STATUTORY INSTRUMENTS

# 1981 No. 1358

# PRISONS

# MAGISTRATES' COURTS

## The Imprisonment (Temporary Provisions) Act 1980 (Postponement of Repeal) Order 1981

| | |
|---|---|
| *Made* - - - - | 21*st September* 1981 |
| *Laid before Parliament* | 28*th September* 1981 |
| *Coming into Operation* | 29*th October* 1981 |

In exercise of the power conferred upon me by section 8(7) of the Imprisonment (Temporary Provisions) Act 1980(a), I hereby make the following Order:—

**1.** This Order may be cited as the Imprisonment (Temporary Provisions) Act 1980 (Postponement of Repeal) Order 1981 and shall come into operation on 29th October 1981.

**2.** The repeal provided for in section 8(6) of the Imprisonment (Temporary Provisions) Act 1980 (that is to say, the repeal of Part I and section 8(1) to (5)) is hereby postponed for a period of twelve months beginning with the coming into operation of this Order.

*W. S. I. Whitelaw,*
One of Her Majesty's Principal Secretaries of State.

Home Office.

21st September 1981.

(a) 1980 c.57.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order postpones for twelve months the repeal of Part I and section 8(1) to (5) of the Imprisonment (Temporary Provisions) Act 1980, which would otherwise have been repealed by virtue of section 8(6) of the Act, as from 29th October 1981.

The provisions affected are concerned with the following matters:—

(a) detention of prisoners in places approved by the Secretary of State (section 1);

(b) in the case of a person remanded in custody, further remands by a magistrates' court in his absence (section 2);

(c) release of persons committed or remanded in custody (section 3);

(d) restriction on committal by a magistrates' court for failure to pay any sum of money or for want of sufficient distress to satisfy any sum of money (section 4);

(e) early release of prisoners (section 5);

(f) expiry and revival of Part I (section 8(1) to (5)).

None of the provisions of Part I is at present in force, but while they remain unrepealed, can be brought into force under section 8(2)(*b*).

SI 1981/1358
ISBN 0-11-017358-9

