

PRISONS.

No. 74 of 1969.

AN ACT to amend the Prisons Act, 1903-1964 to make provision for the grant of leave to certain prisoners.

[Assented to 7th November, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Prisons Act Amendment Act, 1969.* Short title and citation.

(2) In this Act the Prisons Act, 1903-1964 is referred to as the principal Act.

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(3) The principal Act as amended by this Act may be cited as the Prisons Act, 1903-1969.

Amendment
to s. 2.

2. Section 2 of the principal Act is amended by adding after the passage "PART VIB.—INSTITUTIONS FOR THE RECEPTION OF CONVICTED INEBRIATES, ss. 64 O-64Q.", in lines thirteen and fourteen, a passage as follows—

PART VIC.—LEAVE OF ABSENCE TO CERTAIN
PRISONERS, ss. 64R-64S. .

Addition of
Part VIC.

3. The principal Act is amended by adding after Part VIB a heading and Part as follows:—

PART VIC.—LEAVE OF ABSENCE TO CERTAIN
PRISONERS.

Power of
Comptroller
General to
grant leave
of absence.

64R. With the approval of the Minister, the Comptroller General may grant leave of absence for a prescribed purpose and on prescribed conditions to a prisoner of a prescribed class.

64S. Where a prisoner is in any employment during his leave of absence the terms and conditions, including the amount payable, in respect of the employment shall be the terms and conditions, including the amount payable, provided pursuant to any award or agreement in force under the Industrial Arbitration Act, 1912 that applies to the employment or, where there is not such an award or agreement, shall be such terms and conditions, including the amount payable, as are fixed in accordance with the regulations.

Regulations.

64T. (1) The Governor may make regulations which appear to him necessary or convenient for effectually carrying out the objects of this Part and may in the regulations confer a discretion on a person, a body of persons, or a class of persons specified in them.

(2) In particular, but without limiting the generality of subsection (1) of this section, the regulations may make provision for any of the following matters—

- (a) the period of leave of absence;
- (b) variation of the period of, or the conditions of, leave of absence;
- (c) termination of leave of absence;
- (d) custody during leave of absence;
- (e) supervision during leave of absence;
- (f) reduction of the sentence of a prisoner by the period during which he is on leave of absence and complies with the conditions of the leave;
- (g) apprehension of a prisoner where he has not complied with the conditions of his leave of absence or where it has been terminated;
- (h) the terms and conditions, including the amount payable, in respect of any employment of a prisoner during his leave of absence, subject to any award or agreement in force under the Industrial Arbitration Act, 1912 that applies to the employment;
- (i) the manner of payment in respect of any employment of a prisoner during his leave of absence;
- (j) the records to be kept by an employer of a prisoner on leave of absence;

- (k) the application of moneys paid in respect of employment of a prisoner during his leave of absence including payment of part of those moneys towards the costs and expenses of his detention;
 - (l) the accounts to be kept in respect of moneys paid for the employment of a prisoner during his leave of absence and the audits to be made in respect of those accounts; and
 - (m) forms to be used for the purposes of this Part. .
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