

SCHEDULES

SIXTH SCHEDULE

TRANSITIONAL PROVISIONS

PART II

PROVISIONS RELATING TO PART III

- 3 (1) Until the expiration of the period of six months beginning with the commencement of this Act or until registration is effected under sub-paragraph (2) of this paragraph, whichever first occurs—
- (a) any person who, immediately before the date of the commencement of this Act, was the holder of a licence granted and in force under Part VIII of the Lunacy Act, 1890, in respect of a licensed house ;
 - (b) the management committee of a hospital which, immediately before that date, was a registered hospital as defined by section seventeen of this Act; and
 - (c) any person who, immediately before that date, was carrying on a nursing home for the time being approved for the purposes of section one or section five of the Mental Treatment Act, 1930,
- shall be treated for the purposes of the provisions of Part III of this Act relating to mental nursing homes as if he or they were registered in respect of the house, hospital or home as a mental nursing home and (except in the case of a nursing home approved for the purposes of section one but not section five of the Mental Treatment Act, 1930) as if the particulars of registration were entered in the separate part of the register referred to in subsection (1) of section fifteen of this Act.
- (2) Before the expiration of the said period of six months the registration authority for the purposes of the provisions of Part III of this Act relating to mental nursing homes shall, without an application being made in that behalf,—
- (a) register any person or committee mentioned in the foregoing sub-paragraph in respect of the relevant house, hospital or home as a mental nursing home and (except as mentioned in that sub-paragraph) enter the particulars of registration in the said separate part of the register; and
 - (b) issue to him or them a certificate of registration specifying as the number of persons permitted to be kept at any one time in the home the number permitted to be kept there immediately before the commencement of this Act.
- 4 During the period of six months beginning with the commencement of this Act—
- (a) the managers of any institution in respect of which a certificate under section thirty-six of the Mental Deficiency Act, 1913, was in force immediately before the date of the commencement of this Act;
 - (b) any person who, immediately before that date, had the custody at any place of a patient under section fifty-seven of the Lunacy Act, 1890 ; and

Status: This is the original version (as it was originally enacted).

- (c) any person who, immediately before that date, had the charge of a certified or temporary patient as a single patient under the Lunacy and Mental Treatment Acts, 1890 to 1930, in any place not being a licensed house or nursing home to which paragraph 3 of this Schedule applies,

shall be treated for the purposes of the provisions of Part III of this Act relating to mental nursing homes as if they or he were registered in respect of that institution or place as a mental nursing home and as if the particulars of registration were entered in the separate part of the register referred to in subsection (1) of section fifteen of this Act.

- 5 During the period of six months beginning with the commencement of this Act—
- (a) the managers of any premises, or the person approved under the Mental Deficiency Act, 1913, in respect of any house which, immediately before the date of the commencement of this Act, were or was an approved home within the meaning of section fifty of that Act;
- (b) any person who, immediately before that date, had the care and control in any place of any defectives with the consent of the Board of Control under subsection (1) of section fifty-one of that Act;
- (c) any person who, immediately before that date, had the care and control in any place (not being a place to which paragraph 4(c) of this Schedule applies) of any voluntary patient received as a single patient under section one of the Mental Treatment Act, 1930; and
- (d) any person who, immediately before that date, Was registered or exempted from registration under Part VI of the Public Health Act, 1936, or under Part XI of the Public Health (London) Act, 1936, in respect of a nursing home which, if this Act had been in force, would have been a mental nursing home within the meaning of Part III of this Act (not being a place to which paragraph 4(c) of this Schedule applies),

shall be treated for the purposes of the provisions of the said Part III as if they or he were registered in respect of that home or place and, in the case of a home or place being a mental nursing home within the meaning of the said Part IE, as if the particulars of registration were so entered otherwise than in the separate part of the register referred to in subsection (1) of section fifteen of this Act.

- 6 Where, by virtue of this Schedule any person is treated for the purposes of the provisions of Part III of this Act as if he were registered in respect of any premises, institution, home or place, the said Part III shall apply as if the number of patients specified in the certificate of registration in pursuance of subsection (2) of section fifteen or subsection (1) of section twenty of this Act were the number permitted to be kept there immediately before the commencement of this Act, including any single patients who were then kept in the premises, institution, home or place.