



Mental Health Act 1959

1959 CHAPTER 72

PART IV

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Supplemental

59 Interpretation of Part IV

(1) In this Part of this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" the managers " means—

- (a) in relation to a hospital vested in the Minister under the National Health Service Act, 1946, and in relation to any accommodation provided by a local authority and used for hospital and specialist services under Part II of that Act, the hospital management committee or board of governors ;
- (b) in relation to a special hospital, the Minister;
- (c) in relation to a mental nursing home registered in pursuance of Part III of this Act, the person or persons registered in respect of the home;

" the nominated medical attendant ", in relation to a patient who is subject to the guardianship of a person other than a local health authority, means the person appointed in pursuance of regulations made under subsection (2) of section thirty-five of this Act to act as the medical attendant of the patient;

" the responsible medical officer " means—

- (a) in relation to a patient liable to be detained by virtue of an application for admission for observation or an application for admission for treatment, the medical practitioner in charge of the treatment of the patient;
- (b) in relation to a patient subject to guardianship, the medical officer of health of the responsible local health authority or any other medical officer authorised by that authority to act (either generally or in any particular case or for any particular purpose) as the responsible medical officer.

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

- (2) Except where otherwise expressly provided, this Part, of this Act applies in relation to a mental nursing home, being a home in respect of which the particulars of registration are for the time being entered in the separate part of the register kept for the purposes of subsection (1) of section fifteen of this Act, as it applies in relation to a hospital, and references in this Part of this Act to a hospital, and any reference in this Act to a hospital to which this Part of this Act applies, shall be construed accordingly.
- (3) For the purposes of this Part of this Act a patient who is liable to be detained or subject to guardianship by virtue of an application for admission for treatment or a guardianship application shall be treated as being so liable or subject as a psychopathic or subnormal patient if the form of disorder specified in the application, or in the application as amended under section thirty-eight of this Act, is psychopathic disorder or subnormality, or psychopathic disorder and subnormality, and no other form of mental disorder.
- (4) In relation to a patient who is subject to guardianship in pursuance of a guardianship application, any reference in this Part of this Act to the responsible local health authority is a reference—
 - (a) where the patient is subject to the guardianship of a local health authority, to that authority ;
 - (b) where the patient is subject to the guardianship of a person other than a local health authority, to the local health authority for the area in which that person resides.