WESTERN AUSTRALIA

ANNO QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ

No. 4

An Act to make additional provisions for Prison Discipline in Western Australia.

[Assented to 8th August, 1879.

WHEREAS it has been found necessary to make additional regulations for Prison Discipline in Western Australia : Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows :—

Repeal of 21st Vic., No. 1, sec. 1

1. The first section of the Ordinance 21st Victoria, No. 1, is hereby repealed, except as to proceedings commenced and offences committed against its provisions ; And in lieu thereof be it enacted as follows :—

Officer

Prisoner

2. Any person who shall, without the assent of a prison officer, give or convey, or attempt to give or convey, directly or indirectly, any article or thing whatsoever to any prisoner then undergoing an unexpired term of penal servitude or imprisonment, or who shall conceal or place any article or thing in the way of or for the purpose of being received by any such prisoner, may, on conviction thereof in a summary manner before any two Justices of the Peace, incur a penalty not exceeding Fifty pounds, or be imprisoned with or without hard labour for any term not exceeding three calendar months, or may be deemed guilty of a misdemeanour, and on conviction thereof before the Supreme Court or any Court of General Sessions of the Peace, shall incur a penalty not exceeding One hundred pounds, or such penalty with or without imprisonment, with or without hard labour, for any term not exceeding three years.

Onus of proof

3. In all proceedings under this Act, the onus of proving such assent shall rest on the person accused.

Ordinances and this Act to be read together

4. This Act and No. 18 of the 16th Victoria, 1853, and No. 6 of 14th Victoria, 1850, and the said amended Ordinance, shall be taken and construed together as one Act, to all intents and purposes.

H. St. GEORGE ORD,

GOVERNOR.