



# Criminal Justice Act 1991

## 1991 CHAPTER 53

### PART IV

#### PROVISION OF SERVICES

##### *Supplemental*

#### 92 Interpretation of Part IV.

(1) In this Part [<sup>F1</sup>unless the context otherwise requires]—

“contracted out prison” and “the contractor” have the meanings given by [<sup>F2</sup>section 84(4)] above;

[<sup>F3</sup>“contracted out functions” and “directly managed prison” have the meanings given by section 88A(5) above;]

<sup>F4</sup> .....  
<sup>F5</sup> .....

“prison” includes a young offender institution or remand centre;

[<sup>F3</sup>“prison officer” means an officer of a directly managed prison;

“prison rules” means rules made under section 47 of the 1952 Act;]

[<sup>F6</sup>“prisoner” means any person for the time being detained in legal custody as a result of a requirement imposed by a court or otherwise that he be so detained;]

“prisoner custody officer” has the meaning given by section 89(1) above;

“prisoner escort arrangements” has the meaning given by section 80(2) above.

[<sup>F3</sup>“sub-contractor” has the meaning given by section 84(4) above.]

[<sup>F7</sup>(1A) Any reference in this Part to custodial duties at a contracted out prison includes a reference to custodial duties in relation to a prisoner who is outside such a prison for temporary purposes.]

<sup>F8</sup>(2) .....

**Changes to legislation:** Criminal Justice Act 1991, Section 92 is up to date with all changes known to be in force on or before 27 December 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) View outstanding changes

(3) Sections 80, 81(1) and (2)(a), 82 and 89 to 91 above, subsection (1) above and Schedule 10 to this Act shall have effect as if—

- (a) any reference in section 80(1), 81(1), 82 or 91 above to prisoners included a reference to persons [<sup>F9</sup>remanded [<sup>F10</sup>to local authority accommodation or youth detention accommodation under section 91 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012]] by virtue of a security requirement imposed under section 23(4) of the 1969 Act (remands and committals to local authority accommodation); and
- (b) any reference in [<sup>F9</sup>section 80(1)(c) or (e) or (1A)] above to a prison included a reference to [<sup>F11</sup>accommodation in which a person is or is to be accommodated pursuant to such a remand].

[<sup>F12</sup>(4) In sections 80, 82 and 83 above, “prison”—

- (a) so far as relating to the delivery of prisoners to or from a prison situated in Scotland, includes a remand centre or young offenders institution within the meaning of section 19 of the <sup>M1</sup>Prisons (Scotland) Act 1989; and
- (b) so far as relating to the delivery of prisoners to or from a prison situated in Northern Ireland, includes a remand centre or young offenders centre.]

#### Textual Amendments

- F1** Words in s. 92(1) inserted (3.11.1994) by 1994 c. 33, s. 101(7)(a).
- F2** Words in s. 92(1) substituted (3.11.1994) by 1994 c. 33, s. 101(7)(b).
- F3** Definitions in s. 92(1) inserted (3.11.1994) by 1994 c. 33, s. 101(7)(c)–(e).
- F4** S. 92(1): definition of “court-house” repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 352(2); Sch. 10, S.I. 2005/910, {art. 3(y)}
- F5** S. 92(1): definition of “court security officer” repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 352(2); Sch. 10, S.I. 2005/910, {art. 3(y)}
- F6** Definition in s. 92(1) substituted (3.11.1994) by 1994 c. 33, s. 93(5).
- F7** S. 92(1A) inserted (3.11.1994) by 1994 c. 33, s. 98.
- F8** S. 92(2) repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 352(3); Sch. 10, S.I. 2005/910, {art. 3(y)}
- F9** Words in s. 92(3) substituted (3.11.1994) by 1994 c. 33, s. 93(6).
- F10** Words in s. 92(3)(a) substituted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 12 para. 31(a); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F11** Words in s. 92(3)(b) substituted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 12 para. 31(b); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F12** S. 92(4) inserted (3.11.1994) by 1994 c. 33, s. 93(7).

#### Commencement Information

- I1** S. 92 partly in force; s. 92(3) not in force; s. 92(1) in force at 31.10.1991 see s. 102(2)(3) and S.I. 1991/2208, art. 2(4) and Sch. 3; s. 92(2) in force at 1.4.1992 see S.I. 1992/333, art. 2(1), Sch. 1  
S. 92(3) shall come into force on the day appointed by the Secretary of State by order under s. 62(1) see S.I. 1992/333, art. 2(5), Sch. 3

#### Marginal Citations

- M1** 1989 c. 45.

**Changes to legislation:**

Criminal Justice Act 1991, Section 92 is up to date with all changes known to be in force on or before 27 December 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.

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**Changes and effects yet to be applied to :**

- s. 92(1) words repealed by [2000 c. 43 Sch. 7 para. 109Sch. 8](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(2)(ba) inserted by [2013 c. 22 s. 26\(7\)](#)
- s. 46(3)(aa) substituted for word by [2008 c. 4 s. 33\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46ZA inserted by [2008 c. 4 s. 33\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))