

**Mental Health (Care and Treatment) Act
(CHAPTER 178A)**

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Legislative History

**MENTAL HEALTH (CARE AND TREATMENT) ACT
(CHAPTER 178A)**

(Original Enactment: Act 21 of 2008)

REVISED EDITION 2012

(31st December 2012)

An Act to provide for the admission, detention, care and treatment of mentally disordered persons in designated psychiatric institutions.

[1st March 2010]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Mental Health (Care and Treatment) Act.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“designated medical practitioner”, in relation to any psychiatric institution, means a medical practitioner who is working in the psychiatric institution and who is

designated by name or office in writing by the Director or such public officer as he may appoint, for the purposes of this Act;

“Director” means the Director of Medical Services;

“medical practitioner” means any person who is registered as a medical practitioner under the Medical Registration Act (Cap. 174);

“mental disorder” means any mental illness or any other disorder or disability of the mind, and “mentally disordered” shall be construed accordingly;

“patient” means any person who has been detained or is receiving treatment in a psychiatric institution;

“principal officer”, in relation to any psychiatric institution, means the chairman, medical board of the hospital which has been designated as a psychiatric institution or a part of which has been designated as a psychiatric institution, as the case may be, and includes any acting chairman of the medical board or any person acting in a similar capacity as chairman, medical board, whether or not he is known by such designation;

“property” includes any thing in action and any interest in real or personal property;

“psychiatric institution” means a psychiatric institution designated by the Minister under section 3;

“psychiatrist” means any medical practitioner who is registered as a psychiatrist in the Register of Specialists under the Medical Registration Act;

“relative”, in relation to a person suffering or appearing to be suffering from mental disorder, means any of the following persons being, in the case of any of the persons referred to in paragraphs (b) to (i), a person of or above the age of 18 years:

- (a) husband or wife, or reputed husband or wife who is living with the person or, if the person is for the time being an inpatient in a hospital, was so living when the person was last residing at liberty out of a hospital;
- (b) son or daughter;
- (c) father or mother;
- (d) brother or sister;
- (e) grandparent;

- (f) grandchild;
- (g) uncle or aunt;
- (h) nephew or niece;
- (i) any person with whom the person ordinarily resides or, if the person is for the time being an inpatient in a hospital, with whom he was ordinarily residing when last at liberty out of a hospital;

“treatment” includes observation, inpatient treatment, outpatient treatment and rehabilitation.

(2) In deducing relationships for the purposes of this section, any relationship of the half-blood shall be treated as a relationship of the whole blood, an illegitimate child shall be treated as the legitimate child of his mother and reputed father, and an adopted child shall be treated as a child of the adopting parent.

[MDTA, s. 2]

PART II

ADMISSION AND DETENTION OF MENTALLY DISORDERED PERSONS IN PSYCHIATRIC INSTITUTIONS

Designated psychiatric institutions

3. The Minister may, by notification in the *Gazette*, designate any hospital or any part of a hospital to be a psychiatric institution for the detention or treatment of mentally disordered persons under this Act.

[MDTA, s. 28]

Management of psychiatric institutions

4.—(1) The management of every psychiatric institution and the care and custody of its patients shall be regulated according to such rules as shall from time to time be made under this Act by the Minister.

(2) The Minister shall appoint for every psychiatric institution not fewer than 12 visitors, 6 of whom shall be medical practitioners.

[MDTA, s. 29]

Inspection by visitors

5.—(1) Two or more visitors, one of whom shall be a medical practitioner, shall —

- (a) at least once every 3 months, together inspect any part of any psychiatric