



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 **[^{F1} Rules for the management of prisons and places for the detention of young offenders]** **E+W**
- (1) The Secretary of State may make rules for the regulation and management of prisons, remand centres [^{F2}, young offender institutions [^{F3}, secure training centres or secure colleges]], 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.
- [^{F4}(3A) Rules made under this section may specify any substance or product ^{F5}... in relation to which a person may be required to provide a sample for the purposes of section 16A of this Act [^{F6}; but a substance or product may not be specified if it is—
- (a) a controlled drug,
 - (b) a pharmacy medicine,
 - (c) a prescription only medicine, or
 - (d) a psychoactive substance
- within the meaning of section 16A].]
- (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) ... ^{F7}
 - (d) any ... ^{F8} 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 [^{F9} or a person committed to custody on his conviction].

Changes to legislation: Prison Act 1952, Section 47 is up to date with all changes known to be in force on or before 14 May 2024. 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

- [^{F10}(4A) Rules made under this section shall provide for [^{F11}—
- (a) the inspection of secure training centres and secure colleges, and
 - (b) the appointment of independent persons to [^{F12}visit them] and to whom representations may be made by offenders [^{F13}detained there] .]
- (5) Rules made under this section may provide for the temporary release of persons [^{F14}detained in a prison, remand centre [^{F15}, young offender institution [^{F16}, secure training centre or secure college]] not being persons committed in custody for trial [^{F17}before the Crown Court]or committed to be sentenced or otherwise dealt with by [^{F17}the Crown Court]or remanded in custody by any court.]

Textual Amendments

- F1** S. 47 heading substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(6\)](#); S.I. 2015/778, art. 2(1)(c)
- F2** Words in s. 47(1) substituted (3.11.1994) by [1994 c. 33, ss. 6\(2\)](#), 172(4)
- F3** Words in s. 47(1) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(2\)](#); S.I. 2015/778, art. 2(1)(c)
- F4** S. 47(3A) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 16\(3\)](#), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 12
- F5** Words in s. 47(3A) omitted (8.12.2021) by virtue of [Prisons \(Substance Testing\) Act 2021 \(c. 18\), ss. 2\(1\)\(a\)](#), 3(2); S.I. 2021/1280, reg. 2
- F6** Words in s. 47(3A) inserted (8.12.2021) by [Prisons \(Substance Testing\) Act 2021 \(c. 18\), ss. 2\(1\)\(b\)](#), 3(2); S.I. 2021/1280, reg. 2
- F7** S. 47(4)(a)–(c) repealed by [Criminal Justice Act 1967 \(c. 80\), Sch. 7 Pt. I](#)
- F8** Word repealed by [Criminal Justice Act 1967 \(c. 80\), Sch. 7 Pt. I](#)
- F9** Words added by [Criminal Justice Act 1967 \(c. 80\), s. 66\(5\)](#)
- F10** S. 47(4A) inserted (3.11.1994) by [1994 c. 33, ss. 6\(3\)](#), 172(4)
- F11** Words in s. 47(4A) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(4\)\(a\)](#); S.I. 2015/778, art. 2(1)(c)
- F12** Words in s. 47(4A) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(4\)\(b\)](#); S.I. 2015/778, art. 2(1)(c)
- F13** Words in s. 47(4A) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(4\)\(c\)](#); S.I. 2015/778, art. 2(1)(c)
- F14** Word substituted by [Criminal Justice Act 1961 \(c. 39\), Sch. 4](#)
- F15** Words in s. 47(5) substituted (3.11.1994) by [1994 c. 33, ss. 6\(4\)](#), 172(4)
- F16** Words in s. 47(5) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 9 para. 3\(5\)](#); S.I. 2015/778, art. 2(1)(c)
- F17** 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)
- C5** S. 47: transfer of functions (1.4.2009) by [The Welsh Ministers \(Transfer of Functions\) Order 2009 \(S.I. 2009/703\), arts. 1\(2\), 2, 3](#)
- C6** S. 47 extended (1.12.2020) by [Sentencing Act 2020 \(c. 17\), ss. 329\(6\)](#), 416(1) (with ss. 2, 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2

Changes to legislation:

Prison Act 1952, Section 47 is up to date with all changes known to be in force on or before 14 May 2024. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 47 by [2000 c. 43 Sch. 8](#)
- s. 47(1)(5) by [2000 c. 43 Sch. 7 para. 11](#)
- s. 47(1) words omitted by [2012 c. 10 s. 129\(1\)](#)

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. 47(1A) inserted by [2012 c. 10 s. 129\(2\)](#)
- s. 47(1A) modified (temp.) by [2012 c. 10 s. 129\(10\)](#)
- s. 47(1A) modified (temp.) by [2012 c. 10 s. 129\(11\)\(a\)](#)
- s. 47(1A)(a) words inserted by [2015 c. 2 Sch. 9 para. 3\(3\)](#)
- s. 47(6) inserted by [2012 c. 10 s. 129\(3\)](#)
- s. 47A inserted by [2012 c. 10 s. 129\(4\)](#)
- s. 47A modified (temp.) by [2012 c. 10 s. 129\(11\)\(b\)](#)
- s. 55(4A) repealed by [2006 c. 13 s. 46\(2\)\(a\)Sch. 3](#)