

MENTAL TREATMENT.

5° Elizabeth II., No. XLVI.

No. 46 of 1956.

AN ACT to amend the Mental Treatment Act, 1927.

[Assented to 18th December, 1956.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Mental Treatment Act Amendment Act, 1956.* Short title and citation.

(2) In this Act the Mental Treatment Act, 1927, Act No. 13 of 1927 as amended by Acts Nos. 40 of 1940 and 26 of 1941, and as affected by Act No. 6 of 1941,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Mental Treatment Act, 1927-1956.

S. 4
amended.

2. Section four of the principal Act is amended by adding after subsection (6) the following subsection:—

(7) (a) Where a person is received into a hospital or reception house pursuant to this section by the superintendent or governing authority, the Inspector General may, by order signed and issued by him in, or substantially in accordance with, the form of Order for Transfer in the Schedule to this Act, order the transfer of the person from that hospital or reception house to another hospital or reception house.

(b) The authority conferred on the Inspector General by this section is exercisable from time to time.

(c) Where an Order for Transfer purporting to have been so signed and issued is produced, and a copy of it is delivered to the superintendent or governing authority of a hospital or reception house having charge of the person named in the Order, the superintendent or governing authority shall deliver that person, together with the Order or other documents authorising that person's reception into the hospital or reception house, and with a copy of the medical record of treatment and progress of the person while therein, to the person so producing the Order for Transfer.

(d) The person so producing the Order for Transfer is authorised to, and shall, take charge of the person named in the Order, and with such assistance as is necessary convey him to the hospital or reception house secondly mentioned in the Order for Transfer, and deliver him, together with a copy of the Order for Transfer

and with the documents received pursuant to paragraph (c) of this subsection, to the superintendent or governing authority of the hospital or reception house secondly mentioned in the Order for Transfer, who shall, on receiving those documents and on production of the Order for Transfer, receive the person mentioned in the Order for Transfer into the hospital or reception house.

(e) A person so producing the Order for Transfer shall endorse on the Order and sign a short statement of the action taken by him on the authority of the Order and return it so endorsed to the Inspector General.

3. Section ten of the principal Act is amended— S. 10 amended.

- (a) by adding after the section designation, "10", the subsection designation, "(1)"; and
 (b) by adding the following subsection:—

(2) The provisions of subsection (7) of section four of this Act apply in respect of an order made under subsection (1) of this section as if repeated *mutatis mutandis* in this subsection.

4. The principal Act is amended by adding to the Schedule the following form:— Schedule amended.

The Mental Treatment Act, 1927 (as amended).

Form No.....

ORDER FOR TRANSFER UNDER SECTION 4.
SECTION 10.

I,.....Inspector General of
 Mental Health Services, hereby order (name of patient)
, of (address).....,
 a patient received into the reception hospital (name of
 hospital).....on (date).....to

be transferred to the reception hospital (name of hospital).....and to be received therein in accordance with section.....of the Mental Treatment Act, 1927 as amended.

Date.....

Signed

Inspector General.

Note:

- (a) Copies of the original authority for reception to accompany this form.
 - (b) The officer carrying out the transfer is required to endorse on the original of the Order a short statement of the action taken by him on the authority of the Order.
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