

Mental Deficiency Act, 1913 (Provisional Regulations) : copy of provisional regulations, dated 20th March, 1914, made by the Secretary of State for the Home Department with the concurrence of the Local Government Board under section 30, proviso (ii) of the Mental Deficiency Act, 1913 : (presented pursuant to Act 3 & 4 Geo. V., c. 28, s. 68).

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Publication/Creation

London : Printed under the authority of H.M.S.O. by Darling and Son, 1914.

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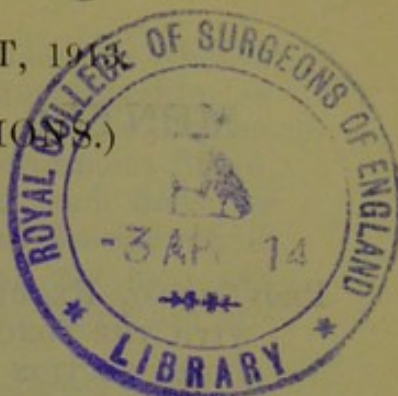


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MENTAL DEFICIENCY ACT, 1913
(PROVISIONAL REGULATIONS.)



COPY OF PROVISIONAL REGULATIONS, dated 20th MARCH, 1914, made by the SECRETARY OF STATE FOR THE HOME DEPARTMENT with the concurrence of the LOCAL GOVERNMENT BOARD under section 30, proviso (ii) of the MENTAL DEFICIENCY ACT, 1913.

(Presented pursuant to Act 3 & 4 Geo. V., c. 28, s. 68.)

*Ordered, by The House of Commons, to be printed,
26th March, 1914.*

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MENTAL DEFICIENCY ACT, 1913.

PROVISIONAL REGULATIONS MADE BY THE SECRETARY OF STATE
WITH THE CONCURRENCE OF THE LOCAL GOVERNMENT BOARD
UNDER SECTION 30, PROVISIO (ii), OF THE ACT.

I hereby certify in pursuance of Section 2 of the Rules Publication Act, 1893, that on account of urgency the following Regulations should come into immediate operation, and in pursuance of the powers conferred on me by Section 30, proviso ii, of the Mental Deficiency Act, 1913, I hereby make the following Regulations to come into operation forthwith as Provisional Regulations:—

I. When a Poor Law Authority has reasonable cause to believe that a person receiving relief under the Acts relating to the relief of the poor is a defective subject to be dealt with under Section 2 (i) (b) of the Mental Deficiency Act, 1913, and that any of the following circumstances exist and that they constitute a special reason why the alleged defective should be dealt with under the said Act the Authority may report the case to the Local Government Board.

The circumstances which may be deemed to constitute a special reason may be

- (i) that the alleged defective is under 21 years of age and is in need of proper control and training which cannot be provided in an institution belonging to the Guardians:
- (ii) that the alleged defective is a woman in receipt of poor law relief at the time of giving birth to an illegitimate child or when pregnant of such child, or is a prostitute, or lodges or resides with prostitutes or otherwise lives in circumstances calculated to cause, encourage or favour her seduction or prostitution:
- (iii) that in his own interest the alleged defective requires care, protection and control which would not be available if he ceased to be provided for under the poor law and that he is likely to take his discharge from the Institution:
- (iv) that the alleged defective is a moral imbecile or has diseases, infirmities or habits which make his retention in the workhouse undesirable and his detention in an institution for defectives desirable.

II. The Report referred to in the foregoing paragraph may be made in the Form in the Schedule annexed, or a Form to the like effect.

III. If the Board of Control is satisfied that the Local Authority is able and willing to provide supervision, guardianship, or accommodation in accordance with Section 30 of the Act for any alleged defective so reported to the Local Government Board, it may, if it thinks fit, issue a Certificate that such defective shall be excepted from the provision of the said Section which directs that local authorities under the Act shall not have any duties with respect to defectives who for the time being are provided for by poor law authorities.

IV. Such reports and certificates as are above referred to may be made and issued more than once in respect of the same defective, if occasion requires.

Dated the 20th day of March, 1914.

(Sd.) *R. McKenna*,
One of His Majesty's Principal
Secretaries of State.

The Local Government Board concur in the foregoing Provisional Regulations.

20th March, 1914.

(Sd.) *Herbert Samuel*,
President.

MENTAL DEFICIENCY ACT, 1913, SECTION 30, PROVISIO (ii).

Schedule.

Form of Report.

Union of _____ in the County [Borough] of _____.

1. The Guardians of the above-named Union hereby report to the Local Government Board that A.B., who is in receipt of (outdoor) relief [in the _____⁽¹⁾ at _____] is in their opinion a defective subject to be dealt with under Section 2 (i) (b) of the Mental Deficiency Act, 1913, being a person who is⁽²⁾—

- (a) found neglected,
- (b) found abandoned,
- (c) found without visible means of support,
- (d) found cruelly treated,
- (e) an habitual drunkard within the meaning of the Inebriates Acts, 1879-1900,
- (f) a woman who has recently given birth to an illegitimate child, and was at the time of such birth in receipt of relief,
- (g) pregnant of an illegitimate child and in receipt of relief,

and that the following circumstances exist, and that they constitute a special reason why the said A.B. should be dealt with under the said Act, viz.:—⁽³⁾

- (i) that A.B., the alleged defective, is under 21 years of age and is in need of proper control and training which cannot be provided in an institution belonging to the Guardians:
- (ii) that A.B., the alleged defective, is a woman in receipt of poor law relief at the time of giving birth to an illegitimate child or when pregnant of such child, or is a prostitute or lodges or

⁽¹⁾ name the institution.

⁽²⁾ strike out the headings which are not applicable.

⁽³⁾ strike out the headings which are not applicable.

resides with prostitutes or otherwise lives in circumstances calculated to cause, encourage, or favour her seduction or prostitution:

(iii) that A.B., the alleged defective, in his own interest requires care, protection, and control which would not be available if he ceased to be provided for under the poor law and that he is likely to take his discharge from the Institution:

(iv) that A.B., the alleged defective, is a moral imbecile or has diseases, infirmities, or habits which make his retention in the workhouse undesirable and his detention in an institution for defectives desirable:

2. The Guardians further report that the said A.B. was (has not to their knowledge previously been) reported to the Local Government Board (on the _____ day of _____, 19____) with a view to his being dealt with under the said Act.

Dated the _____ day of _____, 19____.

Clerk to the Guardians