
STATUTORY INSTRUMENTS

2009 No. 1096

**The Service Custody and Service
of Relevant Sentences Rules 2009**

PART 4

Offences and Punishments in MCTC

Suspended punishments

55.—(1) The power to impose a disciplinary punishment, other than admonition, under any of rules 49 to 52 shall include power to direct that the punishment is not to take effect unless, during a period specified in the direction (not being more than six months from the date of the direction), the detainee commits another breach of discipline under rule 43, the breach is heard by an adjudicator and a direction is given under paragraph (2).

(2) Where a detainee commits a breach of discipline during the period specified in a direction given under paragraph (1), the adjudicator hearing a charge may—

- (a) direct that the suspended punishment shall take effect;
- (b) reduce the period or amount of the suspended punishment and direct that it shall take effect as so reduced;
- (c) vary the original direction by substituting for the period specified a period expiring not later than six months from the date of variation; or
- (d) give no direction with respect to the suspended punishment.

(3) Where a direction under paragraph (1) has been given with respect to an award against a detainee of additional days of service detention and the detainee is charged with committing a breach of discipline under rule 43 during the period specified in the direction, the commandant shall either—

- (a) hear the charge and give no direction with respect to the suspended punishment; or
- (b) refer the charge to the adjudicator for him to hear it.