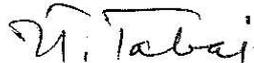


REPUBLIC OF KIRIBATI
(No. 11 of 1984)

I assent,


Beretitenti.
2/12/1984

AN ACT TO AMEND THE PRISONS ORDINANCE
(Cap. 76)

Commencement:
10 December 1984

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title. 1. This Act may be cited as the Prisons (Amendment) Act 1984.

Amendment of section 59. 2. Section 59 of the Prisons Ordinance is amended by inserting after section 59 in Part IX before the heading "Discharge of Prisoners" the following sections:

"Release on parole. 59A. The Superintendent of Prisons with the prior approval in writing of the Minister may by order release a prisoner on parole to serve the remainder of his sentence subject to community service and such other terms or conditions as may be imposed but only in the case of and in respect of a prisoner -

- (a) who had been convicted and sentenced to a term of imprisonment for a period of not less than 6 months; and
- (b) whose remaining unexpired term of imprisonment including any remission earned under section 56 of the Prisons Ordinance is not longer than 6 months before such order is made.

Revocation of the order. 59B(1) The Superintendent of Prisons with the prior approval in writing of the Minister may revoke an order under section 59A if during the continuance in force of such order such prisoner -

- (a) has been convicted of an offence; or
- (b) on reasonable grounds is suspected of having committed an offence; or
- (c) has contravened or failed to comply with any of the terms of conditions of that order.

(2) Any person released under section 59A who -

- (a) is convicted of an offence; or
- (b) contravenes or fails to comply with any of the terms or conditions of an order under section 59A,

commits an offence and is liable to a term of imprisonment for a period of 3 months.

Effect of
revocation.

59C. Where an order under section 59A is revoked the person named therein shall after undergoing any other punishment to which he may be sentenced ~~for any offence in consequence of which an order~~ under 59B was made, undergo a further term of imprisonment equal to that portion of his sentence which remains unexpired at the time of his release under such order

Arrest and
recall to
prison by
Superinten-
dent of
Prisons.

59D. Where the Superintendent of Prisons is of the opinion that a person released under an order under section 59A may have contravened or failed to comply with any of the terms or conditions of the order or committed any offence such person may be arrested forthwith and recalled to prison pending the exercise or non-exercise as the case may be of the power under section 59B, and such arrest and recall shall be non-justiciable".

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 22nd November 1984 and is found by me to be a true and correctly printed copy of the said Bill.



Clerk to the Maneaba ni
Maungatabu.

Published by exhibition -

- (a) at the Public Office of the Beretitenti this
10th day of December 1984.



Secretary to the Cabinet.

- (b) at the Maneaba ni Maungatabu this 10th day of Dec, 1984.



Clerk to the Maneaba ni
Maungatabu.

THE PRISONS (AMENDMENT) ACT 1984

EXPLANATORY MEMORANDUM

The principal object of this short amending Act is set out in section 2 which empowers the Superintendent of Prisons to release on parole by order with the approval of the Minister a prisoner who has been sentenced to a term of imprisonment for a period of not less than 6 months and whose remaining unexpired term of imprisonment is not more than 6 months in duration.

Other matters which are also dealt with under this Act are the revocation of an order of release on parole, the penalty to be imposed after the order has been revoked and the apprehension and re-admission of a person to prison by the Superintendent of Prisons.

Michael Neaua Takabwebe
The Attorney General

LEGAL REPORT

I hereby certify my opinion that none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael Neaua Takabwebe
The Attorney General
5 April 1984