



ANNO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1959

No. 35 of 1959

An Act to amend the Mental Health Act, 1935-1958

[Assented to 3rd December, 1959.]

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 Health Act Amendment Act, 1959". Short titles.

(2) The Mental Health Act, 1935-1958, as amended by this Act, may be cited as the "Mental Health Act, 1935-1959".

(3) The Mental Health Act, 1935-1958, is hereinafter referred to as "the principal Act".

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

3. Subsection (1) of section 98 of the principal Act is amended by adding the following paragraph (c) after paragraph (b) thereof :— Amendment of principal Act, s. 98—
Power of Public Trustee to manage estates of patients.

(c) who is a patient of the institution known as the Enfield Receiving House unless the superintendent thereof certifies that this section shall apply.

4. Section 111 of the principal Act is amended by adding the following paragraph xx at the end thereof :— Amendment of principal Act, s. 111—
Powers of Public Trustee exercisable without sanction of court.
Cf. N.S.W. 45, 1953, s. 66 (f).

xx. Take up any rights to issues of new shares to which the said person becomes entitled by virtue of his existing shareholdings.

Enactment of
s. 117a of
principal Act—

5. The following section is inserted in the principal Act after section 117 :—

Unclaimed
personal
effects and
moneys of
patient.
Cf. N.S.W. 45,
1958, s. 74.

117a. (1) All personal effects in the possession of the Public Trustee belonging to a patient and not claimed within two years from the date of the death or discharge of that patient may be sold by direction of the Public Trustee and the proceeds of the sale shall be retained by the Public Trustee.

(2) All moneys in the hands of the Public Trustee on account of a patient at the end of six years from the date of the death or discharge of that patient and unclaimed shall be paid to the Treasurer for the general revenue of the State.

(3) The Treasurer may pay any such moneys to the Public Trustee upon the certificate of the Public Trustee that the identity and whereabouts of the person or persons entitled thereto have been ascertained.

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

R. A. GEORGE, Governor.