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SCHEDULES

SEVENTH SCHEDULE

Sections 149, 150, 152.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS EXTENDING TO ENGLAND AND WALES ONLY

<i>Enactment</i>	<i>Amendment</i>
The Fines and Recoveries Act, 1833, 3 & 4 Will. 4. c. 74.	<p>In section thirty-three, for the words from "lunatic" where it first occurs to "unsound mind as aforesaid" there shall be substituted the words "incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of managing and administering his property and affairs, the judge having jurisdiction under Part VIII of that Act shall be the protector of the settlement in his stead so long as he is incapable as aforesaid".</p> <p>In sections forty-eight and forty-nine, for the references to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the custody of the Great Seal or other the person or persons intrusted as mentioned in those sections there shall be substituted references to the judge having jurisdiction under Part VIII of this Act.</p> <p>In section ninety-one, for the words from "being a lunatic" to "inquisition or not" there shall be substituted the words "suffering from mental disorder" and for the reference to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the custody of the Great Seal or other the person or persons intrusted as mentioned in that section there shall be substituted a reference to the judge having jurisdiction under Part VIII of this Act.</p>
The Court of Chancery of Lancaster Act, 1850, 13 & 14 Vict. c. 43.	<p>In section nine, for the words from "person" to "inquisition" there shall be substituted the words "person suffering from mental</p>

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	<p>disorder within the meaning of the Mental Health Act, 1959 ".</p> <p>In section ten, for the words " lunatic, or person of unsound mind " there shall be substituted the words " or person suffering from mental disorder within the meaning of the Mental Health Act, 1959 ", and for the words from " committee " to " mind " there shall be substituted the words " receiver or guardian ad litem of a person suffering from mental disorder as aforesaid, and of the guardian ad litem of any infant, ".</p>
<p>The Improvement of Land Act, 1864, 27 & 28 Vict. c. 114.</p>	<p>In section sixty-eight, for the words " committee, or trustee " there shall be substituted the words " or receiver " and for the words " lunatic, idiot " there shall be substituted the words " or patient within the meaning of Part VIII of the Mental Health Act, 1959 ".</p>
<p>The Habitual Drunkards Act, 1879, 42 & 43 Vict. c. 19.</p>	<p>In section three, in the definition of "habitual drunkard ", for the words " amenable to any jurisdiction in lunacy " there shall be substituted the words " a mentally disordered person within the meaning of the Mental Health Act, 1959 ".</p>
	<p>In section seven, for the words from "who is licensed" to the end of the section there shall be substituted the words " in respect of premises which are a mental nursing home within the meaning of the Mental Health Act, 1959 ".</p>
<p>The Colonial Prisoners Removal Act, 1884, 47 & 48 Vict. c. 31.</p>	<p>In section ten, after subsection (2), there shall be added the following subsection—</p> <p>“(3) Without prejudice to the foregoing provisions of this section, where a criminal lunatic is removed to England and Wales, then—</p> <p style="padding-left: 40px;">(a) except where he is a criminal lunatic by virtue of having been convicted of an offence and afterwards certified or otherwise lawfully proved to be insane, the Secretary of State may give the like direction in respect of him under section seventy-one of the Mental Health Act, 1959, as may be given in the</p>

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The Forgery Act, 1913, 3 & 4 Geo. 5. c. 27.	<p>case of a person to whom that section applies;</p> <p>(b) in the said excepted case, the Secretary of State may give the like direction in respect of him under section seventy-two of that Act (with or without a direction under section seventy-four thereof) as may be given in the case of a person serving a sentence of imprisonment with respect to whom the Secretary of State is satisfied as mentioned in subsection (1) of that section.”</p> <p>In section three, in paragraph (d) of subsection (3), for the words " any master or registrar in lunacy" there shall be substituted the words " the authority having jurisdiction under Part VIII of the Mental Health Act, 1959 ".</p>
The Settled Land Act, 1925, 15 & 16 Geo. 5. c. 18.	<p>In section five, in paragraph (b) of subsection (3), for the words " the office of any master or registrar in lunacy " there shall be substituted the words " the Court of Protection ".</p> <p>In section sixty-eight, in subsection (3), for the words " a lunatic, or a defective " there shall be substituted the words " suffering from mental disorder ".</p>
The Trustee Act, 1925, 15 & 16 Geo. 5. c. 19.	<p>In section thirty-six, the following subsection shall be substituted for subsection (9)—</p> <p>“(9) Where a trustee is incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of exercising his functions as trustee and is also entitled in possession to some beneficial interest in the trust property, no appointment of a new trustee in his place shall be made by virtue of paragraph (b) of subsection (1) of this section unless leave to make the appointment has been given by the authority having jurisdiction under</p>

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Enactment

Amendment

Part VIII of the Mental Health Act, 1959.”

In section forty-one, in subsection (1), for the words " a lunatic or a defective" there shall be substituted the words " incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of exercising his functions as trustee ".

The following section shall be substituted for section fifty-four—

“54 Jurisdiction in regard mental patients.

- (1) Subject to the provisions of this section, the authority having jurisdiction under Part VIII of the Mental Health Act, 1959, shall not have power to make any order, or give any direction or authority, in relation to a patient who is a trustee if the High Court has power under this Act to make an order to the like effect.
- (2) Where a patient is a trustee and a receiver appointed by the said authority is acting for him or an application for the appointment of a receiver has been made but not determined, then, except as respects a trust which is subject to an order for administration made by the High Court, the said authority shall have concurrent jurisdiction with the High Court in relation to—
 - (a) mortgaged property of which the patient has become a trustee merely by reason of the mortgage having been paid off;
 - (b) matters consequent on the making of provision by the said authority for the exercise of a power of appointing trustees or retiring from a trust;
 - (c) matters consequent on the making of provision by the said authority for the

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Enactment

The Law of Property Act, 1925, 15 & 16
Geo. 5. c. 20.

Amendment

carrying out of any contract entered into by the patient;

- (d) property to some interest in which the patient is beneficially entitled but which, or some interest in which, is held by the patient under an express, implied or constructive trust.

The Lord Chancellor may make rules with respect to the exercise of the jurisdiction referred to in this subsection.

- (3) In this section " patient " means a patient as defined by section one hundred and one of the Mental Health Act, 1959, or a person as to whom powers are exercisable and have been exercised under section one hundred and four of that Act."

In section fifty-five (except so far as it applies to vesting orders made before the commencement of this Act), for the words " the Lunacy Act, 1890 " there shall be substituted the words " Part VIII of the Mental Health Act. 1959 ".

The following section shall be substituted for section twenty-two—

“22 Conveyances on behalf of persons suffering from mental and disorder and as to land held by them on trust for sale.

- (1) Where a legal estate in land(whether settled or not) is vested in a person suffering from mental disorder, either solely or rand jointly with any other person or persons, his receiver or (if no receiver is acting for him) any r person authorised in that behalf shall, under an order of the authority having jurisdiction under Part VIII of the Mental Health Act, 1959, or of the court, or under any statutory power, make or concur in making all requisite dispositions for conveying or creating a legal estate in his name and on his behalf.

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Enactment

Amendment

- (2) If land held on trust for sale is vested, either solely or jointly with any other person or persons, in a person who is incapable, by reason of mental disorder, of exercising his functions as trustee, a new trustee shall be appointed in the place of that person, or he shall be otherwise discharged from the trust, before the legal estate is dealt with under the trust for sale or under the powers vested in the trustees for sale.”

In section twenty-six, in subsection (2), the words " committee or " shall be omitted, and for the words " lunatic or defective " there shall be substituted the words " person suffering from mental disorder ".

In section twenty-eight, in proviso (i) of subsection (3), for the words " lunatic or defective " there shall be substituted the words " person suffering from mental disorder ", and the words " committee or " shall be omitted.

In section two hundred and five, in subsection (1), the following paragraph shall be substituted for paragraph (xiii)—

“(xiii) ' Mental disorder ' has the meaning assigned to it by section four of the Mental Health Act, 1959, and 'receiver ', in relation to a person suffering from mental disorder, means a receiver appointed for that person under Part VIII of that Act;”

The Land Registration Act, 1925, 15 & 16 Geo. 5. c. 21.

In section one hundred and eleven, in subsection (5), for the words from " a lunatic " to the words " lunacy or " there shall be substituted the words " incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of managing and administering his property and affairs, his receiver or (if no receiver

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Enactment

Amendment

[The Administration of Estates Act, 1925, 15 & 16 Geo. 5. c. 23.](#)

[The Supreme Court of Judicature \(Consolidation\) Act, 1925, 15 & 16 Geo. 5. c. 49.](#)

is acting for him) any person authorised in that behalf shall, under an order of the authority having jurisdiction under Part VIII of the Mental Health Act, 1959, or " and for the words " lunatic or defective " in each place where they occur there shall be substituted the words " the proprietor ", and in subsection (6), for the words "the Lunacy Act, 1890" there shall be substituted the words " Part VIII of the Mental Health Act 1959 ".

In section forty-one, in subsection (1), in paragraph (ii) of the proviso, for the words " a lunatic or defective " there shall be substituted the words " is incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of managing and administering his property and affairs " and the word " committee " shall be omitted, and in paragraph (iv) of the proviso, for the words from " committee " to " appointed " there shall be substituted the words " receiver is acting for a person suffering from mental disorder ", and for the words " lunatic or defective " in the second place where they occur there shall be substituted the words " said person ".

In section sixty-eight, in subsection (5), in paragraph (a) of the proviso, for the words " person of unsound mind, whether so found by inquisition or not " there shall be substituted the words " person who is incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of managing and administering his property and affairs ", for the word " committee " there shall be substituted the word " receiver ", and for the words from " any committee " to the end of the paragraph there shall be substituted the words " any receiver of a person suffering from mental disorder and that person, unless with the previous sanction of the authority having jurisdiction under Part VIII of the Mental Health Act, 1959 ".

In section one hundred and twenty-nine, in subsection (1), for the words " in matters and proceedings in lunacy a judge or master in lunacy " there shall be substituted the words " in proceedings before the authority having

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Enactment

Amendment

The Children and Young Persons Act, 1933,
 23 & 24 Geo. 5. c. 12.

jurisdiction under Part VIII of the Mental Health Act, 1959, that authority ".

In section one hundred and forty-nine, for the words " the Lord Chancellor and any person exercising the powers of the judge in lunacy " there shall be substituted the words " the authority having jurisdiction under Part VIII of the Mental Health Act, 1959 ".

In section two hundred and twenty-five, in the definition of " Officer of the Supreme Court", for the words from " salaries" to " lunacy " there shall be substituted the words " salaries, pensions and allowances of officers includes an officer of the Court of Protection or of the Lord Chancellor's Visitors ".

In the Third Schedule, for the words " Master in Lunacy " there shall be substituted the words " Master of the Court of Protection ", for the words " Legal Visitor in Lunacy " there shall be substituted the words " Lord Chancellor's Legal Visitor " and for the words " Medical Visitor in Lunacy" there shall be substituted the words " Lord Chancellor's Medical Visitor ".

In the Fourth Schedule, for the words " Master in Lunacy" wherever they occur there shall be substituted the words " Master of the Court of Protection ", and in paragraph 4, there shall be inserted at the end the words "or

(iv) the Deputy Master
 of the Court of
 Protection.”,

and in paragraph 8, for the words " Legal Visitor in Lunacy " there shall be substituted the words " Lord Chancellor's Legal Visitor ".

In section ninety-two, for the words from " but does not include " to the end of the section there shall be substituted the words " but does not include any mental nursing home or residential home for mentally disordered persons within the meaning of Part III of the Mental Health Act, 1959 ".

In the Fourth Schedule, in paragraph 4, the words from " and shall" to the end of the paragraph shall be omitted.

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<i>Enactment</i>	<i>Amendment</i>
The Public Health Act, 1936, 26 Geo. 5 & 1 Edw. 8. c. 49.	In section one hundred and ninety-nine, in subsection (1), in the definition of " nursing home ", for paragraphs (ii) and (iii) there shall be substituted the following paragraph: — <p data-bbox="1038 562 1331 846">“(ii) except so far as this Part of this Act is applied thereto by Part III of the Mental Health Act, 1959, any mental nursing home within the meaning of that Act.”</p>
The Public Health (London) Act, 1936, 26 Geo. 5 & 1 Edw. 8. c. 50.	In section three hundred and four, in subsection (1), in the definition of " nursing home ", for paragraphs (ii) and (iii) there shall be substituted the following paragraph: — <p data-bbox="1038 1032 1331 1317">“(ii) except so far as Part XI of this Act is applied thereto by Part III of the Mental Health Act, 1959, any mental nursing home within the meaning of that Act.”</p>
The Limitation Act, 1939, 2 & 3 Geo. 6. c. 21.	In section thirty-one, in subsection (3) (except so far as it relates to any period before the commencement of this Act), for paragraphs (a) and (b) there shall be substituted the following paragraphs:— <p data-bbox="922 1496 1299 1653">“(a) while he is liable to be detained or subject to guardianship under the Mental Health Act, 1959; and</p> <p data-bbox="932 1666 1331 2013">(b) while he is receiving treatment as an in-patient in any hospital or mental nursing home within the meaning of that Act without being liable to be detained thereunder, being treatment which follows without any interval a period during which he was liable to be detained or subject to</p>

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Enactment

The London Government Act, 1939, 2 & 3
 Geo. 6. c. 40.

Amendment

guardianship under that
 Act or by virtue of any
 enactment repealed or
 excluded by that Act”.

In section ninety-four, subsection (1) shall cease to have effect; the following subsection shall be substituted for subsection (2)—

“(2) Subject to the provisions of this section, where any sum to which this section applies is payable to a person by a local authority and the authority is satisfied after considering medical evidence that the said person (hereinafter referred to as 'the patient') is incapable, by reason of mental disorder within the meaning of the Mental Health Act, 1959, of managing and administering his property and affairs, the authority may pay the said sum or such part thereof as the authority thinks fit to the institution or person having the care of the patient, to be applied for his benefit, and may pay the remainder (if any) or such part thereof as the authority thinks fit—

- (a) to or for the benefit of persons who appear to the authority to be members of the patient's family or other persons for whom the patient might be expected to provide if he were not mentally disordered, or
- (b) in reimbursement, with or without interest, of money applied by any person either in payment of the patient's debts (whether legally enforceable or not) or for the maintenance or other benefit of the patient or such persons as are mentioned in the foregoing paragraph”;

and in subsections (4) and (5), for the references to the Master in Lunacy there shall be substituted references to the authority having jurisdiction under Part VIII of this Act.

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<i>Enactment</i>	<i>Amendment</i>
The Education Act, 1944, 7 & 8 Geo. 6. c. 31.	In section one hundred and sixteen, for the words from " person who is the subject of an order or inquisition" to " education at school " there shall be substituted the words " child who is for the time being the subject of a decision recorded under section fifty-seven of this Act ".
The Teachers' Superannuation Act, 1945.8 & 9 Geo. 6. c. 14.	In section one, in subsection (1), after paragraph (d) there shall be inserted the following paragraph— “(dd) as a teacher of such kind as may be prescribed of mentally disordered patients who is employed— (i) in a hospital vested in the Minister of Health under the National Health Service Act, 1946; (ii) by a local health authority in the exercise of their functions under section twenty-eight of the said Act of 1946; (iii) by a voluntary organisation to which a local health authority is making contributions under that section”;
The National Health Service Act, 1946, 9 & 10 Geo. 6. c. 81.	and after paragraph (e) there shall be inserted the following paragraph— “(ee) as a teacher employed in a mental nursing home or residential home for mentally disordered persons within the meaning of Part III of the Mental Health Act, 1959, being a teacher who at any time before the coming into operation of the said Part III was employed in recognised or contributory service in any such certified institution as aforesaid”.
	In section sixty-three, for the words " the Mental Deficiency Acts, 1913 to 1938 "

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<p>The National Assistance Act, 1948, 11 & 12 Geo. 6. c. 29.</p>	<p>there shall be substituted the words " section twenty-eight of this Act as extended by Part II of the Mental Health Act, 1959 ".</p> <p>In section seventy-nine, in subsection (1), in the definition of " illness ", for the words " mental illness " there shall be substituted the words " mental disorder within the meaning of the Mental Health Act, 1959 ".</p> <p>In section forty-nine, for the words from " section one " to " that section " there shall be substituted the words " Part VIII of the Mental Health Act, 1959, as receiver for a patient or as a person otherwise having functions in relation to the property and affairs of a patient ", and for the words " the said powers " there shall be substituted the words " such functions ".</p>
<p>The Children Act, 1948, 11 & 12 Geo. 6. c. 43.</p>	<p>In section two, in the proviso to subsection (3), for the words "unsoundness of mind or mental deficiency" there shall be substituted the words " mental disorder within the meaning of the Mental Health Act, 1959 ".</p>
<p>The Criminal Justice Act, 1948, 11 & 12 Geo. 6. c. 58.</p>	<p>In section four, in subsection (1), for the words from " appearing " to " 1913 " there shall be substituted the words " approved for the purposes of section twenty-eight of the Mental Health Act, 1959, that the mental condition of an offender is such as requires and may be susceptible to treatment but is not such as to warrant his detention in pursuance of a hospital order under Part V of that Act ".</p> <p>In subsection (2) of that section, the following paragraph shall be substituted for paragraphs (a) and (b): —</p> <p style="padding-left: 40px;">“(a) treatment as a resident patient in a hospital or mental nursing home within the meaning of the Mental Health Act, 1959, not being a special hospital within the meaning of that Act.”</p> <p>In subsection (3) of that section, the words " or can be " and the words " as a voluntary patient or " shall be omitted.</p>

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Enactment

Amendment

The National Service Act, 1948, 11 & 12
Geo. 6. c. 64.

The Recall of Army and Air Force
Pensioners Act, 1948, 12, 13 & 14 Geo. 6.
c. 8.

In subsection (4) of that section, the words " as a voluntary patient or " shall be omitted.

For subsections (7) and (8) of that section there shall be substituted the following subsection:—

“(7) Subsections (2) and (3) of section sixty-two of the Mental Health Act, 1959, shall apply for the purposes of this section as if for the reference in the said subsection (2) to paragraph (a) of subsection (1) of section sixty of that Act there were substituted a reference to subsection (1) of this section.”

In the First Schedule, for paragraph 3 there shall be substituted the following paragraph:—

- “3 A person who—
- (a) is receiving treatment for mental disorder as an inpatient in a hospital within the meaning of the Mental Health Act, 1959, or is receiving such treatment as an in-patient in any other place at the expense of a Regional Hospital Board; or
 - (b) is suffering from severe subnormality within the meaning of that Act and is either resident in accommodation provided by, or by arrangement with, a local health authority under section twenty-eight of the National Health Service Act, 1946, or is otherwise receiving care from a local health authority under that section.”

In the Schedule, for paragraph 2 there shall be substituted the following paragraph:—

- “2 A person who is receiving treatment for mental disorder as

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Enactment

The National Health Service (Amendment) Act, 1949, 12, 13 & 14 Geo. 6. c. 93.

Amendment

an in-patient in a hospital within the meaning of the Mental Health Act, 1959, or is receiving such treatment as an in-patient in any other place at the expense of a Regional Hospital Board”.

For section twenty-five there shall be substituted the following section:—

- “**25** (1) Where a medical practitioner carries out a medical examination of any person with a view to an application for his admission to hospital for observation or treatment being made under Part IV of the Mental Health Act, 1959, the local health authority, for the area where the person examined resides shall, subject to the following provisions of this section, pay to that medical practitioner reasonable remuneration in respect of the said examination and in respect of any recommendation or report made by him with regard to the person examined and the amount of any expenses reasonably incurred by him in connection with the examination or the making of any such recommendation or report.
- (2) No payment shall be made under this section to a medical practitioner in respect of an examination carried out as part of his duty to provide general medical services for the person examined or in respect of an examination carried out or any recommendation or report made as part of his duty as an officer of a Regional Hospital Board or a Board of Governors of a teaching hospital.
- (3) This section shall only apply in a case where it is intended, when the medical examination of the person in question is carried out, that if he is admitted to hospital in pursuance of any such application as is mentioned in subsection (1) of this section, the whole cost of his maintenance and treatment will be defrayed out of moneys provided by Parliament

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<p>The Matrimonial Causes Act, 1950, 14 Geo. 6. c. 25.</p>	<p>under the National Health Service Act, 1946, or the Mental Health Act, 1959.”</p> <p>In section one, in subsection (2) (except so far as it relates to any time before the commencement of this Act) for paragraph (a) there shall be substituted the following paragraph:—</p> <p>“(a) while he is liable to be detained in a hospital, mental nursing home or place of safety under the Mental Health Act, 1959”,</p> <p>and in paragraph (d), the words " the Mental Treatment Act, 1930, or under " shall be omitted.</p>
<p>The Costs in Criminal Cases Act, 1952, 15 & 16 Geo. 6. and 1 Eliz. 2. c. 48.</p>	<p>In section eight, in subsection (1) (except so far as it relates to a marriage celebrated before the commencement of this Act) in paragraph (b), for the words from " a mental defective " to " 1938 " there shall be substituted the words " was then suffering from mental disorder within the meaning of the Mental Health Act, 1959, of such a kind or to such an extent as to be unfitted for marriage and the procreation of children ", and for the word "fits" there shall be substituted the word " attacks " .</p> <p>In section twenty-seven, in subsection (2), in paragraph (b), after the word " deficiency " there shall be inserted the words " or disorder " .</p>
<p>The Magistrates' Courts Act, 1952, 15 & 16 Geo. 6 and 1 Eliz. 2. c. 55.</p>	<p>In section fourteen, in subsection (1), after the words " that Act " there shall be inserted the words " or with a view to the making of a hospital order with an order restricting his discharge under Part V of the Mental Health Act, 1959 " .</p> <p>In section twenty-six, in subsection (1), for the words " the offence has been committed by the accused " there shall be substituted the words " the accused did the act or made the omission charged " ; in subsection (3), for the words from " shall undergo" to the words " may be so specified" there shall be substituted the words “shall—</p> <p>(a) undergo medical examination by a duly</p>

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Enactment

Amendment

- qualified medical practitioner or, where the inquiry is into his mental condition and the recognizance so specifies, two such practitioners; and
- (b) for the purpose attend at an institution or place, or on any such practitioner, specified in the recognizance and, where the inquiry is into his mental condition, comply with any directions which may be given to him for the said purpose by any person so specified or by a person of any class so specified”;

and for the words " for such period as may be specified in the recognizance " there shall be substituted the words " until the expiration of such period as may be specified in the recognizance or he is discharged therefrom, whichever occurs first "; in subsection (4), for the words from " it may " to the end of the subsection there shall be substituted the words " the conditions of the recognizance taken for the purpose of his committal may, in addition to the condition for his appearance, include the like conditions as could be included in the conditions of a recognizance with respect to the like inquiry by virtue of the last preceding subsection " ; and subsection (6) shall cease to have effect.

[The Local Government Superannuation Act, 1953, 1 & 2 Eliz. 2. c. 25.](#)

In section fifteen, in subsection (1), in paragraph (a) for the words " the Mental Deficiency Acts, 1913 to 1938 " there shall be substituted the words " the Mental Health Act, 1959 ".

[The Sexual Offences Act, 1956, 4 & 5 Eliz. 2. c. 69.](#)

In the Second Schedule, in paragraph 1, in the fourth column, for the words " an idiot or imbecile " there shall be substituted the words " a defective "; in paragraph 11, in the first column, for the words " idiot or imbecile " there shall be substituted the word " defective "; and in paragraph 14, in the fourth column, for the words " an idiot or imbecile " there shall be substituted the words " a defective ".

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The Nurses Act, 1957, 5 & 6 Eliz. 2. c. 15.	<p>In section two, in subsection (1), for the word " diseases " there shall be substituted the word " disorder ".</p> <p>In section eight, in subsection (2), for the word " diseases" there shall be substituted the word " disorder ".</p> <p>In section eighteen, in subsection (3), for the word " diseases" there shall be substituted the word " disorder ".</p> <p>In section thirty-one, for the word " diseases " there shall be substituted the word " disorder ".</p> <p>In section thirty-three, in subsection (1), for the definition of " mental hospital " there shall be substituted the following definition, that is to say, " ' mental hospital' means any hospital or mental nursing home within the meaning of the Mental Health Act, 1959, wholly or mainly used for the treatment of persons suffering from mental disorder ", and in the definition of " registered mental nurse" for the word " diseases " there shall be substituted the word " disorder ".</p> <p>In the First Schedule, in sub-paragraph (1) of paragraph 2, for the word " diseases " there shall be substituted the word " disorder ".</p> <p>In the Third Schedule, in paragraph 1, in sub-paragraph (3), for the word " diseases " there shall be substituted the word " disorder ".</p>
The Solicitors Act, 1957, 5 & 6 Eliz. 2. c. 27.	<p>In section twelve, in subsection (1), the following shall be substituted for paragraph (e)—</p> <p>“(e) whilst he is a patient as defined by section one hundred and one of the Mental Health Act, 1959, or a person as to whom powers are exercisable and have been exercised under section one hundred and four of that Act;”</p>
The Variation of Trusts Act, 1958, 6 & 7 Eliz. 2. c. 53.	<p>In section one, in subsection (3), for the words from " the Judge " to the end of the subsection there shall be substituted the words " the authority having jurisdiction under Part VIII of the Mental Health Act, 1959, if that person is a patient within the</p>

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<i>Enactment</i>	<i>Amendment</i>
<p>The Local Government Act, 1958, 6 & 7 Eliz. 2. c. 55.</p>	<p>meaning of the said Part VIII ", and in subsection (6), for the words from " section one hundred and seventy-one " to the end of the subsection there shall be substituted the words " the powers of the authority having jurisdiction under Part VIII of the Mental Health Act, 1959 ".</p> <p>In section forty-six, in subsection (1), references to Part III of the National Health Service Act, 1946, and to section twenty-eight of that Act, and references to sections twenty-nine and thirty of the National Assistance Act, 1948, shall include references to those enactments as. amended by this Act; and for paragraphs (d) and (e) there shall be substituted the following paragraph—</p> <p style="padding-left: 40px;">“(d) the Mental Health Act, 1959, except so far as it amends Part III of the National Health Service Act, 1946”;</p> <p>In Part III of the First Schedule, in paragraph 4, in sub-paragraph (1), for the words " occupation centres provided for the purposes of paragraph (cc) of section thirteen of the Mental Deficiency Act, 1913 " there shall be substituted the words " centres provided under' section twenty-eight of the National Health Service Act, 1946, for the occupation or training of persons who are or have been suffering from mental disorder " and, in sub-paragraph (2), after " occupation " there shall be inserted " or training ".</p>

PART II

OTHER AMENDMENTS

<i>Enactment</i>	<i>Amendment</i>
<p>The Naval Enlistment Act, 1884, 47 & 48 Vict. c. 46.</p>	<p>In section three, after the word " 1955 " there shall be inserted the words " as amended by the Mental Health Act. 1959 "</p>
<p>The Pharmacy and Poisons Act, 1933, 23 & 24 Geo. 5. c. 25.</p>	<p>In section ten, in subsection (6), for the words from " trustee" to " powers of a committee " there shall be substituted the words " or trustee, or a receiver appointed</p>

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<i>Enactment</i>	<i>Amendment</i>
The Polish Resettlement Act, 1947, 10 & 11 Geo. 6. c. 19.	<p>under Part VIII of the Mental Health Act, 1959 ".</p> <p>In section thirty, in paragraph (f), for the words from "references" to "of a committee" there shall be substituted the words "reference to a receiver ".</p> <p>In section four, in subsection (1), for the words "the Lunacy and Mental Treatment Acts, 1890 to 1930, or the Mental Deficiency Acts, 1913 to 1938" there shall be substituted the words " the Mental Health Act, 1959 ".</p>
The National Assistance Act, 1948, 11 & 12 Geo. 6. c. 29.	<p>In section eleven, in subsection (3), in paragraph (b), for the words "the Lunacy and Mental Treatment Acts, 1890 to 1930, and the Mental Deficiency Acts, 1913 to 1938" there shall be substituted the words " the Mental Health Act, 1959 ".</p> <p>In section thirty-seven, in subsection (9), at the end of paragraph (d) of the proviso there shall be added the words " including any mental nursing home within the meaning of Part III of the Mental Health Act, 1959 " , and after paragraph (g) there shall be inserted the words "or</p>
The Children Act, 1948, 11 & 12 Geo. 6. c. 43.	<p>(h) except as provided by Part III of the Mental Health Act, 1959, any residential home for mentally disordered persons within the meaning of the said Part III".</p> <p>In section thirty-nine, in subsection (1), after paragraph (e) there shall be inserted the following paragraph:—</p> <p>“(f) section nine of the Mental Health Act, 1959, and the provisions of section ten of that Act relating to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in paragraph (a) of subsection (1) of that section.”</p>
The U.S.A. Veterans' Pensions (Administration) Act, 1949, 12, 13 & 14 Geo. 6. c. 45.	<p>Subsection (4) of section one shall apply as respects a person for whom a receiver has been appointed under section one hundred and five of this Act as it applies as</p>

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<i>Enactment</i>	<i>Amendment</i>
The Representation of the People Act, 1949, 12, 13 & 14 Geo. 6. c. 68.	respects such a person as is mentioned in that subsection. Section four shall have effect, in its application to England and Wales, as if for the words "or mental defectiveness" there were substituted the words " or other form of mental disorder " and, in its application to Northern Ireland, as if for the words "or mental defectiveness" there were substituted the words " or arrested or incomplete development of mind ".
The Administration of Justice (Pensions) Act, 1950, 14 & 15 Geo. 6. c. 11.	In the First Schedule, for the words "Master in Lunacy" and "Legal Visitor in Lunacy" there shall be substituted respectively the words " Master of the Court of Protection " and "Lord Chancellor's Legal Visitor".
The Army Act, 1955, 3 & 4 Eliz. 2. c. 18.	No order shall be made under section sixteen directing that a soldier be received into a hospital in England and Wales; and accordingly, in subsection (2), for the words "Great Britain" there shall be substituted the word " Scotland ".
The Air Force Act, 1955, 3 & 4 Eliz. 2. c. 19.	No order shall be made under section sixteen directing that an airman be received into a hospital in England and Wales; and accordingly, in subsection (2), for the words "Great Britain" there shall be substituted the word " Scotland ".
The Revision of the Army and Air Force Acts (Transitional Provisions) Act, 1955, 3 & 4 Eliz. 2. c. 20.	In the Second Schedule, in paragraph 2, after the word "1955" there shall be inserted the words " as amended by the Mental Health Act, 1959 ".
The Children Act, 1958, 6 & 7 Eliz. 2. c. 65.	In section two, at the end of subsection (4), there shall be added the words " or while he is liable to be detained or subject to guardianship under the Mental Health Act, 1959, or is resident in a residential home for mentally disordered persons within the meaning of Part III of that Act ".
The Adoption Act, 1958, 7 & 8 Eliz. 2. c. 5.	In section thirty-seven, in subsection (3), at the end there shall be added the words " nor while he is liable to be detained, subject to guardianship or resident as mentioned in subsection (4) of that section ".