STATUTORY INSTRUMENTS

2009 No. 1096

DEFENCE

The Service Custody and Service of Relevant Sentences Rules 2009

Made	-	-	-	-	
Laid bej	fore I	Parli	amer	ıt	
Coming	into	force	2		

aing into force 31st October 2009

28th April 2009 30th April 2009

THE SERVICE CUSTODY AND SERVICE OF RELEVANT SENTENCES RULES 2009

PART 1

- 1. Citation, commencement and interpretation
- 2. Revocations

PART 2

- 3. Places in which persons may be required to serve sentences of service detention
- 4. Committal to prisons and service custody premises and removal from service custody premises
- 5. Release from service detention
- 6. Service custody facilities overseas
- 7. Inspector of service custody premises
- 8. Automatic remission of sentence

PART 3

- 9. Rules to be brought to the notice of detainees
- 10. Accommodation
- 11. Work and training of detainees in service custody premises
- 12. Sundays and public holidays
- 13. Work and training in association
- 14. Unauthorised work
- 15. Reimbursement allowance

- 16. Smoking
- 17. Communications generally
- 18. Personal correspondence
- 19. Correspondence with legal representatives and courts
- 20. Telephone calls
- 21. Personal visits
- 22. Visits by legal representatives
- 23. Interception of communications
- 24. Permanent log of communications
- 25. Disclosure of material
- 26. Retention of material
- 27. Medical attention
- 28. Religious books
- 29. Chaplain and other religious ministers
- 30. Duties of chaplain and other religious ministers
- 31. Religious services
- 32. The commandant may exclude any detainee from attending religious services...
- 33. Temporary release
- 34. Complaints
- 35. Admission to service custody premises
- 36. Searches
- 37. Escapes
- 38. Duration of sentences: persons unlawfully at large
- 39. Deaths in service custody premises
- 40. Mechanical restraint
- 41. Authorisation of mechanical restraint
- 42. Types of mechanical restraint

PART 4

MCTC

- 43. Breaches of discipline
- 44. Delegation of disciplinary powers by the commandant
- 45. Procedure for dealing with breaches of discipline
- 46. Determination of mode of hearing
- 47. Reference to an adjudicator
- 48. Rights of detainees charged
- 49. Company commander's punishments
- 50. Commandant's punishments
- 51. Adjudicator's punishments
- 52. Review of adjudicators's punishment
- 53. Cellular confinement
- 54. Prospective award of additional days
- 55. Suspended punishments

PART 5

MCTC

- 56. The purpose of MCTC is to hold detainees safely and...
- 57. Appointment of staff of MCTC
- 58. Separate accommodation
- 59. Segregation of detainees

- 60. Privileges of detainees under sentence
- 61. Education
- 62. Welfare officer
- 63. Appointment of the independent monitoring board
- 64. General duties of the independent monitoring board
- 65. Duties of the independent monitoring board on inspection of MCTC
- 66. Appointment of service visiting officer
- 67. Duties of the service visiting officer
- 68. Investigation of complaints by the service visiting officer
- 69. Resolution of complaints made to the service visiting officer
- 70. Earned remission of sentence

PART 6

- 71. Offences in relation to service custody premises and persons under sentence
- 72. Persons having access to service custody premises
- 73. (1) Without prejudice to any other powers to prohibit or...

PART 7

- 74. In these Rules— (a) references to a sentence of service...
- 75. The period of sixty days referred to in rule 6(1)...
- 76. In rules 7(3)(c) and 10(1)(c) the reference to permission by...
- 77. (1) This rule applies where immediately before commencement a detainee...
- 78. Where before commencement a detainee in MCTC began a sentence...
- 79. In this Part of these Rules— "commencement" means the date... Signature

Explanatory Note