

LAWS OF BRUNEI  
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CHAPTER 48

LUNACY

ARRANGEMENT OF SECTIONS

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## LUNACY ACT

**An Act to make provision with regard to lunatics**

4 of 1929  
section 28  
9 of 1948  
(Cap. 48 of  
1951)

*Commencement: 9th July 1929*

1. This Act may be cited as the Lunacy Act. Short title
  
  2. (1) Any police officer may arrest or cause to be arrested any person found wandering at large whom he has reason to believe to be a lunatic who is dangerous or unfit to be at large. Power to arrest

(2) Any person so arrested shall be taken forthwith before a magistrate.
  
  3. Any police officer who has reason to believe that any person is a lunatic and is not under proper care and control or is cruelly treated or neglected by any relative or other person having charge of him, shall immediately report the fact to a magistrate. Person not under proper care or control
  
  4. When any person is brought before a magistrate under the provisions of section 2 the magistrate shall examine such person, and if he thinks that there are grounds for proceeding further, shall cause him to be examined by a medical officer and may make such other inquiries as he thinks fit; and if the magistrate is satisfied that such person is a lunatic and a proper person to be detained, he may, if the medical officer who has examined such person gives a medical certificate with regard to such person, make a reception order for the admission of such lunatic into a mental hospital. Power of magistrate to make inquiries and make orders
- Provided that if any friend or relative desires that the lunatic be sent to a licensed mental hospital and engages in writing to the satisfaction of the magistrate to pay the cost of

maintenance of the lunatic in a specified licensed mental hospital, and if the person in charge of such mental hospital consents the magistrate shall make a reception order for the admission of the lunatic into that licensed mental hospital:

Provided further that if any friend or relative of the lunatic enters into a bond with or without sureties in the form prescribed for such sum of money as the magistrate thinks fit, conditioned that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or to others, the magistrate, instead of making a reception order, may if he thinks fit make him over to the care of such friend or relative.

Power of  
magistrate  
where  
relative or  
other person  
has charge of  
lunatic

5. (1) If on the report of a police officer or the sworn information of any other person it appears to a magistrate that any person within the limits of his jurisdiction is a lunatic and 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 cause the alleged lunatic to be produced before him, and may summon to appear before him such relative or other person or any person who is legally bound to maintain the alleged lunatic.

(2) If such relative or any such other person is legally bound to maintain the alleged lunatic, and, if such relatives, or any such other person wilfully neglects to comply with the said order, the magistrate may sentence him to imprisonment for one month.

(3) If there is no person legally bound to maintain the alleged lunatic or if the magistrate thinks fit so to do, he may order the alleged lunatic to be brought before him and may deal with him under section 4.

Power to  
detain  
pending  
medical  
report

6. When any person alleged to be a lunatic is brought before a magistrate under the provisions of section 2 or 5 (1), the magistrate may by an order in writing authorise his detention in suitable custody for such time not exceeding

10 days as may in his opinion be necessary to enable the medical officer to determine whether he is a lunatic.

7. The magistrate may as occasion requires by order in writing authorise the further detention of the alleged lunatic for such a period not exceeding 10 days at a time as he thinks necessary: Power to detain further

Provided that no person shall be detained in accordance with the provisions of this section for a total period exceeding 30 days from the date on which he was first brought before the magistrate.

