

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**PRISONS ACT**

**(CHAPTER 247)**

**1970 Ed. Cap. 79**  
**Ordinance**  
**17 of 1933**

Amended by

23 of 1935

21 of 1940

65 of 1940

10 of 1950

37 of 1952

38 of 1956

31 of 1958

71 of 1959

72 of 1959

14 of 1969

5 of 1985

S 223/59

S (NS) 177/59

S (NS) 179/59

**REVISED EDITION 1985**

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

# Prisons Act

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An Act relating to prisons.

[18th August 1933]

## PART I

### PRELIMINARY

1. This Act may be cited as the Prisons Act. Short title.
2. In this Act, unless the context otherwise requires — Interpreta-  
tion.
  - “Director” means the Director of Prisons appointed under section 8;
  - “juvenile” means any person under the age of 16 years, whether convicted or not, under detention in any prison;
  - “prison” means any house, building, enclosure or place, or any part thereof, declared to be a prison or reformatory training centre under section 3, and shall include the grounds and buildings within the prison enclosure and also the airing grounds or other grounds or buildings belonging or attached thereto and used by prisoners;
  - “prison officer” means any Chief Rehabilitation Officer, Principal Rehabilitation Officer, warder or other subordinate officer;
  - “prisoner” means any person, whether convicted or not, under detention in any prison or reformatory training centre;
  - “Superintendent” means a Superintendent of Prisons appointed under section 8;
  - “Visiting Justice” means a member of the Board of Visiting Justices appointed under section 62.

## PART II

### CONSTITUTION AND ADMINISTRATION

3. The Minister may, by notification in the *Gazette*, — Power to  
declare  
prisons.
  - (a) declare any house, building, enclosure or place, or any part thereof, to be a prison for the purposes of this Act for the imprisonment or detention of persons lawfully in custody;

- (b) define which prisons shall be used for the custody of particular classes of prisoners;
- (c) declare that any prison shall cease to be a prison; and on the publication in the *Gazette* of such declaration, or from and after any later date specified therein, that prison shall cease to be a prison; and
- (d) declare any prison, house, building, enclosure or place, or any part thereof, to be a reformatory training centre for the detention of persons sentenced to reformatory training.

Appointment of lock-ups at police stations and court houses as places of detention.

4.—(1) It shall be lawful for the Minister by notification in the *Gazette* to appoint the lock-ups at such police stations and court houses as may be specified in the notification to be places for the confinement of persons awaiting trial, remanded, or sentenced to such terms of imprisonment, not exceeding one month, as may be specified in each case.

Cap. 268.

(2) A lock-up appointed as a place of confinement under subsection (1) shall not be deemed to be a prison for the purposes of this Act or of the Registration of Criminals Act and regulations made under section 65 shall not apply thereto, but every such lock-up shall be deemed to be a prison for the purposes of Chapter XXV of the Criminal Procedure Code.

Cap. 68.

(3) The Minister may make regulations with regard to lock-ups appointed under subsection (1) to provide for all or any of the following matters:

- (a) the inspection and management of such lock-ups and the officers to be in charge thereof;
- (b) the employment of persons confined therein;
- (c) the diets to be supplied to such persons;
- (d) the maintenance of discipline.

(4) All regulations made under subsection (3) shall be published in the *Gazette*.

Temporary prisons.

5. Whenever it appears to the Director —

- (a) that the number of prisoners in any prison is greater than can be conveniently kept therein, and that it is not convenient to transfer the excess number to some other prison; or

(b) that, by reason of the outbreak within any prison of disease or for any other reason, it is desirable to provide for the temporary shelter and safe custody of any prisoners,

such provision shall be made as the Director, with the approval of the Minister, may direct for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison, and every such temporary prison shall be a prison for the purposes of this Act.

6. Subject to the orders of the Minister, the general charge and administration of prisons and the control and direction of prison officers throughout Singapore shall be vested in the Director, who may from time to time make such transfers, and direct the employment and distribution, of prison officers as he may think fit.

General  
administra-  
tion of  
prisons.

7.—(1) Subject to the orders of the Director, the administration of the prisons shall be vested in a Superintendent:

Administra-  
tion of  
prisons.

Provided that where there are more Superintendents than one appointed, the administration of all or any of the prisons shall be vested in such Superintendent or Superintendents as the Minister may determine.

(2) The powers and duties of a Superintendent under this Act or any regulations made thereunder may be exercised and performed in case of absence or incapacity of the Superintendent by any officer appointed by the Minister to exercise and perform the same:

Provided that pending such appointment the powers and duties of a Superintendent shall be exercised and performed by the senior prison officer.

### PART III

#### OFFICERS

8.—(1) The President may appoint a Director of Prisons for Singapore, and, either by name or as holding any office for the time being, one or more Superintendents of Prisons, and such and so many prison officers, male or female, as may be necessary.

Appointment  
of officers.

(2) The appointment of the Director and of any Superintendent shall be notified in the *Gazette*.

Prison Standing Orders.

9. The Director may issue orders, to be called Prison Standing Orders, not inconsistent with the provisions of this Act or of any regulations made thereunder.

Inspection by Director.

10. The Director shall periodically visit and inspect, or cause to be visited and inspected, all prisons in Singapore.

Director may exercise powers of Superintendent.

11. The Director may exercise and perform any of the powers conferred or duties imposed by law on a Superintendent.

Duties of Superintendent.

12. Subject to the orders of the Director, a Superintendent shall supervise and control all matters in connection with any prison the administration of which is vested in him, and shall be responsible to the Director for the conduct and treatment of the prison officers and prisoners under his control, and for the due observance by prison officers and prisoners of the provisions of this Act and of all other laws, regulations or orders relating to prisons or prisoners.

Medical officer for prisons.

13.—(1) The Director of Medical Services shall, whenever the circumstances permit, appoint from the staff of the Medical Department a medical officer for the prisons.

(2) If circumstances do not permit of the Director of Medical Services making an appointment under subsection (1), the Minister may appoint any registered medical practitioner to be the medical officer for any particular prison.

(3) Whenever a medical officer appointed under subsection (1) is, owing to illness or temporary absence or for other sufficient reason, unable to perform his duties as such medical officer, his duties shall be performed by a member of the staff of the Medical Department appointed in that behalf by the medical officer, or in default of the medical officer by the Superintendent.

Duties of medical officer.

14. Subject to the control of the Director, the medical officer shall perform such duties as may be prescribed.

Terms of engagement of prison officers.

15.—(1) All prison officers who are not engaged or re-engaged for a term of years, or whose services are retained without special engagement at the end of such term, shall be

held to be under engagement to the Government to serve on the prisons staff from month to month, every such engagement, after the first month's service, being held to begin on the first and to be determinable on the last day of each successive month.

(2) No prison officer shall be entitled without written permission from the Superintendent to resign or withdraw from prison duties unless he shall have given not less than one month's notice in writing to the Superintendent of his intention to resign.

(3) Every such notice shall be given on or before the first day of the month at the end of which the officer intends to cease performing prison duties.

(4) Any prison officer who contravenes subsection (2) shall be liable to a fine not exceeding \$100 or to imprisonment for a term not exceeding 3 months or to both, and all arrears of pay due to him may be forfeited.

**16.** Any prison officer may, pending the determination of an inquiry, be suspended from the performance of duty by the Director or by a Superintendent. Suspension from duty.

**17.** Prison officers shall perform such duties as may be prescribed. Duties of prison officers.

**18.** Every Superintendent and every prison officer shall be provided with such staves, arms, ammunition and other accoutrements as may be prescribed. Accoutrements.

**19.** Every Superintendent and every prison officer shall strictly conform to all laws and regulations relating to prisons and prisoners, and shall obey all lawful orders of his superior officers, whether given verbally or in writing, or issued in the form of prison regulations or standing orders. Observance of laws, regulations and orders.

**20.** The Director and all Superintendents, medical officers and prison officers appointed under this Act or any regulations made thereunder shall be deemed to be public servants within the meaning of the Penal Code. Prison officers deemed public servants. Cap. 224.

**21.—(1)** Every Superintendent and every prison officer may use weapons against any prisoner escaping or attempting to escape: Use of weapons.

Provided that resort shall not be had to the use of any such weapons unless the officer has reasonable ground to believe that he cannot otherwise prevent the escape.

(2) Every Superintendent and every prison officer may use weapons on any prisoner engaged in any combined outbreak, or in any attempt to force or break open the outside door or gate or enclosure wall of the prison, and may continue to use the weapons so long as the combined outbreak or attempt is being actually prosecuted.

(3) Every Superintendent and every prison officer may use weapons against any prisoner using violence to any prison officer or other person, provided that the officer has reasonable ground to believe that the prison officer or other person is in danger of life or limb, or that other grievous hurt is likely to be caused to him.

(4) Before using firearms against a prisoner under the authority conveyed in subsection (1), the officer shall give a warning to the prisoner that he is about to fire on him.

(5) No prison officer shall, in the presence of his superior officer, use arms of any sort against a prisoner in the case of an outbreak or attempt to escape except under the orders of such superior officer.

(6) The use of weapons under this section shall be, as far as possible, to disable and not to kill.

(7) Every police officer and constable who is for the time being serving in the capacity of an escort, or of a guard in or around any prison or lock-up, for the purpose of ensuring the safe custody of any prisoner or prisoners, shall be deemed to have all the powers and privileges granted to prison officers under this section.

Prison officers to have powers of police officer.

**22.** Every Superintendent and every prison officer while acting as such shall by virtue of his office have all the powers, authorities, protections and privileges of a police officer.

#### PART IV

##### CUSTODY AND REMOVAL OF PRISONERS

Prisoners deemed in legal custody.

**23.—**(1) Every prisoner confined in any prison shall be deemed to be in the legal custody of the Superintendent thereof.

(2) Every prisoner shall be subject to the prison discipline and regulations during the whole time of his imprisonment, whether he is or is not within the precincts of any prison.

24. The Superintendents appointed under this Act are hereby authorised and required to keep and detain all persons duly committed to their custody by any court, Judge, Magistrate, Justice of the Peace, Coroner, or other public officer lawfully exercising civil or criminal jurisdiction, according to the exigency of any writ, warrant or order by which such persons have been committed, or until such persons are discharged by due course of law.

Superintendent to detain persons committed.

25. Every person remanded to any prison by any court, Judge, Magistrate, Justice of the Peace or Coroner, charged with any crime or offence, shall be delivered to the Superintendent of such prison as the Minister appoints for the custody of such persons, together with a warrant of commitment, and the Superintendent shall detain that person according to the terms of the warrant, and shall cause that person to be delivered to such court, Judge, Magistrate, Justice of the Peace or Coroner, or shall discharge that person at the time named in and according to the terms of the warrant.

Delivery of persons on remand.

26. Every person arrested in pursuance of any writ, warrant or order of any court having civil jurisdiction shall be brought without delay before the court by which the writ, warrant or order was issued, awarded or made, and if the court is not then sitting the person shall be delivered to the Superintendent for intermediate custody, and the Superintendent shall cause the person to be brought before that court at its next sitting, in order that the person may be dealt with according to law.

Delivery of persons arrested on warrant.

27.—(1) Whenever the presence of any person confined in a prison is required in any court of civil or criminal jurisdiction, the court may issue an order in writing addressed to the Superintendent requiring the production before the court of the person in proper custody at the time and place to be named in the order, and the Superintendent shall cause the person named in the order to be brought up as directed, and shall provide for his safe custody during his

Production of persons before the court.

absence from prison, and every such court may by endorsement on the order require the person named therein to be again brought up at any time to which the matter wherein the person is required may be adjourned.

(2) Every such order issued from the Supreme Court may be signed by the Registrar of the Court, and if issued by a District Court may be signed by the Judge or Registrar thereof and if issued by any other court shall be signed by the Magistrate or Coroner, as the case may be.

Powers of  
Minister for  
production of  
prisoner in  
certain cases.

**28.**—(1) The Minister, on proof to his satisfaction that the presence of any prisoner at any place is required in the interests of justice, or for the purpose of any public inquiry, may by writing under his hand order that the prisoner be taken to that place.

(2) A prisoner taken from a prison in pursuance of an order made under this section shall, while outside that prison, be kept in such custody as the Minister may by writing under his hand so direct and while in that custody shall be deemed to be in legal custody.

Discharge of  
prisoners.

**29.** The Superintendent shall be responsible for the due discharge of all prisoners immediately upon their becoming entitled to release, whether by the expiration of their terms of sentence, or by pardon, or by commutation, or by remission of sentence.

Occurrence  
of infectious  
disease.

**30.**—(1) In case of a contagious or infectious disease occurring in any prison, it shall be lawful to remove any of the prisoners from the prison to another place although that place may not be a prison under this Act, and the removal may be made in pursuance of an order under the hand of the Minister, or, in a case of emergency, of the Superintendent or of any of the Visiting Justices of the prison.

(2) Any such place shall be deemed during the continuance of any prisoner therein to be a part of the prison from which the prisoner was so removed, and when the disease shall have ceased, any prisoners so removed from any prison shall be taken back to the prison from where they were removed, if still liable to be confined therein.

**31.**—(1) Whenever a prisoner undergoing a sentence of imprisonment appears to the Minister on the certificate of a registered medical practitioner to be of unsound mind, the Minister may, by order in writing, setting forth the grounds of belief that the prisoner is of unsound mind, direct his removal to any mental hospital or other fit place of safe custody within Singapore, there to be kept and treated as the Minister directs until the expiration of the term of imprisonment ordered by the sentence, or if it is certified by a medical officer that it is necessary for the safety of the prisoner or of others that he should be detained under medical care and treatment, then until he is discharged according to law.

Prisoners of  
unsound  
mind.

(2) When it appears to the Minister on the certificate of a registered medical practitioner that such prisoner has again become of sound mind, the Minister shall, by an order in writing, return him to the prison from where he was removed if his term of imprisonment has not expired, but if the term has expired shall direct him to be discharged.

(3) Section 40 of the Mental Disorders and Treatment Act shall apply to every person confined in a mental hospital under this section after the expiration of the term of imprisonment to which he has been sentenced, and the time during which he is so confined shall be reckoned as part of such term.

Cap. 178.

**32.**—(1) The Director may, by order in writing, remove all or any prisoners confined in any prison to another prison within Singapore, and it shall not be necessary in the order to designate any prisoner by name, but it shall be sufficient to describe the prisoner or prisoners by reference to their nationality or sentence, or by some other like general description.

Removal of  
prisoners.

(2) If the Minister is satisfied that a person serving a sentence of imprisonment is under 21 years of age and might with advantage be detained in a reformatory training centre, he may, after consultation where practicable with the Judge or District Judge of the court which passed the sentence, authorise the Director to transfer him to a reformatory training centre; and section 13 (7) of the Criminal Procedure Code shall thereupon apply to him as if he had on the date of the transfer been sentenced to reformatory training:

Cap. 68.

Provided that if on that date the unexpired term of his sentence is less than 3 years those provisions shall apply to him as if he had been sentenced to reformatory training 3 years before the expiration of that term.

(3) If a person detained in a reformatory training centre is reported to the Minister by the Visiting Justices to be incorrigible, or to be exercising a bad influence on the other inmates of the institution, the Minister may commute the unexpired part of the term for which that person is then liable to be detained in a reformatory training centre to such term of imprisonment as the Minister may determine, not exceeding the said unexpired part; and for the purpose of this Act that person shall be treated as if he had been sentenced to imprisonment for that term.

Illness of a  
prisoner.

**33.**—(1) In case of serious illness of a prisoner (other than a prisoner referred to in subsection (2)) confined in a prison in which there is not suitable accommodation for the prisoner, any Superintendent may, on the certificate of a medical officer, make an order for his removal to a Government hospital.

Cap. 137.

(2) Where a prisoner confined in a prison appears to the Minister on the certificate of a registered medical practitioner to be suffering from leprosy, the Minister may, by order in writing, direct his removal to any hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act, there to be kept and treated until cured of his leprosy.

(3) So long as any prisoner who shall have been removed to any hospital or place under subsection (2) shall remain therein, the medical officer thereof shall, at the end of every month, transmit to the Superintendent of the prison a certificate signed by him that it is in his opinion necessary that he should remain in the hospital or place.

(4) In this section, “Government hospital” includes any hospital which the Minister may, by notification in the *Gazette*, declare to be a hospital for the purposes of this section.

Return to  
prison.

**34.** So soon as, in the opinion of the medical officer in charge of any hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious

Diseases Act, it is no longer necessary that any prisoner who shall have been removed to the hospital or place should remain therein, he shall transmit to the Superintendent a certificate, stating that such necessity has ceased, and thereupon the Superintendent shall forthwith cause the prisoner to be brought back to the prison if he is still liable to be confined therein.

**35.** If any prisoner escapes during such time as he is in any hospital, mental hospital or place as aforesaid, no prison officer shall be held answerable therefor, unless the prisoner has been in the personal custody of that officer.

Liability for escape.

**36.** Every precaution shall be taken by the medical officers and other officers of any hospital, mental hospital or place to prevent the escape of prisoners who may at any time be under treatment therein, and it shall be lawful for the said officers to take such measures for preventing the escape of any prisoners as shall be necessary, provided that nothing shall be done under the authority hereof which in the opinion of the medical officers is likely to be prejudicial to the health of those prisoners.

Duty to prevent escape.

**37.** Where in any case, from the gravity of the offence for which any prisoner may be in custody or for any other reason, the Superintendent considers it to be desirable to take special measures for the security of the prisoner while under treatment in a hospital, mental hospital or place, it shall be lawful for him to give the prisoner into the charge of fit and proper persons not being less than two in number, one of whom at the least shall always be with the prisoner day and night, and such persons shall be vested with full power and authority to do all things necessary to prevent the prisoner from escaping, and shall be answerable for his safe custody until such time as he is handed over to a prison officer on his discharge from the hospital, mental hospital or place or until such time as his sentence expires, whichever may first occur.

Special custody in hospital.

**38.** Nothing in this Act contained shall be held to lessen or affect the power of the High Court to direct persons confined in Singapore to be brought before the Court by writ of habeas corpus.

Saving of powers of High Court.

## PART V

## DISCIPLINE AND PRISON OFFENCES

Offences  
concerning  
prison  
supplies.

**39.**—(1) Neither the Director nor any Superintendent nor any medical officer nor any prison officer shall sell or supply or receive directly or indirectly any benefit or advantage from the sale or supply of any article to or for the use of any prisoner or for the use of any prison, nor shall any such officer directly or indirectly have any interest in any contract or agreement for the sale or supply of any such article.

(2) Neither the Director nor any Superintendent nor any medical officer nor any prison officer shall directly or indirectly have any pecuniary interest in the purchase of any prison supplies, or receive any discounts, gifts or other consideration from contractors for or sellers of such supplies, or have any pecuniary dealing with prisoners or with their friends with regard to them, or on behalf of any prisoner hold any unauthorised communication with any person.

(3) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both and may in addition, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

Desertion.

**40.** Any prison officer who unlawfully or in breach of his engagement absents himself from duty under circumstances which show that he has the intention of not returning to his duty shall be deemed to have deserted, and shall be liable on conviction to imprisonment for a term not exceeding 12 months, and all arrears of pay due to him shall be forfeited.

Payment of  
money for-  
bidden.

**41.**—(1) No money or other consideration shall on any pretext whatsoever be payable, paid, given or promised by or on behalf of any prisoner, either on his entry into, commitment to, continuance in or discharge from any prison, to any prison officer, and any prison officer receiving or demanding any such money or other considera-

tion or undertaking any service in consideration of receiving or the promising of such money or other consideration shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$400 or to imprisonment for a term not exceeding 6 months or to both.

(2) Any person convicted under this section may, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

**42.**—(1) Every person, upon ceasing to be a prison officer, shall forthwith deliver up to the Chief Rehabilitation Officer or Principal Rehabilitation Officer of the prison in which he is serving at the time of ceasing to be a prison officer, every article of uniform and clothing and all arms, accoutrements, ammunition, staves and other effects of every kind belonging to the Government.

Delivery of uniform, etc., on leaving.

(2) Any person who fails to comply with this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100 or to imprisonment for a term not exceeding 3 months or to both and in addition thereto shall be liable to pay the value of any article not delivered up, which value shall be summarily ascertained by the court and shall be recoverable as if it were a fine.

**43.**—(1) Any warder or subordinate officer below the rank of Principal Rehabilitation Officer, who is guilty of any of the following offences:

Offences by warders, etc.

- (a) absence from duty without good cause;
- (b) sleeping on duty;
- (c) conduct to the prejudice of good order or discipline;
- (d) neglect or disobedience of orders;
- (e) being under the influence of alcohol or drugs while on duty;
- (f) insubordination;
- (g) neglect of duty;
- (h) wilful destruction of or careless loss of or damage to Government property;
- (i) malingering;

- (j) using personal violence to any prisoner save in the case of —
  - (i) repeated refusal to obey a lawful order;
  - (ii) self-defence; or
  - (iii) defence of any other officer, person or prisoner;
- (k) using personal violence or threats towards any prison officer;
- (l) associating with discharged prisoners without the written authority of the Superintendent,

shall be liable on conviction before the Superintendent to any one of the following punishments:

- (i) summary dismissal (subject to confirmation by the Director);
- (ii) reduction in rank or grade;
- (iii) forfeiture of not more than one month's pay;
- (iv) severe reprimand; or
- (v) reprimand:

Provided that, in case of absence without good cause, forfeiture of pay may extend to the period of absence in addition to any other punishment inflicted:

And provided that, on conviction under paragraph (h), any such officer shall be liable to pay the value of the property destroyed, lost or damaged.

(2) Any warder or subordinate officer below the rank of Principal Rehabilitation Officer may appeal to the Director against any punishment ordered under this section, and the Director may reduce or confirm any such punishment, provided that any appeal made under this subsection shall be submitted in writing to the Director within 30 days from the date upon which the punishment was ordered.

Grave  
offences.

**44.—(1)** If it shall appear to the Superintendent that an offence punishable under section 43 is of such a grave character as to require a more severe punishment than any therein prescribed, then the Superintendent shall forthwith refer the case in writing to the Director, and the Director may either direct the case to be dealt with by the Superintendent of the prison wherein the accused is then serving, or he may direct that the person accused be charged before a

District Court or Magistrate's Court, and such person shall be liable on conviction to a fine not exceeding \$400 or to imprisonment for a term not exceeding six months or to both. If the offence relates to the destruction or loss of or damage to Government property, the person convicted shall also be liable to pay the value of the property destroyed, lost or damaged, which value shall be summarily ascertained by the court and shall be recoverable as if it were a fine.

(2) Any warder or subordinate officer below the rank of Principal Rehabilitation Officer convicted by a District Court or Magistrate's Court under this section may, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

**45.**—(1) Any Principal Rehabilitation Officer who is guilty of any of the offences specified in section 43 (1) shall be liable on conviction before the Superintendent to either of the following punishments:

Offences by  
Principal  
Rehabilitation  
Officers.

(a) reprimand; or

(b) forfeiture of not more than 3 days' pay.

(2) Any Principal Rehabilitation Officer may appeal to the Director against any punishment ordered under this section and the Director may reduce or confirm any such punishment, provided that any appeal made under this subsection shall be submitted in writing to the Director within 30 days from the date upon which such punishment was ordered.

**46.**—(1) The Director may punish any Chief Rehabilitation Officer or Principal Rehabilitation Officer for any of the offences specified in section 43 (1) by reprimand, severe reprimand, deductions from pay not exceeding the amount of one month's pay or by stopping or deferring any increment to salary for which such Chief Rehabilitation Officer or Principal Rehabilitation Officer may be eligible.

Punishment  
of Chief  
Rehabilita-  
tion Officer  
or Principal  
Rehabilita-  
tion Officer,  
by Director.

(2) Any Chief Rehabilitation Officer or Principal Rehabilitation Officer may appeal to the President against any punishment awarded under this section, provided that the appeal shall be submitted in writing within 30 days from the date upon which the punishment was ordered.

(3) If it appears to the Director that the offence is of such a grave character as to require a more severe punishment than any herein prescribed, he may direct that the person accused be charged before a District Court or Magistrate's Court, and such person shall be liable on conviction to a fine not exceeding \$400 or to imprisonment for a term not exceeding 6 months or to both.

(4) Any person convicted before a District Court or Magistrate's Court under this section may, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

Threatening  
or insulting  
superiors.

47.—(1) Any prison officer who assaults, threatens or insults any officer senior to him in the prisons service when the senior officer is on duty or when the assault, threat or insult is related to or is consequent upon the discharge of duty by the officer so assaulted, threatened or insulted, shall be guilty of an offence and shall be liable on conviction before a District Court or Magistrate's Court to a fine not exceeding \$400 or to imprisonment for a term not exceeding 12 months.

(2) Any person convicted under this section may, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

Prison  
Officers  
Reward  
Fund.

48. All pay which is forfeited by and fines inflicted upon prison officers under this Act shall be paid into a fund to be called the Prison Officers Reward Fund. The Fund shall be administered by the Director in accordance with regulations made under section 65.

Articles not  
to be con-  
veyed into or  
out of prison.

49. Every person who without lawful authority —

(a) conveys, supplies or causes to be supplied or conveyed to any prisoner, or hides or places for his use any letter or document, or any intoxicating liquor, tobacco, bhang or hemp, drug, opiate, money, clothing, provisions or any other article whatsoever;

(b) brings or attempts by any means whatever to introduce into any prison, or places or attempts to place where prisoners labour, any letter or document, or any intoxicating liquor, tobacco,

bhong or hemp, drug, opiate, money, clothing, provisions or any other article to be sold or used therein;

(c) brings or attempts to bring out of any prison, or conveys from any prisoner, any letter, document or other article; or

(d) communicates with any prisoner;

and every prison officer who without lawful authority —

(e) knowingly suffers any intoxicating liquor, tobacco, bhong or hemp, drug, opiate, money, clothing, provisions, letter, document or other article to be sold to or received or used by or on behalf of any prisoner;

(f) lends or gives to any prisoner any such intoxicating liquor, tobacco, bhong or hemp, drug, opiate, money, clothing, provisions or other article; or

(g) knowingly suffers any letter, document or other article to be brought out of any prison, or to be conveyed from any prisoner,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both and, if a prison officer, he may, unless the conviction is reversed on appeal, be dismissed from his office, and all arrears of pay due to him may be forfeited.

**50.** Whenever any person is sentenced to imprisonment, the person may be required to work at any labour prescribed under this Act, and for which he is certified as fit by the prison medical officer.

Prisoner may be required to work.

**51.—**(1) Persons confined under civil process, and persons on remand charged with crimes or offences, or committed to take their trial, or confined for want of sureties, shall not ordinarily be associated with convicted prisoners, nor shall they be required to labour beyond such labour as is reasonably proper for keeping their persons and dress in a proper state, and keeping the places in which they are confined clean.

Separation of prisoners.

(2) All juveniles shall, so far as local conditions permit, be kept apart from adults under detention.

Extramural  
custody of  
prisoners.

**52.** A prisoner, when being taken to or from any prison in which he may be lawfully confined, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison officer, shall be deemed to be in prison, and shall be subject to all the same incidents as if he were actually in prison.

Punishment  
by Superin-  
tendent of  
minor prison  
offences.

**53.—(1)** The Superintendent may punish any prisoner found after due inquiry to be guilty of a minor prison offence as hereinafter specified by ordering him to undergo one or more of the following punishments:

- (a) confinement in a punishment cell for a term not exceeding 7 days on a diet of bread and water or rice and water;
- (b) forfeiture of remission not exceeding such amount as may be prescribed;
- (c) reduction in grade or postponement of promotion for such period as may be prescribed.

(2) The Superintendent shall enter in a register to be open to the inspection of the Visiting Justices a record of the punishments imposed by him upon prisoners, showing, in respect of each prisoner punished, the name of the prisoner, the nature of his offence and the extent of his punishment.

Punishment  
by Superin-  
tendent of  
aggravated  
prison  
offences.

**54.—(1)** The Superintendent may punish any prisoner found after due inquiry to be guilty of an aggravated prison offence as specified in this subsection by ordering him to undergo one or more of the following punishments:

- (a) corporal punishment not exceeding 12 strokes with a rattan;
- (b) confinement in a punishment cell for a term not exceeding 7 days on a diet of bread and water or rice and water;
- (c) forfeiture of remission not exceeding such amount as may be prescribed;
- (d) reduction in grade or postponement of promotion for such period as may be prescribed.

(2) The Superintendent shall enter in a register to be open to the inspection of the Visiting Justices a record of the punishments imposed by him upon prisoners, showing, in

respect of each prisoner punished, the name of the prisoner, the nature of his offence and the extent of his punishment.

**55.** The following shall be deemed to be minor prison offences: Minor prison offences.

- (1) talking during working hours, or talking loudly, laughing or singing at any time after having been ordered by an officer of the prison to desist;
- (2) quarrelling with any other prisoner;
- (3) secreting any article whatever;
- (4) showing disrespect to any officer or official visitor;
- (5) common assault or taking part in any attack on any other prisoner;
- (6) answering untruthfully any question put by an officer or an official visitor;
- (7) holding any communication (in writing, by word of mouth, or otherwise) with any person in disobedience of the regulations of the prison;
- (8) abetting the commission of any minor prison offence;
- (9) omitting to assist in the maintenance of discipline by reporting any prison offence, or to give assistance to an officer when called on to do so;
- (10) doing any act or using any language calculated to wound or offend the feelings and prejudices of any other prisoner;
- (11) doing any act calculated to create any unnecessary alarm in the minds of the prisoners or officers;
- (12) leaving without permission of an officer the gang to which he is attached, or the part of the prison in which he is confined;
- (13) leaving without permission of an officer the ward, the yard, the place in file, the seat or berth assigned to him;
- (14) loitering about the yards or lingering in the wards when these are open;
- (15) omitting or refusing to march in file when moving about the prison or proceeding to or returning from work;
- (16) visiting the toilets without permission of an officer or remaining there longer than is necessary;

- (17) refusing to eat the food prescribed by the prison diet scale;
- (18) eating or appropriating any food not assigned to him or taking from or adding to the portions assigned to other prisoners;
- (19) removing without permission of an officer food from the cook-room or from the place where meals are served, or disobeying any order as to the issue and distribution of food and drink;
- (20) wilfully destroying food or throwing it away without orders;
- (21) introducing into food or drink anything likely to render it unpalatable or unwholesome;
- (22) omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other prisoners, or losing, discarding, damaging or altering any part of it;
- (23) removing, defacing or altering any distinctive number, mark or badge attached to, or worn on, the clothing or person;
- (24) omitting or refusing to keep the person clean, or disobeying any order regulating the cutting of hair;
- (25) omitting or refusing to keep clothing, blankets, bedding, fetters, or utensils clean, or disobeying any order as to the arrangement or disposition of such articles;
- (26) tampering in any way with prison locks, lamps or lights or other property with which he has no concern;
- (27) stealing the prison clothing or any part of the prison kit of any other prisoner;
- (28) committing a nuisance in any part of the prison;
- (29) spitting on or otherwise soiling any floor, door, wall or other part of the prison building or any article in the prison;
- (30) wilfully befouling the toilets, washing or bathing places;
- (31) damaging the trees within the enclosure of the prison;

- (32) omitting or refusing to take due care of all prison property entrusted to him;
- (33) omitting or refusing to take due care of, or injuring, or misappropriating, the materials and implements entrusted to him for work;
- (34) omitting to report at once any loss, breakage or damage which he may have caused to prison property or implements;
- (35) manufacturing any article without the knowledge or permission of an officer;
- (36) performing any portion of the task allotted to another prisoner, or obtaining the assistance of another prisoner in the performance of his own task;
- (37) appropriating any portion of the task performed by another prisoner;
- (38) mixing or adding any foreign substance to the materials issued for work;
- (39) cursing or swearing, or using indecent, violent, threatening or insulting language;
- (40) causing or omitting to assist in suppressing violence or insubordination of any kind;
- (41) immoral, disorderly or indecent behaviour;
- (42) omitting or refusing to help any prison officer in case of an attempted escape or of an attack upon such officer or upon another prisoner;
- (43) disobeying any lawful order of an officer;
- (44) idling or refusing to work or showing negligence in the performance of his allotted task;
- (45) defacing or damaging the walls, furniture or other property of the prison;
- (46) malingering;
- (47) refusing to undergo medical treatment;
- (48) any other act, conduct, disorder or neglect to the prejudice of good order or discipline though not specified in the preceding paragraphs.

**56.** The following shall be deemed to be aggravated prison offences:

- (1) mutiny;

Aggravated  
prison  
offences.

- (2) escape or attempt to escape;
- (3) taking part in any assault or attack on any officer;
- (4) aggravated or repeated assault on any other prisoner;
- (5) wilful destruction of prison property;
- (6) wilfully causing to himself any illness, injury or disability;
- (7) wilfully making a false or groundless accusation or complaint against any officer or prisoner;
- (8) repetition of any minor prison offence after having been twice punished for the same minor offence;
- (9) any other act of gross misconduct or insubordination;
- (10) abetting the commission of any aggravated prison offence.

Punishment  
by Visiting  
Justices.

**57.**—(1) Where a prisoner is accused of any aggravated prison offence and the Superintendent is of the opinion that, in the circumstances of the case, the power of punishment which he possesses is inadequate, he shall forthwith report the matter in writing to the Visiting Justice or Justices.

(2) The Visiting Justice or Justices shall, upon receipt of such report, attend at the prison without undue delay and investigate the charge, and may punish any prisoner whom after due inquiry upon oath he or they may find guilty of such offence with one or more of the following punishments:

- (a) confinement in a punishment cell for a term not exceeding 30 days upon such prescribed diet as he or they may think fit;
- (b) corporal punishment not exceeding 24 strokes with a rattan;
- (c) forfeiture of remission not exceeding such amount as may be prescribed.

Prisoner may  
make his  
defence.

**58.** No prisoner shall be punished until he has had an opportunity of hearing the charge and evidence against him, and making his defence.

Detention  
after date for  
discharge.

**59.** Any punishment lawfully imposed on a prisoner under this Act or any regulations made thereunder may be carried into effect notwithstanding that the carrying into

effect thereof may necessitate the detention of the prisoner beyond the date at which he would otherwise be entitled to be discharged from prison:

Provided that the period of such detention shall not exceed 48 hours, such period to be calculated from the last hour of the day upon which the prisoner would otherwise be entitled to be discharged.

**60.**—(1) When any sentence of corporal punishment is passed under this Act upon any prisoner, he shall not be liable to more than one such sentence in respect of the act or acts, or omission or omissions, for which he has been sentenced. Corporal punishment.

(2) In no case shall a sentence of corporal punishment be passed upon a woman.

(3) In no case shall a sentence of corporal punishment in excess of 10 strokes with a light rattan be passed upon a juvenile.

(4) In no case shall a sentence of dietary or corporal punishment be inflicted upon any prisoner or juvenile until a medical certificate has been given to the effect that the prisoner or juvenile is in a fit condition of health to undergo the punishment.

**61.** Nothing in this Act shall be construed to exempt any prisoner from being proceeded against for any offence by the ordinary course of law, but no prisoner shall be punished twice for the same offence. Prosecution for offences.

**62.**—(1) The Minister shall for each year appoint a Board of Justices of the Peace, to be called the Board of Visiting Justices, of which all Magistrates shall be ex-officio members. Appointment of Visiting Justices.

(2) A Visiting Justice may at any time visit any prison or reformatory training centre and may inspect the several wards, cells, yards, solitary or punishment cells and other apartments or divisions of the prison, inspect and test the quality and quantity of the prisoners' food, hear the complaints (if any) of the prisoners, and question any prisoner or prison officer, and shall ascertain, so far as possible, whether the prison regulations are adhered to, and shall call the attention of the Superintendent to any irregularity that

may be observed in the working of the prison or reformatory training centre or in the treatment of any prisoner confined therein, and shall exercise and perform such other powers and duties as may be prescribed.

(3) The Board shall appoint one or more of its members to be on rotation Visiting Justice or Justices of the prisons for each month of the year, and such Visiting Justice or Justices shall hear, try and dispose of such prison offences as to which a report under section 57 (1) has been made.

(4) Every Visiting Justice shall, for the purposes of this Act, have power to summon witnesses and to administer oaths.

(5) The Board shall in relation to persons detained in reformatory training centres exercise such functions as may be required of it by any written law.

Visits by  
Judges,  
Magistrates,  
etc.

**63.—**(1) Every Judge, Magistrate or Justice of the Peace having jurisdiction in the place where any prison is situate may, whenever he thinks fit, enter into and examine the condition of the prison and of the prisoners therein and he may question any prisoner or officer, and he may enter any observations he thinks fit to make in reference to the condition of the prison in a Visitors' Book to be kept for that purpose by the Superintendent, which book shall be duly produced to the Visiting Justices at their next ensuing visit.

(2) Any Member of the Cabinet or of Parliament may at any time visit any prison and may exercise all or any of the powers specified in subsection (1).

Scheme for  
prisoners to  
engage in  
employment.  
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**64.—**(1) The Minister may introduce a scheme for prisoners who are considered suitable to take up gainful employment whilst they are serving their sentences.

(2) Any prisoner taking up employment under a scheme referred to in subsection (1) may, notwithstanding the provisions of any order made by any court, Judge, Magistrate or other public officer for the committal of such prisoner, be released daily to perform any work outside the limits of any prison and a prisoner who carries out work outside the limits of any prison pursuant to such a scheme

shall be deemed to be in prison and in the lawful custody of the Superintendent of the prison and shall be subject to all the same incidents as if he were actually in prison.

(3) The Minister may make regulations with regard to the scheme of gainful employment for prisoners and such regulations may prescribe for all or any of the following purposes or matters:

- (a) the terms and conditions upon which prisoners are to be released to take up employment outside the limits of any prison;
- (b) the terms and conditions of engagement of prisoners;
- (c) the manner in which wages shall be paid to the prisoners; and
- (d) the proportion of wages earned by prisoners under such scheme of employment which may be retained by the prisoners for the payment of food and travelling expenses. [63A

**65.—**(1) The Minister may make all such regulations, not inconsistent with the provisions of this Act, as are necessary for the good management and government of prisons and reformatory training centres or for carrying out the objects of this Act. Regulations.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may prescribe for all or any of the following purposes or matters:

- (a) the conditions of service and the powers, conduct and duties of the officers of prisons;
- (b) the medical examination, measuring, photographing and taking of fingerprint impressions or other records of persons confined in any prison or otherwise detained in custody, including detailed personal statistics and histories, and for requiring full and truthful answers to all questions put to such persons with the object of obtaining such statistics and histories;
- (c) the persons, if any, to whom such measurements, photographs, fingerprint impressions or other records are to be sent or supplied;

- (d) the employment, diets, classification, safe custody, separation, treatment and discipline of prisoners;
- (e) the kind of labour to be exacted at the different stages of their imprisonment with the manner and place of exacting the same;
- (f) the remission of sentences to be allowed to prisoners who duly comply with the regulations to which they are subjected, and the conditions on which such remissions are to be made;
- (g) the disposal of the products of the labour of prisoners;
- (h) the establishment of prisoners aid associations and societies and for the subsidising of their work and the utilising of their services in connection with prisoners discharged on probation and convicted prisoners whose sentences have expired;
- (i) the supply of money, food, clothing or means of travelling to prisoners on their discharge;
- (j) the administration of the Prison Officers Reward Fund;
- (k) the proceedings and visits of the Visiting Justices;
- (l) any other matter which under this Act is required or permitted to be prescribed.

(3) All regulations made under this section shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication and if a resolution is passed pursuant to a motion notice whereof has been given for a sitting day not later than the first available sitting day of Parliament next after the expiry of 3 months from the date when the regulations are so presented annulling the regulations or any part thereof as from a specified date, the regulations or such part thereof, as the case may be, shall thereupon become void as from that date but without prejudice to the validity of anything previously done thereunder or to the making of new regulations. [64]

Trial of offences.

**66.—**(1) Except where by this Act it is otherwise expressly provided, all offences under this Act shall be cognizable by a District Court or a Magistrate's Court.

Cap. 68.

(2) Any District Court or Magistrate's Court may, notwithstanding anything in the Criminal Procedure Code, impose the full punishment prescribed by this Act in respect of any offence. [65]