address:						Po	ostcode:		
☐ Consumer	'	radiooc.							octobab.		
☐ Trader (full trading name	e)										
See Part E for informati	on										
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The return of goods					] The re	eplacement			41 DET	A.II. O	
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_ 0											
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		mail:				Fax:					
Signature of defendant	İ										
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### Part B – Defendant's copy

REGISTRY AT:	

#### MAGISTRATES COURT of WESTERN AUSTRALIA

MAGISTRATES COURT (CIVIL PROCEEDINGS) ACT 2004

-	Defendant's copy
	Case number:
	Date lodged:

	CONSU	MER/TRADI MINOF FOR	R C		AIM		
CLAIMANT	Name:						
In original claim	Address:					Postcode:	
☐ Consumer							
☐ Trader (full trading name)							
DEFENDANT	Name:						
In original claim	Address:					Postcode:	
☐ Consumer							
☐ Trader (full trading name)							
See Part C for information							
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The payment of an				The relief from p			of money
☐ The return of goods				The replacement			<u> </u>
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conference in the Magis	strates Court neid	al.			Court	fee	\$
		y of		20		amount of	\$
am/pm. claim							
DEFENDANT'S ADDRESS FOR SERVICE							
Tick [✓] appropriate box and insert address details below:  ☐ Residential or principal place of business address:  ☐ Registered Office address:  Court Seal					: Seal		
Contact details	Tel:			Claimant re	f		
	E-mail:			Fax:			
Signature of defendant							
DETAILS OF COUNTERCLAIM (Give full details and attach additional sheets if needed)							
			·				

# PART C – INFORMATION FOR DEFENDANT (In original claim) PLEASE READ THIS FORM THOROUGHLY

The following information is a guide only. A fact sheet containing detailed information on court procedures is available from any Magistrates Court Registry or at <a href="https://www.magistratescourt.wa.gov.au">www.magistratescourt.wa.gov.au</a>

For legal advice you should see a lawyer.

CONSUMER/TRADER CLAIM	<ul> <li>A consumer/trader counterclaim is a claim that arises out of a contract for the supply of goods or the provision of services between a consumer and a trader.</li> <li>You are a trader if you supply goods or services as part of your business.</li> <li>You are a consumer if you are a <u>natural person</u> who has hired or bought goods or services for private use.</li> </ul>
DETAILS OF COUNTERCLAIM	<ul> <li>A description of the dispute between the consumer and the trader (e.g. date of transaction, date when problem arose and details of the transaction or problem).</li> </ul>
RELIEF REQUIRED	If claiming monetary relief then you must state the value of your claim. The court registry will assess the fees applicable for the issue of the claim. This will be added to your claim amount to reveal a total amount of claim.
SIGNATURE	It is necessary for you to sign each copy of the claim form within this package.
ADDRESS FOR SERVICE	<ul> <li>This is the address to which the Court and the defendant will send/serve documents and notices.</li> <li>A document lodged in relation to a case must contain a residential or business address for service or in the case of a corporation, registered office or principal place of business.</li> <li>To enable a party to serve documents by email or fax, an email address or fax number may be provided in addition to the above.</li> <li>If a party wishes to change their address for service they must lodge a Form 54 with the court and serve a copy of it on the other parties.</li> </ul>
CONTACT DETAILS	It is suggested that you include a contact telephone number where possible.  This will allow the defendant or Court to contact you if the need arises.
INITIAL APPEARANCE AT A LISTING CONFERENCE	<ul> <li>A party must attend a listing conference in person.</li> <li>At a listing conference the Court may direct that the parties immediately attend a pre-trial conference before a Registrar.</li> <li>If the claim cannot be settled, the Court will list the case for trial.</li> </ul>
HOW TO PREPARE FOR TRIAL	<ul> <li>Bring all documents, such as contracts, quotes, receipts, cheque books or letters and any other information or material you think will help answer the claim. Promotional material or photographs may be helpful.</li> <li>If you have witnesses who can help you state your claim, you should arrange for them to attend the hearing.</li> <li>If you think you will need an interpreter you must immediately advise the court of the language and dialect you require. Give your name, case number and the date of the hearing.</li> </ul>
LEGAL REPRESENTATION	Under the Minor Cases Procedure, lawyers are not allowed to represent you before the Court, unless the Court gives leave.

#### Part D - Claimant's service copy

REGISTRY AT:	

### MAGISTRATES COURT of WESTERN AUSTRALIA

MAGISTRATES COURT (CIVIL PROCEEDINGS) ACT 2004

Ciamiant 5 Service copy	
Case number:	
Date lodged:	

	CONSU	JMER/TRADE MINOR FORI	R COU	NTERCLA	AIM	Date 100	agea:
CLAIMANT	Name:						
In original claim	Address:					Postcode:	
<ul><li>☐ Consumer</li><li>☐ Trader (full trading name)</li></ul>							
						_ <del>,</del>	
DEFENDANT	Name:						
In original claim	Address:					Postcode:	
<ul><li>☐ Consumer</li><li>☐ Trader (full trading name)</li></ul>							
See Part E for information							
REMEDY OR RELIE	F SOUGHT	☐ tick [✔] ap					
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☐ The return of goods		<i>5</i> y		eplacement	of good	ls	
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am/p	om.				claim		
DEFENDANT'S ADDRESS FOR SERVICE  Tick [✓] appropriate box and insert address details below:  ☐ Residential or principal place of business address:  ☐ Registered Office address:  Court Seal				Seal			
Contact details	Tel:			Claimant ref			
	E-mail:			Fax:			
Signature of defendant							
DETAILS OF COUN	TERCLAIM	(Give full details	s and atta	ach additio	nal she	ets if needed	)

# PART E – INFORMATION FOR CLAIMANT (In original claim) PLEASE READ THIS FORM THOROUGHLY

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