

CAYMAN ISLANDS



MENTAL HEALTH (AMENDMENT) BILL, 2020

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**A BILL FOR A LAW TO AMEND THE MENTAL HEALTH LAW, 2013 AS A
CONSEQUENCE OF THE ENACTMENT OF THE DOMESTIC PARTNERSHIP LAW,
2020; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

PUBLISHING DETAILS

Sponsoring Ministry/Portfolio: Governor's Office



**Memorandum of
OBJECTS AND REASONS**

This Bill seeks to amend the Mental Health Law, 2013 as a consequence of the enactment of the Domestic Partnership Law, 2020 and to provide for incidental and connected purposes.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 amends section 2(1) of the Mental Health Law, 2013 to introduce the definition of the term “domestic partner” and to expand the definition of the term “nearest relative” to include a domestic partner.



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ENACTED by the Governor in accordance with section 81 of the Constitution, after consultation with the Premier and with the prior approval of a Secretary of State.

Short title and commencement

1. (1) This Law may be cited as the Mental Health (Amendment) Law, 2020.
- (2) This Law comes into force immediately after the commencement of the *Domestic Partnership Law, 2020*.

Amendment of section 2 of the Mental Health Law, 2013 - interpretation

2. The *Mental Health Law, 2013* is amended in section 2(1) as follows —
 - (a) by inserting in the appropriate alphabetical sequence the following definition —

“**domestic partner**” has the meaning assigned by section 2 of the *Domestic Partnership Law, 2020*;”;
 - (b) by deleting the definition of the words “**nearest relative**” and substituting the following definition —

“**nearest relative**” means a person of at least eighteen years of age, whether or not living in the Islands, who is, in relation to the person concerned —

- (a) a spouse, a domestic partner or a common law partner;
- (b) a son or daughter;
- (c) a parent or legal guardian;
- (d) a brother or sister;
- (e) a grandparent;
- (f) a grandchild;
- (g) an uncle or aunt;
- (h) a nephew or niece;
- (i) a social worker or probation officer employed in that capacity in government or a statutory body;
- (j) the attorney at law representing the person;
- (k) the mental health professional treating the person; or
- (l) a close friend;”.

Assented to by the Governor the day of , 2020.

