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GOEWERMENSKENNISGEWING**DEPARTEMENT VAN GEVANGENISSE**

No. R. 350

18 Februarie 1980

WYSIGING VAN GEVANGENISREGULASIES

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 94 van die Wet op Gevangenis, 1959 (Wet 8 van 1959), die regulasies in die Bylae hierby aangeheg, uitgevaardig:

BYLAE

1. In hierdie regulasies beteken "die regulasies", die Gekonsolideerde Gevangenisregulasies gepubliseer by Goewermenskennisgewing R. 2080 van 31 Desember 1965, soos gewysig by Goewermenskennisgewings R. 992 van 30 Junie 1967, R. 441 van 22 Maart 1968, R. 801 van 10 Mei 1968, R. 1865 van 11 Oktober 1968, R. 2227 van 6 Desember 1968, R. 2325 van 20 Desember 1968, R. 1530 van 18 September 1970, R. 1979 van 13 November 1970, R. 557 van 8 April 1971, R. 1199 van 9 Julie 1971, R. 53 van 14 Januarie 1972, R. 776 van 12 Mei 1972, R. 1476 van 25 Augustus 1972, R. 384 van 16 Maart 1973, R. 922 van 30 Mei 1973, R. 2368 van 14 Desember 1973, R. 1842 van 11 Oktober 1974, R. 1311 van 11 Julie 1975, R. 921 van 28 Mei 1976, R. 2261 van 3 Desember 1976, R. 966 van 3 Junie 1977, R. 967 van 3 Junie 1977, R. 968 van 3 Junie 1977, R. 1047 van 17 Junie 1977, R. 1199 van 23 Junie 1977, R. 1584 van 12 Augustus 1977, R. 1731 van 2 September 1977, R. 2094 van 14 Oktober 1977, R. 992 van 19 Mei 1978, R. 1759 van 1 September 1978, R. 1993 van 6 Oktober 1978, R. 1994 van 6 Oktober 1978 en R. 2091 van 21 September 1979.

2. Hoofstuk II van die regulasies word hierby gewysig—

2.1 deur die opskrif "OPNEMING, OORPLASING, AFSTERWE EN ONTSNAPPING" voor regulasie 89 deur die volgende opskrif te vervang: "OPNEMING, AANHOUDING, OORPLASING, AFSTERWE EN ONTVLUGTING";

2.2 deur die subopskrif "(A) Opneming" voor regulasie 89 te skrap;

GOVERNMENT NOTICE**DEPARTMENT OF PRISONS**

No. R. 350

18 February 1980

AMENDMENT OF THE PRISONS SERVICE REGULATIONS

The State President has, under and by virtue of the powers vested in him by section 94 of the Prisons Act, 1959 (Act 8 of 1959), made the regulations contained in the Annexure hereto:

ANNEXURE

1. In these regulations "the regulations" shall mean the Consolidated Prison Regulations promulgated under Government Notice R. 2080 of 31 December 1965, as amended by Government Notices R. 992 of 30 June 1967, R. 441 of 22 March 1968, R. 801 of 10 May 1968, R. 1865 of 11 October 1968, R. 2227 of 6 December 1968, R. 2325 of 20 December 1968, R. 1530 of 18 September 1970, R. 1979 of 13 November 1970, R. 557 of 8 April 1971, R. 1199 of 9 July 1971, R. 53 of 14 January 1972, R. 776 of 12 May 1972, R. 1476 of 25 August 1972, R. 384 of 16 March 1973, R. 922 of 30 May 1973, R. 2368 of 14 December 1973, R. 1842 of 11 October 1974, R. 1311 of 11 July 1975, R. 921 of 28 May 1976, R. 2261 of 3 December 1976, R. 966 of 3 June 1977, R. 967 of 3 June 1977, R. 968 of 3 June 1977, R. 1047 of 17 June 1977, R. 1199 of 23 June 1977, R. 1584 of 12 August 1977, R. 1731 of 2 September 1977, R. 2094 of 14 October 1977, R. 992 of 19 May 1978, R. 1759 of 1 September 1978, R. 1993 of 6 October 1978, R. 1994 of 6 October 1978 and R. 2091 of 21 September 1979.

2. Chapter II of the regulations is hereby amended—

2.1 by substituting for the heading "RECEPTIONS, REMOVAL, DEATH AND ESCAPE" above regulation 89: "ADMISSION, DETENTION, TRANSFER, DEATH AND ESCAPE";

2.2 by deleting the subheading "(A)" above regulation 89;

2.3 deur in regulasie 89—

2.3.1 subregulasie (1) deur die volgende subregulasie te vervang: "Elke gevangene moet gevisenteer word so dikwels as wat nodig geag word.";

2.3.2 subregulasie (2) en die opskrif daarvan deur die volgende subregulasie en opskrif te vervang:

"Verbeurdverklaring of vernietiging van artikels"

(2) Alle artikels wat wederregtelik deur 'n gevangene of enige ander persoon in 'n gevangenis ingebring word of wat in of naby 'n gevangenis gevind word, kan na goeddunke van die Kommissaris verbeurd verklaar of vernietig word.";

2.3.3 subregulasie (5) deur die volgende subregulasie te vervang: "'n Gevangene mag slegs deur 'n lid of tydelike bewaarder van dieselfde geslag gevisenteer word.";

2.3.4 die volgende subregulasie by te voeg:

"Verbod op dokumente of geskrifte"

(6) Geen gevangene mag, behoudens andersluidende bepalinge van die Wet, hierdie regulasies of die Gevangenisdiensorders, enige dokument of geskrif sonder die toestemming van die Kommissaris opstel of skryf nie.";

2.4 deur in regulasie 90 subregulasie (1) en die opskrif daarvan deur die volgende subregulasie en opskrif te vervang:

"Ontvangs en veilige bewaring van artikels"

90. (1) Die hoof van 'n gevangenis of enige lid of tydelike bewaarder kan alle geld of kosbaarhede of enige ander artikels behorende aan 'n gevangene, by sy opname sowel as gedurende die tydperk van sy aanhouding, in veilige bewaring neem en hou, en die Kommissaris kan die voorwaardes en omstandighede bepaal waaronder betaling, inbewaarneming of afgifte van sodanige geld, kosbaarhede of ander artikels moet geskied.";

2.5 deur na regulasie 90 die volgende regulasie by te voeg:

"Verbod op inbring of uitneem van artikels"

90A. Geen voedsel, drank, beddegoed, klere, boeke, koerante, briewe, dokumente of enige ander artikels mag deur enigiemand hoegenaamd ten behoeve van 'n gevangene in 'n gevangenis ingebring of uitgeneem word sonder die toestemming van die Kommissaris nie.";

2.6 deur die subopskrif "(B) OORPLASING" voor regulasie 95 te skrap;

2.7 deur die subopskrif "(C) AFSTERWE EN ONTSNAPPING" voor regulasie 96 te skrap;

2.8 deur in regulasie 99 die opskrif by en subregulasie (8) te skrap;

2.9 deur in regulasie 123—

2.9.1 paragraaf (d) van subregulasie (2) deur die volgende paragraaf te vervang: "(d) indien van 'n tolk of snelskrifskrywer gebruik gemaak word, die betrokke persoon deur die Kommissaris goedgekeur moet word.";

2.9.2 paragraaf (f) van subregulasie (2) te her-nummer tot "(h)";

2.3 in regulation 89—

2.3.1 by substituting the following subregulation for subregulation (1): "Each prisoner shall be searched as frequently as is considered necessary.";

2.3.2 by substituting the following heading and subregulation for subregulation (2) and the heading thereof:

"Seizure and destruction of articles"

(2) All articles which are unlawfully brought into a prison by a prisoner or any other person or which are found in or near a prison may be seized or destroyed at the discretion of the Commissioner.";

2.3.3 by substituting the following subregulation for subregulation (5): "A prisoner may only be searched by a member or temporary warder of the same sex.";

2.3.4 by inserting the following subregulation:

"Prohibition on documents or writings"

(6) Except as otherwise provided in the Act, these regulations or the Prison Service Orders, no prisoner may compile or write any document or writing without the permission of the Commissioner.";

2.4 in regulation 90 by substituting the following heading and subregulation for subregulation (1) and the heading thereof:

"Receipt and safe-keeping of articles"

90. (1) The head of a prison or any member or temporary warder may take into safe-keeping all money or valuables or any other articles belonging to a prisoner when he is admitted or during his imprisonment, and the Commissioner may stipulate the conditions and circumstances under which payment, taking into safe-keeping or release of such money, valuables or other articles may take place.";

2.5 by inserting the following regulation after regulation 90:

"Prohibition upon bringing in and removal of articles"

90A. No food, liquor, bedding, clothes, books, newspapers, letters, documents or any other articles may be brought into or removed from a prison by anybody on behalf of a prisoner without the permission of the Commissioner.";

2.6 by deleting the subheading "(B) REMOVAL" above regulation 95;

2.7 by deleting the subheading "(C) DEATH AND ESCAPE" above regulation 96;

2.8 in regulation 99 by deleting the heading as well as subregulation (8);

2.9 in regulation 123—

2.9.1 by substituting the following for paragraph (d) of subregulation (2): "(d) if an interpreter or a shorthand writer is used, the person involved must be approved by the Commissioner.";

2.9.2 by renumbering paragraph (f) of subregulation (2) as "(h)";

2.9.3 die volgende paragraaf na paragraaf (e) van subregulasie (2) by te voeg: "(f) behalwe met die goedkeuring van die Kommissaris, 'n gevangene geen geskrif, dokument of enige ander artikel tydens 'n besoek aan sy regsverteenvoerder, tolk of snelskrifskrywer mag oorhandig nie;"

2.9.4 die volgende paragraaf na paragraaf (f) van subregulasie (2) by te voeg: "(g) geen klankopname-apparaat of -hulpmiddel vir die opneem of reproduksie van klank toegelaat sal word nie; en"; en

2.9.5 die woord "en" aan die einde van paragraaf (e) van subregulasie (2) te skrap.

2.9.3 by inserting the following paragraph after paragraph (e) of subregulation (2): "(f) no prisoner may, during a visit, hand any writing, document or any other article to his legal representative, interpreter or shorthand writer without the approval of the Commissioner;"

2.9.4 by inserting the following paragraph after paragraph (f) of subregulation (2): "(g) no sound recording apparatus or aid for the recording or reproduction of sound will be allowed; and"; and

2.9.5 by deleting the word "and" at the end of paragraph (e) of subregulation (2).

INHOUD

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