



# Prison Act 1952

## 1952 CHAPTER 52

### *Supplemental*

#### **51 Payment of expenses out of moneys provided by Parliament**

All expenses incurred in the maintenance of prisons and in the maintenance of prisoners and all other expenses of the Secretary of State or the Prison Commissioners incurred under this Act shall be defrayed out of moneys provided by Parliament.

#### **52 Exercise of power to make orders, rules and regulations**

- (1) Any power of the Secretary of State to make rules or regulations under this Act and the power of the Secretary of State to make an order under section thirty-four or section thirty-seven of this Act shall be exercisable by statutory instrument.
- (2) Any statutory instrument containing regulations made under section sixteen or an order made under section thirty-seven of this Act, and a draft of any statutory instrument containing rules made under section forty-seven of this Act shall be laid before Parliament.
- (3) The power of the Secretary of State to make an order under section six or section thirty-four of this Act shall include power to revoke or vary such an order.

#### **53 Interpretation**

- (1) In this Act the following expressions have the following meanings:—
  - " Attendance centre " means a centre provided by the Secretary of State under subsection (2) of section forty-eight of the Criminal Justice Act, 1948;
  - " Prison " does not include a naval, military or air force prison;
  - " Remand home " means premises established or used by the council of a county or county borough under the provisions of section seventy-seven of the Children and Young Persons Act, 1933.
- (2) For the purposes of this Act the maintenance of a prisoner shall include all necessary expenses incurred in respect of the prisoner for food, clothing, custody and removal

from one place to another, from the period of his committal to prison until his death or discharge from prison.

- (3) References in this Act to the Church of England shall be construed as including references to the Church in Wales.
- (4) References in this Act to any enactment shall be construed as references to that enactment as amended by any other enactment.

#### **54 Consequential amendments, repeals and savings**

- (1) The enactments mentioned in the Third Schedule to this Act shall have effect subject to the amendments specified therein, being amendments consequential on the provisions of this Act.
- (2) The enactments specified in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (3) Nothing in this repeal shall affect any rule, order, regulation or declaration made, direction or certificate given or thing done under any enactment repealed by this Act and every such rule, order, regulation, direction, certificate or thing shall, if in force at the commencement of this Act, continue in force and be deemed to have been made, given or done under the corresponding provision of this Act.
- (4) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or to the corresponding enactment in this Act.
- (5) The mention of particular matters in this section shall not be taken to affect the general application to this Act of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

#### **55 Short title, commencement and extent**

- (1) This Act may be cited as the Prison Act, 1952.
- (2) This Act shall come into operation on the first day of October, nineteen hundred and fifty-two.
- (3) Subsection (2) of section twenty-two, subsections (1), (3), (5) and (6) of section forty-eight and subsection (1) of section forty-nine of this Act and the Second Schedule and Part II of the Fourth Schedule to this Act shall extend to Scotland, and subsection (1) of the said section forty-nine as so extended shall apply to all persons unlawfully at large.
- (4) Except as provided in the last preceding subsection or the Second Schedule to this Act, this Act shall not extend to Scotland.
- (5) This Act shall not extend to Northern Ireland.