

# **Mental Disorders and Treatment (Amendment) Bill**

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**Bill No: 32/1973**

***Read the first time: 11th July 1973***

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## **THE SCHEDULE (*Section 13*)**

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### **Mental Disorders and Treatment (Amendment) Bill**

#### **Bill No. 32/1973**

*Read the first time on 11th July 1973.*

An Act to amend the Mental Disorders and Treatment Act (Chapter 162 of the Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

#### **Short title**

1. This Act may be cited as the Mental Disorders and Treatment (Amendment) Act, 1973.

#### **Amendment of section 2**

2. Section 2 of the Mental Disorders and Treatment Act (hereinafter in this Act referred to as “the principal Act”) is hereby amended —

(a) by deleting the definition of “patient” appearing therein and substituting therefor the following: —

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

“psychiatrist” means any medical officer who has experience in the diagnosis and treatment of mental disorder and holds any degree, diploma or licence granted by any university, corporation, college or other body approved by the Director of Medical Services;”;

- (b) by deleting the definition of “reception order” appearing therein;
- (c) by deleting the full-stop appearing at the end thereof and substituting therefor a semi-colon; and
- (d) by inserting immediately after the definition of “Schedule” appearing therein the following new definition: —

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

### **Amendment of cross-heading of Part II**

3. The principal Act is hereby amended by deleting the word “RECEPTION” appearing in the cross-heading of Part II immediately above section 28 thereof and substituting therefor the word “ADMISSION”.

### **Amendment of section 28**

4. Section 28 of the principal Act is hereby amended by deleting the words “reception and detention” appearing in the second line thereof and substituting therefor the words “detention or treatment”.

### **Repeal and re-enactment of sections 31 to 37**

5. Sections 31 to 37 of the principal Act are hereby repealed and the following substituted therefor: —

#### **“Admission for treatment**

**31.—**(1) A person may be admitted to a mental hospital and there detained for treatment in accordance with the provisions of this Act for the period allowed by the provisions of this Act.

(2) Nothing in this Act shall be construed as preventing a person who requires treatment for any mental disorder from being admitted to a mental hospital without any order or directive rendering him liable to be detained at a mental hospital or from remaining in a mental hospital after he has ceased to be so liable to be detained.

#### **Apprehension of persons of unsound mind**

**32.** It shall be the duty of every police officer to apprehend any person who is reported to be of unsound mind and is believed to be dangerous to himself or other persons by reason of unsoundness of mind and take such person together with a report of the facts of the case without delay to a medical officer at a mental hospital

or at such assessment centre as may be established by the Director of Medical Services for an examination and such medical officer may thereafter act in accordance with section 35 of this Act.

### **Provision in case of cruel treatment or neglect of persons of unsound mind**

**33.**—(1) If it appears to a Magistrate on the report of a police officer or on the information of any person that any person supposed to be of unsound mind is not under proper care and control or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may send for the person supposed to be of unsound mind and summon such relative or other person as has or ought to have the charge of him, and if such relative or other person is legally bound to maintain him, the Magistrate may make an order for such person of unsound mind to be properly cared for and treated, and if such relative or other person wilfully neglects to comply with the said order may sentence him to imprisonment for a period not exceeding one month. If there is no person legally bound to maintain the person supposed to be of unsound mind, or if the Magistrate thinks fit to do so, he may send such person to a medical officer at a mental hospital for treatment and such medical officer may thereafter act in accordance with section 35 of this Act.

(2) It shall be the duty of every police officer to report to a Magistrate every such case of neglect or cruel treatment as specified in subsection (1) of this section which may come to his knowledge.

(3) Any police officer not below the rank of inspector may, at such time as the Magistrate shall fix, visit any person supposed to be of unsound mind in the care of any friend or relative of such person for the purpose of ascertaining his condition, and any such friend or relative shall be legally bound to produce such person for the inspection of the police officer and in the event of his refusing to do so shall be liable on conviction to a fine not exceeding one thousand dollars.

### **Person of unsound mind may be referred to mental hospital**

**34.** Where a registered medical practitioner has under his care a person believed to be of unsound mind or to require psychiatric treatment he may send such person to a medical officer at a mental hospital for treatment and such medical officer may thereafter act in accordance with section 35 of this Act.

### **General provisions as to admissions for treatment**

**35.**—(1) A medical officer at a mental hospital who has examined any person who is suffering from a mental disorder and is of the opinion that he should be treated as an inpatient at the mental hospital may sign an order in accordance with

Form 1 in the Schedule for the admission of such person into the mental hospital for treatment and such person may be detained for a period of seventy-two hours commencing from the time the medical officer signed the order.

(2) A patient who has been detained for treatment pursuant to an order made under subsection (1) of this section may be detained for a further period of one month commencing from the expiration of the period of seventy-two hours referred to in that subsection if before the expiration of the said period of seventy-two hours the patient has been examined by another medical officer of the mental hospital and such medical officer is of the opinion that the patient requires further treatment at the mental hospital; and the medical officer shall sign an order in accordance with Form 1A in the Schedule.

(3) A patient who has been detained for treatment pursuant to an order made in accordance with subsection (2) of this section shall not be detained for any further period at the mental hospital for treatment unless before the expiration of the period of one month referred to in that subsection, the patient has been brought before two medical officers, one of whom shall be a psychiatrist, who shall examine the patient separately and who are both satisfied that he requires further treatment at the mental hospital; and each of the said medical officers shall sign an order in accordance with Form 2 in the Schedule.

(4) Two orders signed in accordance with subsection (3) of this section shall be sufficient authority for the detention of the patient to whom they refer for a period not exceeding twelve months commencing from the date of the order.

(5) A person shall not be detained at a mental hospital for treatment unless —

- (a) he is suffering from a mental disorder which warrants the detention of that person in a mental hospital for treatment; and
- (b) it is necessary in the interests of such person's health or safety or for the protection of other persons that such person should be so detained.

### **Prohibition**

**36.** A medical officer who is the husband, wife, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law of, or who stands in any fiduciary relationship to, the patient shall not sign any order under this Act.

### **Discharge by superintendent or psychiatrist**

**37.—**(1) Subject to the provisions of any other written law, the medical