



# Prison Act 1952

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

*Rules for the management of prisons and other institutions*

## 47 Rules for the management of prisons, remand centres, detention centres and Borstal institutions.

- (1) The Secretary of State may make rules for the regulation and management of prisons, remand centres [<sup>F1</sup>, young offender institutions or secure training centres], and for the classification, treatment, employment, discipline and control of persons required to be detained therein.
- (2) Rules made under this section shall make provision for ensuring that a person who is charged with any offence under the rules shall be given a proper opportunity of presenting his case.
- (3) Rules made under this section may provide for the training of particular classes of persons and their allocation for that purpose to any prison or other institution in which they may lawfully be detained.
- (4) Rules made under this section shall provide for the special treatment of the following persons whilst required to be detained in a prison, that is to say—
  - (a) . . . <sup>F2</sup>
  - (d) any . . . <sup>F3</sup> person detained in a prison, not being a person serving a sentence or a person imprisoned in default of payment of a sum adjudged to be paid by him on his conviction [<sup>F4</sup> or a person committed to custody on his conviction].
- [<sup>F5</sup>(4A) Rules made under this section shall provide for the inspection of secure training centres and the appointment of independent persons to visit secure training centres and to whom representations may be made by offenders detained in secure training centres.]
- (5) Rules made under this section may provide for the temporary release of persons [<sup>F6</sup>detained in a prison, remand centre [<sup>F7</sup>, young offender institution or secure training centre] not being persons committed in custody for trial [<sup>F8</sup>before the Crown Court]or committed to be sentenced or otherwise dealt with by [<sup>F8</sup>the Crown Court]or remanded in custody by any court.]

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**Status:** Point in time view as at 27/09/1999.

**Changes to legislation:** Prison Act 1952, Cross Heading: Rules for the management of prisons and other institutions is up to date with all changes known to be in force on or before 24 August 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)

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### Textual Amendments

- F1** Words in s. 47(1) substituted (3.11.1994) by 1994 c. 33, **ss. 6(2)**, 172(4)
- F2** S. 47(4)(a)–(c) repealed by [Criminal Justice Act 1967](#) (c. 80), **Sch. 7 Pt. I**
- F3** Word repealed by [Criminal Justice Act 1967](#) (c. 80), **Sch. 7 Pt. I**
- F4** Words added by [Criminal Justice Act 1967](#) (c. 80), **s. 66(5)**
- F5** S. 47(4A) inserted (3.11.1994) by 1994 c. 33, **ss. 6(3)**, 172(4)
- F6** Word substituted by [Criminal Justice Act 1961](#) (c. 39), **Sch. 4**
- F7** Words in s. 47(5) substituted (3.11.1994) by 1994 c. 33, **ss. 6(4)**, 172(4)
- F8** Words substituted by [Courts Act 1971](#) (c. 23), **Sch. 8 para. 33**

### Modifications etc. (not altering text)

- C1** S. 47 amended by [Criminal Justice Act 1961](#) (c. 39), **s. 23(2)** and [Courts–Martial \(Appeals\) Act 1968](#) (c. 20), **s. 52**
- C2** S. 47 extended by [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), s. 13(5), **Sch. 17 para. 9**
- C3** S. 47 amended by [Criminal Justice Act 1988](#) (c. 33, SIF 39:1), s. 123, **Sch. 8 paras. 14, 16**
- C4** S. 47 extended (25.8.2000) by 2000 c. 6, **ss. 99(4)**, 168(1)

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