EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order, which comes into operation on the 12th January, 1956, empowers an inspector of the Minister of Agriculture, Fisheries and Food or of a local authority, if he considers it necessary for the purpose of preventing the spreading of disease, to serve notice (*a*) on the occupier of premises used for the slaughter of poultry or for the temporary detention of live or dead poultry or poultry feathers or (*b*) on the owner or person in charge of a vehicle used for the conveyance or exposure for sale of live or dead poultry or poultry feathers or (*c*) on the owner or person in charge of equipment used for such poultry or feathers in such premises or vehicle requiring him to cleanse and disinfect the premises, vehicle or equipment. If default is made in complying with the notice, the Minister or the local authority is empowered to cause the work to be done and to recover the cost from the person on whom the notice was served.

Premises so required to be cleansed and disinfected may not be used for the reception of any more poultry, live or dead, or feathers until that work has been carried out.

PRISONS

1956 No. 1986

The Prison Rules, 1956

Laid before Parliament in draft
Made - - - - 12*th December*, 1956
Coming into Operation 12*th January*, 1957

In pursuance of the powers conferred on me by section forty-seven of the Prison Act, 1952(**a**), I hereby make the following Rules:—

1. In paragraph (1) of Rule 43 of the principal Rules as set out in Rule 5 of the Prison Rules, 1952(**b**) (which provides that every offence against discipline shall be reported forthwith and requires the Governor, except as is otherwise provided in the Rules, to investigate every report of such an offence not later than the following day, unless that day is a Sunday or a public holiday), for the words from " not later " to the end of the paragraph there shall be substituted the following words :—

" not later, save in exceptional circumstances, than the following day unless that day is a Sunday or a public holiday ".

2. In paragraph (1) of Rule 44 of the principal Rules as set out in Rule 6 of the Prison Rules, 1952 (which provides that where a prisoner is reported for certain specified offences the Governor shall, unless upon investigating

(**a**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 52. (**b**) S.I. 1952/1405 (1952 III, p. 2631).

the report he is satisfied that it should be dismissed, refer the case to the Visiting Committee), for the words " refer the case to the Visiting Committee " there shall be substituted the following words:—

" forthwith report the fact to the Commissioners and shall, unless otherwise directed by them, refer the case to the Visiting Committee ".

3.—(1) In paragraph (1) of Rule 45 of the principal Rules as amended by Rule 7 of the Prison Rules, 1952 (which provides that where a prisoner is reported for certain specified offences the Governor shall forthwith refer the case to the Visiting Committee and the Commissioners, and makes provision as to the duty of the chairman of the Visiting Committee upon such a reference), for the words " forthwith refer the case to the Visiting Committee and the Commissioners, and the chairman of the Visiting Committee shall, unless the Secretary of State otherwise directs in accordance with the proviso to subsection (3) of section fifty-four of the Criminal Justice Act, 1948," there shall be substituted the following words :—

" forthwith report the fact to the Commissioners and shall, unless otherwise directed by them or under the proviso to subsection (3) of section eighteen of the Prison Act, 1952, by the Secretary of State, refer the case to the Visiting Committee, and, where a case is so referred to the Visiting Committee, the chairman thereof shall ".

(2) In paragraph (3) of the said Rule 45 as so amended for the words " section fifty-four of the Criminal Justice Act, 1948 " there shall be substituted the words " section eighteen of the Prison Act, 1952 ".

4. For Rule 84A of the principal Rules as set out in Rule 11 of the Prison Rules, 1952 (which relates to release on parole), there shall be substituted the following Rule:—

" *Temporary release*

84A.—(1) A prisoner serving a sentence of imprisonment, corrective training or preventive detention may be temporarily released from prison by the Commissioners for such time or times and subject to such conditions as may be determined by them either—

(*a*) for the purpose of engaging in employment or receiving instruction or training, or

(*b*) in such other circumstances as may be approved by them.

(2) If the Commissioners are satisfied that a prisoner so released has broken any of the conditions on which he was released, they may by order recall him to prison nothwithstanding that the time for which he was released has not expired.".

5. For the proviso to paragraph (1) of Rule 97 of the principal Rules (which authorises the Commissioners to reduce in special circumstances the daily period for exercise in the open air of prisoners not engaged in out-door work from one hour to half an hour) there shall be substituted the following proviso :—

" Provided that—

(i) in special circumstances the Commissioners may authorise the reduction of the daily period to half an hour, and

(ii) nothing in this Rule shall apply in relation to a prison established or set aside under paragraph (5) of Rule 7 for the treatment in open conditions of selected prisoners or classes of prisoners.".

6.—(1) The penal grade for prisoners serving sentences of preventive detention shall be abolished; and accordingly in Rule 163 of the principal Rules the words "(other than a prisoner in the penal grade)" shall be omitted and Rule 170 of those Rules (which relates to treatment of prisoners in the penal grade) shall be revoked.

(2) For paragraph (1) of Rule 169 of the principal Rules as amended by Rule 25 of the Prison Rules, 1952 (which relates to the modification of the Rules governing offences against discipline in their application to a prisoner serving a sentence of preventive detention in a central prison), there shall be substituted the following paragraph, that is to say:—

"(1) In the application to prisoners serving sentences of preventive detention in a central prison of the Rules relating to offences against discipline the following modifications shall be made in those Rules:—

(i) for the award lettered (*b*) in paragraph (2) of Rule 43 there shall be substituted the following award:—

'(*b*) postponement, for a period of not more than fourteen days at any one time, of the date on which the prisoner becomes eligible under Rule 172 for release on licence;';

(ii) for the award lettered (*b*) in paragraph (3) of Rule 44 there shall be substituted the following award:—

'(*b*) postponement, for a period of not more than six months at any one time, of the date on which the prisoner becomes eligible under Rule 172 for release on licence:

Provided that the limit of six months shall not apply in respect of the offences of mutiny, incitement to mutiny or gross personal violence to an officer;'".

7. In these Rules the expression "the principal Rules" means the Prison Rules, 1949(a).

8. These Rules may be cited as the Prison Rules, 1956, and shall come into operation at the expiration of one month beginning with the day on which they are made.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
12th December, 1956.

(a) S.I. 1949/1073 (1949 I, p. 3470).