STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

No. 359. 2 Maart 1984

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

No. 3 van 1984: Wysigingswet op Geestesgesondheid, 1984.

OFFICE OF THE PRIME MINISTER

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.

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Geestesgesondheid, 1973, ten einde sekere verouderde uitdrukkings te vervang en die bedrae te verhoog wat ter sake is by die aanstelling van 'n kurator van die eiendom van 'n geestesongestelde persoon deur 'n regter in kamers of 'n Meester van die Hooggeregshof; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Februarie 1984.)

DAAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 18 van 1973, soos gewysig deur artikel 1 van Wet 10 van 1978 en artikel 1 van Wet 38 van 1981.

1. Artikel 1 van die Wet op Geestesgesondheid, 1973, word hierby gewysig—

(a) deur die omskrywing van "Direkteur-generaal" deur die volgende omskrywing te vervang:
"'Direkteur-generaal' die Direkteur-generaal: Gesondheid en Welsyn **[en Pensioene]**;";

(b) deur die omskrywing van "geneesheer" deur die volgende omskrywing te vervang:
"'geneesheer' iemand wat ingevolge die Wet op Geneeshere, Tandartse en **[Aptekers, 1928 (Wet No. 23 van 1928)]** Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), as 'n geneesheer geregistreer is;";

(c) deur die omskrywing van "geregistreerde kliniese sielkundige" deur die volgende omskrywing te vervang:
"'geregistreerde kliniese sielkundige' 'n kliniese sielkundige wat as 'n sielkundige ingevolge die Wet op Geneeshere, Tandartse en **[Aptekers, 1928 (Wet No. 13 van 1928)]** Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), geregistreer is;";

(d) deur die omskrywing van "geregistreerde maatskaplike werker" deur die volgende omskrywing te vervang:
"'geregistreerde maatskaplike werker' iemand wat ingevolge artikel **[33 van die Nasionale Welsynswet, 1965 (Wet No. 79 van 1965)]** 17 van die Wet op Maatskaplike en Geassosieerde Werkers, 1978 (Wet No. 110 van 1978), as 'n maatskaplike werker geregistreer is;";

(e) deur die omskrywing van "geregistreerde verpleegster" deur die volgende omskrywing te vervang:
"'geregistreerde verpleegster' iemand wat ingevolge artikel **[12]** 16 van die Wet op Verpleging, **[1957 (Wet No. 69 van 1957)]** 1978 (Wet No. 50 van 1978), as 'n **[verpleegster]** verpleegkundige geregistreer is;";

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:—

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.

1. Section 1 of the Mental Health Act, 1973, is hereby amended—

(*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]**;";

(*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);";

(*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;";

(*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);";

(*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);";

(f) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

"'Minister' die Minister van Gesondheid en Welsyn **[en Pensioene]**, behalwe in artikels 28 en 30 tot en met 41, waar dit die Minister van Justisie beteken;";

(g) deur die omskrywing van "polisiebeampte" deur die volgende omskrywing te vervang:

"'polisiebeampte' 'n lid van die Mag soos in artikel 1 van die Polisiewet, 1958 (Wet No. 7 van 1958), omskryf, en 'n lid van die **[Spoorweg- en Hawepolisiemag ingevolge artikel 57 (1) van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957), aangestel]** Suid-Afrikaanse Spoorwegpolisiemag kragtens artikel 43 van die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet No. 65 van 1981), ingestel;";

(h) deur die omskrywing van "psigiater" deur die volgende omskrywing te vervang:

"'psigiater' iemand wat as 'n psigiater ingevolge die Wet op Geneeshere, Tandartse en **[Aptekers, 1928 (Wet No. 13 van 1928)]** Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), geregistreer is;".

Wysiging van artikel 56 van Wet 18 van 1973.

2. Artikel 56 van die Wet op Geestesgesondheid, 1973, word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepaling te vervang:

"Met dien verstande dat, as die geraamde waarde van die eiendom nie **[vyfduisend rand]** R50 000 ten opsigte van die *corpus* daarvan of **[duisend rand]** R10 000 per jaar ten opsigte van inkomste te bowe gaan nie, 'n regter in kamers of die Meester die bevoegdhede kan uitoefen wat by hierdie subartikel aan die hof verleen word.".

Kort titel.

3. Hierdie Wet heet die Wysigingswet op Geestesgesondheid, 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);".

Amendment of section 56 of Act 18 of 1973.

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:

"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.".

Short title.

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

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