

CYPRUS

MENTAL PATIENTS

CHAPTER 252 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

[Appointed by the Government of Cyprus the Government Printers of this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]

1959

CHAPTER 252.

MENTAL PATIENTS.

ARRANGEMENT OF SECTIONS.

Section		Page
PRELIMINARY.		
1	Short title ...	3
2	Interpretation ...	3
3	Inquiry as to the mental state of any person ...	4
4	Medical certificate ...	4
5	Offences with respect to certificates ...	5
6	Adjudication of person as mental patient and rescission thereof ...	5
7	Custody of mental patient ...	5
8	Jurisdiction of Court ...	5
9	Appeals ...	6
10	Apprehension of persons of unsound mind wandering at large ...	6
11	Removal of person of unsound mind to mental hospital in certain cases ...	6
12	Mental patient not to be confined except under this Law ...	7
PART I.		
MENTAL HOSPITALS.		
13	Appointment of mental hospitals ...	7
14	Retaking mental patient who has escaped ...	7
15	Discharge or absence on parole of mental patient ...	7
PART II.		
CRIMINAL MENTAL PATIENTS.		
16	Appointment of criminal mental hospital ...	8
17	Confinement of criminal mental patients ...	8
18	Discharge of criminal mental patient ...	8
19	Escape of criminal mental patient ...	8
20	Absence on parole ...	8
PART III.		
CHARGE AND CARE OF MENTAL PATIENTS IN PLACES OTHER THAN MENTAL HOSPITALS.		
21	Licence to detain mental patients in other places ...	9
22	Power to Director of Medical Services to enter licensed premises ...	9
23	Escape of mental patient kept under licence ...	9
24	Absence on parole of mental patient detained under licence ...	10
PART IV.		
INSANE PRISONERS.		
25	Insane prisoners ...	10
PART V.		
CUSTODY OF THE PROPERTY OF, AND MAINTENANCE OF, MENTAL PATIENTS.		
26	Expenses of maintaining mental patients and criminal mental patients ...	11
27	Control and management of the property of mental patients and criminal mental patients ...	12
28	Property of mental patients and criminal mental patients to be charged with their maintenance and support ...	13
29	Relatives of a mental patient or criminal mental patient may be charged with his maintenance and support ...	13

PART VI.		
Section	OFFENCES.	Page
30	Ill-treatment of mental patients or criminal mental patients ...	14
31	Offences by licensees ...	15
32	Rescue and permitting to escape ...	15
33	Offences by person in charge of a mental patient or criminal mental patient on parole ...	15
34	Ill-treating mental patient or criminal mental patient on parole and obstructing visitors ...	16
35	Taking charge, etc., of mental patient or criminal mental patient contrary to provisions of this Law ...	16
36	Obstructing execution of order for delivery ...	16

PART VII.		
	MISCELLANEOUS.	
37	Transfer from mental hospital to another place ...	16
38	Power to Governor in Council to make Regulations ...	17
39	Rules of Court ...	17
40	Persons detained in the lunatic asylum ...	17
41	Prerogative of Crown ...	18

SCHEDULE.		
	Regulations with respect to Duties and Powers of Administrators ...	18

A LAW RELATING TO THE CUSTODY AND MAINTENANCE OF MENTAL PATIENTS, CRIMINAL MENTAL PATIENTS AND INSANE PRISONERS AND THE ADMINISTRATION OF THE PROPERTY OF SUCH PATIENTS.

[29th May, 1931.]

1949.
Cap. 120.
6 of 54.
41 of 55.

1. This Law may be cited as the Mental Patients Law. Short title.

2. In this Law—

“ Court ” means a District Court or any Judge thereof;

“ criminal mental hospital ” means a criminal mental hospital appointed under this Law;

“ criminal mental patient ” means a person found to be insane upon inquiry directed to be made by a District Court or any Assize Court before which such person is being tried and shall include a person who has been acquitted by a District Court or any Assize Court or the Supreme Court on the ground of insanity under the provisions of the Criminal Procedure Law, or of the Criminal Law;

Interpreta-
tion.

Cap. 255.
Cap. 254.

“ District Court ” includes any Judge thereof;

Cap. 250.

"medical practitioner" means any medical practitioner duly registered under the Medical Registration Law, or any amendment thereof;

"mental hospital" means any mental hospital appointed under this Law;

"mental patient" means a lunatic and includes an idiot or any other person of unsound mind;

"offence" means an act, attempt or omission punishable by law or enactment.

Inquiry as
to the
mental state
of any
person.

3. Any Court, upon the information on oath of any informant to the effect that the informant has good cause to suspect and believe and does suspect and believe some person to be mentally afflicted and a proper subject of confinement, may, in any place which such Court deems convenient, examine such suspected person, and, in the same place or elsewhere, may hold an inquiry as to the state of mind of such suspected person. For the purposes of such inquiry, the Court shall have the same powers as if the suspected person were a person against whom a complaint for an offence had been made:

Provided that such Court may, if it thinks fit, proceed with such inquiry in the absence of the suspected person, and without proof of the service of a summons upon him.

Medical
certificate.

4. (1) The Court shall also appoint a medical practitioner to examine the suspected person. Such medical practitioner if he considers that the facts warrant him so doing shall sign a certificate (in this Law referred to as the certificate) certifying that in his opinion the suspected person is in fact mentally afflicted and a proper subject of confinement as a mental patient.

(2) The medical practitioner before giving the certificate shall inquire of any person able to give him information as to the previous history of the suspected person and shall state in the certificate all matters known to him which he deems likely to be of service with reference to the medical treatment of such person.

(3) The certificate shall specify in full detail the facts upon which the medical practitioner founds his opinion and shall distinguish facts which he has himself observed from facts communicated to him by others.

(4) No certificate shall have any effect under this Law which purports to be founded on facts wholly communicated to the medical practitioner by others.

5. (1) Any person, not being a medical practitioner, who knowingly and wilfully signs any certificate under this Law in which he is described as a medical practitioner, shall be guilty of an offence and shall be liable to imprisonment for any term not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

Offences
with respect
to
certificates.

(2) Any medical practitioner, who knowingly and wilfully in any certificate under this Law falsely states or falsely certifies anything shall be guilty of an offence and shall be liable to imprisonment for any term not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

6. (1) Where, upon such inquiry as is provided for by this Law, it appears to the Court that any person is a mental patient and a proper subject of confinement; and a certificate as by this Law is required of his unsoundness of mind has been given, the Court may adjudge such person to be a mental patient and a proper subject of confinement, and shall proceed to make an order according to this Law for the care and custody of such patient.

Adjudication
of person
as mental
patient and
rescission
thereof.

(2) Any Court may, upon the application of any person, upon being satisfied that a person who has been adjudged to be a mental patient and a proper subject of confinement is of sound mind or has regained his sanity, rescind such adjudication and shall thereupon revoke any such order made in consequence thereof.

7. Where, under this Law, any person has been duly adjudged a mental patient and a proper subject of confinement, any Court may order such patient to be confined in a mental hospital or by some person to whom a licence has been issued under the provisions of section 21 of this Law.

Custody
of mental
patient.

8. Any Court may make an order adjudging any person to be a mental patient and a proper subject of confinement notwithstanding that none of the facts constituting such person a mental patient happened in the district of such Court.

Jurisdiction
of Court.