



Mental Health Act 1959

1959 CHAPTER 72

PART III

MENTAL NURSING HOMES, RESIDENTIAL HOMES, ETC.

Miscellaneous

22 Powers of entry and inspection of other premises

A mental welfare officer of a local health authority may, at all reasonable times, after producing, if asked to do so, some duly authenticated document showing that he is such an officer, enter and inspect any premises (not being a hospital) in the area of that authority in which a mentally disordered patient is living, if he has reasonable cause to believe that the patient is not under proper care.

23 Prosecution of offences

- (1) The registration authority may prosecute for any offence under this Part of this Act, or any enactment thereby applied.
- (2) Section two hundred and ninety-eight of the Public Health Act, 1936 (which restricts the right to prosecute for offences under that Act) shall not apply to offences under Part VI of that Act in respect of mental nursing homes.

24 Application to London

In relation to the administrative county of London the provisions of this Part of this Act shall have effect subject to the following modifications, that is to say—

- (a) for any reference to Part VI of the Public Health Act, 1936, there shall be substituted a reference to Part XI of the Public Health (London) Act, 1936 ;
- (b) for references to sections one hundred and eighty-eight, one hundred and ninety, one hundred and ninety-one and one hundred and ninety-two of the Public Health Act, 1936, there shall be substituted respectively references to

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

sections two hundred and forty-two, two hundred and forty-four, two hundred and forty-five and two hundred and forty-six of the Public Health (London) Act, 1936; and

- (c) for subsection (3) of section fourteen there shall be substituted the following subsection:—

“(3) In this Part of this Act 'registration authority', in relation to a mental nursing home, means the local supervising authority as defined by section two hundred and forty of the Public Health (London) Act, 1936; and section two hundred and forty-nine of that Act (which enables the London County Council to delegate to the council of a metropolitan borough certain powers exercisable under Part XI of that Act) shall have effect as if the reference to the said Part XI included a reference to this Part of this Act so far as it relates to mental nursing homes.”