

## SCHEDULE

### AMENDMENTS TO THE PRISON RULES 1999

3. After rule 53, there shall be inserted the following rule:

**“Determination of mode of inquiry**

**53A.**—(1) Before inquiring into a charge the governor shall determine whether it is so serious that additional days should be awarded for the offence, if the prisoner is found guilty.

(2) Where the governor determines:

(a) that it is so serious, he shall:

(i) refer the charge to the adjudicator forthwith for him to inquire into it;

(ii) refer any other charge arising out of the same incident to the adjudicator forthwith for him to inquire into it; and

(iii) inform the prisoner who has been charged that he has done so;

(b) that it is not so serious, he shall proceed to inquire into the charge.

(3) If:

(a) at any time during an inquiry into a charge by the governor; or

(b) following such an inquiry, after the governor has found the prisoner guilty of an offence but before he has imposed a punishment for that offence,

it appears to the governor that the charge is so serious that additional days should be awarded for the offence if (where sub-paragraph (a) applies) the prisoner is found guilty, the governor shall act in accordance with paragraph (2)(a)(i) to (iii) and the adjudicator shall first inquire into any charge referred to him under this paragraph not later than, save in exceptional circumstances, 28 days after the charge was referred.”.