

1989 No. 2141

PRISONS

The Prison (Amendment) (No. 2) Rules 1989

<i>Made</i> - - - -	<i>20th November 1989</i>
<i>Laid before Parliament</i>	<i>27th November 1989</i>
<i>Coming into force</i>	<i>18th December 1989</i>

In exercise of the powers conferred upon me by section 47 of the Prison Act 1952(a), I hereby make the following Rules:

1. These Rules may be cited as the Prison (Amendment) (No. 2) Rules 1989 and shall come into force on 18th December 1989.
2. The Prison Rules (1964)(b) shall be amended as follows:
 - (a) in rule 43(2)(c) (removal from association) –
 - (i) for the words “24 hours” there shall be substituted the words “3 days”;
 - (ii) the words “by virtue of a sentence of detention in a young offender institution” shall be omitted;
 - (b) in rule 50(2)(d) (governor’s punishments) there shall be added at the end the words, “but, in the case of forfeiture of remission of sentence, the total period forfeited shall not exceed 28 days.”.

Home Office
20th November 1989

David Waddington
One of Her Majesty’s Principal Secretaries of State

(a) 1952 c.52; section 47 was extended by section 23(2) of the Criminal Justice Act 1961 (c.39), section 13(5) of, and paragraph 9 of Schedule 17 to, the Criminal Justice Act 1982 (c.48) and paragraph 14 of Schedule 8 to the Criminal Justice Act 1988 (c.33); and amended by Schedule 4 to the Criminal Justice Act 1961, section 66(5) of the Criminal Justice Act 1967 (c.80), paragraph 33 of Schedule 8 to the Courts Act 1971 (c.23) and paragraph 7 of Schedule 14 to the Criminal Justice Act 1982. Section 47 of the 1952 Act was also affected by an amendment to section 52(2) of that Act by section 66(4) of the Criminal Justice Act 1967. Paragraph 1 of Schedule 8 to the Criminal Justice Act 1988 contains amendments affecting these provisions.

(b) S.I. 1964/388; relevant amending instruments are: S.I. 1971/2019, 1988/1421 and 1989/330.

(c) As amended by S.I. 1971/2019 and 1988/1421.

(d) As substituted by S.I. 1989/330.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Prison Rules 1964, as amended, in two respects.

Rule 2(a) extends the period during which a prisoner can be removed from association with other prisoners without the authority of a member of the board of visitors or of the Secretary of State from 24 hours to three days. It also amends the position with respect to persons aged under 21 who are removed from association with such authority.

Rule 2(b) limits to 28 days the total period of forfeiture of remission of sentence where the governor punishes a prisoner for the commission of more than one offence against discipline arising out of an incident.

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