

## **PENAL INSTITUTIONS AMENDMENT BILL**

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### **EXPLANATORY NOTE**

THIS Bill makes two amendments to the Penal Institutions Act 1954.

*Clause 1* relates to the Short Title.

*Clause 2* amends section 21c of the principal Act. This section deals with the application of the money earned by inmates who are released from day to day to engage in employment and the section empowers the Secretary for Justice to apply the money for certain purposes including the payment of judgment debts owing by the inmate. The amendment will enable the Secretary to pay debts in respect of which a judgment has not been obtained if they are acknowledged in writing by the inmate as owing by him.

*Clause 3:* Under section 32 (1) (g) of the Act every inmate commits an offence against discipline who, without the approval of an officer, has any article in his cell or in his possession, or gives to or receives from any person any article, or attempts to obtain any article. This clause amends section 33 of the Act so that where an inmate is convicted by a Visiting Justice of an offence against section 32 (1) (g) the Justice may order that the article in respect of which the offence was committed shall be forfeited to the Crown.

*Hon. Mr Hanan*

## PENAL INSTITUTIONS AMENDMENT

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### ANALYSIS

Title	2. Earnings of employed inmate
1. Short Title	3. Offences by inmates

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### A BILL INTITULED

#### **An Act to amend the Penal Institutions Act 1954**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,  
5 as follows:

**1. Short Title**—This Act may be cited as the Penal Institutions Amendment Act 1969, and shall be read together with and deemed part of the Penal Institutions Act 1954\* (hereinafter referred to as the principal Act).

10 **2. Earnings of employed inmate**—Section 21c of the principal Act (as inserted by section 2 of the Penal Institutions Amendment Act 1961 and as amended by section 24 (2) of the Criminal Injuries Compensation Act 1963) is hereby further amended by adding to paragraph (f) of subsection (4)  
15 the words “or of any other debt acknowledged in writing by the inmate as owing by him”.

\*1957 Reprint, Vol. 11, p. 667

Amendments: 1961, No. 18; 1963, No. 36; 1964, No. 104; 1965, No. 104

**3. Offences by inmates**—Section 33 of the principal Act (as amended by section 4 of the Penal Institutions Amendment Act 1961) is hereby further amended by inserting, after subsection (3), the following subsection:

“(3A) Where the offence proved is an offence against paragraph (g) of subsection (1) of section 32 of this Act, the Visiting Justice may, whether he imposes a penalty under this section or not, order that any article in respect of which the offence was committed shall be forfeited to the Crown.” 5