

HARP

BILLE NA bPRIOSUN, 1972
PRISONS BILL, 1972

Mar a ritheadh ag Dáil Éireann
As passed by Dáil Éireann

ARRANGEMENT OF SECTIONS

Section

1. Definition.
2. Transfer to military custody.
3. Specifying of prisons.
4. Short title, collective citation and construction.

Page

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Report of Special Agent in Charge
of the New York Office

Re: [illegible]

Section

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

May 10, 1935

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BILLE NA bPRIOSUN, 1972
PRISONS BILL, 1972

BILL
entitled

AN ACT TO AMEND AND EXTEND THE PRISONS ACTS, 1826 TO 1970.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:-

Defintion. 1. - In this Act "the Minister" means the Minister for Justice.

Transfer to 2. - (1) This section shall continue in operation until the 31st day
military of May, 1974.
custody.

(2) If and whenever Dáil Éireann is satisfied that this section should cease to be in operation, it may, by resolution, declare that it is satisfied as aforesaid and appoint a day on which this section shall cease to be in operation, and on the day so appointed this section shall cease to be in operation.

(3) If and whenever, at a time when this section is in operation, the Minister is of opinion that prison accommodation or prison staff is insufficient to provide secure and reasonable conditions of custody for all persons then in custody in prison or for whom prison accommodation is required or is insufficient to provide such conditions without serious detriment to the maintenance in prisons of the normal arrangements for the rehabilitative treatment and welfare of prisoners, he may, in writing -

(a) certify that he is so of opinion, and

(b) direct the transfer to military custody of such of the persons aforesaid as are specified by him, and thereupon the persons so specified shall be transferred to military custody and shall remain in such custody until -

(i) in the case of persons on remand, they are brought before the court to which they were remanded,

(ii) in the case of persons sent forward for trial or sentence, they are brought before the court to which they were sent forward and the proceedings in relation to the trial or sentence have concluded, and

(iii) in any other case, their sentences or other periods of custody have terminated.

(4) If and whenever, at a time when this section is in operation, a person on remand or sent forward for trial or sentence is in military custody pursuant to this section, a court that further remands him in custody or a court that sends him forward in custody for trial or sentence or a court that sentences him to be detained in custody in prison shall commit him to military custody for the period of such remand, sending forward or sentence.

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IN THE MATTER OF THE ESTATE OF JAMES H. HARRIS, JR.

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(1) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(2) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(3) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(4) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(5) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(6) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(7) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(8) The court is satisfied that the estate of James H. Harris, Jr. is insolvent and that the assets of the estate are not sufficient to pay the debts of the estate.

(5) The Minister -

- (a) may, at any time, direct the transfer to a prison of a person in military custody pursuant to this section, and
- (b) shall direct the transfer to a prison of all persons in military custody as aforesaid if he is of opinion that circumstances warranting their being retained in military custody no longer obtain,

and, if a direction under this subsection is given, thereupon any person concerned shall be transferred to a prison.

(6) Where a direction is given under subsection (3) or (5) of this section, a statement specifying the giving thereof and the names, the offences (or the offences with which they are charged) and, where appropriate, the sentences of the persons concerned shall be laid before each House of the Oireachtas as soon as may be.

(7) A person who is in military custody pursuant to this section shall not continue to be kept in military custody when this section ceases to be in operation.

25, No. 11. (8) The Prisons (Visiting Committees) Act, 1925, shall apply to places in which persons are kept in military custody pursuant to this section in the same way as it applies to prisons, subject to the modification that references to the Minister in that Act shall be construed as references to the Minister for Defence.

(9) The Minister for Defence shall make regulations in relation to the places and the manner generally in which persons in military custody pursuant to this section shall be kept in custody and such regulations shall correspond to the rules for the time being in force under the Prisons Acts, 1826 to 1970, governing the treatment, employment and control of persons in prison.

(10) Nothing in this section shall operate to prevent the release of a person on bail.

(11) Every regulation under this section shall be laid before each House of the Oireachtas as soon as may be after it is made, and, if a resolution annulling the regulation is passed by either such House within the next twenty-one days on which that House has sat after the regulation has been laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

1960, No. 27 (12) In this section "prison" includes Saint Patrick's Institution (within the meaning of the Criminal Justice Act, 1960).

specifying
of prisons. 3. - The Minister may from time to time specify a place or places to be used as a prison or prisons and each place so specified shall be a prison to which the Prisons Acts, 1826 to 1970, apply.

short title,
collective
citation and
construction. 4. - (1) This Act may be cited as the Prisons Act, 1972.
(2) The Prisons Acts, 1826 to 1970, and this Act may be cited together as the Prisons Acts, 1826 to 1972, and shall be construed as one.

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BILLE NA bPRIOSUN, 1972

PRISONS BILL, 1972

BILLE

BILL

dá ngairtear

entitled

Acht do leasú agus do leathnú Achtanna na
bPriosún, 1826 go 1970.

An Act to amend and extend the Prisons
Acts, 1826 to 1970

An tAire Dlí agus Cirt a thug isteach

Introduced by the Minister for Justice

Rite ag Dáil Éireann,
24 Bealtaine, 1972

Passed by Dáil Éireann,
24th May, 1972
