

**Summary proceedings, England (Mental Deficiency Act, Provisional Rules) : copy of provisional rules made by the Lord Chancellor in pursuance of Section 29 of the Summary Jurisdiction Act, 1879, and Section 44(5) of the Mental Deficiency Act, 1913 : (presented pursuant to Act 42 & 43 Vic., c. 49, s. 29(3)).**

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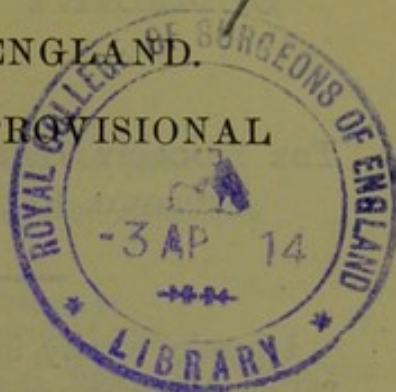
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SUMMARY PROCEEDINGS, ENGLAND.  
(MENTAL DEFICIENCY ACT—PROVISIONAL  
RULES.)

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COPY OF PROVISIONAL RULES made by the LORD CHANCELLOR  
in pursuance of Section 29 of the SUMMARY JURISDICTION  
ACT, 1879, and Section 44 (5) of the MENTAL DEFICIENCY  
ACT, 1913.

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*(Presented pursuant to Act 42 & 43 Vic., c. 49, s. 29 (3).)*

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

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## SUMMARY PROCEEDINGS, ENGLAND.

### THE SUMMARY JURISDICTION (MENTAL DEFICIENCY ACT), PROVISIONAL RULES, 1914, DATED MARCH 20TH, 1914.

I hereby certify in pursuance of Section 2 of the Rules Publication Act, 1893, that on account of urgency the following Rules should come into immediate operation, and in pursuance of the powers conferred on me by Section 29 of the Summary Jurisdiction Act, 1879, and Section 44 (5) of the Mental Deficiency Act, 1913, I hereby make the following Rules to come into operation forthwith as Provisional Rules:—

Procedure to determine place of residence.

*Rule 1.*—Whenever a Court of Summary Jurisdiction has to determine the place of residence of a defective, it shall have the same powers as in the case of a complaint upon which an order can be made under the Summary Jurisdiction Acts, and the Summary Jurisdiction Acts shall apply to such proceedings accordingly.

Application for transfer of liability.

*Rule 2.*—The Petty-Sessional Court to which a Council aggrieved by a decision as to the place of residence of any person, may apply for a transfer of the liability for the cost of the conveyance, reception and maintenance of such person shall, where the decision was given by a Judicial Authority or a Court of Summary Jurisdiction, be a Petty-Sessional Court acting in and for the place in which the decision was given, and in the case of an order made by the Secretary of State, shall be a Petty-Sessional Court having jurisdiction within the area of the aggrieved Council.

Notice to Council before an order for determining place of residence or transfer of liability.

*Rule 3.*—No order determining the place of residence of a defective or for the transfer of liability shall be made unless a summons has been served at least five days before the hearing thereof upon the Council which by virtue of the Order will be responsible for the cost of the conveyance, reception and maintenance of the defective.

Forms.

*Rule 4.*—The forms in Schedule A, or forms to the like effect, may be used with such variations as circumstances may require for the purposes of the Mental Deficiency Act, 1913.

Title.

*Rule 5.*—These Rules may be cited as the Summary Jurisdiction (Mental Deficiency Act) Provisional Rules, 1914.

Dated the 20th day of March, 1914.

(Sd.) *Haldane,*  
Lord Chancellor.

## FORMS.

## SCHEDULE A.

## I.

*Mental Deficiency Act, 1913, Section 44 (1).*

APPLICATION FOR ORDER DETERMINING PLACE OF RESIDENCE.

## COMPLAINT.

In the County of \_\_\_\_\_ Petty-Sessional Division of  
 the \_\_\_\_\_ day of \_\_\_\_\_ One thousand nine hundred and  
 The complaint of A.B. (here set forth status of A.B.) \_\_\_\_\_ who states  
 that on the \_\_\_\_\_ day of \_\_\_\_\_ One thousand nine hundred and  
 an order was made at the (Assizes) (Quarter Sessions) holden for ( \_\_\_\_\_ )  
 (ordering C.D., a defective, to be sent to the Certified Institution at  
 \_\_\_\_\_ ) (appointing E.F. to be the Guardian of C.D., a defective)  
 and specifying the County (Borough) of \_\_\_\_\_ as the place of  
 residence of the said C.D., and who claims that the County (Borough)  
 of \_\_\_\_\_ should be determined to be the place of residence of  
 the said C.D.

Made before me \_\_\_\_\_ Justice of the Peace for the (County) of  
 this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(L.S.)

## II.

*Mental Deficiency Act, 1913, Section 44 (1).*

ORDER ON APPLICATION FOR DETERMINATION OF PLACE OF RESIDENCE.

In the County of \_\_\_\_\_ Petty-Sessional Division of  
 Before the Court of Summary Jurisdiction sitting at \_\_\_\_\_  
 On the complaint of A.B. (here set out status of A.B.) \_\_\_\_\_ it is  
 adjudged that C.D., a defective, who at the (Assizes) (Quarter Sessions)  
 holden at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ One  
 thousand nine hundred and \_\_\_\_\_, was (ordered to be sent to the Certified  
 Institution at \_\_\_\_\_ ) (placed under the Guardianship of E.F.)  
 resided in the (County) (County Borough) of \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
 (L.S.) \_\_\_\_\_ Justice of the Peace for the (County) of \_\_\_\_\_

## III.

*Mental Deficiency Act, 1913, Section 44 (3).*

APPLICATION FOR AN ORDER TRANSFERRING LIABILITY.

In the County of \_\_\_\_\_ Petty-Sessional Division of  
 The complaint of A.B. (an officer of) (authorised by) \_\_\_\_\_ and on behalf of  
 the Council of the (County) (Borough) of \_\_\_\_\_ who states that on  
 the \_\_\_\_\_ day of \_\_\_\_\_ One thousand nine hundred and \_\_\_\_\_  
 an Order was made by \_\_\_\_\_ directing that C.D., a defective,  
 should be (sent to a Certified Institution) (placed under Guardianship) and  
 specifying the (County) (Borough) of \_\_\_\_\_ as the place in which  
 the said C.D. resided, and who claims that the liability of the Council of  
 the County (Borough) of \_\_\_\_\_ should be transferred to the County  
 (Borough) of \_\_\_\_\_

Made before me \_\_\_\_\_ Justice of the Peace for the (County) of \_\_\_\_\_

(L.S.) \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

IV.

*Mental Deficiency Act, 1913, Section 44 (3).*

ORDER ON AN APPLICATION FOR TRANSFER OF LIABILITY.

In the County of \_\_\_\_\_ Petty-Sessional Division of  
Before the Petty-Sessional Court sitting at \_\_\_\_\_

On the complaint of A.B. (here set out status of A.B.)  
it is adjudged that C.D., a defective, who on the \_\_\_\_\_ day of  
One thousand nine hundred and \_\_\_\_\_ was ordered to be (sent to an  
Institution) (placed under Guardianship), the County (Borough) of \_\_\_\_\_  
being specified in the Order as the place where the said C.D. resided,  
was resident in the County (Borough) of \_\_\_\_\_, and that the liability  
of the said Council of the County (Borough) of \_\_\_\_\_ is accordingly  
transferred to the said Council of the County (Borough) of \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(L.S.) \_\_\_\_\_ Justice of the Peace for the (County) of \_\_\_\_\_

(L.S.) \_\_\_\_\_ Justice of the Peace for the (County) of \_\_\_\_\_