

MENTAL HEALTH.

No. 37 of 1965.

AN ACT to amend the Mental Health Act, 1962-1964.

[Assented to 8th November, 1965.]

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 Health Act Amendment Act, 1965*. Short title and citation.

(2) In this Act, the Mental Health Act, 1962-1964, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be referred to as the Mental Health Act, 1962-1965.

2. This Act shall come into operation on the date on which the principal Act comes into operation. Commencement.

S. 5
amended.

3. Section five of the principal Act is amended—

- (a) by substituting for the interpretation, “approved hospital”, the following interpretation—

“approved hospital” means a reception home, hospital or other institution in which a person may be detained for treatment, under the provisions of this Act; ;

- (b) by adding, after the interpretation, “incapable person”, the following interpretation—

“intellectually defective” means to be suffering from arrested or incomplete development of mind; ;

- (c) by inserting, immediately after the word, “or”, in line one of the interpretation, “mental disorder”, the word, “intellectual”;

- (d) by adding, after the interpretation, “mental disorder”, the following interpretation—

“mental illness” means a psychiatric or other illness that substantially impairs mental health; ;

- (e) by adding, after the interpretation, “Public Trustee”, the following interpretation—

“reception home” means a place established for the reception, assessment and early treatment of persons, under the provisions of this Act; and includes a reception home established under any of the repealed Acts; ; and

- (f) by adding after the interpretation, “the superintendent”, the following interpretation—

“training centre” means a place, other than a day centre, established for the treatment of intellectually defective persons, under the provisions of this Act; .

4. Section nineteen of the principal Act is repealed and re-enacted with amendments, as follows—

S. 19
repealed and
re-enacted.

19. (1) The Governor may, out of moneys appropriated by Parliament, establish and maintain—

Establish-
ment of
hospitals and
other
services.

- (a) reception homes;
- (b) training centres;
- (c) hospitals for the treatment of mental illness;
- (d) in-patient units for children;
- (e) geriatric centres for patients and for persons discharged from an approved hospital or other institution established under this section;
- (f) hostels and sheltered workshop units;
- (g) centres to provide for the institutional care and treatment of inebriates and drug addicts;
- (h) day hospitals, and day centres for the welfare, rehabilitation and occupation of persons who are, or have been, receiving treatment under the Act;
- (i) outpatient and child guidance clinics;
- (j) any other service that may be necessary or expedient,

to be conducted by the Department for the purposes of this Act.

(2) Notwithstanding the repeals effected by section four, every reception home established before the coming into operation of this Act is, and continues to be, a reception home of the same nature, standing and function as it was when so established.

(3) The Governor may, by Order in Council, from time to time, set aside any one or more buildings or places, or part of a building or place, provided by the State or part of a public hospital, within the meaning of the Hospitals Act, 1927, for the purpose of any service mentioned in subsection (1) of this section, and may, in like

manner, declare any such building or place, or part of a building or place or any part of a public hospital to be an approved hospital; and may vary or cancel any order made under this subsection. .

S. 20
amended.

5. Section twenty of the principal Act is amended by adding immediately after the word, "Act", in line four, the passage, ", but a person shall not be admitted to, or detained in, a training centre, unless he is an intellectually defective person".

S. 25
amended.

6. Section twenty-five of the principal Act is amended by substituting for the words, "a hospital approved under this Part", in lines two and three, the words, "an approved hospital".

S. 40
amended.

7. Section forty of the principal Act is amended by inserting, immediately after the section number, "40.", in line one, the passage, "Subject to section twenty," .

S. 70
amended.

8. Section seventy of the principal Act is amended—

(a) by inserting, immediately after the word, "such", in line one of paragraph (c), the words, "neglect or"; and

(b) by substituting for the passage, commencing with the words, "the Court", in line seventeen, and ending with the word, "appointed", being the last word in the section, the passage—

"or whenever it appears to the Court, for any other reason, necessary or expedient, the Court may, on the application of any person or of its own motion, make an order—

(h) appointing a new or additional manager or managers; or

(i) discharging the manager and appointing, or discharging the manager without appointing, a new manager or managers".