

1969. No. 223

[C]

PRISON RULES

RULES, DATED 20TH AUGUST 1969, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 13 OF THE PRISON ACT (NORTHERN IRELAND) 1953.

The Ministry of Home Affairs in exercise of the powers conferred on it by Section 13 of the Prison Act (Northern Ireland) 1953(a), and all other powers enabling it in that behalf, hereby makes the following Rules:—

Citation

1.—(1) These Rules may be cited as the Prison (Amendment) Rules (Northern Ireland) 1969.

(2) The expression “the Principal Rules” means the Prison Rules (Northern Ireland) 1954(b).

Amendment of the Principal Rules

2. For Rule 25 of the Principal Rules there shall be substituted the following Rule:—

“Remission

Conditions
of
remitting
sentence.

25.—(1) A prisoner serving a sentence of imprisonment for an actual term of more than one month may, on the ground of his industry and good conduct, be granted remission in accordance with the provisions of this Rule:

Provided that this Rule shall not permit the reduction of the actual term to less than 31 days.

(2) The remission granted shall not exceed one-third of the total of the actual term and any period spent in custody by the prisoner after his conviction awaiting sentence which is taken into account under section 26 of the Treatment of Offenders Act (Northern Ireland) 1968(c) (which relates to the duration of sentences of imprisonment).

(3) For the purpose of this Rule—

(a) a person committed to prison in default of a payment of a sum adjudged to be paid by a conviction shall be treated as serving a sentence of imprisonment; and

(b) consecutive terms of imprisonment shall be treated as one term.

(4) This Rule shall have effect subject to any disciplinary award of forfeiture of remission and shall not apply to a prisoner serving a sentence of imprisonment for life or to any prisoner who, having been released on licence, has been recalled to prison.

(a) 1953. c. 18.
(c) 1968. c. 29 (N.I.).

(b) S.R. & O. (N.I.) 1954, No. 7.

(5) In this Rule—

- (a) “actual term” means the term of a sentence of imprisonment as reduced by section 26 of the Treatment of Offenders Act (Northern Ireland) 1968;
- (b) a reference to a person being recalled to prison shall include a reference to a person being ordered by a court under section 17 of the Treatment of Offenders Act (Northern Ireland) 1968 to be returned to prison.”

Revocations

3.—(1) The Principal Rules are revoked to the extent indicated in the Schedule.

(2) The Prison (Amendment) Rules (Northern Ireland) 1957(d) are hereby revoked.

Sealed with the official seal of the Ministry of Home Affairs for Northern Ireland this 20th day of August 1969, in the presence of

(L.S.)

J. H. Parkes,

Assistant Secretary.

(d) S.R. & O. (N.I.) 1957, No. 156.

SCHEDULE

Rule 3(1)

Revocations of the Principal Rules

Rule 1(4) : the definition of corrective trainee and preventive detainee;

Rule 33(1): the words “Corrective Training or Preventive Detention”;

Rule 117 : the words “corrective training, preventive detention”.

Rules 158 to 168.

EXPLANATORY NOTE

(This note is not part of the Rules but is intended to indicate their general purport.)

These Rules increase the amount of remission which may be earned by prisoners serving sentences of imprisonment of less than two years. They also amend the Prison Rules (Northern Ireland) 1954 to take account of the abolition by the Treatment of Offenders Act (Northern Ireland) 1968 of the sentences of corrective training and preventive detention.