
STATUTORY INSTRUMENTS

1999 No. 728

The Prison Rules 1999

PART I

Citation and commencement

1. These Rules may be cited as the Prison Rules 1999 and shall come into force on 1st April 1999.

Interpretation

- 2.—(1) In these Rules, where the context so admits, the expression—

[^{F1}“adjudicator” means a person approved by the Secretary of State for the purpose of inquiring into a charge which has been referred to him;]

[^{F2}“communication” includes any written or drawn communication from a prisoner to any other person, whether intended to be transmitted by means of a postal service or not, and any communication from a prisoner to any other person transmitted by means of a telecommunications system;]

“controlled drug” means any drug which is a controlled drug for the purposes of the Misuse of Drugs Act 1971 ^{M1};

“convicted prisoner” means, subject to the provisions of rule 7(3), a prisoner who has been convicted or found guilty of an offence or committed or attached for contempt of court or for failing to do or abstain from doing anything required to be done or left undone, and the expression “unconvicted prisoner” shall be construed accordingly;

“governor” includes an officer for the time being in charge of a prison;

[^{F2}“intercepted material” means the contents of any communication intercepted pursuant to these Rules;]

[^{F3}“intermittent custody order” has the meaning assigned to it by section 183 of the Criminal Justice Act 2003;]

“legal adviser” means, in relation to a prisoner, his counsel or solicitor, and includes a clerk acting on behalf of his solicitor;

“officer” means an officer of a prison and, for the purposes of rule 40(2), includes a prisoner custody officer who is authorised to perform escort functions in accordance with section 89 of the Criminal Justice Act 1991 ^{M2};

“prison minister” means, in relation to a prison, a minister appointed to that prison under section 10 of the Prison Act 1952;

“short-term prisoner” and “long-term prisoner” have the meanings assigned to them by section 33(5) of the Criminal Justice Act 1991, as extended by sections 43(1) and 45(1) of that Act;

Status: Point in time view as at 26/01/2004.

Changes to legislation: There are currently no known outstanding effects for the The Prison Rules 1999, PART I. (See end of Document for details)

[^{F2}“telecommunications system” means any system (including the apparatus comprised in it) which exists for the purpose of facilitating the transmission of communications by any means involving the use of electrical or electro-magnetic energy.]

(2) In these Rules—

- (a) a reference to an award of additional days means additional days awarded under these Rules by virtue of section 42 of the Criminal Justice Act 1991;
- (b) a reference to the Church of England includes a reference to the Church in Wales; and
- (c) a reference to a numbered rule is, unless otherwise stated, a reference to the rule of that number in these Rules and a reference in a rule to a numbered paragraph is, unless otherwise stated, a reference to the paragraph of that number in that rule.

Textual Amendments

- F1** Words in rule 2(1) added (15.8.2002) by [The Prison \(Amendment\) Rules 2002 \(S.I. 2002/2116\)](#), rule 1, [Sch. para. 1](#)
- F2** Words in rule 2(1) added (24.10.2000) by [The Prison \(Amendment\) \(No. 2\) Rules 2000 \(S.I. 2000/2641\)](#), rules 1, 3
- F3** Words in rule 2(1) added (26.1.2004) by [The Prison \(Amendment\) Rules 2003 \(S.I. 2003/3301\)](#), rules 1, 3

Marginal Citations

- M1** 1971 c. 38.
- M2** 1991 c. 53.

Status:

Point in time view as at 26/01/2004.

Changes to legislation:

There are currently no known outstanding effects for the The Prison Rules 1999, PART I.