

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,  
and, having this day passed, is now ready for presentation to the  
LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,  
Sydney, 18 October, 1945.*

## New South Wales.



ANNO NONO

## GEORGII VI REGIS.

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Act No. , 1945.

An Act to amend the Lunacy Act, 1898-1944, in  
certain respects ; and for purposes connected  
therewith.

**B**E it enacted by the King's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative Council and Legislative Assembly of New South  
Wales in Parliament assembled, and by the authority of  
5 the same, as follows :—

1. (1) This Act may be cited as the "Lunacy (Amend-  
ment) Act, 1945."

Short title  
and  
citation.

(2) The Lunacy Act of 1898, as amended by  
subsequent Acts and by this Act, may be cited as the  
10 Lunacy Act, 1898-1945.



*Lunacy (Amendment).***2. The Lunacy Act, 1898-1944, is amended—**

- (a) by inserting at the end of section four the following new subsection:—
- 5 (3) If any medical practitioner grants a certificate in the form of Schedule 2A of this Act without having seen and personally examined the person to whom it relates, at the time specified in such certificate, for the purpose of ascertaining the condition of such person to the best of his knowledge and power, he shall for every such offence be liable to a penalty not exceeding fifty pounds;
- 10 (b) by inserting in subsection two of section six after the word "certificate" where firstly and thirdly occurring the words "according to the form in Schedule Two of this Act";
- 15 (c) by inserting in section ten after the word "certificate" where firstly occurring the words "according to the form in Schedule Two of this Act";
- 20 (d) by omitting from section thirteen the words "any such certificate as aforesaid" and by inserting in lieu thereof the words "any certificate according to the form in Schedule Two of this Act."
- 25

Amendment of Act No. 45, 1898.

Sec. 4.  
(Detention in reception house on certificate of one medical practitioner.)

Sec. 6 (2).  
(In cases of emergency justices may act on one medical certificate.)

Sec. 10.  
(Medical certificates to specify facts upon which opinion of insanity has been formed.)

Sec. 13.  
(No certificate to be granted without examination.)

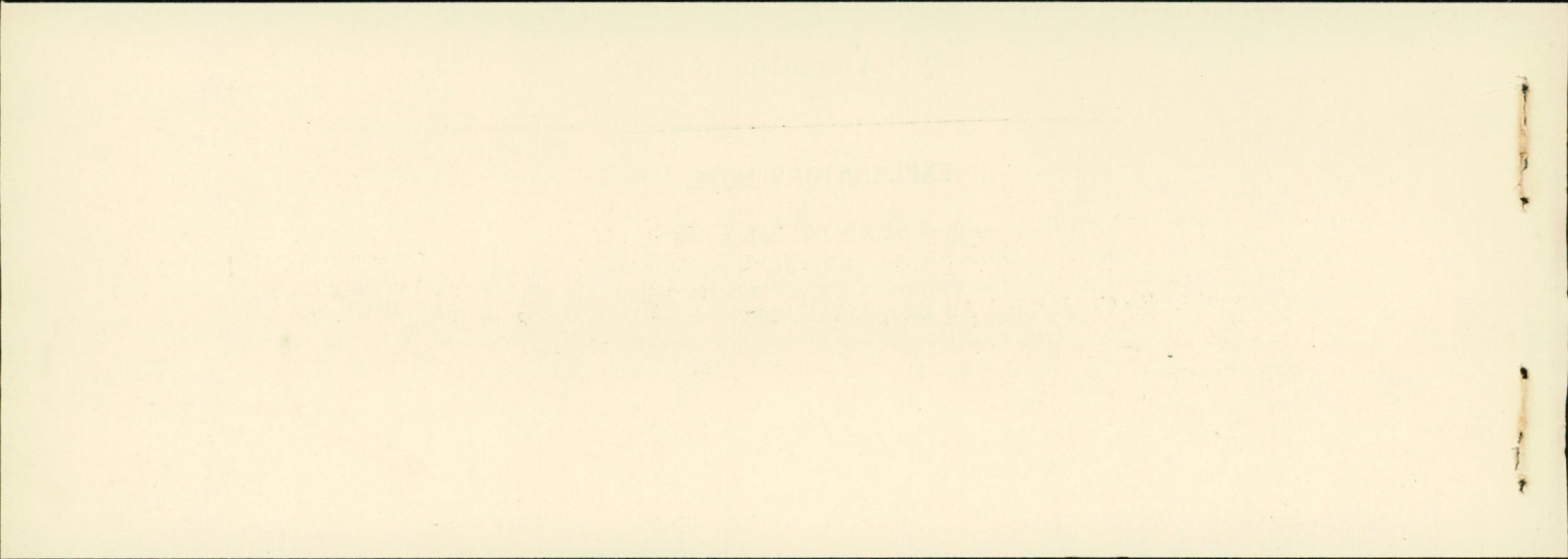


# Lunacy (Amendment) Bill.

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## EXPLANATORY NOTE.

THE object of this Bill is to provide for the imposition of a penalty upon a medical practitioner for granting a certificate in the form of Schedule 2A to the Act without having seen and personally examined the person to whom it relates. (Ex parte Fitzgerald; Re Gordon and Another, 45 S.R. 182.)



No. , 1945.

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## A BILL

To amend the Lunacy Act, 1898-1944, in certain respects ; and for purposes connected therewith.

[MR. KELLY;—27 *September*, 1945.]

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5 the same, as follows :—

1. (1) This Act may be cited as the "Lunacy (Amendment) Act, 1945."

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(2) The Lunacy Act of 1898, as amended by subsequent Acts and by this Act, may be cited as the  
10 Lunacy Act, 1898-1945.



*Lunacy (Amendment).***2.** The Lunacy Act, 1898-1944, is amended—

- Amendment of Act No. 45, 1898.
- Sec. 4.  
(Detention in reception house on certificate of one medical practitioner.)
- 5 (a) by inserting at the end of section four the following new subsection:—  
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New South Wales.



ANNO NONO

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Act No. 33, 1945.

An Act to amend the Lunacy Act, 1898-1944, in certain respects ; and for purposes connected therewith. [Assented to, 7th November, 1945.]

**B**E 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 (Amendment) Act, 1945."

Short title  
and  
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(2) The Lunacy Act of 1898, as amended by subsequent Acts and by this Act, may be cited as the Lunacy Act, 1898-1945.



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*Lunacy (Amendment).*


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Amendment  
of Act No.  
45, 1898.

Sec. 4.

(Detention  
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one medical  
prac-  
titioner.)

2. The Lunacy Act, 1898-1944, is amended—

- (a) by inserting at the end of section four the following new subsection:—

(3) If any medical practitioner grants a certificate in the form of Schedule 2A of this Act without having seen and personally examined the person to whom it relates, at the time specified in such certificate, for the purpose of ascertaining the condition of such person to the best of his knowledge and power, he shall for every such offence be liable to a penalty not exceeding fifty pounds;

Sec. 6 (2).

(In cases of  
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- (b) by inserting in subsection two of section six after the word "certificate" where firstly and thirdly occurring the words "according to the form in Schedule Two of this Act";

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(Medical  
certificates to  
specify facts  
upon which  
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- (c) by inserting in section ten after the word "certificate" where firstly occurring the words "according to the form in Schedule Two of this Act";

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(No certifi-  
cate to be  
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- (d) by omitting from section thirteen the words "any such certificate as aforesaid" and by inserting in lieu thereof the words "any certificate according to the form in Schedule Two of this Act."

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By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1945.

[3d.]



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Short title and citation.

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(d) by omitting from section thirteen the words "any such certificate as aforesaid" and by inserting in lieu thereof the words "any certificate according to the form in Schedule Two of this Act."

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1945.

[3d.]



*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 30 October, 1945.*

## New South Wales.



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### Act No. 33, 1945.

An Act to amend the Lunacy Act, 1898-1944, in certain respects ; and for purposes connected therewith. [Assented to, 7th November, 1945.]

**B**E 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 (Amendment) Act, 1945."

Short title and citation.

(2) The Lunacy Act of 1898, as amended by subsequent Acts and by this Act, may be cited as the Lunacy Act, 1898-1945.

2.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*



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*Lunacy (Amendment).*


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45, 1898.

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**2.** The Lunacy Act, 1898-1944, is amended—

- (a) by inserting at the end of section four the following new subsection:—
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- (d) by omitting from section thirteen the words "any such certificate as aforesaid" and by inserting in lieu thereof the words "any certificate according to the form in Schedule Two of this Act."

*In the name and on behalf of His Majesty I assent to  
this Act.*

F. R. JORDAN,  
*Lieutenant-Governor.*

*Government House,  
Sydney, 7th November, 1945.*