

MENTAL TREATMENT (WAR SERVICE PATIENTS).

5° GEO. VI., No. VI.

No. 6 of 1941.

AN ACT to facilitate the treatment of mental disorder arising from wounds, shock and other causes sustained by certain persons in the course of or occasioned by War Service.

[Assented to 9th October, 1941.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Mental Treatment (War Service Patients) Act, 1941.* Short title.

2. This Act shall be read in conjunction with the Lunacy Act, 1903-1920, and the Mental Treatment Act, 1927. This Act to be read in conjunction with the Lunacy Act, 1903-1920, and the Mental Treatment Act, 1927.

3. In this Act, unless the context otherwise requires—

(1) Wherever the terms "time of war," "war," and "war service" are used, such terms shall have the same meanings respectively as they have when used in the Commonwealth Defence Act as amended from time to time.

(2) The term "war service patient" means any person—

(a) who is or has been a member of His Majesty's naval, military or air forces, whether under the provisions of any Imperial Act or of any Act of the Commonwealth of Australia, or of any Act or Ordinance of any other

Interpretation.

part of His Majesty's Dominions;
and

- (b) is or has been engaged on war service during a time of war; and
- (c) is suffering from mental disorder arising from wounds, shock, disease, stress, exhaustion, or other cause sustained during or occasioned by such war service.

Power to receive for treatment war service patients suffering from mental disorder.

4. Notwithstanding any provisions of the Lunacy Act, 1903-1920, or of the Mental Treatment Act, 1927, to the contrary, but subject to the regulations under this Act, it shall be lawful—

- (a) for any war service patient to be received for medical treatment into a hospital for the insane, reception house, or licensed house without any order or certificate under Part II. of the Lunacy Act, 1903-1920, or into any hospital established or any reception house constituted by the Governor under section two of the Mental Treatment Act, 1927, without any order under section four of such last-mentioned Act; and
- (b) for any person, whether for payment or not, if and so long as he complies with the conditions imposed by the regulations under this Act, to receive to board or lodge or to take the charge and care of any war service patient.

Provided that—

(i) any request (other than a request by the war service patient himself) for the admission of a war service patient to any hospital or other place under paragraph (a) of this section, or for the receiving by any person of a war service patient under paragraph (b) of this section, shall be made—

- (a) in the case of a war service patient who is still a member of the naval, military, or air forces in which he served on active service—by the principal medical officer of the

naval, military, or air forces of which the war service patient is a member as aforesaid; and

(b) in the case of any other war service patient—by the senior medical officer of the Commonwealth Repatriation Department in this State; and

(ii) this section shall not apply in any case where a war service patient who is not still a member of the naval, military, or air forces in which he served on active service refuses to enter any hospital or other place mentioned in paragraph (a) of this section, or to be received by any person under paragraph (b) of this section.

5. The Governor may make regulations as to—

Regulations.

- (a) the period for which a war service patient may be received for medical treatment, or to be boarded or lodged or taken charge or care of;
- (b) the institutions, homes, or houses into or in which a war service patient may be received or taken charge or care of;
- (c) the statements and notices to be furnished with respect to a war service patient so received or taken charge or care of;
- (d) the treatment of war service patients so received or taken charge or care of, and their visitation, inspection, removal to other care, and discharge.

6. (1) If any person shall receive to board or lodge or to take the charge or care of any war service patient contrary to the regulations under this Act, or, having so received a war service patient, shall contravene the said regulations in any respect in relation to such war service patient, such person shall be guilty of an offence.

Penalty—Fifty Pounds.

(2) Proceedings for an offence against this Act may be taken summarily before Justices under the Justices Act, 1902-1936.