
Status: Point in time view as at 01/02/1991.

Changes to legislation: Prison Act 1952, Cross Heading: Length of sentence, release on licence and temporary discharge is up to date with all changes known to be in force on or before 29 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Prison Act 1952

1952 CHAPTER 52 15 and 16 Geo 6 and 1 Eliz 2

Length of sentence, release on licence and temporary discharge

24 Calculation of term of sentence.

(1) In any sentence of imprisonment the word “month” shall, unless the contrary is expressed, be construed as meaning calendar month.

(2)^{F1}

Textual Amendments

F1 S. 24(2) repealed by [Criminal Justice Act 1961 \(c. 39\)](#), [Sch. 5](#)

Modifications etc. (not altering text)

C1 S. 24 excluded (1.9.2001) by [2001 c. 17](#), s. 42, [Sch. 7 para. 2\(1\)\(a\)](#) (with s. 78); [S.I. 2001/2161](#), [art. 2](#)

25 †Remission for good conduct and release on licence of persons sentenced to terms of imprisonment.

(1) Rules made under section forty–seven of this Act may make provision whereby, in such circumstances as may be prescribed by the rules, a person serving a sentence of imprisonment for such a term as may be so prescribed may be granted remission of such part of that sentence as may be so prescribed on the ground of his industry and good conduct, and on the discharge of a person from prison in pursuance of any such remission as aforesaid his sentence shall expire.

(2)

[^{F2F3}(7) A person who is committed to prison in default of payment of a sum adjudged to be paid by a conviction shall be treated for the purposes of subsection (1) of this section, . . . ^{F4}, as undergoing a sentence of imprisonment for the term for which he is committed, and consecutive terms of imprisonment shall be treated for all the purposes of this section as one term.]

Status: Point in time view as at 01/02/1991.

Changes to legislation: Prison Act 1952, Cross Heading: Length of sentence, release on licence and temporary discharge is up to date with all changes known to be in force on or before 29 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F2** S. 25(7) substituted by [Criminal Justice Act 1961 \(c. 39\)](#), [Sch. 4](#)
F3 Ss. 25(2)–(6), 26, 27 repealed by [Criminal Justice Act 1967 \(c. 80\)](#), [Sch. 7 Pt. I](#)
F4 Words repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

Modifications etc. (not altering text)

- C2** Unreliable marginal note
C3 S. 25(1) restricted by [Criminal Law Act 1977 \(c. 45\)](#), s. 65(7), [Sch. 9 para. 8](#)

26, 27.^{F5}

Textual Amendments

- F5** Ss. 25(2)–(6), 26, 27 repealed by [Criminal Justice Act 1967 \(c. 80\)](#), [Sch. 7 Pt. I](#)

28 Power of Secretary of State to discharge prisoners temporarily on account of ill health.

- (1) If the Secretary of State is satisfied that by reason of the condition of a prisoner's health it is undesirable to detain him in prison, but that, such condition of health being due in whole or in part to the prisoner's own conduct in prison, it is desirable that his release should be temporary and conditional only, the Secretary of State may, if he thinks fit, having regard to all the circumstances of the case, by order authorise the temporary discharge of the prisoner for such period and subject to such conditions as may be stated in the order.
- (2) Where an order of temporary discharge is made in the case of a prisoner not under sentence, the order shall contain conditions requiring the attendance of the prisoner at any further proceedings on his case at which his presence may be required.
- (3) Any prisoner discharged under this section shall comply with any conditions stated in the order of temporary discharge, and shall return to prison at the expiration of the period stated in the order, or of such extended period as may be fixed by any subsequent order of the Secretary of State, and if the prisoner fails so to comply or return, he may be arrested without warrant and taken back to prison.
- (4) Where a prisoner under sentence is discharged in pursuance of an order of temporary discharge, the currency of the sentence shall be suspended from the day on which he is discharged from prison under the order to the day on which he is received back into prison, so that the former day shall be reckoned and the latter shall not be reckoned as part of the sentence.
- (5) Nothing in this section shall affect the duties of the medical officer of a prison in respect of a prisoner whom the Secretary of State does not think fit to discharge under this section.

Modifications etc. (not altering text)

- C4** S. 28 excluded (1.9.2001) by [2001 c. 17](#), s. 42, [Sch. 7 para. 3\(1\)](#) (with s. 78); [S.I. 2001/2161](#), [art. 2](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

Prison Act 1952, Cross Heading: Length of sentence, release on licence and temporary discharge is up to date with all changes known to be in force on or before 29 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.