

[CONFIDENTIAL]
(Rough Draft for Consideration Only.)

No. , 1931.

A BILL

To provide for the reception of voluntary patients into hospitals for the insane and licensed houses and for their care and maintenance therein; to amend the Lunacy Act of 1898; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Lunacy Short title.
(Amendment) Act, 1931."

(2) The Lunacy Act of 1898 is in this Act Citation.
referred to as the Principal Act.

Lunacy (Amendment).

(3) The Principal Act, as amended by this Act, may be cited as the Lunacy Act, 1898-1931.

2. The Principal Act is amended—

Amendment of Act No. 45, 1898.

(a) by inserting at the end of section twenty-four the following short heading and new section :—

New short heading and sec. 24A.

(3.) *Reception and maintenance of voluntary patients in hospitals for the insane and licensed houses.*

24A. (1) The superintendent of any hospital for the insane or licensed house may receive into such hospital or licensed house as a voluntary patient any person who is desirous of submitting himself to treatment.

Voluntary patients.

No person shall be so received unless with the assent in writing of the Inspector-General who shall only give such assent upon the written application of the person desiring to become a voluntary patient.

(2) Every such patient shall be produced to the Inspector-General at his visits.

(3) No such patient shall be detained for more than seven days after having given notice to the superintendent of his intention or desire to leave.

(4) No voluntary patient shall be deemed to be an insane patient or a patient within the meaning of section three. The Master may, but only at the request in writing of a voluntary patient, take charge of his property, and the Master shall then have in respect thereof the same powers as he has over the property of an insane patient, and unless released by the Master in the prescribed manner, such property shall remain under his care until the voluntary patient is discharged, or dies.

Voluntary patient not within sec. 3 Powers of Master in Lunacy.

(5) The Master may take the necessary steps to collect the cost of maintenance of a voluntary patient from the patient himself, or from the relatives of such patient. For that purpose

purpose the provisions of sections one hundred and forty-two to one hundred and forty-seven, inclusive, applicable to or with regard to insane patients and their relatives, shall apply to and with regard to such voluntary patient and his relatives.

(6) Notice of the admission and of the discharge or death of such a patient shall be given as in the case of an insane patient.

(7) Section forty and subsection two of section forty-nine shall not extend to the superintendent of a hospital for the insane or licensed house who receives a voluntary patient under this section.

(b) by omitting from section one the letters and figures "ss. 4-24" and by inserting in lieu thereof the figures, words, and letters "(3.) Reception and maintenance of voluntary patients in hospitals for the insane and licensed houses—ss. 4-24A." Sec. 1. (Division into Parts.) (Revision.)

3. The Principal Act is further amended—

Further amendment of Act No. 45, 1898.

(a) by inserting next after section one hundred the following new section :— New s. 100A.

100A. (1) On receipt of an application from a patient detained in a hospital for the insane or licensed house, or from any relative or friend of such patient, the official visitors may, at their discretion, hold an inquiry for the purpose of ascertaining if the patient is detained for sufficient cause. Power of official visitors to hold inquiry and order discharge.

(2) The official visitors may discharge a patient if they are satisfied by the certificate of two psychiatrists whom they think fit to consult, setting out that the patient is detained without sufficient cause, and that he may without risk of injury to the public or to himself, be set at large.

(3) Any inquiry held under this section shall, so far as is practicable, be held at the hospital or licensed house in which the patient is detained. (4)

Lunacy (Amendment).

(4) It shall be the duty of the medical superintendent who receives an application under this section to forward the application without delay to the official visitors.

(5) The Inspector-General and the medical superintendent shall receive notice of the inquiry and shall be entitled to be present or to be represented at such inquiry.

(6) The costs of obtaining the certificate of the two psychiatrists shall be borne by the patient or by the relative or friend who applies for the inquiry.

(b) by omitting from section one the figures Sec. 1. "100" and by inserting in lieu thereof the (Revision.) figures and letter "100A."