



ANNO QUINTO

GEORGI VI REGIS.

A.D. 1941.

No. 42 of 1941.

An Act to amend the Mental Defectives Act,
1935-1939.

[Assented to 20th November, 1941.]

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 as the "Mental Defectives Act Amendment Act, 1941". Short titles.

(2) The Mental Defectives Act, 1935-1939, as amended by this Act, may be cited as the "Mental Defectives Act, 1935-1941".

(3) The Mental Defectives Act, 1935-1939, is hereinafter referred to as "the principal Act".

2. (1) The heading to Part VII. of the principal Act is amended so as to read as follows:—Treatment of Sailors, Soldiers and Airmen. Amendment to heading of Part VII.

(2) Section 3 of the principal Act is amended by striking out the line—"Part VII.—Treatment of Discharged Sailors and Soldiers" and by inserting in lieu thereof the line—"Part VII.—Treatment of Sailors, Soldiers and Airmen".

3. Section 146 of the principal Act is amended as follows:— Amendment of s. 146 of principal Act.

(a) The definition of "commanding officer" is amended so as to read as follows:—

"commanding officer" means the officer (being a medical practitioner) medically in charge Interpretation.

of the naval, military or air unit to which, for the time being, the person for whom treatment is required belongs :

- (b) The definition of "Great War" is repealed :
- (c) The definition of "home" is amended by striking out the words "and set aside exclusively for the reception of such persons as are referred to in subsection (1) of section 147".

Amendment of
s. 147 of
principal Act.
Reception into
home.

4. Paragraph (a) of subsection (1) of section 147 of the principal Act is amended so as to read as follows:—

- (a) has been on service with any naval, military or air force of the Commonwealth or of any part of His Majesty's Dominions during any war in which His Majesty is engaged; and

Amendment of
principal Act—

5. The principal Act is amended by inserting therein after section 150 the following section:—

Application of
Part to
persons
ceasing to
belong to
naval,
military, or
air unit.

150a. If after being received into any home pursuant to this Part, any person ceases to belong to any naval, military or air unit, the provisions of this Part shall nevertheless continue to apply to that person.

Amendment of
s. 151 of
principal Act—
Inspection.

6. Section 151 of the principal Act is amended by adding at the end thereof the words "and by any medical practitioner authorized for the purpose by the Director-General".

Amendment of
twenty-fourth
schedule of
principal Act.

7. The twenty-fourth schedule to the principal Act is amended by striking out in the line "Particulars of military or naval service" the words "military or naval" and by inserting in lieu thereof the words "naval, military or air".

Amendment of
twenty-sixth
schedule of
principal Act.

8. The twenty-sixth schedule to the principal Act is amended by inserting after the words "into this home" wherever occurring in form No. 1 and form No. 2 therein in each case the words "pursuant to Part VII. of the Mental Defectives Act, 1935".

Amendment of
twenty-
seventh
schedule of
principal Act.

9. The twenty-seventh schedule to the principal Act is amended—

- (a) by inserting after the heading "Recommendation for Discharge" in form No. 1 therein the heading "..... Home";

- (b) by inserting after the words "into this home" in form No. 1 therein the words "pursuant to Part VII. of the Mental Defectives Act, 1935";

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- (c) by inserting after the heading " Order for Discharge " in form No. 2 therein the heading ".....
Home " ;
- (d) by inserting after the words " being detained " in form No. 2 therein the words " pursuant to Part VII. of the Mental Defectives Act, 1935 ".

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

C. M. BARCLAY-HARVEY, Governor.