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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 359.

2 Maart 1984

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

— 3 van 1984: Wysigingswet op Geestesgesondheid, 1984.

No. 359.

2 March 1984

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 3 of 1984: Mental Health Amendment Act, 1984.

MENTAL HEALTH AMENDMENT ACT, 1984

Act No. 3, 1984

GENERAL EXPLANATORY NOTE:

[Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Mental Health Act, 1973, so as to substitute certain obsolete expressions and to increase the amounts which are relevant to the appointment of a curator of the property of a mentally ill person by a judge in chambers or a Master of the Supreme Court; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 22 February 1984.)*

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Mental Health Act, 1973, is hereby amended—
 - 5 (a) by the substitution for the definition of "Director-General" of the following definition:

"Director-General" means the Director-General: Health and Welfare **[and Pensions]**,";
 - 10 (b) by the substitution for the definition of "medical practitioner" of the following definition:

"medical practitioner" means a person registered as a medical practitioner under the Medical, Dental and **[Pharmacy Act, 1928 (Act No. 13 of 1928)] Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974)**,";
 - 15 (c) by the substitution for the definition of "Minister" of the following definition:

"Minister" means the Minister of Health **and Welfare [and Pensions]**, except in sections 28 and 30 to 41 inclusive, where it means the Minister of Justice,";
 - 20 (d) by the substitution for the definition of "police official" of the following definition:

"police official" means any member of the Force as defined in section 1 of the Police Act, 1958 (Act No. 7 of 1958), and any member of the **[Railways and Harbours Police Force appointed under section 57 (1) of the Railways and Harbours Control and Management Consolidation Act, 1957 (Act No. 70 of 1957)] South African Railways Police Force established under section 43 of the South African Transport Services Act, 1981 (Act No. 65 of 1981)**,";
 - 25 (e) by the substitution for the definition of "psychiatrist" of the following definition:

"psychiatrist" means a person registered as a psychiatrist under the Medical, Dental and **[Pharmacy Act, 1928 (Act No. 13 of 1928)] Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974)**,";
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Amendment of section 1 of Act 18 of 1973, as amended by section 1 of Act 10 of 1978 and section 1 of Act 38 of 1981.

MENTAL HEALTH AMENDMENT ACT, 1984

Act No. 3, 1984

- (f) by the substitution for the definition of "registered clinical psychologist" of the following definition:
"registered clinical psychologist" means a clinical psychologist registered as a psychologist under the Medical, Dental and **[Pharmacy Act, 1928 (Act No. 13 of 1928)]** Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974);";
- (g) by the substitution for the definition of "registered nurse" of the following definition:
"registered nurse" means a person registered as a nurse under section **[12] 16** of the Nursing Act, **[1957 (Act No. 69 of 1957)]** 1978 (Act No. 50 of 1978);";
- (h) by the substitution for the definition of "registered social worker" of the following definition:
"registered social worker" means a person registered as a social worker under section **[33 of the National Welfare Act, 1965 (Act No. 79 of 1965)]** 17 of the Social and Associated Workers Act, 1978 (Act No. 110 of 1978);".

2. Section 56 of the Mental Health Act, 1973, is hereby amended by the substitution for the proviso to subsection (1) of the following proviso: Amendment of section 56 of Act 18 of 1973.

- "Provided that, if the estimated value of the property does not exceed **[five thousand rand] R50 000** in respect of the *corpus* thereof or **[one thousand rand] R10 000** per annum in respect of income, a judge in chambers or the Master may exercise the powers conferred upon the court by this section."

3. This Act shall be called the Mental Health Amendment Act, 1984. Short title.