

# Mental Health Act 1963, Tasmania

1963 – 1999

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## Details

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The Mental Health Act 1963 with the full title 'An Act to repeal the Mental Hospitals Act 1858, the Mental Deficiency Act 1920, and certain other enactments relating to persons suffering from mental disorder, and to make fresh provision with respect to the treatment and care of persons so suffering, and with respect to their property and affairs' (Act no.63/1963) replaced all previous Tasmanian acts pertaining to mental health, including the Mental Deficiency Act 1920 (Act no.11 Geo. V No.50). It established the Guardianship Board for people deemed to be unable to manage their own affairs. The Act was relevant to state wards diagnosed with a mental health disorder or an intellectual disability. This act was repealed by the Mental Health Act 1996 (No.31/1996) on 1 November 1999.

The Mental Health Act 1963 was based on British legislation.

By avoiding offensive terms (such as mental deficiency or mentally defective) in the language of the Act, its framers hoped to change public attitudes towards people with intellectual disabilities and mental illness.

The Mental Deficiency Act 1920 had a category of moral deficiency for which people could be brought under the guardianship of the Mental Deficiency Board. In the case of girls and women this category often meant defying contemporary attitudes towards sexual behaviour. The *Mental Health Act* 1963 specifically stated that 'promiscuity' was not an indication of a 'mental disorder'.

## More info

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### Chronology

- Mental Hospitals Act 1858, Tasmania (1858 - 1963)
- Mental Deficiency Act 1920, Tasmania (1920 - 1963)
  - **Mental Health Act 1963, Tasmania (1963 – 1999)**
    - Mental Health Act 1996, Tasmania (1996 - 2014)
    - Mental Health Act 2013, Tasmania (2014 - current)

### Related Entries

#### Related Organisations

- [Guardianship Board \(1963 - c. 1995\)](#)  
The Mental Health Act 1963 established the Guardianship Board.
- [Royal Derwent Hospital \(1968 - 2000\)](#)  
The Mental Health Act superceded the Mental Deficiency Act. Its statement that 'promiscuity' did not indicate

intellectual disability did not immediately affect policy in Alonnah Ward at the Royal Derwent Hospital.

**Is amended by**

- [Mental Health Amendment Act 1984, Tasmania \(1984 - 1991\)](#)
- [Mental Health Amendment Act 1981, Tasmania \(1981 - 1991\)](#)

**Amends**

- [Public Welfare Institutions Act 1935, Tasmania \(1935 - 1991\)](#)

**Related Archival Series**

- [Case Files of Mental Defectives Placed under Guardianship \(1947 - 1974\)](#)
- [Correspondence Files-About Patients, Guardianship Board \(1960 - 1969\)](#)
- [Case Files of Persons Examined \(1922 - 1978\)](#)

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