

YOUR RIGHTS AS A MENTAL HEALTH CARE USER (SECTION 17 OF MENTAL HEALTH CARE ACT. NO. 17/2002)

1. Regard must always be taken of what is in your (mental health care user's) best interest.
2. You have the right to be respected and treated with human dignity.
3. You have the right to privacy (within the limits of resources and facilities available).
4. You have the right to refuse treatment/admission unless the procedures for emergency, assisted or involuntary care have been followed or unless you are a state patient or mentally ill prisoner.
5. You may not be discriminated against on the grounds of your mental health status.
6. You may not be exploited or abused. You may not be given degrading treatment or be subjected to forced labour.
7. If you or anyone else witnesses abuse, you must report this, using Form 02 of the mental health care act.
8. Your mental status may only be used if it is relevant to the issue at stake.
9. Information about you which you are entitled to have kept confidential in terms of any other law must be kept confidential, unless failure to disclose such information would seriously



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prejudice your health or the health of the others.

10. You may be temporarily denied access to information in your records if a health care provider believes this will seriously prejudice you or cause you to act in a way which will seriously harm others.
11. A head of a health establishment may limit your rights to have mutually agreed upon intimate adult relationships only if you are unable to give informed consent due to your mental illness. (This applies within the limits of the facilities of the health establishment).
12. You have the right to appeal against an application and/or decision to have you admitted/treated as an assisted or involuntary user.
13. You have the right to be represented, including having legal representation, when submitting an application, lodging an appeal, or appearing before a magistrate, judge or Review Board. If you are indigent you may apply to be represented by a lawyer supplied by the State.
14. You have the right to receive a discharge report when you are discharged from being an inpatient.
15. You are entitled to be protected in terms of any procedures laid down in the Mental Health Care Act (Act No. 17.2002)



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