



Prison Act (Northern Ireland) 1953

1953 CHAPTER 18

SUPPLEMENTAL

[^{F1}42 **Laying of prison rules**

- (1) Prison rules made by the Department are subject to negative resolution.
- (2) Prison rules made by the Secretary of State are subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 ^{F2} applies accordingly.]

F1 S. 42 substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 6(1), [Sch. 4 para. 6](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)

F2 1946 c. 36.

43 Financial provisions.

Expenses incurred by the Ministry with the approval of the Ministry of Finance^{F3} under or for the purposes of this Act shall be defrayed out of moneys provided by [^{F4} the Parliament of the United Kingdom].

F3 Now Treasury, SI 1973/2163

F4 SI 1973/2163

S. 44 rep. by 1980 NI 10

45 Adaptation of statutory references to former places of detention.

Wherever any one or more than one of the following expressions, that is to say:—

Changes to legislation: There are currently no known outstanding effects for the Prison Act (Northern Ireland) 1953. (See end of Document for details)

house of correction, the city marshalsea, bridewell, district bridewell, sheriff's prison, penitentiary house, gaol, county gaol, common gaol, convict prison,

occurs or occur in any enactment in relation to the detention or punishment of any person, the word “prison” shall be substituted therefor, but, if in the said enactment the word “prison” is already used in conjunction with or as an alternative to any of the said expressions, that expression shall be omitted from the said enactment.

46 Provisions as to capital punishment.

Subs. (1) (2) rep. by SR 1982/192; subs. (3) rep. in pt. by SLR 1973; SI 1973/2163, residue amends 1868 c. 24

47 Interpretation.

(1) For the purposes of this Act, unless the contrary intention appears, the following expressions have the meaning hereby respectively assigned to them, that is to say—

[^{F5}“Department” means the Department of Justice;]

“governor” includes the person for the time being in charge of any prison;

“intoxicating liquor” includes any fermented, distilled or spirituous liquor which under the law for the time being in force is subject to an excise duty;

“land” includes land covered by water and any estate or interest in land;

“Minister” means the Minister of Home Affairs^{F6} for Northern Ireland;

“Ministry” means the Ministry of Home Affairs^{F6} for Northern Ireland;

Definition rep. by 1989 NI 15

“prisoner” includes any person lawfully committed to any prison.

[^{F7}(1A) In this Act “prison” includes any prison or other institution for the treatment of offenders, not being—

(a) a young offenders centre;

(b) a remand centre; [^{F8} or]

(c) a juvenile justice centre]

but this Act,^{F9} . . . , shall have effect in relation to young offenders centres and remand centres and to persons detained therein as it has effect in relation to prisons and prisoners.

(2) A reference in this Act to any [^{F7} prison] shall be construed as including a reference to all land and buildings used for the purposes of or in connection with that [^{F7} prison].

(3) For the purposes of this Act, a person committed to prison in default of payment of a sum adjudged to be paid by a conviction shall be treated as undergoing a sentence of imprisonment for the term for which he is committed, and consecutive terms of imprisonment shall be treated as one term.

Subs. (4)(5) rep. by 1954 c. 33 (NI)

F5 S. 47(1): definition of "Department" inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(1), **Sch. 4 para. 7** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

F6 Functions transf. to S of S, SI 1973/2163

F7 1989 NI 15

F8 1998 NI 9

Changes to legislation: There are currently no known outstanding effects for the Prison Act (Northern Ireland) 1953. (See end of Document for details)

F9 2005 NI 15

S. 48 rep. by SLR 1973

49 Short title.

(1) This Act may be cited as the Prison Act (Northern Ireland), 1953.

Subs. (2) rep. by SLR 1973

Changes to legislation:

There are currently no known outstanding effects for the Prison Act (Northern Ireland) 1953.