

PRISONS ACT, 1936.

No. 2305 of 1936.

An Act to consolidate certain Acts relating to prisons.

[Assented to 19th November, 1936.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

PART I.

PART I.

PRELIMINARY.

Short title and
commence-
ment.

1. This Act may be cited as the "Prisons Act, 1936", and shall come into operation on a day to be fixed by proclamation.

Consolidation
and repeal.

2. This Act is a consolidation of the Acts mentioned in the first schedule and the said Acts are hereby repealed to the extent shown in the said schedule.

Arrangement.

3. The provisions of this Act are arranged as follows :—

PART I.—Preliminary.

PART II.—Officers.

PART III.—Prisons and gaols.

PART IV.—Control of prisoners.

PART V.—Miscellaneous.

Application of
Act.
12, 1869-70,
s. 2.

4. This Act shall extend and apply to all prisons in South Australia, except military or naval prisons.

Interpretation.
12, 1869-70,
s. 3.
1090, 1912,
s. 3.
1880, 1928, s. 3
Cf. U.K.
28 & 29 Vict.
c. 126, s. 4.

5. In this Act, except when the context or subject matter requires a different construction—

"comptroller" means the Comptroller of Prisons for the time being in office under this Act :

"criminal prisoner" means any prisoner charged with or convicted of, a crime :

s. 1. This Act was proclaimed to commence on 1st June, 1937: *Gazette* 25th March, 1937, p. 645.

“ gaoler ” means superintendent, keeper, or other chief officer of a prison :

“ medical officer ” means any legally qualified medical officer appointed to any prison :

“ prison ” means gaol, house of correction, labour prison, penal establishment, or police prison, and includes the airing grounds, or other grounds, buildings, quarries for the use of the prison, and contiguous thereto :

Of. U.K.
2 & 3 Vict.
c. 56, s. 23.

“ prisoner ” means any male or female person detained in custody in any prison, irrespective of the cause of detention, or detained in any police station, watch-house, or lock-up, charged with, or convicted of an offence against the laws of the State :

“ sheriff ” means the Sheriff of the State for the time being.

6. (1) Every reference to the sheriff in any order or other document relating to the detention, removal, or discharge of any one or more criminal prisoners shall be deemed a reference to the comptroller, and the order may be executed or the execution thereof completed accordingly.

Saving provision.
1880, 1928,
s. 4 (part).

(2) Notwithstanding anything in this Act, any order or appointment made, or other act done or commenced by the sheriff prior to the first appointment of a comptroller, shall remain of full force and effect, and may be carried out and completed as if it had originally been lawfully made, done, or commenced by the comptroller.

(3) Nothing in this Act shall affect the duty and power of the sheriff to carry into execution every sentence of death. So far as is necessary to carry any such sentence into execution, the sheriff shall have the control and direction of the prison where the sentence is to be carried into effect, and of the officers and other persons employed in the said prison.

PART II.

PART II.

OFFICERS.

7. (1) The Governor may appoint a fit and proper person to be Comptroller of Prisons. Every person so appointed shall be appointed under and be subject to any Act relating to the public service.

Comptroller of Prisons.
1880, 1928,
s. 4 (part).
Of. U.K.
13 & 14 Vict.
c. 39, s. 1.

(2) The office of comptroller may, if the Governor thinks fit, be held in conjunction with any other office in the public service.

(3) All public gaols, prisons, houses of correction, and labour prisons, shall be under the charge, care, and direction of the comptroller, subject, however, to the control of the Governor.

Cf. U.K.
28 & 29 Vict.
c. 126, s. 58.

(4) All prisoners shall be in the custody of the comptroller.

Officers.
12, 1869-70,
s. 14.
884, 1905, s. 2
(part).
1880, 1928, s. 9.
Cf. U.K.
5 & 6 Vict.
c. 29, s. 6.

8. (1) The Governor may from time to time appoint for any prison, and from time to time remove such and so many superior officers as he may deem necessary.

(2) The comptroller, with the approval of the Chief Secretary, may from time to time appoint for any prison, and from time to time, with the like approval, remove such and so many subordinate officers as he may deem necessary for the service and discipline of the prison.

Security from
officers.
12, 1869-70,
s. 15.
Cf. U.K.
5 & 6 Vict.
c. 29, s. 7.

9. The Chief Secretary, if he deems it necessary, may require any person employed in any prison to give security for the due performance of his duties, in such sums and with such collateral securities, and in such form as the Chief Secretary directs.

Ousting
dismissed
officers.
12, 1869-70,
s. 16.
1880, 1928, s. 9.
Cf. U.K.
5 & 6 Vict.
c. 29, s. 8.
Cf. U.K.
28 & 29 Vict.
c. 126, s. 16.

10. (1) If any person appointed to any office or employment in a prison, who is removed from his office or employment, refuses or neglects to quit any prison, or to give up possession of any house, building, or apartment therein, or belonging thereto, within such period as is fixed by the Chief Secretary in any order or notice in writing, not being less than forty-eight hours' notice after the delivery to the person of the order or notice, any justice, on application, by warrant under the hand and seal of the justice, may direct the comptroller to remove the person out of the prison.

(2) The comptroller shall thereupon clear the possession thereof, so far as relates to any part of the prison, or any house, building, or apartment therein, or belonging thereto, occupied by or in possession of the said person, in like manner as upon a writ of *habere facias possessionem*.

Visiting
justices.
12, 1869-70,
s. 13.
Cf. U.K.
5 & 6 Will. 4
c. 38, s. 10.
Cf. U.K.
1 & 2 Vict.
c. 82, ss. 9,
10.
Cf. U.K.
40 & 41 Vict.
c. 21, s. 13.
Cf. U.K.
61 & 62 Vict.
c. 41, s. 3.

11. (1) The Governor may appoint fit and proper persons, being justices of the peace for the State, to be visiting justices of any prison, and may remove and displace any of the said visiting justices and appoint others in their stead.

(2) One at least of the visiting justices so appointed shall visit the prison at least once in every week, unless prevented by illness or other sufficient cause, and shall from time to time make such report to the Chief Secretary as may be required by order of the Governor.

PART III.

PART III.

PRISONS AND GAOLS.

12. All buildings, enclosures, or places used as public gaols, houses of correction, labour prisons, or penal establishments, and which are specified in the second schedule are hereby declared to be respectively until the same are duly closed the public gaols, houses of correction, or penal establishments of the State respectively, and shall be subject to the several provisions hereinafter made for the regulation, management, care, discipline of the same, and of the prisoners therein respectively confined.

Public gaols
and labour
prisons.
12, 1869-70,
s. 5.

13. (1) All buildings, erections, houses, enclosed places, and premises erected, built, enclosed, purchased, enlarged, or maintained at the public expense as and for public gaols, prisons, houses of correction, labour prisons or penal establishments, within the State, which are from time to time proclaimed by the Governor as such public gaols, prisons, houses of correction, labour prisons, or penal establishments shall, from and after the proclamation thereof—

Public gaols.
12, 1869-70,
s. 5.
Of. U.K.
28 & 29 Vict.
c. 126, s. 57.

(a) be severally deemed and taken to be the public gaols, prisons, houses of correction, labour prisons, or penal establishments respectively of the place or district where the same are situated :

(b) be subject to the several provisions made for the regulation, discipline, management, and care of public gaols, prisons, houses of correction, labour prisons, or penal establishments, and of the prisoners confined within the same.

(2) The Governor may, by proclamation close any such gaol, prison, house of correction, labour prison, or penal establishment, and direct the removal of the prisoners confined therein to some other gaol, prison, house of correction, labour prison, or penal establishment to be named in the proclamation.

s. 13. S. 13 of the Convicted Inebriates Act, 1913-1934, provides that every institution proclaimed under s. 3 of that Act, shall be a prison within the meaning of this Act. S. 321 of the Criminal Law Consolidation Act, 1935, provides that every place proclaimed by the Governor for the purpose of the confinement of habitual criminals shall be deemed to be a prison within the meaning of the Acts regulating prisons.

PART III.

Regulations
for labour
prisons.12, 1869-70,
s. 10.Cf. U.K.
5 & 6 Vict.c. 29, s. 9
(part).Cf. U.K.
22 Vict. c. 25,

s. 7.

Cf. U.K.
61 & 62 Vict.

c. 41, s. 8.

14. The Governor may make regulations—

- (a) for the dieting, safe custody, management, discipline, classification, hours of labour, and mode of employment of any offenders confined in any labour prison or penal establishment :
- (b) for the remission of any part of the sentence of any such offender, upon certain conditions :
- (c) for prescribing the class of prisoners who shall be liable to wear irons during imprisonment :
- (d) for limiting the number of lashes any offender shall be liable to receive for offences committed during imprisonment, under any order of personal correction made by any visiting justices :
- (e) for directing the separate or solitary confinement of any such offenders.

Cf. U.K.
61 & 62 Vict.
c. 41, s. 5.Regulations as
to gaols only.12, 1869-70,
s. 11.Cf. U.K.
28 & 29 Vict.

c. 126, s. 21.

15. The Governor may make regulations relating to the government of gaols and to dietary tables.Provisions as
to prisoners
other than
criminal
prisoners.1880, 1928,
s. 5.

16. (1) Every gaol shall, unless excepted by proclamation made by the Governor, be a prison in which prisoners who are not criminal prisoners may be confined during the period of their imprisonment. The judges of the Supreme Court may make such rules and regulations for the control and management of prisoners who are not criminal prisoners in any prison as the said judges think fit.

(2) The comptroller and the gaoler of every gaol shall be bound to receive and keep in any gaol of which he is comptroller or gaoler, in addition to criminal prisoners, all persons who, by the process of any court of civil jurisdiction are directed to be imprisoned in the said gaol, until the said persons are discharged in due course of law.

(3) The comptroller and the gaoler of every gaol shall obey all orders and directions given by the sheriff for the purpose of executing any order or process of any court, which order or process the sheriff is required by law to execute.

Cf. U.K.
6 Anne c. 12,
s. 2.Cf. U.K.
5 & 6 Vict.

c. 98, s. 31.

(4) The sheriff shall not be liable for the escape of any prisoner.

PART III.

17. The Supreme Court and the several judges thereof, shall have full power and authority to order and direct the imprisonment of any convicted prisoner to take effect in any particular prison.

Power of judges to order imprisonment in any gaol.
12, 1869-70, s. 9.

18. The Governor may, by proclamation, appoint any police station, and any premises thereunto appertaining, to be a police prison.

Appointment of police prisons.
884, 1905, s. 2 (part).
Cf. U.K.
11 & 12 Vict. c. 101, s. 1.

19. In all cases in which any properly constituted court by virtue of powers conferred by law, awards imprisonment for any term not exceeding one month, the court may, if it thinks fit, direct that the imprisonment shall, in lieu of being carried out at the nearest gaol or prison, be carried out at the nearest police prison.

Power of court to direct imprisonment to be carried out at nearest police prison.
884, 1905, s. 3.
Cf. U.K.
5 & 6 Will. 4 c. 38, s. 3.

20. All police prisons shall be under the charge, care, and direction of the comptroller, subject to the control of the Governor. All prisoners confined in any police prison shall be deemed to be in the custody of the comptroller.

Control of police prisons.
884, 1905, s. 4.
1880, 1928, s. 9.

21. The Governor may make regulations providing for the government of police prisons, the employment of prisoners, the duties of officers, and generally for the proper management and control of police prisons.

Regulations.
884, 1905, s. 5.
Cf. U.K.
5 & 6 Vict. c. 29, s. 9 (part).
Cf. U.K.
61 & 62 Vict. c. 41, s. 4.

22. If any person is pursuant to the Coroners Act, 1935, or Part V. of the Justices Act, 1921, or otherwise committed to appear for trial or for sentence before any court of oyer and terminer or general gaol delivery to be held within any circuit court district within the meaning of the Supreme Court Act, 1935, he may be committed to any police prison within the said district.

Power to commit persons to police prisons.
2190, 1934, s. 3.

23. (1) When a special magistrate or justice or justices in the exercise of any jurisdiction vested in him or them awards or award imprisonment for a term not exceeding fourteen days, he or they—

Power to order imprisonment in nearest police station, &c.
1090, 1912, s. 9.
2190, 1934, s. 5.
2287, 1936, s. 4.

(a) may direct that the imprisonment shall be in the nearest police station, watch-house, or lock-up instead of in any prison; and

(b) if the imprisonment is awarded with hard labour, may direct by warrant under his or their hand or hands, that the labour shall be performed outside the police station, watch-house, or lock-up.

(2) Any person employed outside a police station, watch-house, or lock-up, pursuant to a warrant issued under this section, who escapes or attempts to escape from custody shall be guilty of a misdemeanour, and liable to be imprisoned for any term not exceeding twelve months. Any such term shall be in addition to any term of imprisonment current at the time of the escape or attempt to escape.

(3) Subject to any direction or order of the court imposing the sentence, every sentence imposed upon any prisoner pursuant to the provisions of this section—

- (a) shall be carried out or served immediately after it is imposed or as soon thereafter as possible ;
- (b) shall be carried out or served before the prisoner serves any pending term of imprisonment which the prisoner was actually serving when the sentence was imposed.

PART IV.

PART IV.

CONTROL OF PRISONERS.

Commence-
ment of
sentences.
12, 1869-70,
s. 32 (part).
1090, 1912,
s. 6 (2).
2190, 1934,
s. 4.
Cf. U.K.
21 & 22 Vict.
c. 73, s. 12.

24. (1) All sentences of offenders, convicted at any criminal sittings of the Supreme Court or a circuit court shall date from the first day of holding the sittings unless the court orders that the sentence of imprisonment shall date from any other day, in which case the sentence shall date from that day.

(2) All other sentences of imprisonment shall date from the date of signing the warrant of commitment under which any offender is detained in custody, unless the offender was at large at the time of signing the warrant, in which case the sentence shall date from the time of the arrest of the offender.

(3) Whenever any court, judge, special magistrate, justice, or other tribunal or person, in the exercise of any power whether statutory or otherwise, awards or orders, in passing any sentence of imprisonment on any person, that the sentence shall commence at the expiration of any imprisonment to which the person has been previously, or is at the same time, adjudged or sentenced, the sentence shall commence as so awarded or ordered.

Power to direct
removal of
prisoners to
labour prisons.
1880, 1928
s. 6.

25. (1) Where any prisoner is under sentence of imprisonment with hard labour for any term not being less than three months, and is not confined in a labour prison, the comptroller

may remove that prisoner from the prison, or place in which he is confined to a labour prison, or cause him to be so removed, and deliver him or cause him to be delivered into the custody of the superintendent of the said labour prison with a true copy duly attested by the comptroller of the sentence of the said prisoner. The superintendent of the said labour prison shall give a receipt in writing for every prisoner received into his custody.

(2) Where any prisoner under sentence of imprisonment with hard labour for any term not being less than three months has before the seventh day of November, nineteen hundred and twenty-eight, been removed from any gaol to a labour prison and delivered into the custody of the superintendent thereof, that removal and delivery shall in all cases be deemed to be and at all times to have been valid and authorised by law.

26. Every offender who is so removed to any labour prison shall be deemed to be in the custody of the comptroller, and be subject to be kept at the labour prison for the residue of his sentence, or until he becomes entitled to his liberty under the regulations in force as to remission of sentences, or until removed by legal authority.

Term of imprisonment in any labour prison.
12, 1869-70, s. 18.
1880, 1928, s. 7.

27. (1) The comptroller, with the approval of the Chief Secretary, may remove any prisoner under sentence of hard labour to any place beyond the precincts of the prison in which he is confined, for the purpose of carrying out the labour portion of any sentence, and may employ the prisoner in any such place. Notwithstanding any such removal or employment, the prisoner shall be deemed to be still within the limits of the prison.

Removal of prisoners.
1090, 1912, s. 5.
1647, 1924, s. 4.
1880, 1928, s. 9.

(2) The comptroller may remove any prisoner to any place beyond the precincts of the prison to which he is confined, for the purpose of visiting any near relative of the prisoner whom the comptroller believes to be dying, or for any other purpose which the comptroller thinks fit. Notwithstanding any such removal the prisoner shall be deemed to be still within the limits of the prison.

28. Every person lawfully placed in charge of any prisoner so removed, who wilfully or negligently permits him to escape, shall be subject to all the like fines and penalties to which any constable or police officer is by law liable for a like offence, and shall, while so in charge as aforesaid, have all the powers and privileges by law appertaining to a constable.

Penalty on officer for neglect or wilful permission to escape.
12, 1869-70, s. 21.
Cf. U.K. Stat. (1897) 8 & 9 Will. 3 c. 27, s. 4.

PART IV.

Escape of
prisoners.
12, 1869-70,
s. 22.
1847, 1924,
s. 5.

29. (1) Every prisoner who escapes, or attempts to escape, from any person in whose charge he may be placed for the purpose aforesaid, shall be guilty of felony, and may, on conviction, be sentenced to be imprisoned and kept to hard labour with or without irons, for any period not exceeding five years. Any such period shall be in addition to any pending term of punishment at the time of the escape or attempt to escape.

(2) Subject to any direction or order of the court imposing the sentence, every sentence imposed upon any prisoner pursuant to the provisions of this section—

(a) shall be carried out or served immediately after it is imposed or as soon thereafter as possible ;

(b) shall be carried out or served before the prisoner serves any pending term of imprisonment which the prisoner was actually serving when the sentence was imposed.

Removal of
prisoners to
allow of the
repairs or
enlargement of
prisons, or in
consequence
of infectious
diseases.
12, 1869-70,
s. 40.
1880, 1928,
s. 9.
Of. U.K.
28 & 29 Vict.
c. 126, s. 64.

30. (1) Whenever it appears to the Governor that it is necessary that the debtors or other prisoners, or any of them confined in any prison, should be removed therefrom, in order that the same may be closed, repaired, improved, enlarged, or rebuilt, or on account of any contagious or infectious disease therein or of the overcrowded state of the prison, or for any of the purposes of this Act, and due and sufficient notice thereof, in writing, is, by order of the Governor, given to the comptroller, the comptroller may remove such debtors or other prisoners, or any of them, to such other prison, or other place of confinement as the Governor appoints, during the time the prison is being repaired, improved, or rebuilt, or during the continuance of the contagious disease on account of which the said prisoners were removed, or during such time as may be requisite for any purpose of this Act.

(2) When the prison is made fit for the reception and safe-keeping of the debtors and other prisoners, the comptroller may remove back thereto all such prisoners as are then in his custody.

(3) If any newly-erected gaol or building previously used for other purposes is, by proclamation, declared to be adapted and directed to be thenceforth appropriated and used as a gaol or labour prison for any particular place or district, the comptroller on the day of the publication of the proclamation, or at any time thereafter, may remove all prisoners in his custody, in such place or district, to such gaol or labour prison according to the sentences of the respective prisoners.

31. (1) The comptroller may remove any prisoner from any prison under his control to any other prison under his control, or, in case of illness, to any hospital, infirmary, or other institution, as occasion may from time to time seem to him to require.

Removal to another prison or to hospital.
1090, 1912, s. 8,
1880, 1928, s. 9.
Of. U.K.
28 & 29 Vict.
c. 126, s. 64.

(2) Any prisoner so removed shall, during any such removal, and also whilst in any hospital, infirmary, or other institution (so long as his sentence is not completed) and during his removal therefrom to any prison, be deemed to be in the legal custody of the gaoler of the prison from which he was last removed. The comptroller may, if he thinks fit, appoint any person to take charge of the prisoner whilst he is in any hospital, infirmary, or other institution.

(3) Any prisoner who escapes or attempts to escape from any hospital, infirmary, or other institution shall be deemed to have escaped, or attempted to escape (according to the nature of the case) from a gaol, and shall be dealt with accordingly.

32. (1) A prisoner may be brought up for trial, and may be removed by or under the direction of the comptroller from one prison to another, or from one place of confinement to another, to which the prisoner may be legally removed for the purpose of being tried or undergoing his sentence.

Removal of prisoners for trial.
12, 1869-70, s. 42,
1880, 1928, s. 9.
Of. U.K.
28 & 29 Vict.
c. 126, s. 63.

(2) No prisoner, whilst in the custody of a gaoler, constable, or other person duly authorised to take charge of the prisoner, shall be deemed to have escaped, although he may be taken to different places of confinement for such purposes as aforesaid.

33. The Governor, by an order under his hand, may direct any person in prison in South Australia, under sentence of any court or of any competent authority, for any offence committed by him, to be removed from the prison in which he is confined to any other prison, and there to be imprisoned during the term of imprisonment.

Power of Governor to order prisoners to be removed
12, 1869-70, s. 43.
Of. U.K.
28 & 29 Vict.
c. 126, s. 65.

34. (1) When a prisoner is charged with an offence, not being the offence or cause for which he is in custody, the comptroller or any judge of the Supreme Court or any justice may, by order in writing, direct the gaoler of the prison where the prisoner is in custody, to bring him before any court or such judge or justice, or such judge or justice as shall be present, to be dealt with according to law.

Power to bring prisoner before courts.
1090, 1912, s. 11,
1880, 1928, s. 9

(2) The gaoler shall obey the order and bring up the prisoner accordingly.

(3) After the prisoner has been so dealt with he shall be restored to his former custody, without any further process or authority, and without prejudice to any cause or matter for which he was originally in custody.

Temporary removal of prisoners in interests of justice.

1090, 1912, s. 12.
1880, 1928, s. 8.
Of. U.K. 16 & 17 Vict. c. 30, s. 9.
Of. U.K. 61 & 62 Vict. c. 41, s. 11.

35. Any prisoner may, by leave of a judge of the Supreme Court granted on application made for that purpose, be taken temporarily from any prison or place of detention to any place in the State for any purpose in aid of the administration of justice or any other purpose which, in the opinion of the judge, requires that such temporary removal should, in the interests of justice, be authorised.

Effect of order.

1090, 1912, s. 13.
1880, 1928, s. 9.

36. The order of the comptroller for the removal of a prisoner, who is removed under the provisions of sections 30, 31, 32, 33, or 34, shall be sufficient authority for all constables and other persons entrusted with the conveyance of the prisoner to keep and convey him accordingly, and to all police prison, police station, watchhouse, and lock-up keepers, gaolers, and others to keep and detain the prisoner for so long as convenience may require, for the purpose and in the course of the removal and for the purposes for which the removal takes place.

Legal custody of prisoner outside prison walls.

1090, 1912, s. 14.
Of. U.K. 40 & 41 Vict. c. 21, s. 28.
Of. U.K. 61 & 62 Vict. c. 41, s. 11 (2).

37. (1) Every prisoner shall be deemed to be in legal custody whenever he is being taken to or from any prison, or whenever he is working outside or is otherwise beyond the walls of any prison in custody or under the control of a prison or police officer.

(2) Any police or other officer, acting under the warrant of any justice having power to commit a person to prison, may convey that person to or from any prison to or from which he is committed or removed under the warrant, and during any such conveyance the person shall be deemed to be a prisoner in legal custody.

Power to detain prisoner temporarily elsewhere than in prison to which committed.

1190, 1915, ss. 3, 4, and 6.

38. (1) Subject as hereinafter in this section provided, whenever a term of imprisonment is awarded or any person is committed to any prison or other place of confinement by any court, or by any other authority or person having power so to award or commit, it shall be lawful, in case the person in respect of whom the imprisonment is awarded or who is so committed, cannot conveniently be taken immediately to the prison or other place of confinement to which he is committed, or to which he should in accordance with the law be taken, for the police or other officer or person having the custody of the said person, to lodge such person in any other prison, or in

any police prison, police station, watchhouse, or lock-up, until he can conveniently be conveyed to the prison or other place of confinement to which he is committed or should be taken.

(2) The power hereby conferred may be exercised from time to time during the course of the conveyance of any person to the prison or other place of confinement.

(3) This section shall not apply in the case of any person unless the authority or person by whom or by which the imprisonment is awarded or the person is committed, or some court, directs that it shall so apply: Provided that—

(a) when the power so to direct is exercised by a court, the court need not be the court by which the imprisonment was awarded or the person was committed, unless the last-mentioned court so directs:

(b) the direction shall operate retrospectively, so as to cover and justify past acts and omissions, if the court or other authority or person making the direction further directs to that effect.

(4) The application of this section in any case shall be limited to such (if any) period of time as is specified by the court or authority or person giving the direction that it shall apply: Provided that any such period may be extended by direction of any court or authority or person by which or by whom the original direction was, or might have been, made.

(5) This section shall be sufficient authority for all gaolers and all police prison, police station, watchhouse, and lock-up keepers to receive and to keep and detain all persons lodged with them respectively under the power conferred by this section, and whilst so detained such persons shall be deemed to be prisoners in legal custody.

(6) In this section the term "court" includes any court and any judge thereof or any other person having, for the time being, the jurisdiction of a judge thereof, and also includes any special magistrate or any justice or justices.

(7) Nothing in this section shall be deemed to take away, or in any way to curtail or modify, any power existing at the first day of October, nineteen hundred and fifteen, whether by virtue of any Act or at common law.

39. When persons convicted of offences are sentenced to imprisonment, without being sentenced to hard labour, the comptroller may order all such persons, except such prisoners as maintain themselves, to be set to some moderate work or labour: Provided that no such prisoner, who has the means

Power to set
persons im-
prisoned to
work.

12, 1869-70,
s. 23.
1880, 1928
s. 9.
Cf. U.K.
5 & 6 Vict.
c. 29, s. 18.

of maintaining himself, shall have any claim to be maintained at the public expense.

Separate confinement of prisoners.
12, 1869-70, s. 24.
1880, 1928, s. 9.

40. (1) In order to prevent the contamination arising from the association of prisoners, any prisoner may, by order of the comptroller, with the concurrence of a visiting justice, be separately confined during the whole or any part of his imprisonment.

(2) Any such separate imprisonment shall not be deemed solitary confinement within the meaning of any Act forbidding the continuance of solitary confinement for more than a limited time.

Cf. U.K.
28 & 29 Vict.
c. 126, s. 18.

(3) No cell shall be used for separate confinement of any prisoner which is not of such a size, and so ventilated and lighted, that a prisoner may be confined therein without injury to health.

(4) Every prisoner so confined shall have the means of taking air and exercise at such times as are deemed necessary by the medical officer.

Discharge of prisoners.
12, 1869-70, s. 32 (part).
1090, 1912, s. 6 (1).
1647, 1924, s. 7.
1880, 1928, s. 9.
Cf. U.K.
61 & 62 Vict.
c. 41, s. 12.

41. (1) Any prisoner confined in a prison whose term of imprisonment would lawfully expire on a Sunday, Christmas Day, or Good Friday, shall be entitled to his discharge at noon on the day next preceding such Sunday, Christmas Day, or Good Friday, but if the prisoner is confined for a term of imprisonment exceeding three months and the term of his imprisonment would lawfully expire at any time between Christmas Day or the day after New Year's Day, the prisoner shall be entitled to his discharge on the day preceding Christmas Day.

(2) The comptroller may, for such reason as he deems sufficient, permit the discharge of any prisoner at any time during the three days, or in the case of a prisoner confined for a term of imprisonment exceeding twelve months, the two months next preceding the day on which his term of imprisonment would lawfully expire.

Release of prisoners on probation.
1647, 1924, s. 10.
1677, 1925, s. 2.
1880, 1928, s. 9.

42. (1) Any prisoner confined in any prison may, after he has completed not less than one half of his sentence, including any remission of his sentence granted pursuant to this Act or any regulation made thereunder, apply to the comptroller for a recommendation to be released pursuant to the provisions of this section.

(2) The comptroller shall give a recommendation as aforesaid in any case where the comptroller is of opinion that the prisoner should be released as aforesaid, and where the superintendent of the prison in which the prisoner is confined concurs in the recommendation.

(3) The comptroller shall forward the recommendation to the Governor, together with such other information as is supplied by the prisoner or which the comptroller considers should be placed before the Governor, including information as to whether the prisoner, if released, will be able to find employment. For this latter purpose the comptroller shall permit the prisoner to have reasonable communication with any reputable person who is likely to find employment for him.

(4) The Governor may order that any prisoner as aforesaid may be released on probation.

(5) If any prisoner released on probation as aforesaid commits any offence during the unexpired period of his sentence and is convicted thereof, whether before or after the period of his original sentence expires, the court by whom he is convicted may order that he be returned to the said prison to complete the period of his original sentence in addition to any sentence imposed upon him by the court. The court may order that the time during which the prisoner was released on probation, or any portion thereof, shall be reckoned as part of the original sentence.

*cf. U.K.
27 & 28 Vict.
c. 47, s. 9.*

(6) The Governor may make regulations with respect to—

(a) the terms and conditions upon which prisoners may be released under this section and upon which the privileges authorised by this section may be revoked by the Governor in any case ; and

(b) the appointment and duties of probation officers for the purposes of this section.

PART V.

PART V.

MISCELLANEOUS.

43. Excepting under special circumstances, and as permitted by the prison rules, the superintendent of any labour prison shall not allow any person, except the judges of the Supreme Court and visiting justices to enter the prison or converse with a prisoner, without a written order from the Chief Secretary or the comptroller.

*Visitors.
12, 1869-70,
s. 31.*

PART V.

Powers of
justices to
visit gaols.
12, 1869-70,
s. 38.
1880, 1928,
s. 9.
Of. U.K.
40 & 41 Vict.
c. 21, s. 15.

44. (1) Any prison (other than a labour prison) may be visited by any justice between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, for the purpose of examining into the treatment, behaviour, and condition of the several persons confined therein.

(2) If it appears to any justice so visiting as aforesaid that any alterations in the regulations or in the treatment, condition, or behaviour of the persons confined therein would be desirable, the justice shall cause a minute of the alteration to be entered in the book to be for that purpose kept at the prison, and shall sign the minute, and report the special circumstance for the consideration of the Governor, through the comptroller, who shall cause a true copy of the minute to be laid before the Chief Secretary, together with the report of the justice.

(3) No justice shall have power to interfere with any regulation or order touching the treatment, behaviour, or condition of any person confined in any such prison, but may see any such person and hear or receive any representations as to the treatment of the person in the prison, with a view to making any report thereon, as hereinbefore mentioned.

Inquests on
prisoners.
12, 1869-70,
s. 33.
Of. U.K.
16 & 17
Geo. 5 c. 59,
s. 13 (2).

45. (1) An inquest shall be held on the body of every prisoner who dies within any prison.

(2) Where it is practicable one clear day shall intervene between the day of the death and the day of the holding of the inquest.

Offences by
prisoners.
12, 1869-70,
s. 34.

46. No prisoner of any class shall—

- (a) disobey the orders of the gaoler, superintendent, or any other officer ; or
- (b) treat any of the officers of the prison, or any person who may visit the prison, or may be employed therein, with disrespect ; or
- (c) be idle or negligent in his work, or wilfully damage the same ; or
- (d) absent himself without leave from Divine service, or behave irreverently thereat ; or
- (e) be guilty of swearing or any indecent or immoral expression or conduct, or of any assault, quarrel, or provoking or abusive language ; or

- (f) converse or hold intercourse with any other prisoner, except as authorised by the prison rules ; or
- (g) cause annoyance or disturbance by singing, whistling, or making unnecessary noise ; or
- (h) pass, or attempt to pass, without permission, out of his cell, or beyond the bounds of the ward or other place to which he may belong, or when at work go without leave beyond the limits assigned for such work ; or
- (i) be idle at his work ; or
- (j) disfigure the walls or other part of the prison by writing on them or otherwise, or deface, destroy, or pull down any paper or notice hung up by authority in or about any part of the prison ; or
- (k) wilfully injure any bedding or other article ; or
- (l) commit any nuisance ; or
- (m) have in his cell or possession any article not furnished by the establishment, or allowed to be in the possession of a prisoner ; or
- (n) smoke at unauthorised times ; or
- (o) give or lend to, or borrow from any other prisoner any food, book, or other article without leave ; or
- (p) refuse or neglect to conform to the rules, regulations, or orders of the prison, or otherwise offend.

47. The comptroller or a visiting justice may examine any prisoners touching any such offences, and may order any prisoner so offending to be punished by being closely or otherwise confined in a dark or light cell, or by being fed on bread and water only, or by both such punishments for any term not exceeding seven days, and by forfeiture in addition of any number of marks earned by the prisoner, not exceeding the number necessary to earn one month's remission of sentence, should the comptroller or visiting justice see fit so to order.

Punishment.
12, 1869-70,
s. 35.
1880, 1928,
s. 9.
Cf. U.K.
27 & 28 Vict.
c. 47, s. 3.

48. (1) If any prisoner is guilty of an offence for which the punishment hereinbefore authorised to be inflicted is deemed by the comptroller to be insufficient, on account of the enormity of the offence, or the repetition thereof, the comptroller shall, without loss of time, report the same to a visiting justice.

Repeated and
other offences.
12, 1869-70,
s. 36
1090, 1912,
s. 7.
1880, 1928,
s. 9.

(2) The visiting justice with the assistance of any other justice, may inquire, upon oath, in a summary way, into any such repeated offence or any charge, including an attempt

to abscond, grossly offensive or abusive language, refusal to work, insubordination, assault upon, or attempt to do any bodily injury to, any officer or prisoner, or any riot or tumult, or any wilful and malicious destruction or injury of any part of the prison or any furniture thereof, or the preferring of any false or frivolous complaint, charge, or accusation against any officer of the prison or any prisoner confined therein, brought against any prisoner.

(3) The justices may, in their discretion—

(a) sentence the prisoner, upon conviction, to be kept at hard labour, with or without irons, for any term not exceeding one year ; and

(b) sentence the prisoner to be kept in solitary confinement for any portion of the said time, not exceeding three months, in periods, none of which shall exceed one month, and which shall be at intervals of at least one month ; and

(c) direct that during any such confinement the prisoner shall be deprived of any particular portion of the ordinary diet of the prisoners, and may also forfeit the whole or any number of marks earned by the prisoner ; and

(d) also direct that the prisoner be punished by corporal punishment.

Cf. U.K.
1 & 2 Vict.
c. 82, s. 8.

Punishments
under sections
47 and 48 to be
cumulative
unless other-
wise directed.
1090, 1912,
s. 10.
1880, 1928,
s. 9.

49. (1) Any term of punishment imposed upon any prisoner under section 47 or section 48, shall, unless otherwise directed by the comptroller or visiting justice or the visiting justice and other justice imposing the same, be cumulative upon all sentences (including any other sentence imposed under either of the said sections) which the prisoner is then serving.

(2) If when any such term is imposed the prisoner is serving any such term previously imposed, the first-mentioned term shall take effect immediately upon the completion of the said term previously imposed, but otherwise shall take effect immediately upon being imposed.

(3) Subject to subsection (2) every such term shall have the effect of suspending the service of all previous sentences of the prisoner incompleted at the time it takes effect ; and every such suspended sentence shall, at the expiration of the suspending term, become again in force, so that no such suspending term shall be computed as a portion of the time served under the suspended sentence.

50. There shall be no appeal from any order imposing any term of punishment upon any prisoner under section 47 or section 48 of this Act, and sections 162 and 163 of the Justices Act, 1921, shall not apply to any such order.

Appeals.
1647, 1924,
s. 8.

51. Except where forming part of the sentence of any prisoner, no corporal punishment shall in any case be inflicted until after inquiry upon oath into the circumstances of the case, in the presence of the prisoner, and before two or more justices, of whom the visiting justice may or may not be one.

Corporal
punishment.
12, 1869-70,
s. 37.
Of. U.K.
1 & 2 Vict.
c. 82, s. 8.

52. (1) If any prisoner under sentence of hard labour, in order to evade labour, wilfully disables himself, or designedly prevents or protracts the cure of any disease or complaint which he may have contracted, he shall, on being convicted of such offence before any justice, be liable to serve for such further time as he has been so disabled or delayed from labour as aforesaid.

Prisoners
wilfully
disabling
themselves.
12, 1869-70,
s. 30.

(2) In every such case a certificate under the hand of the medical officer who had the care of and attended upon the prisoner, that he had so wilfully disabled himself, or had designedly prevented or protracted the cure of such disease or complaint as aforesaid, shall be deemed sufficient proof of the offence.

53. If the keeper or any other officer of or belonging to any building used as a prison or watchhouse sells, lends, or gives away, or knowingly suffers any wine or spirituous liquors to be sold, lent, or given away, or to be brought into any such building (unless the same has been prescribed in writing by the medical officer attending the prison or watchhouse or is allowed by the regulations), he shall be guilty of an offence against this Act punishable summarily, and liable to a penalty of not less than five pounds nor more than one hundred pounds.

Keepers, &c.,
selling spirits.
12, 1869-70,
s. 44.

54. (1) If any person takes or endeavours to take or pass any such liquors into any such building as mentioned in the last preceding section (unless the same has been prescribed as aforesaid), the keeper, or any of his officers, or any constable, either alone, or with the assistance of any other person, is and are hereby authorised and empowered immediately to apprehend and carry every such offender before any special magistrate or two justices.

Persons taking
or attempting
to introduce
liquor without
authority into
prisons, &c.
12, 1869-70,
s. 45.
Of. U.K.
11 Geo. 4 & 1
Will. 4 c. 39,
s. 6.
Of. U.K.
2 & 3 Vict.
c. 56, s. 22;
5 & 6 Vict.
c. 29, s. 26.
Of. U.K.
22 Vict. c. 25,
s. 10.

(2) The special magistrate or justices shall and may without any written complaint exhibited for that purpose, hear and determine the offence in a summary way, and if by the oath

of one credible witness, or otherwise, any such person is convicted of the offence, he shall be liable for every such offence to a penalty of not less than ten pounds nor more than fifty pounds.

(3) Nothing hereinbefore contained shall extend to or affect any keeper or deputy keeper in respect to liquors brought into any such building, and kept there for the use and consumption of, and which shall in fact be used and consumed by, the keeper or deputy keeper at his own residence within the said building, nor shall it be taken to extend to the introduction of the ration of spirits issued for the use of the guard stationed within the gaol, house of correction, penitentiary, or watch-house as aforesaid.

Power to
search prison
for liquors.
12, 1869-70,
s. 46.

55. (1) On complaint upon oath by any credible person, that he knows, or suspects and believes that liquors are illegally kept or disposed of in any such building, and upon setting forth reasonable grounds for that belief and suspicion, any justice may personally search for, and seize and detain, or by warrant authorise the Commissioner of Police or any other officer of police to search for, and seize and detain, all such liquors as are found therein, and to bring the same before any special magistrate or two justices.

(2) If it appears to the special magistrate or justices after due examination that the liquors were illegally taken or kept there for the purpose of being sold or disposed of, the special magistrate or justices shall adjudge the said liquors to be condemned, and the same shall be forthwith sold, and one-half of the net proceeds thereof paid to the use of His Majesty, and the other half to the party informing, otherwise the liquors shall be restored to the owners thereof.

Notice of
preceding
section.
12, 1869-70,
s. 47.
Cf. U.K.
28 & 29 Vict.
c. 126, s. 40.

56. (1) The keeper of every such building shall cause the last three preceding sections to be printed or fairly written and affixed to one of the most public parts of the inside of the said building, and keep the same fair and legible.

(2) Any keeper who fails to comply with any requirement of this section shall be guilty of an offence against this Act punishable summarily, and liable to a penalty not exceeding two pounds.

Assaulting
officers.
12, 1869-70,
s. 19.
1647, 1924,
s. 3.
Cf. U.K.
5 & 6 Vict.
c. 29, s. 21.
Cf. U.K.
22 Vict. c. 25,
s. 12.

57. (1) If any prisoner in any labour prison or gaol assaults any officer or servant employed therein, the prisoner shall be guilty of a misdemeanour, and shall be liable to be imprisoned for any term not exceeding two years, in addition to the term for which, at the time for committing the offence he was subject to imprisonment, and shall also be liable to corporal punishment if the court so orders.

(2) Subject to any direction or order of the court imposing the sentence, every sentence imposed upon any prisoner pursuant to the provisions of this section—

- (a) shall be carried out or served immediately after it is imposed or as soon thereafter as possible :
- (b) shall be carried out or served before the prisoner serves any pending term of imprisonment which the prisoner was actually serving when the sentence was imposed.

58. (1) Any person legally imprisoned for any crime, misdemeanour, or offence, by the sentence of any court of competent jurisdiction, who escapes or attempts to escape from any gaol or labour prison, or from the lands adjacent to and belonging to the gaol or labour prison, or from the custody of any gaoler or other officer in whose custody he may be, shall be guilty of felony, and being lawfully convicted thereof shall be liable to be imprisoned and kept to hard labour, with or without irons, with or without solitary or separate confinement, not exceeding one month at any one time, and not exceeding three months in any one year, for any period not exceeding five years, in addition to the term for which, at the time of committing the offence, he was subject to being confined.

Offenders attempting to escape.
12, 1869-70, s. 25.
1647, 1924, s. 6.
Cf. U.K. Stat. (1697) 8 & 9 Will. 3 c. 27.
Cf. U.K. 1 & 2 Vict. c. 82, s. 12.
Cf. U.K. 5 & 6 Vict. c. 29, s. 24.
Cf. U.K. 22 Vict. c. 25, s. 13.

(2) Subject to any direction or order of the court imposing the sentence, every sentence imposed upon any prisoner pursuant to the provisions of this section—

- (a) shall be carried out or served immediately after it is imposed or as soon thereafter as possible :
- (b) shall be carried out or served before the prisoner serves any pending term of imprisonment which the prisoner was actually serving when the sentence was imposed.

59. Any person legally imprisoned in a police prison for any crime who escapes, or attempts to escape from the prison or the premises thereunto appertaining, or from the custody of any officer or officers of the prison, and being lawfully convicted thereof, shall be liable to imprisonment with hard labour for any period not exceeding two years.

Punishment for escape from a police prison.
884, 1905, s. 6.

60. (1) Any person who conveys, or causes to be conveyed, or who delivers, or causes to be delivered to any person for the purpose of being conveyed into any prison in which any prisoner is confined, or who secretes, or leaves upon or about any quarry, public work, gaol, or other place where any such prisoners are usually employed or confined, for the purpose of being found or received by any such prisoner, any article of disguise, instruments, arms, weapon, or any poisonous

Punishment on persons aiding in escape.
12, 1869-70, s. 26.
Cf. U.K. 16 Geo. 2 c. 31, ss. 1, 2.
Cf. U.K. 1 & 2 Vict. c. 82, s. 13.
Cf. U.K. 5 & 6 Vict. c. 29, s. 25.
Cf. U.K. 28 & 29 Vict. c. 126, s. 37.

or deleterious drug, or any other article or thing likely to be used for the purpose of escape, shall be deemed and taken to have delivered the same to aid and assist the escape of a prisoner, even though no escape may have been attempted.

(2) Any such person, or any person who in any other manner aids or abets or assists any prisoner to escape from any such prison, or other place, may be apprehended by any person without warrant, and be by him detained and kept in safe custody until the offender can be brought before two justices, who may hear and determine the alleged offence.

(3) Any such offender shall, upon conviction, be liable to a penalty of not less than fifty pounds nor more than one hundred pounds, and in default of payment or in the discretion of the justices, may be imprisoned and kept to hard labour for any period not exceeding two years.

Punishment on
escape.
2287, 1936, s. 3.

61. (1) If any person lawfully imprisoned under any sentence escapes (whether before or after the commencement of this Act) from any prison, police station, watchhouse, or lockup, or from the custody of any member of the police force, gaoler, or person in whose custody he is, the period intervening between the day upon which the said person so escapes and the day when he surrenders himself or is apprehended shall not be reckoned as part of the term to be served by him under the said sentence, and the execution of the sentence shall during the said period be suspended.

(2) If any sentence of imprisonment is imposed (whether before or after the passing of this Act) upon any person for escaping as aforesaid, the sentence shall, subject to any direction or order of the court imposing the sentence, have the effect of suspending any other sentence which the said person is liable to serve; and, subject as aforesaid, any such suspended sentence shall, at the expiration of the term during which it is suspended, become again in force, so that no such suspended term shall be computed as a portion of the time served under the suspended sentence.

Harbouring
prisoners
illegally at
large.
12, 1869-70,
s. 27.

62. Any person who knowingly harbours in or about his house, lands, or otherwise, or who knowingly employs any person under sentence of imprisonment and illegally at large, shall be guilty of an offence against this Act punishable summarily, and liable to a penalty of not less than one pound or more than fifty pounds.

63. (1) Any person who—

- (a) holds or attempts to hold any communication with any prisoner undergoing sentence ; or
- (b) delivers, or in any manner whatsoever, endeavours or attempts to deliver, or causes to be delivered to any such prisoner or introduces, or attempts to introduce into any prison, any money, article of clothing, letter, spirituous or fermented liquor, tobacco, or any other article or thing whatsoever, not allowed by the regulations ; or
- (c) lurks or loiters about any prison, or the lands adjacent and belonging thereto, for any of the purposes aforesaid ; or
- (d) delivers, or causes to be delivered to any other person, any such money, letter, spirituous or fermented liquor, tobacco, article, or thing, for the purpose of being conveyed or introduced as aforesaid ; or
- (e) secretes, or leaves upon or about any place where any such prisoner is usually employed, any such money, letter, spirituous or fermented liquor, article, tobacco, or thing, for the purpose of being found or received by such prisoner,

Penalty for holding communication.
12, 1860-70, s. 28.
Of. U.K. 2 & 3 Vict. c. 56, s. 22.
Of. U.K. 5 & 6 Vict. c. 29, s. 26.
Of. U.K. 13 & 14 Vict. c. 39, s. 4.
Of. U.K. 22 Vict. c. 25, s. 11.
Of. U.K. 28 & 29 Vict. c. 126, ss. 38, 39.

may be apprehended by any constable, or by any person in whose custody any such prisoner then is, without warrant, and may be, by the constable or other person, detained and kept in custody until he can be brought before a justice.

(2) The justice may hear and determine the offence, and upon conviction any such offender shall be liable to a penalty not exceeding thirty pounds, and in default of payment, or in the discretion of the justice, may be imprisoned and kept to hard labour for any period not exceeding six months.

64. Any person loitering about any prison or lands belonging thereto, who refuses or neglects to depart therefrom upon being duly warned so to do by any constable or authorised person, shall be deemed and taken to be lurking or loitering about such place for the purposes aforesaid.

Unlawful purposes.
12, 1860, 70, s. 29.

65. (1) The comptroller shall, on the discharge of any prisoner who has served any term of imprisonment for non-compliance with a maintenance order made by any court, deduct one-half of the total sums payable to the prisoner on his discharge in respect of credit mark earnings and bonuses earned by him during the term of imprisonment, and shall

Deduction of amounts earned by prisoners confined in maintenance cases.
1647, 1924, s. 9.
1880, 1923, s. 9.

pay such deducted half to the secretary of the Children's Welfare and Public Relief Board, who shall pay the same to the person or persons to whom the prisoner by the maintenance order was ordered to make payments for maintenance.

(2) For the purpose of this section "maintenance order" means an order for the periodical payment of sums of money for or towards the maintenance of the wife, child, or other dependents of the person against whom the order is made.

Power of Governor to remit penalties for offence.
12, 1869-70,
s. 39.

66. The Governor may—

- (a) remit the whole or in part any sum of money which under any Act may be imposed as a penalty or forfeiture on any person although the money may be in whole or in part payable to some party other than His Majesty :
- (b) extend the Royal mercy to any person who may be imprisoned for non-payment of any sum of money so imposed, although the same may be in whole or part payable to some party other than His Majesty.

Form of conviction.
12, 1869-70,
s. 49.

67. The justice or justices before whom any person is convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, which the case shall require, that is to say :

Be it remembered that on the day of
in the year of our Lord, 19 , A.B. is convicted
before me, C.D., Justice of the Peace for the State of
South Australia, for that the said A.B. did (specify the
offence and the time and place when and where the
same was committed, as the case shall be), and the said
A.B. is for his said offence adjudged by me, the said
justice, to forfeit and pay the sum of pounds
or to be imprisoned in for the space of
(with or without hard labour, as the case
may be).

Given under my hand and seal the day and year first above written.

Recovery and application of penalties, &c.
12, 1869-70,
s. 48.

68. (1) All fines, forfeitures, and penalties imposed by this Act, or which are imposed by virtue of any rule or regulation to be made in pursuance thereof, shall, on conviction of the offender, be levied by distress and sale of the offender's goods, and chattels by warrant, under the hand and seal of the justice or justices before whom the conviction is had.

(2) For want of sufficient distress the offender shall be committed to gaol, with or without hard labour, for such term not exceeding three months, as the justice or justices think proper.

(3) All such fines, forfeitures, and penalties, the application whereof is not hereinbefore particularly directed, shall be paid to the Treasurer for the public uses of the State and support of the Government thereof.

SCHEDULES.

THE FIRST SCHEDULE.

ACTS CONSOLIDATED AND REPEALED.

Number and Year.	Short Title.	Extent of Repeal.
No. 12 of 1869-70	Prison Act, 1869	The whole
No. 884 of 1905	The Police Prisons Act, 1905	The whole
No. 1090 of 1912	The Prison Act Amendment Act, 1912	The whole
No. 1190 of 1915	Prison Act Further Amendment Act, 1915	The whole
No. 1647 of 1924	Prison Act Further Amendment Act, 1924	The whole
No. 1677 of 1925	Prison Act Further Amendment Act, 1925	The whole
No. 1880 of 1928	Prison Acts Amendment Act, 1928 .	The whole
No. 2190 of 1934	Prison Acts Amendment Act, 1934 .	The whole
No. 2287 of 1936	Prison Acts Amendment Act, 1936 .	The whole

THE SECOND SCHEDULE.

PART I.

Prisons.	Legal Character of.
Yatala Labour Prison	Penal establishment for male prisoners only, sentenced to imprisonment with hard labour for periods not less than three months.
Kyeema	Afforestation camp for male prisoners only, sentenced to imprisonment with hard labour for periods not less than three months.
Adelaide	Gaol and house of correction ; also prison for debtors.
Gladstone	Gaol and house of correction ; also prison for debtors.
Mount Gambier	Gaol and house of correction ; also prison for debtors.
Port Augusta	Gaol and house of correction ; also prison for debtors.
Port Lincoln	Gaol and house of correction ; also prison for debtors.

12, 1869-70,
second
schedule.
1090, 1912,
s. 4 (2).

PART II.

Police Prisons.

Police Prisons.	Legal Character of.
Ceduna.....	Police prison ; also prison for debtors for periods not over one month.
Fowler's Bay.	Police prison ; also prison for debtors for periods not over one month.
Kingscote ...	Police prison ; also prison for debtors for periods not over one month.
Lameroo	Police prison ; also prison for debtors for periods not over one month.
Renmark ...	Police prison ; also prison for debtors for periods not over one month.
Streaky Bay .	Police prison ; also prison for debtors for periods not over one month.
Tarcoola	Police prison ; also prison for debtors for periods not over one month.
Wallaroo	Police prison ; also prison for debtors for periods not over one month.

Regulations.

The following regulations were in force under this Act on 24th May, 1937 :—

GENERAL PRISON REGULATIONS—

Gazette—15th October, 1936, p. 809.

POLICE PRISONS—

Gazette—30th August, 1906, p. 453.

13th August, 1908, p. 309.