

1996—No. 79

PRISONS ACT 1952—REGULATION

(Relating to prison offences)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Prisons Act 1952, has been pleased to make the Regulation set forth hereunder.

R. J. Debus
Minister for Corrective Services.

The Prisons (General) Regulation 1995 is amended:

- (a) by inserting at the end of clause 145 the following subclause:
 - (2) A contravention by a prisoner (whether by act or omission) of a condition applying to:
 - (a) an order under section 29 (1) of the Act; or
 - (b) a permit under section 29 (2) of the Act,is declared under section 23 (1) of the Act to be a prison offence.
 - (b) by inserting at the end of clause 146 the following subclause:
 - (2) For the purposes of section 25 of the Act, a prison offence which results from a contravention by a prisoner of a condition applying to:
 - (a) an order under section 29 (1) of the Act; or
 - (b) a permit under section 29 (2) of the Act,is declared to be a minor prison offence (except in the case of a condition relating to drugs).
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EXPLANATORY NOTE

The object of this Regulation is to declare that any contravention by a prisoner of the conditions applying to an order or permit under section 29 of the Prisons Act 1952 under which the prisoner is authorised to be absent from prison is a prison offence under section 23 of that Act and (except in the case of a condition relating to drugs) a minor prison offence for the purposes of section 25 of that Act.

This Regulation is made under the Prisons Act 1952, including section 50 (the general regulation-making power) and sections 23 and 25.
