

Bill No. 8 of 1933.

A BILL TO AMEND THE MENTAL DEFECTIVES ACT.

NOTE.

Section 2 of this Bill gives the Superintendent additional powers in discharging or releasing on parole any patient in an institution.

Section 3 of the Bill fixes the same period of residence in a municipality requisite to establish the liability of the municipality for the maintenance of a mental defective as is provided by *The Child Welfare Act*.

Section 4 of the Bill empowers the Director to order the removal of a mental defective placed in an institution by order of the Minister to any other institution.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 8 of 1933.

An Act to amend The Mental Defectives Act.

(Assented to _____, 1933.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Mental Defectives Act Amendment Act, 1933.*"

2. *The Mental Defectives Act*, being chapter 224 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 13a thereof—

- (a) by striking out the words "every three months either in person or by writing" where the same occur in subsection (1) thereof, and by substituting therefor the words "either in person or by writing, whenever requested by the superintendent so to do";
- (b) by adding at the end of the said section the following new subsection:

"(3) (a) The superintendent may discharge any mentally defective person from any institution in any case in which the superintendent considers that such person is capable of earning a legitimate livelihood and conforming to the law, and that the power of procreation of such person no longer exists.

"(b) The superintendent may from time to time require any person discharged under the provisions of this subsection to make such reports to such persons as the superintendent may prescribe and may require such person to comply with such conditions as he may from time to time direct.

"(c) In case any person discharged under the provisions of this subsection makes default in making any reports which he is required to make, or in complying with any conditions which he is directed to comply with, or fails to earn a legitimate livelihood or to conform to the law, or pursues any mode or manner of living or behaviour which appears to the superintendent to be undesirable, the superintendent may issue his order in writing requiring that such person be apprehended and conveyed to any institution established under this Act for the reception of mental defectives designated in the order."

3. The said Act is further amended as to section 14 thereof—

- (a) by striking out the words “for a period of at least one year” where the same occur in subsection (4) thereof, and by substituting therefor the words “for a period of not less than six consecutive months”;
- (b) by adding thereto, immediately after subsection (4) thereof, the following new subsection:
 “(5) For the purpose of this section, residence as a patient in any hospital within the meaning of *The Mental Diseases Act*, or in any institution within the meaning of this Act or in any other hospital or as a prisoner in any gaol shall not be taken into account.”

4. The said Act is further amended by inserting therein, immediately after section 17 thereof, the following new section:

“17a. The Director may in his discretion from time to time make an order with respect to any mentally defective person who has been placed in an institution pursuant to the provisions of this Act by order of the Minister directing that person to be removed from the institution of which he is for the time being an inmate to any other institution in which mentally defective persons may be placed pursuant to this Act.”

5. This Act shall come into force on the day upon which it is assented to.

No. 8.

THIRD SESSION
SEVENTH LEGISLATURE
23 GEORGE V
1933

B I L L

An Act to amend The Mental
Defectives Act.

Received and read the

First time.....

Second time

Third time

HON. MR. HOADLEY

EDMONTON:
W. D. MCLEAN, KING'S PRINTER
1933