

◀ Pre-Judgment Interest

- The recommendations in the report should apply only to the Supreme Court, District Court and Local Courts.⁶

Legislative or Other Action Undertaken

Excepting the recommendation concerning judgments obtained in default, all of the Commission's recommendations were implemented by the *Supreme Court Amendment Act 1982* (WA). The Hansard report indicated that the Parliament believed that pre-judgment interest would be recoverable for judgments obtained in default however this was not expressly provided for in the Act.⁷ In its Annual Report for the year 1981–1982, the Commission reported that implementation of this outstanding recommendation would now appear unnecessary as recent case law suggested that pre-judgment interest was already recoverable in cases of default judgments under statutory provisions similar to those suggested by the Commission.⁸

⁶ In Local Courts this was to be restricted to awards over \$750.

⁷ Western Australia, *Parliamentary Debates*, Legislative Council, 17 August 1982, 2367 (Mr Rushton, Deputy Premier).

⁸ *Alex Lawrie Factors Ltd v Modern Injection Moulds Ltd* [1981] 3 All ER 658. See Law Reform Commission of Western Australia, *Annual Report 1981–1982*, 7.