

PARLIAMENT OF CEYLON

1st Session 1952



Prisons (Amendment) Act, No. 35 of 1952

Date of Assent : November 13, 1952

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L. D.—O. 58/51

AN ACT TO AMEND THE PRISONS ORDINANCE,

[Date of Assent: November 13, 1952]

(Chapter 44,
Vol. I.,
Page 745).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Prisons (Amendment) Act, No. 35 of 1952.

Short title.

2. Section 36 of the Prisons Ordinance (hereinafter referred to as the "principal enactment"), is hereby amended as follows:—

Amendment of
section 36 of
Chapter 44.

(1) by the repeal of sub-sections (2) and (3) of that section, and the substitution therefor of the following new sub-sections:—

“(2) Any Senator, Member of Parliament, District Judge or Magistrate may visit any prison, between the hours of 5.30 A.M. and 5.30 P.M. on any day for the purpose of inspecting the general condition of the prison and of the prisoners therein, and may record in the Visitors' Book any observations or recommendations which he may think fit to make after such inspection.

(3) The provision of section 35 as to the production of the Visitors' Book and the transmission of copies of entries made therein to the Commissioner shall apply in the case of Judges of the Supreme Court, Senators, Members of Parliament, District Judges and Magistrates in like manner as in the case of members of the Board of Prison Visitors.”; and

(2) by the addition, immediately after sub-section (3) of that section, of the following new sub-section:—

“(4) Every District Judge or Magistrate shall for the purposes of this Ordinance be deemed to be a Visitor of any prison situated within his jurisdiction, and may, in relation to any such prison, exercise the powers and perform the duties of a Visitor accordingly.”.

Amendment of
section 36A
of the
principal
enactment.

3. Section 36A of the principal enactment is hereby amended by the repeal of sub-section (1) of that section, and the substitution therefor of the following new sub-section:—

“(1) No jailor or subordinate prison officer shall refuse admittance or offer any hindrance or obstruction to a Visitor, a Judge of the Supreme Court, a Senator, a Member of Parliament, a District Judge or a Magistrate or any other person authorised by any written law to enter a prison.”