

[TO BE INTRODUCED IN THE SENATE]

A

BILL

further to amend the Mental Health Ordinance, 2001

WHEREAS it is expedient further to amend the Mental Health Ordinance, 2001 (Ordinance No. VIII of 2001), in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Mental Health (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of section 2, Ordinance No. VIII of 2001.- In the Mental Health Ordinance, 2001 (Ordinance No. VIII of 2001), hereinafter referred to as the said Ordinance, in section 2, in sub-section (1), after clause (t), the following new clause shall be inserted, namely:-

"(ta) "psychologist" means a medical practitioner possessing a recognized postgraduate qualification in psychology and registered with the Higher Education Commission;"

3. Amendment of Section 3, Ordinance No. VIII of 2001.- In the said Ordinance, in section 3,-

(i) in sub-section (3), -

(a) in paragraph (iv), the word "**and**" shall be omitted.

(b) for paragraph (v), the following shall be substituted, namely:-

"(v) Five eminent psychiatrists of minimum associate professor level with at least ten years good standing;"

(c) After paragraph (v), amended as aforesaid, the following new paragraphs shall be inserted, namely:-

(vi) Four eminent psychologists of minimum associate professor level with at least ten years good standing; and

(vii) Two Members from the Senate and the National Assembly, one from each House, to be nominated by the Chairman Senate and the Speaker National Assembly:

Provided one of them shall be from the treasury and opposition in the either House of the Parliament:

Provided further that they shall serve as ex-officio members of the authority."

- (ii) In sub-section (7), for paragraph (k), the following shall be substituted, namely:-

“(k) maintain two separate registers to register psychiatrists and psychologists respectively practicing in the Islamabad Capital Territory, in such manner as may be prescribed; and”

4. Amendment of section 4, Ordinance No. VIII of 2001.- In the said Ordinance, in section 4, in sub-section (2), -

- (i) For paragraph (b), the following shall be substituted, namely:-

“(b) two psychiatrists of minimum associate professor level, with one having at least ten years in government service;”

- (ii) After paragraph (b), amended as aforesaid, the following new paragraph shall be inserted, namely:-

“(ba) two psychologist of minimum associate professor level with one having at least ten years in government service;”

STATEMENT OF OBJECTS AND REASONS

The Mental Health Authority Ordinance, 2001, was enacted to consolidate and amend the law concerning mentally disordered persons, particularly regarding their care, treatment, management of property, and related matters. However, the law has largely failed to achieve its intended objectives.

A key shortcoming is the lack of representation from elected members of Parliament, who could play a vital role in safeguarding the rights and interests of mentally disordered persons. Additionally, the law overlooks the crucial role of psychologists in improving mental health outcomes. Their inclusion is essential for a more comprehensive, multidisciplinary approach to mental healthcare.

Furthermore, there is an urgent need to establish a robust system for registering psychologists and psychiatrists practicing in the Islamabad Capital Territory (ICT). A structured registration framework would enhance professional accountability, improve service quality, and ensure better access to qualified mental health practitioners.

To strengthen mental healthcare in ICT, legislative amendments are necessary. Incorporating parliamentary oversight, integrating psychologists into mental health policy, and establishing a formal registration system for mental health professionals will lead to a more effective and inclusive mental health framework. These reforms are essential to ensuring that the rights and needs of mentally disordered persons are adequately protected and that mental health policies are implemented in both letter and spirit.

2. This Bill is aimed to achieve the above-said objective.