

CRIMES (MENTAL ILLNESS) AMENDMENT ACT 1986
No. 93

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 40, 1900

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900

CRIMES (MENTAL ILLNESS) AMENDMENT ACT 1986 No. 93

NEW SOUTH WALES



Act No. 93, 1986

An Act to amend the Crimes Act 1900 with respect to the question of a person's unfitness to be tried for an offence. [Assented to, 29 May 1986]

Crimes (Mental Illness) Amendment 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Crimes (Mental Illness) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (3) of the Crimes (Mental Disorder) Amendment Act 1983 in respect of Schedule 1 (3) to that Act.

Amendment of Act No. 40, 1900

3. The Crimes Act 1900 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CRIMES ACT 1900

(1) Section 428B (**Interpretation**)—

Section 428B (1), definition of "mental condition" —

After the definition of "inquiry", insert:

"mental condition" means a condition of disability of mind not including either mental illness or developmental disability of mind;

Crimes (Mental Illness) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE CRIMES ACT 1900—*continued*

(2) Section 428w (**Persons suffering from mental illness or condition**)—

Section 428w (a)—

Omit “or mentally disordered” , insert instead “, is suffering from a mental illness or is suffering from a mental condition for which treatment is available in a hospital,” .
