



Magistrates Court of Western Australia

Civil Jurisdiction

Fact Sheet 4 – Consumer Trader Claim

What is a consumer trader claim?

A claim that arises out of a contract for the supply of goods and services and claims one or more of the following:

- the performance of work, or the provision of services;
- the payment, or relief from payment; or
- the return or replacement of goods.

Who is a consumer?

You are a consumer if you are a natural person and have hired or bought the goods or services for private use.

You are not a consumer if you have purchased or hired goods or services for resale or to let, hire or use in connection with any business transaction.

Who is a trader?

A trader is a person who carries out a business of supplying goods or providing services, or who regularly holds themselves out as ready to supply goods or to provide service of a similar nature.

The providers of professional services (for example, lawyers, doctors, dentists) are also regarded as traders.

Making a claim

A consumer/trader claim may be started as a general procedure or minor cases claim.

Starting a minor case claim

Complete and lodge a **Form 6 – Consumer Trader Claim Minor Case** electronically using the Courts Electronic Case Management System (ECMS) [eCourts Portal](#) .

Your claim must not exceed **\$10,000** and you must be prepared to proceed without legal representation.

See fact sheets:

No. 3 - How to Commence a Minor Case Claim

No. 9 - When a claim has been served (Information for the claimant).

No. 10 - When served with a claim (Information for the defendant).

Starting a general procedure claim

Complete and lodge a **Form 7 – General Procedure Claim (Consumer/Trader)** electronically using the Courts Electronic Case Management System (ECMS) [eCourts Portal](#) .

Your claim **must not exceed \$75,000**.

Legal representation is allowed, however if your claim is for **\$10,000** or less and you did not elect to have the claim dealt with as a minor case, you will have to pay all your legal costs even if you win unless the Court orders otherwise.

See fact sheets:

No. 2 - How to Commence a General Procedure claim.

No. 9 - When a claim has been served (Information for the claimant).

No. 10 - When served with a claim (Information for the defendant).

Lodging your claim

You must be lodge the claim **Form 6 or 7** electronically using the Courts Electronic Case Management System (ECMS) [eCourts Portal](#) which will be lodged with your closest courthouse location.

This is a guide only. The content is subject to change.

If you are unsure about any of the information in this fact sheet, contact your nearest registry or seek legal advice.

