



ANNO UNDECIMO

GEORGI V REGIS.

A.D. 1920.

No. 1423.

An Act to amend the Inebriates Act, 1908, and for other purposes.

[Assented to, October 27th, 1920.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited alone as the "Inebriates Act Amendment Act, 1920." Short titles.

(2) The Inebriates Act, 1908 (hereinafter referred to as "the principal Act"), and this Act may be cited together as the "Inebriates Acts, 1908 and 1920." No. 954 of 1908.

2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act. Incorporation with principal Act.

3. All the powers and authorities by the principal Act conferred on a Special Magistrate to make an order with respect to an inebriate may be exercised by any two Justices, and every reference in the principal Act to a Special Magistrate shall be deemed to include a reference to two Justices. Two Justices to have power to make an order as to control of an inebriate.

4. Section 4 of the principal Act is amended by adding at the end thereof the following proviso:— Amendment of principal Act, s. 4—

Provided that when the application for an order under this section is made by the inebriate himself, or by some person authorised in writing in that behalf by the inebriate while sober and

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and fully understanding the nature and effect of such authorisation (of which fact the Justice before whom such application is made must be satisfied), it shall be lawful for one Justice, on proof as aforesaid, to make any such order, and in such a case the Justice shall have all the powers and authorities by the principal Act conferred on a Special Magistrate, and every reference in the principal Act to a Special Magistrate shall be deemed to include a reference to a Justice.

Voluntary patients
may be received,
treated, and detained
in an institution.

5. (1) Any inebriate, or any person authorised in writing in that behalf by the inebriate while sober and fully understanding the nature and effect of such authorisation (the proof of which facts shall be upon such person), may enter into an agreement with the person in charge of any institution for the reception and treatment of the inebriate in such institution, and such inebriate may be received, treated, and detained in such institution on such terms and conditions, and for such period, as is specified in such agreement.

(2) Upon the reception of the inebriate in such institution in pursuance of such agreement, the agreement shall have the same effect, and shall be binding upon the inebriate in the same manner, as if it were an order under section 4 of the principal Act, and the principal Act shall apply to the inebriate to the same extent as if he were the subject of an order under the said Act.

(3) With respect to any inebriate received into and detained in an institution under this section, the powers conferred by section 9 of the principal Act upon the Judge or Special Magistrate making the order may be exercised by any Judge or Special Magistrate or two Justices.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. E. G. A. WEIGALL, Governor.