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## SCHEDULES.

### SIXTH SCHEDULE

#### TRANSITIONAL PROVISIONS.

- 9 (1) In this and the two last foregoing paragraphs the following expressions have the meanings hereby assigned to them respectively:—
- " hospital purposes ", in relation to any premises, means purposes such that if the premises were a separate institution they would be a hospital as defined by section seventy-nine of the Act of 1946;
  - " lunacy order " and " mental hospital " mean respectively an order under the Lunacy and Mental Treatment Acts, 1890 to 1930, and a mental hospital for the purposes of those Acts;
  - " mental deficiency order " and " institution for defectives " mean respectively an order under the Mental Deficiency Acts, 1913 to 1938, and an institution for defectives for the purposes of those Acts;
  - " the Act of 1946 " means the National Health Service Act, 1946;
  - " workhouse " means a workhouse, as defined in the Poor Law Act, 1930, provided by a local authority.
- (2) The question whether any premises fall within sub-paragraph (i) of paragraph 7 or sub-paragraph (1) of paragraph 8 of this Schedule shall be determined by agreement between the local authority and the Regional Hospital Board, or in default of agreement by the Minister of Health.
- (3) In the application of this and the two last foregoing paragraphs to Scotland—
- (a) for sub-paragraph (2) of paragraph 7 there shall be substituted the following sub-paragraph—
    - “(2) Where immediately before the appointed day any person was, by virtue of a sanction of the General Board of Control for Scotland under section four of the Lunacy (Scotland) Act, 1862, or of a removal or transfer authorised under section sixteen of the said Act, detained in the lunatic ward of a poorhouse within the meaning of the said Act, and the poorhouse as a whole was mainly being used for purposes other than hospital purposes,
      - (i) the ward shall be deemed, until the time determined under head (a) of that sub-paragraph to be a mental hospital for the purposes of the Lunacy (Scotland) Acts, 1857 to 1913; and
      - (ii) the sanction shall have effect as if it were an order granted on the appointed day by the sheriff under section fourteen of the aforesaid Act of 1862 for the reception into and detention in the premises of the said person;”
  - (b) paragraph 9 shall have effect as if at the end of the definition in sub-paragraph (1) of the expression " hospital purposes " there were added the following words " and includes the, purposes for which the lunatic ward of a

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- poorhouse licensed under section three of the Lunacy (Scotland) Act, 1862 is used";
- (c) for references to the Act of 1946 and to sections sixty-eight and seventy-nine thereof there shall be respectively substituted references to the National Health Service (Scotland) Act, 1947, and to sections sixty-seven and eighty thereof.