1962 No. 2489 (S. 111)

NATIONAL ASSISTANCE

The National Assistance (Registration of Homes) (Scotland) Amendment Regulations 1962

Made - - - -	*8th November* 1962
Laid before Parliament	*16th November* 1962
Coming into Operation	*17th November* 1962

In exercise of the powers conferred on me by section 40 (1) and (2) of the National Assistance Act 1948(**a**), as applied by section 19 (1) of the Mental Health (Scotland) Act 1960(**b**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the National Assistance (Registration of Homes) (Scotland) Amendment Regulations 1962, and shall come into operation on 17th November 1962.

(2) In these regulations the expression "the principal regulations" means the National Assistance (Registration of Homes) (Scotland) Regulations 1949(**c**), "residential home for mentally disordered persons" has the meaning assigned to that expression by section 19 of the Mental Health (Scotland) Act 1960, and other expressions have the same meanings as in the principal regulations.

(3) The Interpretation Act 1889(**d**) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. In Regulation 2 of the principal regulations (which relates to the registers to be kept by registration authorities) and in Regulation 3 (which relates to applications for registration) after the words "section 37 of the Act" there shall be inserted the words "and section 19 of the Mental Health (Scotland) Act 1960".

3. In the form of register set out in the First Schedule to the principal regulations there shall be inserted after Part III a new Part IV as set out in the schedule to these regulations.

4. Paragraphs 4 and 8 of the Second Schedule to the principal regulations shall not apply in the case of an application for the registration of a residential home for mentally disordered persons, and the following paragraphs, which shall apply only in the case of such an application shall be inserted at the end of the said Schedule—

"9. Number of residents (excluding staff) for whom accommodation is, or will be, provided, distinguishing between males and females, different classes, and different age groups of residents"

(a) 11 & 12 Geo. 6. c. 29.
(b) 8 & 9 Eliz. 2. c. 61.
(c) S.I. 1949/1668 (1949 I, p. 2582).
(d) 52 & 53 Vict. c. 63.

"10. Address of any other residential home registered under Part IV of the Act, any private hospital registered under Part III of the Mental Health (Scotland) Act 1960, or any nursing home registered under the Nursing Homes Registration (Scotland) Act 1938(a), in which the applicant is interested, and the nature and extent of the applicant's interest therein."

"11. The arrangements made, or proposed to be made, for the occupation, training or employment, and recreation of the residents."

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
8th November 1962.

(a) 1 & 2 Geo. 6. c. 73.

SCHEDULE

PART TO BE INSERTED IN THE FORM OF REGISTER SET OUT IN THE FIRST SCHEDULE TO THE PRINCIPAL REGULATIONS

PART IV—RESIDENTIAL HOMES FOR MENTALLY DISORDERED PERSONS

Reference Number	Full Name and Address of the Applicant (see Note (1) below)	Name, Address and Telephone No. of the Home in respect of which registration is granted	Number, Sexes and Classes and Age Groups of Residents (excluding staff) for whom accommodation is provided in the Home (See Notes (2) and (3) below)	Name, Address and Description of employment of persons employed or to be employed in the Home in a managerial capacity	Whether the Home provides board as well as accommodation	Date of		
						Registration	Issue of Certificate	Cancelling Orders (s. 37(4))

NOTES:—(1) If the application is made by a Company, Society, Association or Body, insert the registered or principal office.

(2) For classes use:—I. for residents who are mentally ill; II. for residents whose mental deficiency is such that they are incapable of living an independent life or of guarding themselves against serious exploitation and, in the case of children are likely to remain so incapable on reaching the age of 21; III. for residents who, although mental defectives, are capable of living an independent life and of guarding themselves against serious exploitation and, in the case of children, are likely to be so capable on reaching the age of 21; and IV for residents not suffering from mental disorder.

(3) For age groups use—(*a*) for children under 5, (*b*) for children from 5 to 16 years, (*c*) for young adults from 14 to 25, (*d*) for elderly residents, and (*e*) for others.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations apply the National Assistance (Registration of Homes) (Scotland) Regulations 1949 to residential homes for mentally disordered persons registered in accordance with the provision of section 19 of the Mental Health (Scotland) Act 1960; and for this purpose the regulations amend the form of register and prescribe the particulars to be furnished in an application for registration of such a home.