
STATUTORY INSTRUMENTS

1964 No. 1474

**The London Authorities (Health
and Welfare Services) Order 1964**

Mental Health

3.—(1) Where immediately prior to 1st April 1965 a patient is in the guardianship under the Mental Health Act 1959 of any county council or county borough council which is abolished by section 3(1)(b) of the Act, his guardianship shall vest—

- (a) if the place where he resided immediately before he was received into guardianship is on 1st April 1965 in a London borough, in the council of that borough, or
- (b) if the place where he resided immediately before he was received into guardianship is not on 1st April 1965 in a London borough, or cannot with reasonable diligence be ascertained, or is disputed, in the council of the county or London borough designated for that purpose by the council in whom his guardianship vested immediately prior to 1st April 1965,

and section 41(2)(c) of the Mental Health Act 1959 shall apply as if the patient had been transferred into the guardianship of such council in pursuance of regulations under that section.

(2) For the purposes of regulation 26 of the Mental Health (Hospital and Guardianship) Regulations 1960(1) a patient in hospital at the time when his age is to be determined who before the date of his admission to hospital resided in any county or county borough which is abolished by the said section 3(1)(b) shall be deemed to have resided at that date in the county or London borough in which on 1st April 1965 his former place of residence is situated.

(3) Any order made by a County Court under section 52 of the said Act of 1959 directing that the functions under Part IV of that Act of the nearest relative of a patient shall be exercisable by a county council or county borough council which is abolished by the said section 3(1)(b) shall have effect on and after 1st April 1965 as if the order had directed those functions to be exercisable by the council of the county, London borough or county borough in which the patient resided on that day, or, if he is then in hospital, the council of the county, London borough or county borough in which on 1st April 1965 the place at which he was resident immediately before he was last admitted to hospital is situated.

(4) Anything duly done prior to 1st April 1965 by or in relation to a local health authority or mental welfare officer for the purposes of any provision of the Mental Health Act 1959 as respects a person at any place in Greater London, or in the urban districts of Potters Bar, Staines or Sunbury-on-Thames shall not be affected by the Act but may be continued thereafter by or in relation to the local health authority or mental welfare officer concerned to carry out that provision of the said Act of 1959 at that place.