



## The role of the Mental Health Commission

The President and the seven members of the Commission are appointed by the Council of Ministers for a five year term.

The Commission has an advisory role.

The following are issues that the Commission is involved with:

- Reviews and monitors the application of the Psychiatric Care Law, proposing the necessary reform.
- Inspects all psychiatric and outpatient centres and advises the Minister of Health in connection with the approval and revocation of their operating licence as to their functions and operation.
- Investigates all complaints by patients and/or their relatives and makes the necessary recommendations to the Minister of Health.
- Receives information for new admissions to psychiatric centres and in certain circumstances gives its approval for the continuation of the in-patient treatment, so that the patient is protected from any instances of neglect or abuse.
- Maintains a Register of all registered establishments or organisations involved in mental health issues.



### *For more information:*

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# CYPRUS MENTAL HEALTH COMMISSION

## PSYCHIATRIC CARE LAW 1997 TO 2007

## Rights Obligations Procedure Protection



## Psychiatric Care Law 1997 to 2007

Psychiatric treatment is only available in registered psychiatric centres both in the private and public sector, which have been declared as such by the Minister of Health and are licensed to operate.

Psychiatric centres can be:

### A. Open Psychiatric Centres

They offer in-patient treatment to non-violent patients on an informal voluntary base.

### B. Secure Psychiatric Centres

They offer in-patient treatment to people requiring compulsory care.

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<sup>1</sup> Centres which are declared as such by the Minister of Health and which comply with specific standards set by law, as being suitable for the treatment of mentally ill persons who display a violent and / or dangerous behaviour

Admission to an **Open Psychiatric Centre** requires an application for admission to be submitted by the patient and the consent of a psychiatrist.

Persons may be admitted to an **Open Psychiatric Centre** without an application, for up to 72 hours, upon the recommendation of two doctors, at least one of whom is a psychiatrist. This requires the immediate notification of the Commission. If, after the 72-hour period, the patient continues to refuse to give written consent, despite the fact that the psychiatrist recommends continuation of treatment, then the procedure for compulsory treatment is put into action for admission to a **Secure Centre**.

Admission to a **Secure Centre** requires leave of the Court (court order) following an application by the personal representative of the person (next of kin), the police or a social worker. This allows the compulsory hospitalisation of the patient for a period of up to 28 days, which may be extended up to two months (continuously).

When a person refuses to submit to an examination, this may be carried out after obtaining a **court order for examination**, with the same procedure as described above.

If any person is perceived by a police officer of breaching the peace and raises a reasonable suspicion that he may be mentally ill, such police officer may arrest and transport him/her to a safe place where s/he can be examined and receive treatment up to 24 hours, until the completion of all procedures for the issuing of a court order.

## ***Rights of Mentally ill Persons***

A. Voluntary hospitalisation can be terminated at any time on the patient's request.

B. In the proceedings before the court the patient has the right to be heard and to be accompanied by a doctor or a lawyer.

C. During treatment the patient has the right of free communication with any person outside the Centre, provided this will not adversely affect his/her treatment or the operation of the Centre.

D. The deliberate neglect or abuse of a patient during treatment is prohibited.

E. The application of invasive procedures, such as ECT, without the written consent of the patient or his/her personal representative, is prohibited.

F. The term "certified mental patient" is abolished, and mentally ill patients can have all their legal rights (voting, parental, etc) reinstated, following the termination of the court order for compulsory treatment.