

SCHEDULE

Rule 2(1)

AMENDMENTS TO THE PRISON RULES 1964

1. In rule 34(2)(b), there shall be substituted for the words “once in four weeks”, the words “twice in every period of four weeks, but only once in every such period if the Secretary of State so directs”.
2. In rule 38(2) the words “under section 3 of the Prison Act 1952” shall be omitted.
3. Rule 47(8)(a) shall be omitted.
4. In rule 47(8)(b), there shall be substituted for the words “so released”, the words “temporarily released under rule 6 of these Rules”.
5. Rule 48(2) shall be omitted.
6. In rule 48(3), the words “in the first instance” shall be omitted.
7. After rule 48(4), there shall be inserted the following paragraph—

“(5) A prisoner who is to be charged with an offence against discipline may be kept apart from other prisoners pending the governor’s first inquiry”.
8. For rule 50(1)(d) there shall be substituted “stoppage of or deduction from earnings for a period not exceeding 56 days of an amount not exceeding 28 days’ earnings”.
9. Rule 51 shall be omitted.
10. Rule 52(1)(b) shall be omitted.
11. In rule 52(2), the words “or 51” and the words “as the case may be” shall be omitted.
12. In rule 52(3), after the words “rule 50” where they appear for the second time, the words “or 51” and the words “as the case may be” shall be omitted.
13. Rule 53(1) shall be omitted.
14. In rule 55(2), the words “or Board” shall be omitted.
15. In rule 56(2), there shall be substituted for the words “and a Board of Visitors may remit or mitigate any punishment”, the words “or the Board of Visitors”.
16. In rule 93(2), the words “other than those under rules 51 and 52 of these Rules” shall be omitted.
17. In rule 94(5), the words “(other than Rules 51, 52 and 56)” shall be omitted.
18. After rule 98, there shall be inserted the following:

“Contracted out prisons

98A.—(1) Where the Secretary of State has entered into a contract for the running of a prison under section 84 of the Criminal Justice Act 1991(1)(“the 1991 Act”) these rules shall apply to that prison with the following modifications—

- (a) references to an officer in the Rules shall include references to a prisoner custody officer certified as such under section 89(1) of the 1991 Act;
- (b) references to a governor in the Rules shall include references to a director approved by the Secretary of State for the purposes of section 85(1)(a) of the 1991 Act except—

(1) 1991 c. 53.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) in rule 43, 45, 46, 48, 49, 50, 56 and 98 where references to a governor shall include references to a controller appointed by the Secretary of State under section 85(1)(b) of the 1991 Act, and
 - (ii) in rules 77(1), 81 and 94 where references to a governor shall include references to the director and the controller;
- (c) Rule 84 shall not apply.
- (2) Where a director exercises the powers set out in section 85(3)(b) of the 1991 Act (removal from association, temporary confinement and restraints) in cases of urgency, he shall notify the controller of that fact forthwith.”.