

Mental Health

Cap. 45.

**MENTAL HEALTH (PATIENTS)
REGULATIONS, 1989**

1989/19.

Authority: These regulations were made on 17th February, 1989 by the Minister under section 33 of the *Mental Health Act*.

Commencement: 23rd February, 1989.

1. These Regulations may be cited as the *Mental Health (Patients) Regulations, 1989*.

2. In these regulations "seclusion" means enforced isolation in a single room of a patient for any period of time between the hours of 07:30 – 23:00 hours.

3. In addition to any examination given to determine the mental health of a patient, each patient shall, as soon as possible after admission to the mental hospital and in every case within 24 hours of admission, be given a physical examination by a medical officer who shall record the state of health of the patient.

4. Every patient must be given a physical examination at least every 6 months.

5. (1) Where any physical mode of treatment is to be administered to a patient, consent for such treatment shall be obtained from the patient if he is competent or from the patient's relative or guardian if he is not competent or in the manner specified in paragraph (2).

(2) Where there is no relative or guardian from whom consent may be obtained, a second opinion must be obtained from a registered medical practitioner not employed at the hospital who certifies to the likelihood of the treatment alleviating or preventing a deterioration of the patient's condition.

6. A patient may be placed in seclusion as part of the method of treatment applicable to his condition if in the opinion of the medical officer

- (a) his behaviour is so disturbed that he may be a danger to himself or to others, or
- (b) the situation is one of emergency and such a measure is required.

7. (1) Where a patient is placed in seclusion the medical officer shall cause a record to be kept of the length of time of the seclusion.

(2) A patient in seclusion must be observed at intervals of 15 minutes.

8. (1) The Hospital Director in consultation with the Senior Consultant Psychiatrist shall appoint a committee to be known as the "Clinical Management Committee" consisting of such persons as he thinks fit.

(2) The Clinical Management Committee is responsible for establishing procedures to facilitate the day to day operation of the wards.

(3) The Senior Consultant Psychiatrist may review the procedures established by the Committee.

9. Where a patient is transferred from one ward to another the transfer must be placed on the patient's record.

10. (1) Where a patient leaves the mental hospital without permission, as soon as such absence is discovered, the relatives or guardian of the patient and the police shall be informed and a search instituted for the patient.

(2) Where the patient referred to in paragraph (1) is a voluntary patient, the Senior Consultant Psychiatrist may order the discharge of the patient when he is found.

(3) Where the patient referred to in paragraph (1) is a medically recommended patient or a hospital order patient, when he is found, he must be returned to the hospital.

11. All mail sent to or by a patient may be opened and examined and may be withheld.

12. (1) Mail sent to a patient shall be withheld where the medical officer is of the opinion that the receipt of the mail

- (a) would cause unnecessary distress to the patient, or
- (b) would interfere with the treatment being given to the patient.

(2) Mail withheld under subsection (1) shall be returned to the sender where his address is known.

13. Mail sent by a patient may be withheld where it appears to the medical officer

- (a) to be defamatory of persons;
- (b) that it is unreasonably offensive to the addressee; or
- (c) that it would prejudice the best interests of the patient.

14. Records shall be kept of mail withheld and of cheques drawn in favour of a patient.

15. Mail shall not be withheld if it is addressed to an attorney-at-law, the Review Tribunal or the Ombudsman.

