

No. S 26

MENTAL HEALTH ORDER, 2014

MENTAL HEALTH (BOARDS OF VISITORS) REGULATIONS, 2014

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In exercise of the power conferred by section 77 of the Mental Health Order, 2014, the Minister of Health, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Mental Health (Boards of Visitors) Regulations, 2014 and shall commence on the same date as the Mental Health Order, 2014.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“Board” means a Board of Visitors appointed under regulation 3;

“member” means a member of a Board;

“Visitor” means a member appointed as such under regulation 4(1).

Appointment of Board.

3. The Minister shall appoint a Board of Visitors for each psychiatric facility and community psychiatric residence.

Membership of Board.

4. (1) A Board shall consist of not less than three members to be appointed by the Minister.

(2) At least one of the members shall be a female person.

(3) The Minister shall appoint one of the members to be the Chairman and the Deputy Chairman.

Terms of appointment.

5. (1) A member shall, unless he sooner resigns, hold office for a period not exceeding 3 years and shall be eligible for re-appointment.

(2) The Minister may specify the conditions of appointment in the instrument of appointment.

(3) A person shall not be appointed as a member if he has —

(a) any pecuniary interest, whether directly or indirectly; or

(b) any other interest which conflicts or may conflict with the best interest of the patients or any one of them,

in the psychiatric facility or community psychiatric residence.

Meetings.

6. (1) The Board of a psychiatric facility shall meet at least once in every 4 months and at such other times as may be necessary or expedient to carry out its functions.

(2) The Board of a community psychiatric residence shall meet at least once in every 4 months and at such other times as may be necessary or expedient to carry out its functions.

(3) In the absence of the Chairman of the Board from any meeting of the Board, the Deputy Chairman of the Board shall be the chairman for that meeting and if the Deputy Chairman is also absent, the Minister shall appoint any other member to be chairman for that meeting.

Visitors of psychiatric facility and community psychiatric residence.

7. (1) The Visitors of a psychiatric facility and the Visitors of a community psychiatric residence shall be appointed by the Chairman of the Board.

(2) The Visitors of a psychiatric facility shall consist of —

(a) a psychiatrist who does not work in that facility; and

(b) not less than two other persons.

(3) The Visitors of a community psychiatric residence shall consist of —

(a) a medical practitioner;

(b) a Government staff nurse or a registered staff nurse who does not work in that community psychiatric residence or have patients in that community psychiatric residence; and

(c) not less than one other person.

Decision of Board.

8. A decision of the Board to recommend the discharge of a person remanded or confined under section 317 or 321 of the Criminal Procedure Code (Chapter 7) or under the corresponding provisions of any other written law shall be unanimous, but the decision of the Board on any other matter may be by a majority.

Made this 26th. day of Rejab, 1435 Hijriah corresponding to the 26th. day of May, 2014.

PEHIN ORANG KAYA JOHAN PAHLAWAN DATO SERI SETIA
AWANG HAJI ADANAN BIN BEGAWAN PEHIN SIRAJA KHATIB
DATO SERI SETIA AWANG HAJI MOHD. YUSOF,
Minister of Health,
Brunei Darussalam.