

## SCHEDULES

### FIRST SCHEDULE

Section 3.

#### MENTAL HEALTH REVIEW TRIBUNALS

- 1 Each of the Mental Health Review Tribunals shall consist of—
  - (a) a number of persons (hereinafter referred to as " the legal members") appointed by the Lord Chancellor and having such legal experience as the Lord Chancellor considers suitable ;
  - (b) a number of persons (hereinafter referred to as " the medical members") being medical practitioners appointed by the Lord Chancellor after consultation with the Minister ; and
  - (c) a number of persons appointed by the Lord Chancellor after consultation with the Minister and having such experience in administration, such knowledge of social services or such other qualifications or experience as the Lord Chancellor considers suitable.
- 2 The members of Mental Health Review Tribunals shall hold and vacate office under the terms of the instrument under which they are appointed, but may resign office by notice in writing to the Lord Chancellor ; and any such member who ceases to hold office shall be eligible for re-appointment.
- 3 One of the legal members of each Mental Health Review Tribunal shall be appointed by the Lord Chancellor as chairman of the Tribunal.
- 4 Subject to rules made by the Lord Chancellor under paragraph (c) of subsection (2) of section one hundred and twenty-four of this Act, the members who are to constitute a Mental Health Review Tribunal for the purposes of any proceedings or class or group of proceedings under this Act shall be appointed by the chairman of that Tribunal or, if for any reason he is unable to act, by another member of that Tribunal appointed for the purpose by the chairman ; and of the members so appointed—
  - (a) one or more shall be appointed from the legal members;
  - (b) one or more shall be appointed from the medical members; and
  - (c) one or more shall be appointed from the members who are neither legal nor medical members.
- 5 A member of a Mental Health Review Tribunal for any area may be appointed under paragraph 4 of this Schedule as one of the persons to constitute a Mental Health Review Tribunal for any other area for the purposes of any proceedings or class or group of proceedings ; and for the purposes of this Act, a person so appointed shall, in relation to the proceedings for which he was appointed, be deemed to be a member of that other Tribunal.
- 6 Where the chairman of the Tribunal is included among the persons appointed under paragraph 4 of this Schedule, he shall be president of the Tribunal; and in any other case the president of the Tribunal shall be such one of the members so appointed (being one of the legal members) as the chairman may nominate.

## SECOND SCHEDULE

Section 11.

### SECTIONS SUBSTITUTED FOR EDUCATION ACT, 1944, S. 57

**“57 Medical examination and classification of children unsuitable for education.**

- (1) It shall be the duty of every local education authority to ascertain what children in their area are suffering from a disability of mind of such a nature or to such an extent as to make them unsuitable for education at school; and for the purpose of fulfilling that duty any officer of a local education authority authorised in that behalf by the authority may by notice in writing served upon the parent of any child who has attained the age of two years require him to submit the child for examination by a medical officer of the authority.
- (2) If a parent upon whom such a notice is served fails without reasonable excuse to comply with the requirements of the notice, he shall be liable on summary conviction to a fine not exceeding five pounds.
- (3) Before any child is medically examined as aforesaid, the local education authority shall cause notice to be given to the parent of the time and place at which the examination will be held, and the parent shall be entitled to be present at the examination if he so desires.
- (4) If, after considering the advice given with respect to any child by a medical officer in consequence of a medical examination under this section, and any reports or information which the local education authority are able to obtain from teachers or other persons with respect to the ability and aptitude of the child, the authority decide that the child is suffering from such a disability of mind as aforesaid, they shall (subject to subsection (5) of this section) cause the decision to be recorded and furnish to the local health authority a report of the decision, together with a copy of any written advice, report or information which was taken into account for the purposes of the decision.
- (5) Before recording a decision under this section with respect to any child, the local education authority shall give to the parent of the child not less than twenty-one days' notice in writing of their intention to do so, and if within that period the parent refers to the Minister of Education the question whether such a decision should be recorded, the decision shall not be recorded except by direction of that Minister.
- (6) Any notice under subsection (5) of this section shall contain a statement of the functions of the local health authority with respect to the making of arrangements for the treatment, care or training of the child in the event of the decision being recorded, and, if known to the local education authority, a statement of the arrangements proposed to be made by the local health authority in the discharge of those functions.

**57A Review of classification.**

- (1) Where a decision has been recorded under section fifty-seven of this Act in the case of a child—
  - (a) the parent of the child may, at any time (but not earlier than twelve months after the recording of the decision nor more often than once in any subsequent period of twelve months) by notice in writing request the local education authority to review the decision; and
  - (b) if at any time it appears to the local health authority, or to any authority or body responsible for the management of an institution in which the child is under

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care, that the decision ought to be reviewed, they shall give notice to that effect to the local education authority.

- (2) Where any such notice is given to the local education authority, the local education authority shall cause to be served on the parent of the child the notice authorised by subsection (1) of section fifty-seven of this Act, and subsections (2) and (3) of that section shall apply accordingly ; and if they decide, after considering the advice given by the medical officer and any reports or information available to them with respect to the child (including, in the case of a notice under paragraph (b) of subsection (1) of this section, any reports or information from the authority or body by whom the notice is given) that the child is no longer unsuitable to receive education at school, they shall cancel the original decision.
- (3) Where a decision recorded under section fifty-seven of this Act is reviewed under this section, the local education authority shall serve on the parent of the child a notice stating whether they have decided that the child is still unsuitable to receive education at school; and where the notice states that the authority have so decided—
  - (a) the parent may, before the expiration of the period of twenty-one days beginning with the day next following that on which the notice is served upon him, appeal to the Minister of Education against the decision of the authority ; and
  - (b) if that Minister is of opinion that the authority ought to have decided that the child is no longer unsuitable to receive education at school, he may direct the authority to cancel the original decision recorded with respect to the child.
- (4) Any notice under subsection (1) of this section shall be given to the local education authority who would be responsible for the education of the child if the decision were cancelled; and where a decision recorded in respect of a child by one local education authority is cancelled under this section by a different local education authority, the authority by whom the decision is cancelled shall give notice to that effect to the authority by whom the decision was recorded.

#### **57B Supplementary provisions as to classification.**

- (1) For the purposes of section fifty-seven of this Act a child for whom education is provided by one local education authority in the area of another local education authority shall be treated as if he were in the area of the first-mentioned authority; but any functions of the local education authority under that section may, in accordance with arrangements made between them, be performed on behalf of the first-mentioned authority by the other authority, and the reference in subsection (1) of that section to a medical or other officer of the authority shall be construed accordingly.
- (2) If, after considering the advice given with respect to a child by a medical officer in consequence of a medical examination carried out under section thirty-four of this Act, the local education authority decide, not that the child requires special educational treatment, but that he is suffering from such a disability as is referred to in subsection (1) of section fifty-seven of this Act, the provisions of the said section fifty-seven shall apply as if the examination had been carried out and the decision made under that section.
- (3) If, after considering the advice given with respect to a child by a medical officer in consequence of a medical examination carried out under section fifty-seven of this Act, or under the said section fifty-seven as applied by section fifty-seven A of this Act, and any such reports or information as are referred to in subsection (4) of the said

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section fifty-seven or subsection (2) of the said section fifty-seven A, the local education authority decide that the child is not suffering from such a disability as aforesaid, but that he requires special educational treatment, subsections (4) to (6) of the said section thirty-four shall apply as if the examination had been carried out and the decision made under that section.”

THIRD SCHEDULE

Sections 63, 65, 66, 68, 71, 72, 74, 79.

APPLICATION OF PART IV TO PATIENTS ADMITTED TO  
HOSPITAL OR PLACED UNDER GUARDIANSHIP UNDER PART V

Section of Part IV and subject matter	Exceptions and modifications	
	Hospital order without restriction (s. 63)	Hospital order with restriction or committal to hospital (ss. 65 & 68)
	Transfer direction without restriction (ss. 72 & 73)	Direction as to Queen's pleasure prisoner (s. 71)
	Guardianship order or direction (ss. 63 & 79)	Transfer direction with restriction (s. 74)
S. 35 (Regulations as to guardianship).	None	Not applicable.
S. 36 (Correspondence of patients)	None	In subsection (2), at the end of paragraph (a), there shall be inserted the words " or the Secretary of State " , and subsection (5) shall be omitted.
S. 37 (Visiting and examination of patients).	In subsection (1), the words " or of advising as to the exercise by the nearest relative of any such patient of any power to order his discharge" and the words " or by the nearest relative of the patient, as the case may be " shall be omitted.	Subsection (1) shall not apply.
S. 38 (Re-classification of patients)	In subsection (1), for references to an application for admission or a guardianship application there shall be substituted references to the order or direction under Part V of this Act by virtue of which the patient is liable to be detained or subject to guardianship.	The section shall not apply.

Exceptions and modifications		
Section of Part IV and subject matter	Hospital order without restriction (s. 63)  Transfer direction without restriction (ss. 72 & 73)  Guardianship order or direction (ss. 63 & 79)	Hospital order with restriction or committal to hospital (ss. 65 & 68)  Direction as to Queen's pleasure prisoner (s. 71)  Transfer direction with restriction (s. 74)
S. 39 (Leave of absence from hospital).	None	<p>In subsection (1), after the word "may" there shall be inserted the words " with the consent of the Secretary of State ".</p> <p>In subsection (4), after the words " the responsible medical officer" and after the words " that officer" there shall in each case be inserted the words " or the Secretary of State ".</p> <p>In subsection (5), after the word " recalled", where that word first occurs, there shall be inserted the words " by the responsible medical officer ", and for the words from " he has ceased " to the end of the subsection there shall be substituted the words " the expiration of the period of six months beginning with the first day of his absence on leave ".</p>
S. 40 (Return and re-admission of patients absent without leave).	None	Subsections (2) and (3), and in subsection (1), the words " within the period allowed by this section ", shall be omitted.
S. 41 (Regulations as to transfer of patients).	In subsection (2), for the words from "as follows " to the end of the subsection there shall be substituted the words " as if the order or direction under Part V of this Act by virtue of which he was liable to be detained or subject to guardianship before being transferred were an order or direction for his	<p>In subsection (1), after the word " may" in paragraph (a), there shall be inserted the words " with the consent of the Secretary of State " , and the words from " or into " to the end of the subsection shall be omitted.</p> <p>In subsection (2), for the words from " as follows "</p>

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Section of Part IV and subject matter	Exceptions and modifications	
	<p>Hospital order without restriction (s. 63)</p> <p>Transfer direction without restriction (ss. 72 &amp; 73)</p> <p>Guardianship order or direction (ss. 63 &amp; 79)</p> <p>admission or removal to the hospital to which he is transferred, or placing him under the guardianship of the authority or person into whose guardianship he is transferred, as the case may be "</p>	<p>Hospital order with restriction or committal to hospital (ss. 65 &amp; 68)</p> <p>Direction as to Queen's pleasure prisoner (s. 71)</p> <p>Transfer direction with restriction (s. 74)</p> <p>to the end of the subsection there shall be substituted the words " as if the order or direction under Part V of this Act by virtue of which he was liable to be detained before being transferred were an order or direction for his admission or removal to the hospital to which he is transferred "</p> <p>Subsection (5) shall be omitted.</p>
S. 42 (Transfer of guardianship in case of death, incapacity, etc. of guardian).	None	Not applicable.
S. 43 (Duration of Authority)	In subsection (1), for the words from " day on which he was " to " as the case may be " mere shall be substituted the words " date of the relevant order or direction under Part V of this Act "	The section shall not apply.
S. 45 (Special provisions as to patients absent without leave).	In subsection (2), the words " or subsection (2) of section forty-four " shall be omitted.	The section shall not apply.
S. 46 (Special provisions as to patients sentenced to imprisonment, etc.).	For references to an application for admission or a guardianship application there shall be substituted references to the order or direction under Part V of this Act by virtue of which the patient is liable to be detained or subject to guardianship.	Subsection (1) and paragraph (a) of subsection (2) shall not apply.
S. 47 (Discharge of patients)	In subsection (2), paragraph (a) and the words " or by the nearest relative of the patient", in both places	In subsection (1), references to guardians shall be omitted, and after the word " mad there shall be inserted the

Exceptions and modifications		
Section of Part IV and subject matter	Hospital order without restriction (s. 63)	Hospital order with restriction or committal to hospital (ss. 65 & 68)
	Transfer direction without restriction (ss. 72 & 73)	Direction as to Queen's pleasure prisoner (s. 71)
	Guardianship order or direction (ss. 63 & 79)	Transfer direction with restriction (s. 74)
	where those words occur, shall be omitted.	words " with consent of the Secretary of State and "
		In subsection (2), paragraphs (a) and (c), and paragraph (b) the words " or by the near relative of the patient", shall be omitted.
S. 49 (Definition of relative and " nearest relative). }	None	The sections shall not apply.
S. 50 (Children and young persons in care of local authority). }		
S. 51 (Nearest relative of infant under guardianship, etc.). }		
S. 55 (Procedure on applications to county court).	None	The section shall not apply.
S. 56 (Regulations for purposes of Part IV).	None	None
S. 57 (Power of Minister to refer to Tribunal).	None	The section shall not apply.
S. 59 (Interpretation of Part IV)	None	In subsection (1) the definition of " the nominated medical attendant", and subsections (3) and (4), shall be omitted.

## FOURTH SCHEDULE

Section 120.

## MODIFICATIONS OF PROVISIONS OF LUNACY REGULATION (IRELAND) ACT, 1871

- 1 In the definitions in section two of the Lunacy Regulation (Ireland) Act, 1871 (in this Schedule referred to as " the Act"), the expression " stock " shall be defined to include shares and also any fund, annuity or security transferable in the books kept by any body corporate or unincorporated company or society, or by an instrument of transfer, either alone or accompanied by other formalities, and the expression " dividend " shall be construed accordingly.

- 2 Section eighteen of the Act (which contains provisions requiring an inquiry under the Act to be before a jury where the alleged lunatic is not within the jurisdiction and provisions respecting notice to be given to such a lunatic) shall cease to have effect.
- 3 In section sixty-eight of the Act (which provides that where the property of a lunatic does not exceed two thousand pounds in value or the income thereof one hundred pounds per annum the application thereof for his benefit may be ordered without any inquiry under a commission of lunacy) for the words " two thousand pounds " there shall be substituted the words " ten thousand pounds " : for the words " one hundred pounds " there shall be substituted the words " five hundred pounds " : for the words " for the purpose of rendering the property of such person or the income thereof," there shall be substituted the words " for the purpose of protecting the property of such person or the income thereof or of rendering such property or income " ; and after the words " trade or business " there shall be inserted the words " or for otherwise administering the affairs of such person.
- 4 For section ninety-one of the Act (which authorises the making of orders with respect to stock standing in Northern Ireland in the name of a lunatic residing outside Northern Ireland) there shall be substituted the following section:—
- “**91** Where the Lord Chief Justice of Northern Ireland is satisfied—
- (a) that under the law prevailing in a place outside Northern Ireland a person has been appointed to exercise powers with respect to the property or affairs of any other person on the ground (however formulated) that that other person is incapable, by reason of a disorder or disability of mind, of managing and administering his property or affairs ; and
  - (b) that having regard to the nature of the appointment and to the circumstances of the case it is expedient that he should exercise his powers under this section:
- he may direct any stock standing in the name of the said other person or the right to receive the dividends thereof to be transferred into the name of the person so appointed or otherwise dealt with as requested by that person, and may give such directions as the judge thinks fit for dealing with accrued dividends thereof.”
- 5 In section ninety-six of the Act (which prescribes the extent of the powers and authorities given by the Act) for the words " (except England, Wales and Scotland)", there shall be substituted the following words :—
- “but shall not be exercisable in relation to any person—
- (a) in relation to whom powers have been exercised in England or Wales under any enactment there in force with respect to the management of property or affairs of mentally disordered persons: or
  - (b) for whom a curator bonis, tutor, or judicial factor has been appointed in Scotland”.

## FIFTH SCHEDULE

Section 121.

GENERAL ENACTMENTS CEASING TO HAVE EFFECT IN  
RELATION TO PERSONS WITHIN JURISDICTION UNDER PART VIII

Session and Chapter	Short Title	Enactments
13 Geo. 3. c. 81.	The Inclosure Act, 1773.	Sections twenty-two and twenty-four.
17 Geo. 3. c. 53.	The Clergy Residences Repair Act, 1776.	Section fourteen.
42 Geo. 3. c. 116.	The Land Tax Redemption Act, 1802.	Section fourteen.
55 Geo. 3. c. 128.	The Admiralty (Signal Stations) Act, 1815.	Section three.
55 Geo. 3. c. 147.	The Glebe Exchange Act, 1815.	Sections twelve, thirteen and seventeen.
57 Geo. 3. c. xxix.	The Metropolitan Paving Act, 1817.	Section eighty-one.
7 Geo. 4. c. 16.	The Chelsea and Kilmainham Hospitals Act, 1826.	Sections forty-four to forty-eight.
7 Geo. 4. c. 66.	The Clergy Residence Act, 1826.	Sections one and three.
10 Geo. 4. c. 50.	The Crown Lands Act, 1829.	Sections forty and forty-one.
2 & 3 Will. 4. c. 80.	The Ecclesiastical Corporations Act, 1832.	Section three.
1 & 2 Vict. c. 23.	The Parsonages Act, 1838.	Section twelve.
1 & 2 Vict. c. 106.	The Pluralities Act, 1838.	Section one hundred and twenty-seven.
2 & 3 Vict. c. 49.	The Church Building Act, 1839.	Section twenty.
4 & 5 Vict. c. 38.	The School Sites Act, 1841.	Section five.
5 & 6 Vict. c. 26.	The Ecclesiastical Houses of Residence Act, 1842.	Section twelve.
5 & 6 Vict. c. 27.	The Ecclesiastical Leases Act, 1842.	Section seven.
5 & 6 Vict. c. 94.	The Defence Act, 1842.	Sections ten and eighteen.
5 & 6 Vict. c. 108.	The Ecclesiastical Leasing Act, 1842.	Section twenty-four.
8 & 9 Vict. c. 16.	The Companies Clauses Consolidation Act, 1845.	Section seventy-nine.

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Session and Chapter	Short Title	Enactments
8 & 9 Vict. c. 18.	The Lands Clauses Consolidation Act, 1845.	Sections seven, eight, nine, and sixty-nine to seventy-two.
8 & 9 Vict. c. 56.	The Land Drainage Act, 1845.	Section three.
8 & 9 Vict. c. 118.	The Inclosure Act, 1845.	Sections twenty, one hundred and thirty-three, one hundred and thirty-four and one hundred and thirty-seven.
9 & 10 Vict. c. 73.	The Tithe Act, 1846.	Sections five, nine and ten.
17 & 18 Vict. c. 112.	The Literary and Scientific Institutions Act, 1854.	Section five.
23 & 24 Vict. c. 112.	The Defence Act, 1860.	Section eleven.
25 & 26 Vict. c. 53.	The Land Registry Act, 1862.	Section one hundred and sixteen.
27 & 28 Vict. c. 114.	The Improvement of Land Act, 1864.	Section twenty-four.
29 & 30 Vict. c. 122.	The Metropolitan Commons Act, 1866.	Section twenty-eight.
31 & 32 Vict. c. 109.	The Compulsory Church Rate Abolition Act, 1868.	Section seven.
36 & 37 Vict. c. 50.	The Places of Worship Sites Act, 1873.	Sections one and three.
40 & 41 Vict. c. 59.	The Colonial Stock Act, 1877.	Section six.
56 & 57 Vict. c. 39.	The Industrial and Provident Societies Act, 1893.	Sections twenty-nine and thirty.
57 & 58 Vict. c. 46.	The Copyholds Act, 1894.	Section forty-five.
57 & 58 Vict. c. 60.	The Merchant Shipping Act, 1894.	In section fifty-five, subsection (1).
3 & 4 Geo. 5. c. 32.	The Ancient Monuments Consolidation and Amendment Act, 1913.	In section five, subsection (2).
13 & 14 Geo. 5. c. 16.	The Salmon and Fresh Water Fisheries Act, 1923.	In section fifty, subsection (2).

## SIXTH SCHEDULE

Section 148.

### TRANSITIONAL PROVISIONS

#### PART I

##### PROVISIONS RELATING TO PART II

- 1 Without prejudice to the power of the Minister to give directions under subsection (1) of section twenty-eight of the National Health Service Act, 1946, for defining the extent of the duties of local health authorities under that section, and subject to any directions which may be given by the Minister thereunder, it shall be the duty of every such authority to continue to provide under that section services corresponding (subject to any necessary modifications) with the services which, under any enactment repealed by this Act, were required to be provided by that authority for or for the benefit of persons of unsound mind or mental defectives ; and any proposals in force immediately before the commencement of this Act under section twenty of the said Act of 1946, being proposals with respect to the provision of such services as aforesaid, shall continue in force accordingly until modified by further proposals under the said section twenty.
- 2 Anything done before the commencement of this Act under any enactment referred to in section eleven of this Act shall have effect as if done under the corresponding provision of the Education Act, 1944, as amended by that section ; and without prejudice to the generality of the foregoing provision, any decision reported by a local education authority under section fifty-seven of the said Act of 1944, and not cancelled before the commencement of this Act, shall be treated as a decision recorded under section fifty-seven of that Act as so amended, and references in section twelve of this Act to a child who is the subject of a decision recorded under that section shall be construed accordingly.

#### 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

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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
  - (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

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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.

### PART III

#### PROVISIONS RELATING TO PARTS IV AND V

##### *Patients other than transferred patients and short-period patients*

- 7 (1) This paragraph applies to patients who immediately before the commencement of this Act were patients of any of the following classes, that is to say—
- (a) patients liable to be detained in a hospital or other place, or as single patients, in pursuance of a reception order under section six or section twelve of the Lunacy Act, 1890, or a summary reception order under section sixteen of that Act or an order having the like effect as a summary reception order (including patients who were treated by virtue of any enactment as liable to be so detained or in whose case a summary reception order was so treated as having been made);
  - (b) temporary patients liable to be so detained under section five of the Mental Treatment Act, 1930 ;
  - (c) patients liable to be so detained or subject to guardianship by virtue of section three, section six, subsection (1) of section eight, section sixteen or subsection (3) of section sixty-seven of the Mental Deficiency Act, 1913, or, being patients whose sentence or other period of detention ordered by the court had expired before the commencement of this Act, by virtue of section nine of that Act.
- (2) A patient to whom this paragraph applies shall, notwithstanding the repeal or exclusion by this Act of any enactment by virtue of which he was, or was treated as, liable to be so detained or subject to guardianship, continue to be liable to be detained in any hospital or other place in which he might have been detained immediately before the commencement of this Act or, as the case may be, subject to guardianship until the expiration of the period of six months beginning with the commencement of this Act (in this Part of this Schedule referred to as the initial period).
- (3) During the initial period the responsible medical officer shall record with respect to each such patient as aforesaid for whose treatment he is responsible his opinion whether the patient is suffering from mental illness, severe subnormality, psychopathic disorder or subnormality and whether his mental disorder is of a nature or degree which warrants the detention of the patient in a hospital for medical treatment, or his retention under guardianship.
- 8 (1) In relation to any patient who by virtue of the last foregoing paragraph is liable to be detained in a hospital or subject to guardianship during the initial period, Part IV of this Act shall, subject to the exceptions and modifications specified in the following

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provisions of this paragraph, apply during that period as if he had been admitted to the hospital in pursuance of an application for admission for treatment under the said Part IV or had been received into guardianship in pursuance of a guardianship application thereunder, and the other provisions of this Act shall apply in relation to him accordingly.

- (2) Section thirty-eight of this Act shall not apply in relation to the patient until the form or forms of mental disorder from which, in the opinion of the responsible medical officer, the patient is suffering have been recorded under the last foregoing paragraph and, on that being done, Part IV of this Act shall have effect as if the application had specified as the form or forms of mental disorder from which he is suffering the form or forms so recorded.
  - (3) If the patient is also a patient to whom paragraph 21 of this Schedule applies, sections thirty-nine and forty of this Act shall apply in relation to him subject to the modifications mentioned in that paragraph, and if he is not, but no form or forms of mental disorder have been recorded in his case under the last foregoing paragraph, the said section forty shall apply in relation to him as if for paragraphs (a) and (b) of subsection (3) of that section there were substituted the following sub-paragraphs:—
    - “(a) in the case of a patient mentioned in sub-paragraph (1) (c) of paragraph 7 of the Sixth Schedule to this Act, six months ;
    - (b) in the case of any other patient to whom that paragraph applies, twenty-eight days.”
  - (4) Sections forty-three to forty-five of this Act shall not apply in relation to the patient except in so far as provisions of the said section forty-three are applied by the following provisions of this Part of this Schedule.
  - (5) If the patient was immediately before the commencement of this Act liable to be detained by virtue of section six, subsection (1) of section eight or section nine of the Mental Deficiency Act, 1913, the power of discharging him under section forty-seven of this Act shall not be exercisable by the nearest relative.
  - (6) In its application to a patient who was immediately before the commencement of this Act in the custody of a relative or friend under section fifty-seven of the Lunacy Act, 1890, Part IV of this Act shall have effect as if—
    - (a) for references (except in section forty-seven of this Act) to the managers of the hospital in which the patient is detained there were substituted references to the person having the custody of the patient; and
    - (b) for references to those managers in the said section forty-seven there were substituted references to the managers of the hospital from which he was transferred to the custody of the relative or friend.
  - (7) In its application to any such patient who was immediately before the commencement of this Act liable to be detained as a single patient under the Lunacy and Mental Treatment Acts, 1890 to 1930, Part IV of this Act shall have effect as if—
    - (a) for references (except in section forty-seven of this Act) to the managers of the hospital in which the patient was detained there were substituted references to the person having charge of the patient; and
    - (b) the references in the said section forty-seven to those managers were omitted.
- 9 (1) A patient to whom paragraph 7 of this Schedule applies shall unless previously discharged continue to be liable to be detained in a hospital or, as the case may be, subject to guardianship after the expiration of the initial period if—

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- (a) he satisfies the conditions specified in sub-paragraph (2) or sub-paragraph (3) of this paragraph ; and
  - (b) the authority for his detention or guardianship is renewed under the following provisions of this Part of this Schedule before the expiration of the initial period or his current period of treatment would expire after the expiration of the initial period.
- (2) Any such patient shall be so liable or subject if it is recorded under the said paragraph 7 that in the opinion of the responsible medical officer he is suffering from mental illness or severe sub-normality and his mental disorder is of a nature or degree which warrants the detention of the patient in a hospital for medical treatment or, as the case may be, his retention under guardianship.
- (3) Any such patient shall be so liable or subject if it is so recorded that in the opinion of the responsible medical officer he is suffering from subnormality or psychopathic disorder, but not from mental illness or severe subnormality, and his mental disorder is of such a nature or degree as aforesaid and either—
  - (a) he was immediately before the commencement of this Act liable to be detained or subject to guardianship in pursuance of an order under subsection (1) of section eight or section nine of the Mental Deficiency Act, 1913, or by virtue of an order made, or having effect as if made, under section thirty of the Magistrates' Courts Act, 1952 ; or
  - (b) he had not attained the age of twenty-one years when he was first detained or placed under guardianship and will not attain the age of twenty-five years before the expiration of the initial period ; or
  - (c) in the case of any other patient liable to be detained in a hospital, the responsible medical officer before the expiration of the initial period records his opinion under the following provisions of this Part of this Schedule that the patient is unfit for discharge.
- 10 (1) The period for which a patient may by virtue of the last foregoing paragraph be detained or kept under guardianship after the expiration of the initial period, without renewal of the authority for his detention or guardianship, shall be the remainder of his current period of treatment.
- (2) Where the current period of treatment of a patient who may be detained or kept as aforesaid would continue after the expiration of the period of two years beginning with the commencement of this Act, the patient may between the expiration of the said period of two years and the expiration of the current period of treatment apply to a Mental Health Review Tribunal.
- 11 (1) Authority for the detention or guardianship of a patient to whom paragraph 7 of this Schedule applies may on the expiration of the relevant period, unless the patient has previously been discharged, be renewed for whichever of the following periods is applicable, that is to say—
  - (a) where the period for which he has, at the expiration of the relevant period, already been detained or subject to guardianship on account of any description of mental disorder (whether before or after the appointed day) is not more than one year, a further period of one year;
  - (b) where the period for which he has already been so detained or subject is more than one year, a further period of two years.
- (2) Subsections (3) to (6) of section forty-three of this Act shall apply in relation to the renewal of authority for the detention or guardianship of a patient under this

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paragraph as they apply in relation to the renewal of authority for the detention or guardianship of the patient under subsection (2) of that section.

- (3) In this paragraph " the relevant period " means, in relation to a patient, the patient's current period of treatment or, if that period expires during the initial period, the initial period or any period subsequent to the said period for which authority for the detention or guardianship of the patient has previously been renewed under this paragraph.
- 12 (1) In relation to any patient who by virtue of paragraph 9 of this Schedule is liable to be detained in a hospital or subject to guardianship after the expiration of the initial period, Part IV of this Act shall, subject to the exceptions and modifications specified in the following provisions of this paragraph, apply as if he had been admitted to the hospital in pursuance of an application for admission for treatment under the said Part IV or had been received into guardianship in pursuance of a guardianship application thereunder and had been so admitted or received as a patient suffering from the form or forms of mental disorder recorded under paragraph 7 of this Schedule or, if a different form or forms have been specified in a report under section thirty-eight of this Act as applied by that paragraph, the form or forms so specified, and the other provisions of this Act shall apply to him accordingly.
- (2) Section forty-three of this Act shall not apply in relation to the patient, but the provisions of paragraph 11 of this Schedule shall apply instead.
- (3) Section forty-four of this Act shall not apply in relation to any such patient as is mentioned in sub-paragraph (3) of paragraph 9 of this Schedule, but any such patient as is mentioned in paragraph (b) of that sub-paragraph shall cease to be liable to be detained on attaining the age of twenty-five years unless, during the period of two months ending on the date when he attains that age, the responsible medical officer records his opinion under the following provisions of this Part of this Schedule that the patient is unfit for discharge.
- (4) If the patient was immediately before the commencement of this Act liable to be detained by virtue of section six, subsection (1) of section eight or section nine of the Mental Deficiency Act, 1913, the power of discharging him under section forty-seven of this Act shall not be exercisable by his nearest relative, but his nearest relative may make an application in respect of him to a Mental Health Review Tribunal, during the period of twelve months beginning with the expiration of the initial period and in any subsequent period of twelve months.
- 13 (1) The responsible medical officer may record for the purposes of paragraph (c) of sub-paragraph (3) of paragraph 9 of this Part of this Schedule or sub-paragraph (3) of paragraph 12 thereof his opinion that a patient detained in a hospital is unfit for discharge if it appears to the responsible medical officer,—
- (a) that if that patient were released from the hospital he would be likely to act in a manner dangerous to other persons or to himself, or would be likely to resort to criminal activities; or
  - (b) that that patient is incapable of caring for himself and that there is no suitable hospital or other establishment into which he can be admitted and where he would be likely to remain voluntarily;
- and where the responsible medical officer records his opinion as aforesaid he shall also record the grounds for his opinion.
- (2) Where the responsible medical officer records his opinion under this paragraph in respect of a patient, the managers of the hospital or other persons in charge of the

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establishment where he is for the time being detained or liable to be detained shall cause the patient to be informed, and the patient may, at any time before the expiration of the period of twenty-eight days beginning with the date on which he is so informed, apply to a Mental Health Review Tribunal.

- (3) On any application under the last foregoing sub-paragraph the Tribunal shall, if satisfied that none of the conditions set out in paragraphs (a) and (b) of sub-paragraph (1) of this paragraph are fulfilled, direct that the patient be discharged, and subsection (1) of section one hundred and twenty-three of this Act shall have effect in relation to the application as if paragraph (b) of that subsection were omitted.
- 14 Any person who immediately before the commencement of this Act was the guardian of any such patient as is mentioned in sub-paragraph (1) (c) of paragraph 7 of this Schedule shall be deemed for the purposes of this Act to have been named as the guardian of the patient in an application for his reception into guardianship under Part IV of this Act accepted on that person's behalf by the relevant local authority.

#### *Transferred patients*

- 15 (1) This paragraph applies to patients who immediately before the commencement of this Act were liable to be detained in a hospital or other place as Broadmoor patients or, not being Broadmoor patients, as patients of any of the following classes, that is to say—
- (a) patients liable to be detained by virtue of section nine of the Mental Deficiency Act, 1913, not being patients whose sentence or other period of detention ordered by the court had expired before the commencement of this Act;
  - (b) patients liable to be detained by virtue of subsection (4) of section eight of the said Act of 1913 ;
  - (c) patients liable to be detained by virtue of subsection (3) of section sixty-three or subsection (3) of section sixty-four of the Criminal Justice Act, 1948, or subsection (2) of section sixty-four of the Criminal Justice (Scotland) Act, 1949 ; or
  - (d) patients liable to be detained by virtue of section ten of the Colonial Prisoners Removal Act, 1884 ;
- and any patient to whom this paragraph applies is in this Part of this Schedule referred to as a transferred patient.
- (2) A transferred patient who immediately before the commencement of this Act was liable to be detained in a hospital as being or having been required to be kept in custody during Her Majesty's pleasure or until the directions of Her Majesty are known (including a patient of that or a similar description liable to be detained by virtue of section ten of the Colonial Prisoners Removal Act, 1884, but not including a patient transferred to England and Wales from Scotland, the Channel Islands or the Isle of Man) shall be treated for the purposes of this Act as if he were liable to be detained in a hospital in pursuance of a direction under section seventy-one of this Act.
- (3) A transferred patient who immediately before the commencement of this Act was subject to a sentence of imprisonment within the meaning of section seventy-two of this Act (including a patient liable to be detained by virtue of section ten of the Colonial Prisoners Removal Act, 1884, who does not fall within the last foregoing

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sub-paragraph) shall be treated for the purposes of this Act as if he were liable to be detained in a hospital by virtue of a transfer direction under the said section seventy-two and as if a direction restricting his discharge had been given under section seventy-four of this Act.

- (4) Section eighty-four of this Act shall apply to a transferred patient who having been a state mental patient in Scotland was immediately before the commencement of this Act liable to be detained in a hospital in England and Wales by virtue of subsection (3) of section sixty-three of the Criminal Justice Act, 1948, or subsection (2) of section sixty-four of the Criminal Justice (Scotland) Act, 1949, as if he had been removed to such a hospital from Scotland in pursuance of an order under the said subsection (2); and where he is treated "by virtue of the said section eighty-four as if he had been removed to a hospital in pursuance of a transfer direction, he shall also be treated as if a direction restricting his discharge had been given as aforesaid.
- (5) Section eighty-nine of this Act shall apply to a transferred patient who having been ordered by a court in any of the Channel Islands or in the Isle of Man to be detained during Her Majesty's pleasure was removed to, and was immediately before the commencement of this Act liable to be detained in, a hospital in England and Wales as if he had been removed to such a hospital under that section.
- (6) Any person to whom this paragraph applies and who does not fall within any of the four last foregoing sub-paragraphs shall be treated for the purposes of this Act as if he were liable to be detained in a hospital in pursuance of a transfer direction given under section seventy-three of this Act and as if a direction restricting his discharge had been given under section seventy-four of this Act, and he shall be so treated notwithstanding that he is not suffering from a form of mental disorder mentioned in the said section seventy-three.
- 16 (1) References in the last foregoing paragraph to a patient who immediately before the appointed day was liable to be detained as a Broadmoor patient include references to a Broadmoor patient conditionally discharged by the Secretary of State before the commencement of this Act under section five of the Criminal Lunatics Act, 1884, and—
- (a) any such patient shall be treated as if he had been conditionally discharged by the Secretary of State under section sixty-six of this Act; and
  - (b) any direction given before the commencement of this Act under the said section five to take any such patient into custody and convey him to a hospital shall be deemed to have been given under the said section sixty-six.
- (2) Sections thirty-nine and forty of this Act, in their application to a transferred patient, who is also a patient to whom paragraph 21 of this Schedule applies shall have effect subject to the modifications mentioned in that paragraph.
- 17 Upon a direction restricting the discharge of a transferred patient ceasing to have effect, the responsible medical officer shall record his opinion whether the patient is suffering from mental illness, severe subnormality, psychopathic disorder or subnormality, and references in this Act to the form or forms of mental disorder specified in the relevant application, order or direction shall be construed as including references to the form or forms of mental disorder so recorded.

#### *Short-period patients*

- 18 A person who immediately before the commencement of this Act was detained under section eleven of the Lunacy Act, 1890, may continue to be detained until

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the expiration of the period of seven days mentioned in that section or, if at the commencement of this Act that period had expired and a petition for a reception order was pending, until the expiration of the period of twenty-eight days beginning with the commencement of this Act or until he becomes liable to be detained or subject to guardianship under this Act, whichever occurs first, and may be so detained in any place in which he might have been detained but for the repeal of that section.

- 19 A person who immediately before the commencement of this Act was detained by virtue of section twenty, section twenty-one or section twenty-one A of the Lunacy Act, 1890, may continue to be detained until the expiration of his current period of treatment or until he becomes liable to be detained or subject to guardianship under this Act, whichever occurs first, and may be so detained in any place in which he might have been detained but for the repeal of that section.
- 20 A person who immediately before the commencement of this Act—
- (a) was detained by virtue of subsection (3) of section eight of the Mental Deficiency Act, 1913, in an institution or place of safety within the meaning of that Act; or
  - (b) was detained under section fifteen of that Act in such a place of safety ;
- may continue to be detained as aforesaid until the expiration of the period of twenty-eight days beginning with the commencement of this Act or until he becomes liable to be detained or subject to guardianship under this Act, whichever occurs first.

*Patients on leave or absent without leave*

- 21 (1) Sections thirty-nine and forty of this Act shall apply to a patient to whom paragraph 7 of this Schedule applies or a transferred patient who immediately before the commencement of this Act was absent on trial or leave or in pursuance of a licence under any enactment repealed by this Act or any rules or regulations thereunder, as if he had been granted leave of absence under the said section thirty-nine at the commencement of this Act for an indefinite period, and accordingly a patient to whom paragraph 7 of this Schedule applies may be recalled under the said section thirty-nine at any time within the initial period and a transferred patient may be so recalled at any time within or after the initial period.
- (2) Section forty of this Act shall, subject to the next following sub-paragraph, apply to a patient to whom paragraph 7 of this Schedule applies, a transferred patient or a short-period patient who immediately before the commencement of this Act was absent otherwise than as mentioned in the foregoing sub-paragraph from the hospital or other place where he was required to be by virtue of any such enactment, rules or regulations as if he had absented himself without leave or without permission from the hospital or other place as mentioned in subsection (1) of that section or, as the case may be, he were absent without his guardian's permission as mentioned in subsection (2) of that section.
- (3) The period within which any patient to whom paragraph 7 of this Schedule applies or a short-period patient may be retaken and returned under the said section forty shall be whichever of the following periods is applicable instead of that specified in subsection (3) of that section, that is to say—
- (a) in the case of a patient liable to be detained by virtue of any of the provisions of the Mental Deficiency Act, 1913 (not being a transferred patient), the initial period ;

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- (b) in the case of any other patient to whom paragraph 7 of this Schedule applies or any other short-period patient, the period of twenty-eight days beginning with the commencement of this Act;
- and a transferred patient may be retaken and returned under the said section forty at any time.

*Supplemental*

- 22 Any opinion recorded by the responsible medical officer under this Part of this Schedule shall be recorded in such form as may be prescribed by regulations made by the Minister.
- 23 (1) In this Part of this Schedule the following expressions have the meanings hereby respectively assigned to them, that is to say—
- " current period of treatment " means, in relation to any patient, the period for which he would have been liable to be detained or subject to guardianship by virtue of any enactment repealed or excluded by this Act, or any enactment repealed or replaced by any such enactment as aforesaid, being a period which began but has not expired before the commencement of this Act;
- " initial period " has the meaning assigned to it by paragraph 7 of this Schedule;
- " the responsible medical officer " means—
- (a) in relation to a patient subject to guardianship, the medical officer of health of the responsible local health authority or any other medical officer authorised by that authority to act (either generally or in any particular case or for any particular purpose) as the responsible medical officer;
- (b) in relation to any other class of patient, the medical practitioner in charge of the treatment of the patient;
- " transferred patient " has the meaning assigned to it by paragraph 15 of this Schedule ;
- " short-period patient " means a patient to whom paragraph 18, 19, or 20 of this Schedule applies.
- (2) Subsection (2) of section fifty-nine of this Act shall apply for the purposes of this Part of this Schedule as it applies for the purposes of Part IV of this Act.
- (3) The sentence or other period of detention of a person who was liable to be detained or subject to guardianship immediately before the commencement of this Act by virtue of an order under section nine of the Mental Deficiency Act, 1913, shall be treated for the purposes of this Part of this Schedule as expiring at the end of the period for which that person would have been liable to be detained in a prison or other institution if the order had not been made.

**PART IV**

PROVISIONS RELATING TO PART VIII

- 24 (1) The persons who immediately before the commencement of this Act were respectively Master in Lunacy and Assistant Master in Lunacy shall by virtue of this sub-paragraph continue in office as Master and Deputy Master of the Court of

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Protection ; and it shall not be necessary for the Master to take the oaths required by subsection (1) of section one hundred and fifteen of this Act.

(2) Notwithstanding anything in subsection (2) of section one hundred and fifteen of this Act, a person who, immediately before the commencement of this Act, was authorised by an order under section eight of the Administration of Justice (Miscellaneous Provisions) Act, 1933, to exercise the jurisdiction of the Master in Lunacy shall be qualified for appointment as Deputy Master of the Court of Protection if he is at the time of the appointment an officer nominated under subsection (3) of section one hundred of this Act.

(3) The persons who immediately before the commencement of this Act were clerks and other officers of the Master in Lunacy shall by virtue of this sub-paragraph continue in office as officers of the Court of Protection.

25 Any order or appointment made, direction or authority given, or thing done, which—

(a) had effect immediately before the commencement of this Act with respect to the property or affairs of a person falling within subsection (1) of section one hundred and sixteen of the Lunacy Act, 1890, or section sixty-four of the Mental Deficiency Act, 1913, and

(b) was such as could have been made, given or done under any provision of Part VIII of this Act if that provision had been in force at the material time,

shall continue to have effect as if made, given or done under that provision ; and where at the commencement of this Act any person's estate was subject to the jurisdiction of the Master in Lunacy under Part IV of the Lunacy Act, 1890, Part VIII of this Act shall apply in that person's case as if immediately after the commencement of this Act it had been determined that he was then a patient within the meaning of the said Part VIII.

26 A person who, immediately before the commencement of this Act, was the committee of the estate of a person of unsound mind so found by inquisition shall thereafter be deemed to be a receiver for that person appointed under section one hundred and five of this Act with such functions in relation to that person's property and affairs as were exercisable by him in relation thereto as committee of the estate, and references in any document to such a committee shall be construed accordingly.

27 Subsection (1) of section one hundred and seven of this Act shall apply in relation to any disposal of property (within the meaning of that subsection) of a person living at the commencement of this Act, being a disposal effected under the Lunacy Act, 1890, as it applies in relation to the disposal of the property of a person effected under Part VIII of this Act.

28 Rules under Part VIII of this Act may contain transitional provisions with respect to proceedings pending at the commencement of this Act and, notwithstanding anything in section one hundred and one of this Act, such rules may provide for treating as sufficient for conferring jurisdiction under the said Part VIII any evidence given in such proceedings, or in proceedings brought within one month after the commencement of this Act, being evidence which would have been sufficient to confer jurisdiction under Part IV of the Lunacy Act, 1890.

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## 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>
<p><a href="#">The Fines and Recoveries Act, 1833, 3 &amp; 4 Will. 4. c. 74.</a></p>	<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>
<p><a href="#">The Court of Chancery of Lancaster Act, 1850, 13 &amp; 14 Vict. c. 43.</a></p>	<p>In section nine, for the words from "person" to "inquisition" there shall be substituted the words "person suffering from mental 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</p>

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<i>Enactment</i>	<i>Amendment</i>
<a href="#">The Improvement of Land Act, 1864, 27 &amp; 28 Vict. c. 114.</a>	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, ".  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 ".
<a href="#">The Habitual Drunkards Act, 1879, 42 &amp; 43 Vict. c. 19.</a>	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 ".  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 ".
<a href="#">The Colonial Prisoners Removal Act, 1884, 47 &amp; 48 Vict. c. 31.</a>	In section ten, after subsection (2), there shall be added the following subsection—  “(3) Without prejudice to the foregoing provisions of this section, where a criminal lunatic is removed to England and Wales, then— (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 case of a person to whom that section applies; (b) in the said excepted case, the Secretary of State may give the like direction in respect of him under section seventy-two of

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<i>Enactment</i>	<i>Amendment</i>
<p>The Forgery Act, 1913, 3 &amp; 4 Geo. 5. c. 27.</p>	<p>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> <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>The Settled Land Act, 1925, 15 &amp; 16 Geo. 5. c. 18.</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>
<p>The Trustee Act, 1925, 15 &amp; 16 Geo. 5. c. 19.</p>	<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 Part VIII of the Mental Health Act, 1959.”</p> <p>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 ".</p>

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*Enactment*

*Amendment*

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 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.

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*Enactment*

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

*Amendment*

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 jointly with any other person or persons, his receiver or (if no receiver 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 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.
- (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

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*Enactment*

*Amendment*

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 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 ".

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

<i>Enactment</i>	<i>Amendment</i>
<p>The Administration of Estates Act, 1925, 15 &amp; 16 Geo. 5. c. 23.</p>	<p>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 ".</p>
<p>The Supreme Court of Judicature (Consolidation) Act, 1925, 15 &amp; 16 Geo. 5. c. 49.</p>	<p>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 ".</p> <p>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 jurisdiction under Part VIII of the Mental Health Act, 1959, that authority ".</p> <p>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 ".</p> <p>In section two hundred and twenty-five, in the definition of " Officer of the Supreme</p>

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

*Enactment*

*Amendment*

[The Children and Young Persons Act, 1933,  
23 & 24 Geo. 5. c. 12.](#)

[The Public Health Act, 1936, 26 Geo. 5 & 1  
Edw. 8. c. 49.](#)

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.

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:

—  
“(ii) except so far as  
this Part of this Act  
is applied thereto  
by Part III of the  
Mental Health Act,

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

<i>Enactment</i>	<i>Amendment</i>
<p>The Public Health (London) Act, 1936, 26 Geo. 5 &amp; 1 Edw. 8. c. 50.</p>	<p style="text-align: right;">1959, any mental nursing home within the meaning of that Act.”</p> <p>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> <p style="text-align: right;">“(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>
<p>The Limitation Act, 1939, 2 &amp; 3 Geo. 6. c. 21.</p>	<p>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> <p style="text-align: right;">“(a) while he is liable to be detained or subject to guardianship under the Mental Health Act, 1959; and</p> <p style="text-align: right;">(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 guardianship under that Act or by virtue of any enactment repealed or excluded by that Act”.</p>
<p>The London Government Act, 1939, 2 &amp; 3 Geo. 6. c. 40.</p>	<p>In section ninety-four, subsection (1) shall cease to have effect; the following subsection shall be substituted for subsection (2)—</p> <p style="text-align: right;">“(2) Subject to the provisions of this section, where any sum to which this section applies is payable</p>

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

*Enactment*

*Amendment*

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.

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—

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

*Enactment*

*Amendment*

- “(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”;

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”.

The National Health Service Act, 1946, 9 & 10 Geo. 6. c. 81.

In section sixty-three, for the words " the Mental Deficiency Acts, 1913 to 1938 " there shall be substituted the words " section twenty-eight of this Act as extended by Part II of the Mental Health Act, 1959 ".

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 ".

The National Assistance Act, 1948, 11 & 12 Geo. 6. c. 29.

In section forty-nine, for the words from " section one " to " that section " there shall

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

<i>Enactment</i>	<i>Amendment</i>
The Children Act, 1948, 11 & 12 Geo. 6. c. 43.	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 " .
The Criminal Justice Act, 1948, 11 & 12 Geo. 6. c. 58.	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 " .
	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 " .
	In subsection (2) of that section, the following paragraph shall be substituted for paragraphs (a) and (b): — “(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.”
	In subsection (3) of that section, the words " or can be " and the words " as a voluntary patient or " shall be omitted.
	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)

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

<i>Enactment</i>	<i>Amendment</i>
<p>The National Service Act, 1948, 11 &amp; 12 Geo. 6. c. 64.</p>	<p>of section sixty of that Act there were substituted a reference to subsection (1) of this section.”</p> <p>In the First Schedule, for paragraph 3 there shall be substituted the following paragraph:—</p> <p>—</p> <p>“3           A person who—</p> <p style="padding-left: 40px;">(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</p> <p style="padding-left: 40px;">(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.”</p>
<p>The Recall of Army and Air Force Pensioners Act, 1948, 12, 13 &amp; 14 Geo. 6. c. 8.</p>	<p>In the Schedule, for paragraph 2 there shall be substituted the following paragraph:—</p> <p>“2           A person who is receiving treatment for mental disorder as 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”.</p>
<p>The National Health Service (Amendment) Act, 1949, 12, 13 &amp; 14 Geo. 6. c. 93.</p>	<p>For section twenty-five there shall be substituted the following section:—</p> <p>“25 (1) Where a medical practitioner carries out a medical examination of any person with a view to an application</p>

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

*Enactment*

*Amendment*

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 under the National Health Service Act, 1946, or the Mental Health Act, 1959.”

[The Matrimonial Causes Act, 1950, 14 Geo. 6. c. 25.](#)

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:—

- “(a) while he is liable to be detained in a hospital, mental nursing home or place of

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

<i>Enactment</i>	<i>Amendment</i>
	<p>safety under the Mental Health Act, 1959”,  and in paragraph (d), the words " the Mental Treatment Act, 1930, or under " shall be omitted.</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 Costs in Criminal Cases Act, 1952, 15 &amp; 16 Geo. 6. and 1 Eliz. 2. c. 48.</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>The Magistrates' Courts Act, 1952, 15 &amp; 16 Geo. 6 and 1 Eliz. 2. c. 55.</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> <ol style="list-style-type: none"> <li>(a) undergo medical examination by a duly qualified medical practitioner or, where the inquiry is into his mental condition and the recognizance so specifies, two such practitioners; and</li> <li>(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</li> </ol>

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

*Enactment*

*Amendment*

The Local Government Superannuation Act, 1953, 1 & 2 Eliz. 2. c. 25.

The Sexual Offences Act, 1956, 4 & 5 Eliz. 2. c. 69.

The Nurses Act, 1957, 5 & 6 Eliz. 2. c. 15.

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 recognzance with respect to the like inquiry by virtue of the last preceding subsection " ; and subsection (6) shall cease to have effect.

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 ".

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 ".

In section two, in subsection (1), for the word " diseases " there shall be substituted the word " disorder ".

In section eight, in subsection (2), for the word " diseases" there shall be substituted the word " disorder ".

In section eighteen, in subsection (3), for the word " diseases" there shall be substituted the word " disorder ".

In section thirty-one, for the word " diseases " there shall be substituted the word " disorder ".

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

<i>Enactment</i>	<i>Amendment</i>
	<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 style="padding-left: 40px;">“(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 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>
The Local Government Act, 1958, 6 & 7 Eliz. 2. c. 55.	<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</p>

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

*Enactment*

*Amendment*

references to those enactments as. amended by this Act; and for paragraphs (d) and (e) there shall be substituted the following paragraph—

“(d) the Mental Health Act, 1959, except so far as it amends Part III of the National Health Service Act, 1946”;

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 " .

**PART II**

**OTHER AMENDMENTS**

*Enactment*

*Amendment*

[The Naval Enlistment Act, 1884, 47 & 48 Vict. c. 46.](#)

In section three, after the word " 1955 " there shall be inserted the words " as amended by the Mental Health Act. 1959 "

[The Pharmacy and Poisons Act, 1933, 23 & 24 Geo. 5. c. 25.](#)

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

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 " .

[The Polish Resettlement Act, 1947, 10 & 11 Geo. 6. c. 19.](#)

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 " .

In section eleven, in subsection (3), in paragraph (b), for the words "the Lunacy and Mental Treatment Acts, 1890 to 1930, and

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

<i>Enactment</i>	<i>Amendment</i>
<p>The National Assistance Act, 1948, 11 &amp; 12 Geo. 6. c. 29.</p>	<p>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> <p style="padding-left: 40px;">(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>The Children Act, 1948, 11 &amp; 12 Geo. 6. c. 43.</p>	<p>In section thirty-nine, in subsection (1), after paragraph (e) there shall be inserted the following paragraph:—</p> <p style="padding-left: 40px;">“(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>
<p>The U.S.A. Veterans' Pensions (Administration) Act, 1949, 12, 13 &amp; 14 Geo. 6. c. 45.</p>	<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 respects such a person as is mentioned in that subsection.</p>
<p>The Representation of the People Act, 1949, 12, 13 &amp; 14 Geo. 6. c. 68.</p>	<p>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 ".</p>
<p>The Administration of Justice (Pensions) Act, 1950, 14 &amp; 15 Geo. 6. c. 11.</p>	<p>In the First Schedule, for the words "Master in Lunacy" and "Legal Visitor in Lunacy" there shall be substituted respectively the</p>

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<i>Enactment</i>	<i>Amendment</i>
The Army Act, 1955, 3 & 4 Eliz. 2. c. 18.	words " Master of the Court of Protection " and "Lord Chancellor's Legal Visitor". 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 ".

EIGHTH SCHEDULE

Sections 149, 150, 52.

ENACTMENTS REPEALED

**PART I**

REPEALS EXTENDING TO ENGLAND AND WALES ONLY

Session and Chapter	Short Title	Extent of Repeal
—	The Statute Prerogativa Regis.	Chapters xi and xii.
51 Geo. 3. c. 37.	The Marriage of Lunatics Act, 1811.	The whole Act.

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Session and Chapter	Short Title	Extent of Repeal
1 & 2 Vict. c. 106.	The Pluralities Act, 1838.	Section seventy-nine.
1 & 2 Vict. c. 110.	The Judgments Act, 1838.	In section eighteen, the words " and all orders of the Lord Chancellor in matters of lunacy " and the words " and by the Lord Chancellor in matters of lunacy ".
12 & 13 Vict. c. 45.	The Quarter Sessions Act, 1849.	In section two, the words " or against an order under any statute relating to pauper lunatics
15 & 16 Vict. c. 87.	The Court of Chancery Act, 1852.	The whole Act.
23 & 24 Vict. c. 75.	The Criminal Lunatic Asylums Act, 1860.	The whole Act.
33 & 34 Vict. c. 77.	The Juries Act, 1870.	In the Schedule, the words "Keepers in public lunatic asylums ".
34 & 35 Vict. c. 44.	The Incumbents Resignation Act, 1871.	Section eighteen.
36 & 37 Vict. c. 57.	The Consolidated Fund (Permanent Charges Redemption) Act, 1873.	In section seven, in the definition of " limited owner ", the words " a committee of a lunatic or idiot".
46 & 47 Vict. c. 38.	The Trial of Lunatics Act, 1883.	In section two, in subsection (2), the words " as a criminal lunatic ".
47 & 48 Vict. c. 64.	The Criminal Lunatics Act, 1884.	The whole Act.
53 & 54 Vict. c. 5.	The Lunacy Act, 1890.	The whole Act.
53 & 54 Vict. c. 39.	The Partnership Act, 1890.	In section thirty-five, paragraph (a).
54 & 55 Vict. c. 65.	The Lunacy Act, 1891.	The whole Act.
61 & 62 Vict. c. 57.	The Elementary School Teachers (Superannuation) Act, 1898.	In section six, paragraph (b) of subsection (1) so far as it applies in relation to persons of unsound mind.
7 Edw. 7. c. 23.	The Criminal Appeal Act, 1907.	In section five, in subsection (4), the words " as a criminal lunatic ".
8 Edw. 7. c. 47.	The Lunacy Act, 1908	The whole Act.
3 & 4 Geo. 5. c. 28.	The Mental Deficiency Act, 1913.	The whole Act.

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Session and Chapter	Short Title	Extent of Repeal
6 & 7 Geo. 5. c. 31.	The Police, Factories, &c. (Miscellaneous Provisions) Act, 1916.	Section eleven.
8 & 9 Geo. 5. c. 55.	The School Teachers (Superannuation) Act, 1918.	Section nine.
12 & 13 Geo. 5. c. 16.	The Law of Property Act, 1922.	In section one hundred and eighty-eight, paragraph (39).
12 & 13 Geo. 5. c. 60.	The Lunacy Act, 1922	The whole Act.
15 & 16 Geo. 5. c. 18.	The Settled Land Act, 1925.	Section twenty-eight.  In section one hundred and seventeen, in subsection (1), paragraph (xiii).
15 & 16 Geo. 5. c. 19.	The Trustee Act, 1925	In section sixty-eight, in paragraph (15), the words " ' lunatic ' ' defective' " .
15 & 16 Geo. 5. c. 20.	The Law of Property Act, 1925.	In section seventy-six, in paragraph (F) of subsection (1), the words " or as committee of a lunatic or as receiver of a defective," and in subsection (4), the words "or as committee of a lunatic, or as receiver of a defective " .  In section seventy-seven, in subsection (4), the words " or as committee of a lunatic, or as receiver of a defective," .  Section one hundred and seventy-one.  In the Second Schedule, in the cross-heading to Part VI, the words " or as committee of a lunatic or as a receiver of a defective " .
15 & 36 Geo. 5. c. 21.	The Land Registration Act, 1925.	In section three, in paragraph (xxvi), the words " ' committee ' " , " ' lunatic' " and " ' defective' " .
15 & 16 Geo. 5. c. 23.	The Administration of Estates Act, 1925.	In section fifty-one, in subsection (2), the words " committee or " .  In section fifty-five, in paragraph (viii) of

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Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act, 1925.	subsection (1), the definition of "committee".  In section twenty-six, in subsection (2), in paragraph (c), the words from " or from any order" to the end of the paragraph.  Section one hundred and twenty-four.
15 & 16 Geo. 5. c. 53.	The Mental Deficiency (Amendment) Act, 1925.	The whole Act.
15 & 16 Geo. 5. c. 59.	The Teachers (Superannuation) Act, 1925.	In the First Schedule, paragraph 9.
15 & 16 Geo. 5. c. 86.	The Criminal Justice Act, 1925.	In section thirty-four, the words "or the Board of Control" and the words "or a Commissioner or the Secretary of the Board of Control".
17 & 18 Geo. 5. c. 33.	The Mental Deficiency Act, 1927.	The whole Act.
20 & 21 Geo. 5. c. 23.	The Mental Treatment Act, 1930.	The whole Act.
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act, 1933.	In the Fourth Schedule, in paragraph 4, the words from " and shall " to the end of the paragraph.
23 & 24 Geo. 5. c. 36.	The Administration of Justice (Miscellaneous Provisions) Act, 1933.	Section eight.
1 Edw. 8 & 1 Geo. 6. c. 47.	The Teachers (Superannuation) Act, 1937.	In section one, in subsection (6), the references to section nine of the School Teachers (Superannuation) Act, 1918, and paragraph 9 of the First Schedule to the Teachers (Superannuation) Act, 1925.
1 & 2 Geo. 6. c. 43.	The Mental Deficiency Act, 1938.	The whole Act.
2 & 3 Geo. 6. c. 31.	The Civil Defence Act, 1939.	In section sixty-six, in subsection (2), the word " committee " in each place where it occurs.

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Session and Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 40.	The London Government Act, 1939.	In section ninety-four, subsection (1).
7 & 8 Geo. 6. c. 31.	The Education Act, 1944.	Section fifty-seven. In the Eighth Schedule, the amendment of section two of the Mental Deficiency Act, 1913.
9 & 10 Geo. 6. c. 81.	The National Health Service Act, 1946.	In section sixteen, in subsection (1), the words " or mental defectiveness " In section twenty-seven, in subsection (1) the words "or mental defectiveness " In section twenty-eight, in subsection (1) the words " or mental defectiveness " In section twenty-nine, in subsection (1) the words " mentally defective " Sections forty-nine to fifty-one. In section fifty-two, in subsection (1), the words " the Lunacy and Mental Treatment Acts, 1890 to 1930, or the Mental Deficiency Acts, 1913 to 1938 " In section seventy-nine, in subsection (1), in the definition of " hospital", the words " or mental defectiveness" and in the definition of "local authority ", paragraph (b). The Eighth and Ninth Schedules. In the Tenth Schedule, the amendments of the Children and Young Persons Act, 1933, and the Education Act, 1944.
11 & 12 Geo. 6. c. 29.	The National Assistance Act, 1948.	In the Sixth Schedule, in paragraph 7, sub-paragraphs (2) and (3).

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Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 40.	The Education (Miscellaneous Provisions) Act, 1948.	Section eight. In the First Schedule, in Part I, the amendment of subsection (6) of section fifty-seven of the Education Act, 1944, and, in the amendments of section one hundred and sixteen of that Act, the paragraph beginning with " For the words "; and in Part II, the amendments of the Mental Deficiency Act, 1913.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act, 1948.	In section four, in subsection (3), the words " or can be " and the words " as a voluntary patient or," and in subsection (4), the words " as a voluntary patient or ". In section forty-seven, in subsection (1), the words " or voluntary ". Sections sixty-two to sixty-four. In section seventy-seven, in subsection (2), the words from the beginning to "Treasury, and ". In section eighty, in subsection (1), the definition of " mental hospital". In the Fifth Schedule, in paragraph 3, in paragraph (d) of sub-paragraph (1), the words " voluntary or ". In the Ninth Schedule, the amendments of the Criminal Lunatic Asylums Act, 1860, the Criminal Lunatics Act, 1884, the Mental Deficiency Act, 1913, and the Mental Deficiency Act, 1927.
11 & 12 Geo. 6. c. 63.	The Agricultural Holdings Act. 1948.	Section eighty-four.
12, 13 & 14 Geo. 6. c. 93.	The National Health Service (Amendment) Act, 1949.	Section twenty-six.

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Session and Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 100.	The Law Reform (Miscellaneous Provisions) Act, 1949.	Section eight.
14 Geo. 6. c. 25.	The Matrimonial Causes Act, 1950.	In section one, in subsection (2), in paragraph (d) the words "the Mental Treatment Act, 1930, or under".
15 & 16 Geo. 6 and 1 Eliz. 2. c. 52.	The Prison Act, 1952	In the Third Schedule, the amendments of the Mental Deficiency Act, 1913.
15 & 16 Geo. 6. and 1 Eliz. 2. c. 55.	The Magistrates' Courts Act, 1952.	In section twenty-six, subsection (6). Section thirty.
4 & 5 Eliz. 2. c. 34.	The Criminal Justice Administration Act, 1956.	In section two, subsection (8).
4 & 5 Eliz. 2. c. 46.	The Administration of Justice Act, 1956.	In section ten, in subsection (1), paragraph (b).
4 & 5 Eliz. 2. c. 69.	The Sexual Offences Act, 1956.	Section eight. In the Second Schedule, in paragraph 1, subparagraph (Vii). and paragraph 12.
6 & 7 Eliz. 2. c. 3.	The Yarmouth Naval Hospital Transfer Act, 1957.	The whole Act.
6 & 7 Eliz. 2. c. 40.	The Matrimonial Proceedings (Children) Act, 1958. ,	In section five, subsection (6).
6 & 7 Eliz. 2. c. 55.	The Local Government Act, 1958.	In section fifty, in subsection (1), the words " or of that section as applied by section fifty-one of that Act" and the words " (or that subsection as applied by the said section fifty-one) ". In the Eighth Schedule, paragraph 19.

## PART II

### OTHER REPEALS

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Vict. c. 51.	The Pensions Act, 1839.	Section six.

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Session and Chapter	Short Title	Extent of Repeal
47 & 48 Vict. c. 64.	The Criminal Lunatics Act, 1884.	In section eight, subsections (3) to (5).
49 & 50 Vict. c. 16.	The Lunacy (Vacating of Seats) Act, 1886.	The whole Act.
50 & 51 Vict. c. 67.	The Superannuation Act, 1887.	Section seven, except so far as applied by the Superannuation Act (Northern Ireland), 1921.
53 & 54 Vict. c. 5.	The Lunacy Act, 1890	Section eighty-six.  In section eighty-seven, in subsection (1), the words " England or " and in subsection (2), the words " England and ", the words " England or " in each place where they occur, and the words " as the case may be ".  In section eighty-eight, in subsection (1), the words " England or ", and in subsection (2), the words "England and", the words " for any justice in England, and ", the words " England or " and the words " as the case may be ".  Section one hundred and seven.  In section one hundred and thirty-one, subsections (1) and (4), and in subsections (2) and (3), the words " England or " in each place where they occur.
9 & 10 Geo. 6. c. 72.	The Education (Scotland) Act, 1946.	Section one hundred and four.
9 & 10 Geo. 6. c. 81.	The National Health Service Act, 1946.	In section eighty, in subsection (2), the words from "and the amendment" to "1884".  In the Ninth Schedule, in Part I, the amendment of subsection (3) of section eight of the Criminal Lunatics Act, 1884.

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Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 29.	The National Assistance Act, 1948.	In section thirty-seven, in the proviso to subsection (9), the words "any institution for persons of unsound mind within the meaning of the Lunacy and Mental Treatment Acts, 1890 to 1930 or", the words "the Mental Deficiency Acts, 1913 to 1927 or" and the word "or" at the end of paragraph (f).
11 & 12 Geo. 6. c. 43.	The Children Act, 1948.	Section eight.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act, 1948.	Section sixty-three.
12, 13 & 14 Geo. 6. c. 44.	The Superannuation Act, 1949.	In section forty-eight, in subsection (5), the words from " and section three hundred and thirty-five" to "unsound mind) "
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act, 1949.	In section sixty-four, in subsection (2), the words from "and any patient" to the end of the subsection, and subsection (3).
3 & 4 Eliz. 2. c. 18.	The Army Act, 1955.	In section sixteen, in subsection (4), the words "an order under section sixteen of the Lunacy Act, 1890, or in Scotland".
3 & 4 Eliz. 2. c. 19.	The Air Force Act, 1955.	In section sixteen, in subsection (4), the words "an order made under section sixteen of the Lunacy Act, 1890, or in Scotland".
6 & 7 Eliz. 2. c. 65.	The Children Act, 1958	In section two, in subsection (5), the words " the Mental Deficiency Acts, 1913 to 1938, or ", the words "the Board of Control or of", and the words " the Board of Control in accordance with subsection (2) of section fifty-one of the Mental Deficiency Act, 1913, or to "

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TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Criminal Lunatics Act, 1800	39 & 40 Geo. 3. c. 94.
Lunacy (Ireland) Act, 1821	1 & 2 Geo. 4. c. 33.
Vagrancy Act, 1824	5 Geo. 4. c. 83.
Fines and Recoveries Act, 1833	3 & 4 Will. 4. c. 74.
Court of Chancery of Lancaster Act, 1850	13 & 14 Vict. c. 43.
Lunacy (Scotland) Act, 1857	20 & 21 Vict. c. 71.
Lunacy (Scotland) Act, 1862	25 & 26 Vict. c. 54.
Improvement of Land Act, 1864	27 & 28 Vict. c. 114.
Lunacy (Scotland) Act, 1866	29 & 30 Vict. c. 51.
Promissory Oaths Act, 1868	31 & 32 Vict. c. 72.
Lunacy Regulation (Ireland) Act, 1871	34 & 35 Vict. c. 22.
Criminal and Dangerous Lunatics (Scotland) Amendment Act, 1871	34 & 35 Vict. c. 55.
Trial of Lunatics Act, 1883	46 & 47 Vict. c. 38.
Colonial Prisoners Removal Act, 1884	47 & 48 Vict. c. 31.
Naval Enlistment Act, 1884	47 & 48 Vict. c. 46.
Criminal Lunatics Act, 1884	47 & 48 Vict. c. 64.
Lunacy (Vacating of Seats) Act, 1886	49 & 50 Vict. c. 16.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Lunacy Act, 1890	53 & 54 Vict. c. 5.
Lunacy (Ireland) Act, 1901	1 Edw. 7. c. 17.
Criminal Appeal Act, 1907	7 Edw. 7. c. 23.
Forgery Act, 1913	3 & 4 Geo. 5. c. 27.
Mental Deficiency Act, 1913	3 & 4 Geo. 5. c. 28.
Mental Deficiency and Lunacy (Scotland) Act, 1913	3 & 4 Geo. 5. c. 38.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Settled Land Act, 1925	15 & 16 Geo. 5. c. 18.
Trustee Act, 1925	15 & 16 Geo. 5. c. 19.
Law of Property Act, 1925	15 & 16, Geo. 5. c. 20.
Land Registration Act, 1925	15 & 16 Geo. 5. c. 21.
Administration of Estates Act, 1925	15 & 16 Geo. 5. c. 23.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.

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Short Title	Session and Chapter
Mental Treatment Act, 1930	20 & 21 Geo. 5. c. 23.
Poor Prisoners Defence Act, 1930	20 & 21 Geo. 5. c. 32.
Children and Young Persons Act, 1933	23 & 24 Geo. 5. c. 12.
Pharmacy and Poisons Act, 1933	23 & 24 Geo. 5. c. 25.
Administration of Justice (Miscellaneous Provisions) Act, 1933	23 & 24 Geo. 5. c. 36.
Summary Jurisdiction (Appeals) Act, 1933	23 & 24 Geo. 5. c. 36.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.
Criminal Lunatics (Scotland) Act, 1935	25 & 26 Geo. 5. c. 32.
Public Health Act, 1936	26 Geo. 5 & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936	26 Geo. 5 & 1 Edw. 8. c. 50.
Children and Young Persons (Scotland) Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 37.
Limitation Act, 1939	2 & 3 Geo. 6. c. 21.
Education Act, 1944	7 & 8 Geo. 6. c. 31.
Teachers Superannuation Act, 1945	8 & 9 Geo. 6. c. 14.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
Polish Re-settlement Act, 1947	10 & 11 Geo. 6. c. 19.
National Health Service (Scotland) Act, 1947	10 & 11 Geo. 6. c. 27.
National Assistance Act, 1948	11 & 12 Geo. 6. c. 29.
Education (Miscellaneous Provisions) Act, 1948	11 & 12 Geo. 6. c. 40.
Children Act, 1948	11 & 12 Geo. 6. c. 43.
Criminal Justice Act, 1948	11 & 12 Geo. 6. c. 58.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.
Recall of Army and Air Force Pensioners Act, 1948	12, 13 & 14 Geo. 6. c. 8.
Legal Aid and Advice Act, 1949	12, 13 & 14 Geo. 6. c. 51.
Representation of the People Act, 1949	12, 13 & 14 Geo. 6. c. 68.
National Health Service (Amendment) Act, 1949	12, 13 & 14 Geo. 6. c. 93.
Criminal Justice (Scotland) Act, 1949	12, 13 & 14 Geo. 6. c. 94.
Matrimonial Causes Act, 1950	14 Geo. 6. c. 25.
Arbitration Act, 1950	14 Geo. 6. c. 27.
Administration of Justice (Pensions) Act, 1950	14 & 15 Geo. 6. c. 11.

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Short Title	Session and Chapter
Courts-Martial (Appeals) Act, 1951	14 & 15 Geo. 6. c. 46.
Costs in Criminal Cases Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 48.
Prison Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.
Magistrates Courts Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
Births and Deaths Registration Act, 1953	1 & 2 Eliz. 2. c. 20.
Local Government Superannuation Act, 1953	1 & 2 Eliz. 2. c. 25.
Post Office Act, 1953	1 & 2 Eliz. 2. c. 36.
Army Act, 1955	3 & 4 Eliz. 2. c. 18.
Air Force Act, 1955	3 & 4 Eliz. 2. c. 19.
Revision of the Army and Air Force Acts (Transitional Provisions) Act, 1955.	3 & 4 Eliz. 2. c. 20.
Sexual Offences Act, 1956	4 & 5 Eliz. 2. c. 69.
Medical Act, 1956	4 & 5 Eliz. 2. c. 76.
Nurses Act, 1957	5 & 6 Eliz. 2. c. 15.
House of Commons Disqualification Act, 1957	5 & 6 Eliz. 2. c. 20.
Solicitors Act, 1957	5 & 6 Eliz. 2. c. 27.
Naval Discipline Act, 1957	5 & 6 Eliz. 2. c. 53.
Matrimonial Proceedings (Children) Act, 1958	6 & 7 Eliz. 2. c. 40.
Variation of Trusts Act, 1958	6 & 7 Eliz. 2. c. 53.
Local Government Act, 1958	6 & 7 Eliz. 2. c. 55.
Children Act, 1958	6 & 7 Eliz. 2. c. 65.
Adoption Act, 1958	7 Eliz. 2. c. 5.