ANNO DECIMO OCTAVO
ELIZABETHAE II REGINAE
A.D. 1969

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No. 17 of 1969
An Act to amend the Mental Health Act, 1935-1967.
[Assented to 6th March, 1969.]

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, 1968”.

(2) The Mental Health Act, 1935-1967, as amended by this Act, may be cited as the “Mental Health Act, 1935-1968”.

(3) The Mental Health Act, 1935-1967, is hereinafter referred to as “the principal Act”.

2. Section 4 of the principal Act is amended by inserting after the word “defectives” being the last word in the definition of “institution” in subsection (1), the passage “, or any other hospital, clinic or place under the control of the Director where persons are accommodated, or are rendered any treatment or service under this Act”.

3. Section 166 of the principal Act is repealed and the following section is enacted and inserted in its place:

166. (1) The Governor may make regulations—
(a) prescribing the respective amounts or periodic amounts that are payable for any accommodation or any maintenance provided or any treatment or service rendered at any institution or class of institution;
(b) providing for the payment by and recovery from—
   (i) a person who has received or is receiving such treatment or service;
   (ii) a person liable or responsible for the maintenance of a person referred to in subparagraph (i) of this paragraph;
   or
   (iii) a person who is in possession or control of the property of a person referred to in subparagraph (i) of this paragraph (such payment and recovery being made out of such property),

   of any amounts payable for such accommodation or maintenance provided or such treatment or service rendered at any institution or class of institution;

   (c) conferring on the Director or a person for the time being authorized in writing in that behalf by the Director power, from time to time, to reduce, or remit any part of, any amount so prescribed, or to vary the amount of any reduction or remission, in the light of the financial position or of any change in the financial position of the person by or from whom the amount is payable or recoverable;

   and

   (d) providing, in any case where a person dies in an institution, for the recovery of the funeral and other expenses incurred in respect of that person by the Crown.

(2) An amount charged to any person and calculated in accordance with the regulations, together with funeral or other expenses, if any, chargeable to that person under this Act shall be a debt due to the Crown which may be recovered by the Director or a person authorized in writing by him in that behalf, either summarily upon complaint by the Director or such person, or by action in any court of competent jurisdiction, and shall be payable to the Director or to any person authorized by him to receive the same.

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

J. W. HARRISON, Governor.