

# **MENTAL HEALTH AND MENTAL DISORDERS**

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***Mental Health Act 18 of 1973***, as amended in South Africa prior to Namibian independence.

**Summary:** This Act provides for the detention and treatment of the mentally ill.

**Applicability to SWA:** Section 1 defines “Republic” to include “the territory of South West Africa”. Section 78 states “This Act and any amendment thereof shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel.”

**Transfer of administration to SWA:** The administration of this Act was transferred to SWA by the Executive Powers (Health) Transfer Proclamation (AG 14/1977), dated 1 December 1977. None of the amendments to the Act in South Africa after that date were made expressly applicable to SWA.

**Amendments:** The Criminal Procedure Act 25 of 2004, which is not yet in force, amends section 1 and substitutes sections 17 and 29 and certain expressions.

**Appointments:** A Psychiatry Board in respect of Windhoek Central Hospital is announced in GN 198/2001 (GG 2624).