
STATUTORY INSTRUMENTS

1994 No. 1931

**The Prisons and Young Offenders
Institutions (Scotland) Rules 1994**

PART 9

SECURITY AND CONTROL

Unauthorised property

82.—(1) No prisoner shall have in his possession, or conceal or deposit anywhere within a prison, any property which he has not been authorised to possess or keep in terms of these Rules or by any officer.

(2) No prisoner shall have in his possession any property in a part of the prison which he has been authorised to possess only in some other part of the prison.

(3) Subject to paragraph (4), no person shall—

- (a) convey or throw into, or conceal or deposit in, a prison;
- (b) convey to a prisoner, whether inside or outside a prison; or
- (c) conceal or deposit in any place with a view to its coming into the possession of a prisoner,

any article whatsoever.

(4) Paragraph (3) does not apply to any property which—

- (a) the Governor has authorised a person—
 - (i) to convey into, or deposit in, the prison; or
 - (ii) to convey to a prisoner whether inside or outside a prison; or
- (b) consists of a letter or package addressed to a prisoner and sent to the prison by means of the postal service or otherwise.

(5) The Governor may seize and detain—

- (a) any property which a prisoner is not authorised to possess or keep in accordance with these Rules or by any officer and which is found in the possession of a prisoner, or concealed or deposited anywhere in the prison; or
- (b) any article or property conveyed or thrown into, or concealed or deposited in, prison in contravention of paragraph (3).

(6) No prisoner (other than untried and civil prisoners) shall be allowed to smoke or have any tobacco in his possession except as a privilege granted by virtue of rule 40 and provided that the prisoner is at least 16 years old.