



# Penal Servitude Act 1857

1857 CHAPTER 3 20 and 21 Vict

## 2 Sentence of transportation abolished, and sentence of penal servitude substituted.

No person shall be sentenced to transportation; and any person who, if this Act and the said Act had not been passed, might have been sentenced to transportation, shall be liable to be sentenced to be kept in penal servitude for a term of the same duration as the term of transportation to which such person would have been liable if the said Act and this Act had not been passed; and in every case where, at the discretion of the court, one of any two or more terms of transportation might have been awarded, the court shall have the like discretion to award one of any two or more of the terms of penal servitude which are hereby authorized to be awarded instead of such terms of transportation: . . . <sup>F1</sup>

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### Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

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### Modifications etc. (not altering text)

C1 The “said Act” means the [Penal Servitude Act 1853 \(c. 99\)](#)

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Penal Servitude Act 1857, Section 2.