

1976 No. 503

PRISONS

The Prison (Amendment) Rules 1976

<i>Made</i> - - - -	28th March 1976
<i>Laid before Parliament</i>	5th April 1976
<i>Coming into Operation</i>	26th April 1976

In pursuance of section 47(1) of the Prison Act 1952 (a), I hereby make the following Rules:—

1.—(1) These Rules may be cited as the Prison (Amendment) Rules 1976 and shall come into operation on 26th April 1976.

(2) In these Rules, “the principal Rules” means the Prison Rules 1964 (b) as amended by the Prison (Amendment) Rules 1968 (c), the Prison (Amendment) Rules 1971 (d), the Prison (Amendment) Rules 1972 (e) and the Prison (Amendment) Rules 1974 (f).

2. In Rule 9 of the principal Rules, paragraph (2) shall be omitted.

3. In Rule 21(3) of the principal Rules, the words “under an award of restricted diet or” shall be omitted.

4. At the end of Rule 37A of the principal Rules, there shall be inserted the following paragraph—

“(4) Subject to any directions of the Secretary of State, a prisoner may correspond with a solicitor for the purpose of obtaining legal advice concerning any cause of action in relation to which the prisoner may become a party to civil proceedings or for the purpose of instructing the solicitor to issue such proceedings.”.

5.—(1) After paragraph (3) of Rule 41 of the principal Rules, there shall be inserted the following paragraph—

“(3A) Any article belonging to a prisoner which remains unclaimed for a period of more than 3 years after he leaves prison, or dies, may be sold or otherwise disposed of; and the net proceeds of any sale shall be paid to the National Association for the Care and Resettlement of Offenders, for its general purposes.”.

(2) In Rule 42(2)(c), for the words “into an account to be applied for the benefit of discharged prisoners:” there shall be substituted the words “to the National Association for the Care and Resettlement of Offenders, for its general purposes:”.

(a) 1952 c. 52.

(c) S.I. 1968/440 (1968 I, p. 1149).

(e) S.I. 1972/1860 (1972 III, p. 5423).

(b) S.I. 1964/388 (1964 I, p. 591).

(d) S.I. 1971/2019 (1971 III, p. 5788).

(f) S.I. 1974/713 (1974 I, p. 2749).

6. In Rule 93(2) of the principal Rules, for the words "52 and 56" there shall be substituted the words "and 52".

Roy Jenkins,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.

28th March 1976.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Prison Rules 1964 to remove the requirement that a part of a prison used for women prisoners must be in the charge and control of women officers; to delete a reference to restricted diet, which is spent; to enable a prisoner to correspond with a solicitor about civil proceedings without leave, even though the proceedings have not yet been instituted; to make provision for the disposal of property left behind by prisoners; and to enable a board of visitors to fix a quorum of 3 or more for business relating to the mitigation of disciplinary awards.

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