



Inebriates Act 1898

1898 CHAPTER 60

Amendment of Habitual Drunkards Act, 1879

13 Transfer of licensing powers to county council

As from the commencement of this Act, the local authority under the Inebriates Acts, 1879 and 1888, as amended by this Act, and the clerk of the local authority, shall be in a borough the borough council and the town clerk, and elsewhere the county council and the clerk of the county council respectively, and a county council may delegate any of their powers as such local authority to a committee.

14 Power to contribute to retreats

The council of any county or borough may contribute such sums and on such conditions as they may think fit towards the establishment or maintenance of a retreat under the Inebriates Acts, 1879 and 1888, as amended by this Act, and two or more councils may combine for any such purpose.

15 Period of licence of retreat

The period for which a licence may be granted under section six of the Habitual Drunkards Act, 1879, shall be a period not exceeding two years instead of a period not exceeding thirteen months.

16 Amendment of 42 & 43 Vict. c.19 s.10, as to admission to retreat

In section ten of the Habitual Drunkards Act, 1879, a term not exceeding two years shall be substituted for a term not exceeding twelve months, and one justice shall be substituted for two justices as the attesting authority to the signature of an applicant.

17 Extension of term of detention and re-admission

A person who is or has at any time been detained in a retreat may have his term of detention extended, or be re-admitted, in like manner as a habitual drunkard may be

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admitted under section ten of the Habitual Drunkards Act, 1879, as amended by section four of the Inebriates Act, 1888, and by this Act, except that the statutory declaration therein mentioned shall not be necessary, and that the attesting justice shall not be required to satisfy himself that the applicant is a habitual drunkard.

18 Escape of patient

- (1) If a patient escapes from a retreat, the time between his escape and his return to the retreat shall, not be treated as part of his term of detention in the retreat.
- (2) A warrant under section twenty-six of the Habitual Drunkards Act, 1879, for the apprehension of a patient who has escaped from a person in whose charge he has been placed under licence, may be issued by any justice having jurisdiction in the place where that person resides.

19 Death of patient absent under licence

- (1) In case of the death of a patient absent from a retreat under licence, a statement of the cause of his death, with the name of any person present at the death, shall be drawn up and signed by a duly qualified medical practitioner, and copies thereof, duly certified in writing by the person in whose charge the patient had been placed, shall be by him transmitted to the coroner and to the registrar of deaths for the district, and to the clerk of the local authority, and to the person by whom the last payment was made for the deceased, or to one, at least, of the persons who signed the statutory declaration under section ten of the Habitual Drunkards Act, 1879.
- (2) If the person in charge of the patient fails to comply with the requirements of this section, he shall be guilty of an offence against the Habitual Drunkards Act, 1879.

20 Power to make regulations

- (1) The Secretary of State may make regulations with respect to—
 - (a) the procedure on application for admission or re-admission into a retreat, or for the extension of the term of detention of a patient; and
 - (b) the medical or other curative treatment of patients in retreats, including the enforcement of such work as may be necessary for their health ; and
 - (c) the inspection of retreats ; and
 - (d) any other matter necessary or proper for carrying into effect the provisions of this or any other Act with respect to retreats.
- (2) The regulations made under this section may prescribe forms to be used in substitution for any of the forms in the Second Schedule to the Habitual Drunkards Act, 1879.