

SCHEDULES

FIRST SCHEDULE

Section 29.

REGISTRATION OF ADDRESS AND REPORTING AT POLICE STATIONS BY DISCHARGED PRISONERS

- 1 (1) Any person to whom this Schedule applies shall—
- (a) register at an appointed police station in any police area in which he is from time to time residing the address of his residence;
 - (b) report once in each month, on such day as may be directed by or on behalf of the chief officer of police, at the police station at which his address for the time being is registered.

- (2) Where any person to whom this Schedule applies changes his residence, he shall, on registering his new address under this paragraph, state the address which was last registered by him thereunder.

- (3) Any such registration and report as aforesaid shall be effected in person before the officer in charge of the police station:

Provided that any such report may, if permission in that behalf is granted by or on behalf of the chief officer of police, be made in writing.

- 2 (1) If any person fails without reasonable excuse to comply with any of the requirements of the preceding paragraph, he shall be guilty of an offence and liable on summary conviction thereof to imprisonment for a term not exceeding six months;

Provided that:

- (a) in proceedings for a failure to register an address it shall be a defence for the defendant to prove either that—
 - (i) being on a journey to a particular destination he remained no longer in the place in which he failed to register his address than was reasonably necessary for the purposes of that journey; or
 - (ii) his absence from his registered address was temporary and that he kept the officer in charge of the police station at which that address was registered sufficiently informed of his whereabouts; and
- (b) in proceedings for a failure to report it shall be a defence for the defendant to prove that, being temporarily absent from his registered address on the day on which he was directed to report, he personally presented himself and reported on that day at a police station within the police area in which he then was and stated his registered address.

- (2) A person to whom this Schedule applies who is reasonably suspected of having committed an offence under this paragraph may be arrested without warrant by any constable.

- (3) A person charged with an offence under this paragraph may be tried in the place in which he was arrested or in the place in which the offence is alleged to have been

committed or, if the offence consists of a failure to report in writing to a police station, in the place in which the police station is situated

- 3 (1) Any appointment, direction or permission purporting to be signed by or on behalf of a chief officer of police and to have been made or given for the purposes of this Schedule shall, in proceedings under the last preceding paragraph of this Schedule, be evidence that the appointment, direction or permission thereby made or given was duly made or given by or on behalf of the chief officer of police.
- (2) A certificate purporting to be signed by an officer in charge of a police station and certifying that it appears from the records kept at that police station that a person has failed to register an address or make a report or has registered a particular address at that police station shall, in any such proceedings as aforesaid, be evidence of the facts so certified.
- (3) A certificate purporting to be signed by or on behalf of the Commissioner of Police of the Metropolis and certifying that he has received a notice given pursuant to paragraph (b) of subsection (1) of section twenty-nine of this Act to the effect that a person has failed to comply with any requirement under that subsection shall, in any such proceedings as aforesaid, be evidence of the notice having been duly given and of the contents of the notice.
- 4 (1) For the purposes of this Schedule, a person shall be deemed to reside at any house or other place of whatever description at which he spends a night.
- (2) In this Schedule the following expressions have the following meanings:—
 - " Appointed police station " means a police station appointed for the purposes of this Schedule by the chief officer of police of the police area in which the police station is situated;
 - " Chief officer of police " and " police area " have the same meaning respectively as in section thirty of the Police Pensions Act, 1921;
 - " Registered address ", in relation to any person, means the address which is for the time being the address last registered by him in accordance with this Schedule.
- 5 It shall be the duty of a chief officer of police to appoint a sufficient number of police stations in his area for the purposes of this Schedule.

SECOND SCHEDULE

Section 48.

PROVISIONS RELATING TO PERSONS IN SCOTLAND AFTER DISCHARGE FROM PRISONS, ETC., IN ENGLAND

- 1 Where any person serving a term of imprisonment for life has been released on licence under subsection (1) of section twenty-seven of this Act, he may be recalled under subsection (2) of that section notwithstanding that he is for the time being in Scotland; and in relation to any such person, while in Scotland, the said subsection (2) shall extend to Scotland accordingly.
- 2 Where any person sentenced to Borstal training by a court in England, or who is required by virtue of any enactment to be treated as if he had been so sentenced, is released from a Borstal institution, he shall continue to be under supervision, and may be recalled, in accordance with the provisions of section forty-five of this Act, notwithstanding that he is for the time being in Scotland; and in relation to any

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such person, while in Scotland, subsections (3) to (6) of that section shall extend to Scotland accordingly.

- 3 Where any person sentenced by a court in England to corrective training or preventive detention, or required by virtue of section forty-eight of this Act to be treated as if he had been so sentenced, is released on licence under subsection (2) of section twenty-six of this Act, any requirements of the licence shall continue in force, and he may be recalled under the said section twenty-six, notwithstanding that he is for the time being in Scotland; and in relation to any such person, while in Scotland, subsections (3) to (6) of that section shall extend to Scotland accordingly.
- 4 Where any person serving a sentence of imprisonment is released on licence under subsection (2) of section twenty-five of this Act, he shall continue to be under supervision, and may be recalled, in accordance with that section, notwithstanding that he is for the time being in Scotland; and in relation to any such person, while in Scotland, subsections (3) to (6) of that section shall extend to Scotland accordingly.
- 5 Where, under section twenty-two of the Criminal Justice Act, 1948, any person convicted of an offence is ordered to be subject to the provisions of section twenty-nine of this Act, he shall remain so subject notwithstanding that he is for the time being in Scotland; and in relation to any such person, while in Scotland, the said section twenty-nine and the First Schedule to this Act shall extend to Scotland accordingly, and the reference in paragraph 4 of the said First Schedule to section thirty of the Police Pensions Act, 1921, shall be construed as a reference to that section as it applies to Scotland.

THIRD SCHEDULE

Section 54.

CONSEQUENTIAL AMENDMENTS

The Mental Deficiency Act, 1913

In each of the following enactments, that is to say, subsection (1) of section two, section four, section nine and subsection (2) of section forty-four, for the words " in a prison or other institution to which the Prison Acts, 1865 to 1898 apply" there shall be substituted the words " in a prison, remand centre, detention centre or Borstal institution ".

The Firearms Act, 1937

In section twenty-one, in subsection (2), for paragraph (a) there shall be substituted the following paragraph:

- “(a) is the holder of a licence issued under section twenty-five, twenty-six, twenty-seven or forty-five of the Prison Act, 1952 or section fifty-three of the Children and Young Persons Act, 1933; or”

The Criminal Justice Act, 1948

In section twenty-two, in subsection (1), for the words " this section" there shall be substituted the words " section twenty-nine of the Prison Act, 1952 ".

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The Courts-Martial (Appeals) Act, 1951

In section seventeen, for paragraph (d) there shall be substituted the following paragraph:

“(d) section forty-seven of the Prison Act, 1952.”

FOURTH SCHEDULE

Section 54.

ENACTMENTS REPEALED

PART I

Repeals not extending to Scotland

Session and Chapter	Short Title	Extent of Repeal
25 & 26 Vict. c. 44.	The Discharged Prisoners' Aid Act, 1862.	The whole Act.
26 & 27 Vict. c. 79.	The Prison Ministers Act, 1863.	The whole Act.
28 & 29 Vict. c. 126.	The Prison Act, 1865.	The whole Act.
34 & 35 Vict. c. 112.	The Prevention of Crimes Act, 1871.	In section six, paragraphs (b) and (7); in paragraph (10) the words from "in England "to "1865"; and in paragraph (12) the words from "The expenses incurred " to " accordingly ".
39 & 40 Vict. c. 23.	The Prevention of Crimes Amendment Act, 1876.	In section two the words " and photographing ".
40 & 41 Vict. c. 21.	The Prison Act, 1877.	The whole Act.
44 & 45 Vict. c. 64.	The Central Criminal Court (Prisons) Act, 1881.	In section two, subsection (4) from the words " in manner provided " onwards
47 & 48 Vict. c. 51.	The Prison Act, 1884.	The whole Act.
54 & 55 Vict. c. 69.	The Penal Servitude Act, 1891.	Section eight.
61 & 62 Vict. c. 41.	The Prison Act, 1898.	The whole Act.
3 & 4 Geo. 5. c. 4.	The Prisoners (Temporary Discharge for Ill-health) Act, 1913.	The whole Act.
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act, 1914.	Section seventeen.

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Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act, 1948.	<p>In section twenty, subsection (2).</p> <p>In section twenty-one, subsection (3).</p> <p>Section twenty-two, except subsection (1).</p> <p>Section forty-eight, except subsections (2) and (4).</p> <p>Sections fifty and fifty-one.</p> <p>In section fifty-two, in subsection (1) the words from "prisons" to "detention centres", and the words from " and Borstal institutions" to the end of the subsection; and subsections (3) to (5).</p> <p>Sections fifty-three to fifty-nine.</p> <p>The Second, Third, Fourth and Sixth Schedules.</p> <p>The Ninth Schedule so far as it amends the Prison Act, 1877.</p>

PART II

Repeals extending to Scotland

Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act, 1948.	<p>Sections sixty and sixty-one.</p> <p>Section sixty-five.</p> <p>Section eighty-one, so far as it relates to sections sixty, sixty-one and sixty-five and the Seventh Schedule.</p> <p>The Seventh Schedule.</p>
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act, 1949.	<p>The Eleventh Schedule, so far as it amends sections fifty-two, fifty-seven, sixty-one and sixty-five of the Criminal Justice Act, 1948.</p>

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TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Lands Clauses Consolidation Act, 1845	8 & 9 Vict. c. 18.
Prevention of Crimes Act, 1871	34 & 35 Vict. c. 112.
Prison Act, 1877	40 & 41 Vict. c. 21.
Local Government Act, 1888	51 & 52 Vict. c. 41.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Criminal Appeal Act, 1907	7 Edw. 7. c. 23.
Mental Deficiency Act, 1913	3 & 4 Geo. 5. c. 28.
Police Pensions Act, 1921	11 & 12 Geo. 5. c. 31.
Children and Young Persons Act, 1933	23 & 24 Geo. 5. c. 12.
Firearms Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 12.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Criminal Justice Act, 1948	11 & 12 Geo. 6. c. 58.
Consolidation of Enactments (Procedure) Act, 1949	12, 13 & 14 Geo. 6. c. 33.
Courts-Martial (Appeals) Act, 1951	14 & 15 Geo. 6. c. 46.