Provided that the amount of the compensation and expenses so paid shall not in any one year, without the consent of the Treasury, exceed the sum of two thousand pounds.

(3) Notwithstanding anything in the Summary Jurisdiction Acts, proceedings for an offence against an order under the principal Act may, where the offence is an offence in connection with the movement, sale, consignment or planting of potatoes, be instituted at any time within twelve months from the day on which the alleged offence was committed.

(4) Paragraphs (1) and (2) of section three of the principal Act, and in paragraph (3) thereof the words "in ordinary circumstances," are hereby repealed.

(5) For the purposes of the principal Act, the expression "insect" shall include bacteria and other vegetable or animal organisms, and any agent causative of a transmissible crop disease; and the expression "crop" shall include seed, plant, or any part thereof.

Short title and extent.

2.—(1) This Act may be cited as the Destructive Insects and Pests Act, 1927, and shall be construed as one with the principal Act, and the Destructive Insects and Pests Acts, 1877 and 1907, and this Act may be cited together as the Destructive Insects and Pests Acts, 1877 to 1927.

(2) In the application of this Act to Scotland the Board of Agriculture for Scotland shall be substituted for the Minister of Agriculture and Fisheries.

(3) This Act shall not extend to Northern Ireland.

CHAPTER 33.

An Act to amend certain enactments relating to mental defectives. [22nd December 1927.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Definition of defectives. 3 & 4 Geo. 5. c. 28.

1.—(1) The following section shall be substituted for section one of the Mental Deficiency Act, 1913 (in this Act referred to as "the principal Act")—

"1.—(1) The following classes of persons who are mentally defective shall be deemed to be defectives within the meaning of this Act:—

"(*a*) Idiots, that is to say, persons in whose case there exists mental defectiveness of such a degree that they are unable to guard themselves against common physical dangers:

"(*b*) Imbeciles, that is to say, persons in whose case there exists mental defectiveness which, though not amounting to idiocy, is yet so pronounced that they are incapable of managing themselves or their affairs or, in the case of children, of being taught to do so:

"(*c*) Feeble-minded persons, that is to say, persons in whose case there exists mental defectiveness which, though not amounting to imbecility, is yet so pronounced that they require care, supervision and control for their own protection or for the protection of others or, in the case of children, that they appear to be permanently incapable by reason of such defectiveness of receiving proper benefit from the instruction in ordinary schools:

"(*d*) Moral defectives, that is to say, persons in whose case there exists mental defectiveness coupled with strongly vicious or criminal propensities and who require care, supervision and control for the protection of others.

"(2) For the purposes of this section, 'mental defectiveness' means a condition of arrested or incomplete development of mind existing before the age of eighteen years, whether arising from inherent causes or induced by disease or injury."

Amendment of s. 2 of principal Act.

2. Section two of the principal Act (which specifies the circumstances rendering defectives subject to be dealt with under that Act) shall be amended as follows:—

In paragraph (*b*) (i) of subsection (1) there shall be inserted after the word "treated" the words "or with respect to whom a representation "has been made to the local authority by his "parent or guardian that he is in need of care "or training which cannot be provided in his "home":

In paragraph (*a*) of subsection (2) for the words "way of supervision or guardianship" there shall be substituted the words "being "placed under supervision or guardianship or "sent to an institution."

In paragraph (*b*) of subsection (2) for the words "sent to an institution or placed under guardianship" there shall be substituted the words "dealt with under this Act by being placed "under supervision or guardianship or sent to "an institution."

Amendment of s. 4 of principal Act.

3. Section four of the principal Act shall be amended by the substitution for the words "so be dealt with" of the words "be sent to an institution or placed under "guardianship."

Amendment of s. 6 of principal Act.

4. Proviso (*a*) to subsection (3) of section six of the principal Act shall be amended by the insertion after the words "cannot be found" of the words "or "that, by reason of the parent or guardian being abroad, "any attempt to obtain his consent would result in "undue delay in dealing with the petition."

Amendment of s. 8 of principal Act.

5. If in any case in which, under section eight of the principal Act, a court has directed a petition to be presented against any person and ordered that person to be detained pending the presentation of the petition and the adjudication thereof, it is found impracticable to present a petition or the petition is dismissed, then, unless the court has otherwise ordered, that person shall, until he can again be brought before the court, be dealt with as follows (that is to say):—

(*a*) If the place in which he is being detained under the order of the court is a prison or a place of

detention provided under section one hundred and eight of the Children Act, 1908, he shall continue to be detained in that prison or place; 8 Edw. 7. c. 67.

(*b*) If the place in which he is being so detained is not a prison or such a place of detention as aforesaid, he shall be removed therefrom to a prison or, if he is a child or young person, to a place of detention, or, if in the opinion of the Secretary of State it is inexpedient that he should be removed to a place of detention, then to such other place as the Secretary of State may by order direct.

Amendment of s. 11 of principal Act.

6.—(1) Where a defective who under an order has been sent to an institution or has been placed in an institution by a parent or guardian is absent therefrom, whether under licence or otherwise, in accordance with any regulations made under section forty-one of the principal Act, the local authority may, for the purposes of the special report mentioned in paragraph (*b*) of subsection (4) of section eleven of the principal Act, make arrangements for his examination by a duly qualified medical practitioner residing in the locality where the defective for the time being is, and the report made in any such case shall state whether, in the opinion of the medical practitioner, the continuance of the order is required in the interests of the defective.

(2) Any expenses incurred by a local authority in connection with any such arrangement as aforesaid shall be defrayed in like manner as the expenses of a local authority under section thirty-three of the principal Act.

Amendment of ss. 21 and 30 of principal Act.

7.—(1) Section twenty-one of the principal Act (which relates to the central authority) shall have effect as if after the word "supervision" there were inserted the words "training, occupation."

(2) Section thirty of the principal Act (which relates to the general powers and duties of local authorities) shall have effect as though—

(i) after paragraph (*c*) thereof there were inserted the following paragraph:—

"(*cc*) to provide suitable training or occupation for defectives who are under supervision or guardianship or have been sent to certified institutions."

(ii) in proviso (i) thereto there were substituted for the words "paragraphs (*b*), (*c*), (*d*), and (*g*)," the words "paragraphs (*b*), (*c*), (*cc*), (*d*), and (*g*)";

(iii) at the end thereof there were added the following proviso:—

(v) a local authority shall be under no obligation to provide training or occupation in the case of any defective under supervision if they satisfy the Board that there are in his case adequate reasons for not so doing.

Incorporation of joint bodies constituted under s. 29 of principal Act.

8. Every joint committee or joint board constituted under section twenty-nine of the principal Act shall be a body corporate by such name as the order constituting the committee (whether the order was made before or after the passing of this Act) may direct, and shall have perpetual succession and a common seal, and may hold land for the purpose of their powers and duties without licence in mortmain.

Amendment of s. 44 of principal Act.

9. Section forty-four of the principal Act (which relates to the determination of residence) shall be amended by the insertion therein after subsection (2) of the following new subsection:—

(2A) Where the order is made by a judicial authority and is in respect of a person in an institution for lunatics, certified institution, approved home, or other public or charitable institution, that person shall, for the purposes of the provisions of the last foregoing section, be deemed to have resided in the place which was his place of residence immediately before he was received into the institution or home, and if for the purposes of or in connection with his reception into the institution or home any place was determined to have been his place of residence, that determination shall be conclusive.

Institutions for mental defectives.

10.—(1) A local authority by which any certified institution is provided may contract with any other local authority for the reception and maintenance in the institution of persons for whose reception and maintenance that other local authority is by the principal Act required or authorised to make provision.

(2) Subject to the approval of the Board of Control and the Board of Education, the council of a county or county borough may, in the exercise of its functions as a local authority for the purposes of the principal Act and as a local education authority, provide and maintain institutions to be used both as certified institutions under the principal Act and as certified schools for defective children under the Education Act, 1921, and the council shall determine in what proportions the expenses incurred in the provision and maintenance of any such institutions ought to be treated as having been incurred by the council in the exercise of its functions as a local authority under the principal Act and in the exercise of its functions as a local education authority respectively, and the said expenses shall be defrayed accordingly. 11 & 12 Geo. 5. c. 51.

11. This Act may be cited as the Mental Deficiency Act, 1927, and the Mental Deficiency Acts, 1913 to 1919, the Mental Deficiency (Amendment) Act, 1925, and this Act, may be cited together as the Mental Deficiency Acts, 1913 to 1927. Short title and construction. 15 & 16 Geo. 5. c. 53.

CHAPTER 34.

An Act to continue certain expiring laws.

[22nd December 1927.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects those mentioned in Parts I. and II. of that Schedule, on the thirty-first day of December, nineteen hundred and twenty-seven, and the first day of December, nineteen hundred and twenty-eight, respectively; as respects those mentioned in Part III. thereof, on the thirty-first day of March, nineteen hundred and twenty-eight; and, as respects those mentioned in Part IV. thereof, in England on the twenty-fifth day of December, nineteen hundred and twenty-seven, and in Scotland on the twenty-eighth day of May, nineteen hundred and twenty-eight: