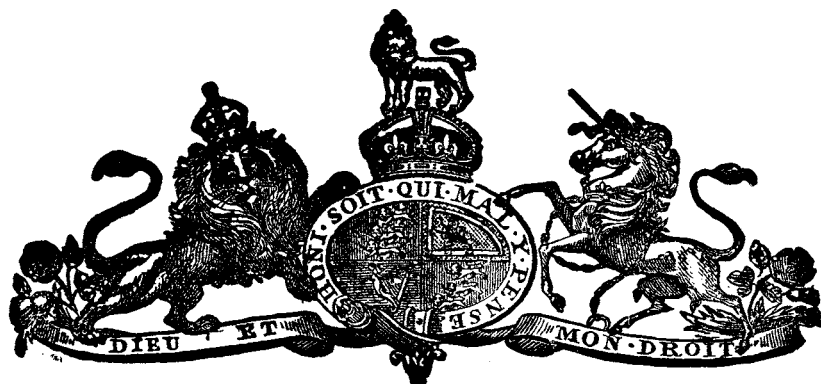


T A S M A N I A.



1933.

ANNO VICESIMO QUARTO

GEORGII V. REGIS.

No. 18.

ANALYSIS.

1. Short title.
2. Interpretation.
3. Management and staff.
4. The Board.
5. Admission of patients to Home.
6. Discharge of patients.
7. Visits of inspection and reports by the Board.
8. Fees.
9. Regulations.
10. Indemnity.

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AN ACT to amend the Psychopathic Hospital Act, 1932, and to provide for the Management of the Institute erected in accordance with the provisions of that Act.  
 [12 December, 1933]

A.D.  
1933.

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1** This Act may be cited as “The Psychopathic Hospital Short title. (Management) Act, 1933.”

*Psychopathic Hospital (Management).*

- A.D. 1933.  
 Interpretation.  
 23 Geo. V. No.  
 25.
- 2** In this Act, unless the contrary intention appears—  
 “The Agreements” means the agreements ratified by the Principal Act:  
 “The Board” means the Millbrook Home Board constituted by this Act:  
 “The Home” means the Millbrook Home at New Norfolk, erected in accordance with the provisions of the Principal Act:  
 “The Superintendent” means the Superintendent of the Mental Diseases Hospital.
- Management and staff.
- 3—(1)** Subject to this Act, the management and administration of the Home shall be vested in the Superintendent, who may employ for that purpose any officer of the Mental Diseases Hospital.
- 13 Geo. V. No.  
 25.
- (2)** The Governor, in accordance with the provisions of the Public Service Act, 1923, may appoint such nurses, attendants, and other officers as he may think necessary for the conduct of the Home.
- The Board.
- 4—(1)** For the purposes of this Act there shall be a Board, to be known as “The Millbrook Home Board.”
- (2)** The Board shall consist of—
- I. Two persons appointed by the Governor, of whom one shall be a medical practitioner: and
  - II. A person who shall be nominated by the Trustees for the time being of the Trust Fund referred to in the Agreements and appointed by the Governor.
- (3)** The members of the Board shall hold office for two years, and shall receive such remuneration, and shall be paid such travelling and other allowances, as may be prescribed.
- Admission of patients to Home.
- 5—(1)** No person shall be admitted as a patient in the Home except upon the certificate of the Board, as provided by this section.
- (2)** Any medical practitioner may recommend to the Board the admission as a patient in the Home of any person whom such medical practitioner shall certify to be suffering from any psychopathic disorder and to be capable of benefiting from treatment in the Home.
- (3)** The recommendation of a medical practitioner pursuant to Subsection (2) shall be in the prescribed form and contain the prescribed particulars, and, except as may be prescribed, shall be accompanied by the consent in writing of the person referred to therein, or of his parent or guardian.

*Psychopathic Hospital (Management).*

(4) The Board shall consider any such recommendation, and, if, after such investigation as it thinks necessary, it is satisfied that the person referred to therein is a suitable person for admission to the Home, may issue a certificate in the prescribed form. A.D. 1933.

(5) In considering any such recommendation, the Board shall have regard to the provisions of the Agreements relating to the admission of patients to the Home.

(6) A certificate pursuant to Subsection (4) shall authorise the Superintendent to receive the person referred to therein as a patient in the Home and to detain him for treatment therein until he is discharged, as provided by Section Six.

**6—**(1) A person who has been admitted as a patient in the Home, as provided by Section Five, shall not be discharged therefrom except with the permission of the Board. Discharge of patients.

(2) In any case where the Board refuses permission for the discharge of a patient, an application may be made to a judge, by or on behalf of the patient, for an order directing his discharge.

(3) An application under Subsection (2) shall be made as prescribed, and the judge, on the hearing thereof, may make an order directing the discharge of the patient if he is satisfied that it would be in the interest of the patient so to do.

(4) The Superintendent shall give effect to any order made under this section.

**7—**(1) The Board, once in every month, shall visit and inspect the Home, and shall make a report to the Chief Secretary setting out the number of patients undergoing treatment in the Home at the time of each visit and the number admitted and discharged since the last visit of the Board. Visits of inspection and reports by the Board.

(2) In its reports the Board shall also state whether, in its opinion, the Home is being conducted in a proper and efficient manner, and shall make any recommendations which it thinks desirable for the improvement of the conduct of the Home.

(3) The Chief Secretary, if he thinks fit, may transmit any such recommendations to the Superintendent.

**8—**(1) There shall be paid in respect of the maintenance and treatment of patients in the Home such fees as may be prescribed. Fees.

(2) Any unpaid fees may be recovered in a summary way on the complaint of the Superintendent, and any such complaint may be made at any time within two years after the fees became payable.

*Psychopathic Hospital (Management).*

A.D. 1933.

(3) The Chief Secretary may remit the payment of fees, in whole or in part, in any case where it appears desirable so to do.

(4) The regulations may prescribe the cases in which the fees in respect of a patient shall be payable by relatives of that patient, and may define the relatives of the patient for that purpose, and provide for the recovery of fees in such cases.

Regulations.

**9** The regulations may prescribe—

- I. The powers and duties of the Superintendent and other officers in the management and administration of the Home:
- II. The care, treatment, and maintenance of patients in the Home, and the conduct and management of the Home:
- III. The procedure of the Board and the conduct of its business; and the cases in which the Board may delegate its powers to one or more of the members or to the Superintendent:
- IV. The admission of patients to the Home and such special provisions as are necessary or convenient in the admission of specified patients or classes of patients:
- V. The conditions regulating the discharge of patients from the Home.

Indemnity.

**10** No action, suit, or other proceeding shall be commenced, prosecuted, or maintained against—

- I. Any medical practitioner, in respect of any recommendation or certificate made or given in good faith for the purposes of this Act: or
- II. The Board, or any member of the Board, in respect of any act or omission done or made in the exercise of the powers conferred by this Act.