
STATUTORY INSTRUMENTS

1982 No. 260**PRISONS****The Prison (Amendment) Rules 1982**

<i>Made</i>	- - -	<i>1st March 1982</i>
<i>Laid before Parliament</i>		<i>8th March 1982</i>
<i>Coming into Operation</i>		<i>29th March 1982</i>

In pursuance of sections 25 and 47 of the Prison Act 1952(a), I hereby make the following Rules:—

1. These Rules may be cited as the Prison (Amendment) Rules 1982 and shall come into operation on 29th March 1982.

2. After paragraph (2) of Rule 5 of the Prison Rules 1964(b), there shall be inserted the following paragraph:—

“(2A) In the case of a prisoner in respect of whom a sentence of imprisonment for an offence has been passed with an order under subsection (1) of section 47 of the Criminal Law Act 1977 (partly suspended sentences)—

- (a) if he has not been released from prison since the sentence for the offence was passed, he shall be treated for the purposes of this Rule as if his only sentence for that offence were any portion of it that he is required to serve in prison under subsection (1) or (3) of the said section 47; and
- (b) if he has been released from prison but part of his sentence for the offence has subsequently been restored under subsection (3) of that section, he shall be treated for the purposes of this Rule as if his only sentence for that offence were the part of the sentence so restored.”

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

Home Office.
1st March 1982.

(a) 1952 c.52.

(b) S.I. 1964/388; relevant amending instruments are S.I. 1968/440, 1972/1860 and 1981/70.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend Rule 5 (remission of sentence) of the Prison Rules 1964 to make provision for partly suspended sentences passed under section 47 of the Criminal Law Act 1977 (c.45), which comes into operation on 29th March 1982 (S.I. 1982/243). A prisoner subject to such a sentence may be granted remission on the part to be held in suspense only when he is required to serve it.

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