
STATUTORY INSTRUMENTS

1999 No. 728

The Prison Rules 1999

PART II

PRISONERS

REMOVAL, SEARCH, RECORD AND PROPERTY

Prisoners' property

43.—(1) Subject to any directions of the Secretary of State, an unconvicted prisoner may have supplied to him at his expense and retain for his own use books, newspapers, writing materials and other means of occupation, except any that appears objectionable to the [^{F1}independent monitoring board] or, pending consideration by them, to the governor.

(2) Anything, other than cash, which a prisoner has at a prison and which he is not allowed to retain for his own use shall be taken into the governor's custody. An inventory of a prisoner's property shall be kept, and he shall be required to sign it, after having a proper opportunity to see that it is correct.

[^{F2}(2A) Where a prisoner is serving a sentence of imprisonment to which an intermittent custody order relates, an inventory as referred to in paragraph (2) shall only be kept where the value of that property is estimated by the governor to be in excess of £100.]

(3) Any cash which a prisoner has at a prison shall be paid into an account under the control of the governor and the prisoner shall be credited with the amount in the books of the prison.

(4) Any article belonging to a prisoner which remains unclaimed for a period of more than [^{F3}one year] after he leaves prison, or dies, may be sold or otherwise disposed of; and the net proceeds of any sale shall be paid to the National Association for the Care and Resettlement of Offenders, for its general purposes.

(5) The governor may confiscate any unauthorised article found in the possession of a prisoner after his reception into prison, or concealed or deposited anywhere within a prison.

Textual Amendments

- F1** Words in rule 43(1) substituted (1.4.2008) by [The Prison \(Amendment\) Rules 2008 \(S.I. 2008/597\)](#), rule 1, [rule 4\(a\)](#)
- F2** Rule 43(2A) inserted (26.1.2004) by [The Prison \(Amendment\) Rules 2003 \(S.I. 2003/3301\)](#), rules 1, 5
- F3** Words in rule 43(4) substituted (1.1.2010) by [The Prison and Young Offender Institution \(Amendment\) Rules 2009 \(S.I. 2009/3082\)](#), rule 1, [Sch. 1 para. 8](#)

Status:

Point in time view as at 19/10/2018.

Changes to legislation:

There are currently no known outstanding effects for the The Prison Rules 1999, Section 43.