



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

Prys 20c Price
Oorsee 30c Overseas
POSVRY—POST FREE

VOL. 145]

KAAPSTAD, 1 JULIE 1977

CAPE TOWN, 1 JULY 1977

[No. 5618

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1167.

1 Julie 1977.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 88 van 1977: Wysigingswet op Gevangenis, 1977.

DEPARTMENT OF THE PRIME MINISTER

No. 1167.

1 July 1977.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 88 of 1977: Prisons Amendment Act, 1977.

Act No. 88, 1977

PRISONS AMENDMENT ACT, 1977.

ACT

To amend the provisions of the Prisons Act, 1959, relating to definitions; and to the appointment of members of Prison Boards; to provide for the establishment of hospital prisons for psychopaths; for the reception and detention of mentally ill persons at prisons; for the sketching and photographing of prisoners under certain circumstances; and for the publication of sketches and photographs of prisoners; to prohibit in certain circumstances the publication of certain writings, statements, life stories or biographical sketches of prisoners; to prohibit the giving or receipt of any remuneration or benefit in respect of the disclosure or publication of certain writings, statements, life stories or biographical sketches of prisoners; and to increase the penalties for certain offences; to amend the provisions of the said Act relating to the training and treatment of and the performance of work by certain mentally ill prisoners; and to the procurement of necessities by mentally ill prisoners; and to provide for incidental matters.

(Afrikaans text signed by the State President.)

(Assented to 17 June 1977.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of
section 1 of
Act 8 of 1959,
as amended by
section 1 of
Act 75 of 1965.

1. Section 1 of the Prisons Act, 1959 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion after the definition of “farm colony” of the following definition:

“‘hospital prison for psychopaths’ means a prison established under section 20 (1) (dA);”;

(b) by the insertion after the definition of “member of the Prisons Service” of the following definition:

“‘mentally ill’ means mentally ill as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973);”;

(c) by the insertion after the definition of “non-white prisoner” of the following definitions:

“‘photograph’ includes any cinematograph film, any picture intended for exhibition through the medium of a mechanical device, and any film cassette, magnetic tape cassette or video-plate;

“‘President’s patient’ means a President’s patient as defined in section 1 of the Mental Health Act, 1973;”;

(d) by the substitution for the definition of “prisoner” of the following definitions:

“‘prisoner’ means any person, whether convicted or not, who is detained in custody in any prison or who is being transferred in custody or is en route in

WET

Tot wysiging van die bepalings van die Wet op Gevangenis, 1959, betreffende woordskrywings; en die aanstelling van lede van Gevangenisrade; om voorsiening te maak vir die instelling van hospitaalgevangenis vir psigopate; vir die opneming en aanhouding van geestesongestelde persone in gevangenis; dat gevangenes onder sekere omstandighede geskets en gefotografeer mag word; en vir die publikasie van sketse en foto's van gevangenes; om die publikasie onder sekere omstandighede van enige geskifte, verklarings, lewensverhale of lewensketse van gevangenes te verbied; om die gee of ontvangs van enige vergoeding of voordeel ten opsigte van die bekendmaking of publikasie van sekere geskifte, verklarings, lewensverhale of lewensketse van gevangenes te verbied; en om die strawwe vir sekere misdrywe te verhoog; tot wysiging van die bepalings van genoemde Wet betreffende die opleiding en behandeling van en die verrigting van arbeid deur sekere geestesongestelde gevangenes; en die verkryging van benodigdhede deur geestesongestelde gevangenes; en om voorsiening te maak vir bykomstige aangeleenthede.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 17 Junie 1977.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Gevangenis, 1959 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die volgende omskrywings na die omskrywing van „die Gevangenisdiens” in te voeg:

„foto’ ook ’n rolprent, ’n prent wat bestem is om deur middel van ’n meganiese toestel vertoon te word, en ’n filmkasset, magnetiese bandkasset of video-plaat;

„geestesongestelde’ geestesongestelde soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973);”;

(b) deur die omskrywing van „gevangene” deur die volgende omskrywing te vervang:

„gevangene’ enige persoon, hetsy hy veroordeel is of nie, wat in ’n gevangenis in bewaring aangehou word of wat in bewaring oorgeplaas word of in bewaring onderweg is van een gevangenis na ’n ander gevangenis, en vir die doeleindes van die bepalings van artikel 44 (1) (e) beteken

„gevangene’—

(a) iemand wat vir die doeleindes van gevangenisstraf of ’n doodvonnis wat hom opgelê is of as Presidentspatiënt binne of buite ’n gevangenis in bewaring aangehou word;

Wysiging van artikel 1 van Wet 8 van 1959, soos gewysig deur artikel 1 van Wet 75 van 1965.

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custody from one prison to another prison and for the purposes of the provisions of section 44 (1) (e) 'prisoner' means—

(a) any person who, for the purposes of imprisonment or a death sentence imposed upon him or as a President's patient, is being detained in custody within or outside any prison;

(b) the corpse of any person referred to in paragraph (a);

'psychopath' means a psychopath as defined in section 1 of the Mental Health Act, 1973;

'psychopathic disorder' means a psychopathic disorder as defined in section 1 of the Mental Health Act, 1973;";

(e) by the insertion after the definition of "release on probation" of the following definition:

"'take', in relation to any cinematograph film, picture, film cassette, magnetic tape cassette or video-plate referred to in the definition of 'photograph', means produce in any manner;".

Amendment of section 5 of Act 8 of 1959, as amended by section 1 of Act 9 of 1971.

2. Section 5 (3) of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) A prison board shall consist of so many commissioned officers as official members and so many non-official members or only of so many commissioned officers as official members or only of so many non-official members as the Minister thinks fit."

Amendment of section 20 of Act 8 of 1959.

3. Section 20 (1) of the principal Act is hereby amended by the insertion after paragraph (d) of the following paragraph:

"(dA) of the type known as hospital prisons for psychopaths at which prisoners are detained who—

(i) have been certified as psychopaths in terms of the Mental Health Act, 1973; or

(ii) apparently are suffering from psychopathic disorders and have been referred for observation in terms of any law relating to mentally ill persons;".

Amendment of section 27 of Act 8 of 1959.

4. Section 27 (2) of the principal Act is hereby amended by the substitution for paragraph (d) of the following paragraph:

"(d) in the case of a President's patient or an alleged mentally ill person, upon production to him of an order authorizing or commanding the detention of that President's patient or person, and issued under the provisions of any law for the detention of mentally ill persons: Provided that, anything to the contrary notwithstanding in any law relating to mentally ill persons, no person shall be received at any prison by reason only that he is alleged to be a mentally ill person, if there is an institution, as defined in section 1 of the Mental Health Act, 1973, or a public hospital (other than a hospital used exclusively for infectious diseases) in the district in which such prison is situated;".

Substitution of section 34 of Act 8 of 1959.

5. The following section is hereby substituted for section 34 of the principal Act:

"Mental cases.

34. (1) A prisoner who, while serving a sentence of imprisonment, is removed to an institution, as defined in section 1 of the Mental Health Act, 1973, or a hospital prison for psychopaths shall, as soon as he is fit for discharge therefrom, be returned by the authorities of such institution or hospital prison for psychopaths, as the case may be, to complete the

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- (b) die lyk van iemand bedoel in paragraaf (a);";
- (c) deur die volgende omskrywing na die omskrywing van „hierdie Wet” in te voeg:
„hospitaalgevangenis vir psigopate” ’n gevangenis kragtens artikel 20 (1) (dA) ingestel;";
- (d) deur die volgende omskrywing na die omskrywing van „Minister” in te voeg:
„neem”, met betrekking tot ’n rolprent, prent, filmkas-set, magnetiese bandkasset of videoplaat bedoel in die omskrywing van „foto”, op enige wyse voortbring;";
- (e) deur die volgende omskrywings na die omskrywing van „offisier” in te voeg:
„Presidentspasiënt” ’n Presidentspasiënt soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973;
„psigopaat” ’n psigopaat soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973;
„psigopatiese steuring” ’n psigopatiese steuring soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973;".
2. Artikel 5 (3) van die Hoofwet word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:
- „(a) ’n Gevangenisraad bestaan uit soveel offisiere as amptelike lede en soveel nie-amptelike lede of net uit soveel offisiere as amptelike lede of net uit soveel nie-amptelike lede as wat die Minister goedvind.”
- Wysiging van artikel 5 van Wet 8 van 1959, soos gewysig deur artikel 1 van Wet 9 van 1971.
3. Artikel 20 (1) van die Hoofwet word hierby gewysig deur die volgende paragraaf na paragraaf (d) in te voeg:
- „(dA) van die soort bekend as hospitaalgevangenis vir psigopate waar gevangenes aangehou kan word wat—
- (i) ingevolge die Wet op Geestesgesondheid, 1973, as psigopate gesertifiseer is; of
- (ii) oënskynlik aan psigopatiese steurings ly en ingevolge enige wet met betrekking tot geestesongestelde persone vir waarneming verwys is;".
- Wysiging van artikel 20 van Wet 8 van 1959.
4. Artikel 27 (2) van die Hoofwet word hierby gewysig deur paragraaf (d) deur die volgende paragraaf te vervang:
- „(d) in die geval van ’n Presidentspasiënt of ’n beweerde geestesongestelde persoon, by vertoning aan hom van ’n bevel wat die aanhouding in ’n gevangenis van daardie Presidentspasiënt of persoon magtig of beveel en wat uitgereik is kragtens die bepalings van ’n wet vir die aanhouding van geestesongestelde persone: Met dien verstande dat, ondanks andersluidende bepalings van enige wet met betrekking tot geestesongestelde persone, niemand in ’n gevangenis opgeneem word bloot omrede dat dit beweer word dat hy ’n geestesongestelde persoon is nie, indien daar ’n inrigting, soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973, of ’n publieke hospitaal (behalwe ’n hospitaal wat uitsluitlik vir aansteeklike siektes gebruik word) in die distrik bestaan waarin die gevangenis geleë is;".
- Wysiging van artikel 27 van Wet 27 van 1959.
5. Artikel 34 van die Hoofwet word hierby deur die volgende artikel vervang:
- „Gevalle van geestesongesteldes.
34. (1) ’n Gevangene wat, terwyl hy ’n vonnis van gevangenisstraf uitdien, na ’n inrigting, soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973, of ’n hospitaalgevangenis vir psigopate oorgeplaas word, moet, sodra hy geskik is om daaruit ontslaan te word, deur die owerhede van daardie inrigting of hospitaalgevangenis vir psigopate na ’n gevangenis of hospitaalgevangenis vir psigopate, na gelang van die geval, teruggestuur word om die vonnis wat as gevolg
- Vervanging van artikel 34 van Wet 8 van 1959.

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sentence which was interrupted by his removal to such institution or hospital prison for psychopaths.

(2) The period during which such prisoner was detained in an institution referred to in subsection (1) or a hospital prison for psychopaths may, on the authority of the Minister, be reckoned as part of his sentence of imprisonment."

Substitution of section 44 of Act 8 of 1959, as amended by section 12 of Act 75 of 1965.

6. (1) The following section is hereby substituted for section 44 of the principal Act:

"Penalty for loitering in vicinity of prison, etc.

44. (1) Any person who—
- (a) is found loitering on any prison reserve or on any prison property or within one hundred metres of any prison or any other place where prisoners may be for the purpose of imprisonment or labour or within one hundred metres of any burial referred to in section 35 (4) (b) and who fails to depart therefrom upon being ordered so to do by any member of the Prisons Service or of the South African Police Force;
 - (b) without lawful authority holds or attempts to hold any communication with any prisoner;
 - (c) wilfully rides, drives or leads any animal or vehicle through any group of prisoners outside a prison;
 - (d) in any manner wilfully interferes with any prisoner or group of prisoners;
 - (e) without the authority in writing of the Commissioner—
 - (i) makes a sketch or takes a photograph of any prison, portion of a prison or any burial referred to in section 35 (4) (b);
 - (ii) publishes or causes to be published in any manner whatsoever any sketch or photograph of any prison, portion of a prison or any burial referred to in section 35 (4) (b);
 - (iii) makes a sketch or takes a photograph of any prisoner or group of prisoners unless it was made or taken—
 - (aa) at any court, or on any premises adjacent thereto and used in connection therewith, in which such prisoner or group of prisoners appeared as accused; and
 - (bb) at the time of such appearance;
 - (iv) publishes or causes to be published in any manner whatsoever any sketch or photograph of any prisoner or group of prisoners unless it is a sketch or photograph—
 - (aa) permitted to be made or taken in accordance with subparagraph (iii); or
 - (bb) made or taken before the arrest of such prisoner or group of prisoners, and published or caused to be published within 30 days after the date on which such prisoner or group of prisoners in respect of any offence were convicted or acquitted by any court;
 - (f) publishes or causes to be published in any manner whatsoever any false information concerning the behaviour or experience in prison of any prisoner or ex-prisoner or concerning the administration of any prison, knowing the same to be false, or without taking reasonable steps to verify such information (the onus of proving that

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van sy oorplasing na daardie inrigting of hospitaalgevangenis vir psigopate onderbreek is, te voltooi.

(2) Die tydperk waartydens so 'n gevangene in 'n inrigting bedoel in subartikel (1) of 'n hospitaalgevangenis vir psigopate aangehou is, kan, met die magtiging van die Minister, as deel van sy vonnis van gevangenisstraf gereken word."

6. (1) Artikel 44 van die Hoofwet word hierby deur die volgende artikel vervang:

„Straf vir slentery in omgewing van gevangenis, ens.

44. (1) Iemand wat—

- (a) op enige gevangensterrein of op enige gevangeniściendom of binne honderd meter van 'n gevangenis of enige ander plek waar gevangenes is vir die doeleindes van gevangesetting of arbeid of binne honderd meter van 'n in artikel 35 (4) (b) bedoelde begrafnis slenter en wat versuim om daarvandaan te vertrek wanneer hy deur 'n lid van die Gevangenisdiens of van die Suid-Afrikaanse Polisiemag, daartoe beveel word;
- (b) sonder wettige magtiging enige gemeenskap met 'n gevangene hou of probeer hou;
- (c) opsetlik 'n dier of voertuig deur 'n groep gevangenes buite 'n gevangenis ry, bestuur of lei;
- (d) op enige manier hom opsetlik met 'n gevangene of groep gevangenes bemoei;
- (e) sonder die skriftelike magtiging van die Kommissaris—
 - (i) 'n skets maak of 'n foto neem van 'n gevangenis, gedeelte van 'n gevangenis of 'n in artikel 35 (4) (b) bedoelde begrafnis;
 - (ii) 'n skets of foto van 'n gevangenis, gedeelte van 'n gevangenis of 'n in artikel 35 (4) (b) bedoelde begrafnis op enige wyse hoegenaamd publiseer of laat publiseer;
 - (iii) 'n skets maak of 'n foto neem van 'n gevangene of groep gevangenes tensy dit—
 - (aa) by 'n hof, of op 'n perseel wat daaraan grens en in verband daarmee gebruik word, waarin daardie gevangene of groep gevangenes as 'n beskuldigde of as beskuldigdes verskyn het; en
 - (bb) ten tyde van enige sodanige verskynning, gemaak of geneem is;
 - (iv) 'n skets of foto van 'n gevangene of groep gevangenes op enige wyse hoegenaamd publiseer of laat publiseer tensy dit 'n skets of foto is wat—
 - (aa) ooreenkomstig subparagraaf (iii) gemaak of geneem mag word; of
 - (bb) voor die inhegtenisneming van daardie gevangene of groep gevangenes gemaak of geneem is, en gepubliseer of laat publiseer word binne 30 dae na die datum waarop daardie gevangene of groep gevangenes ten opsigte van enige misdryf deur 'n hof skuldig bevind of vrygespreek is;
- (f) enige vals inligting aangaande die gedrag of ervarings van 'n gevangene of oud-gevangene in 'n gevangenis of aangaande die bestuur van 'n gevangenis op enige wyse hoegenaamd publiseer of laat publiseer wetende dat dit vals is of sonder om redelike stappe te doen om seker te maak dat daardie inligting juis is (die bewyslas om te bewys dat redelike stappe gedoen is om seker te

Vervanging van artikel 44 van Wet 8 van 1959, soos gewysig deur artikel 12 van Wet 75 van 1965.

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reasonable steps were taken to verify such information being upon the accused);

(g) without the authority in writing of the Commissioner—

(i) publishes or causes to be published in any manner whatsoever any writing, statement, life story or biographical sketch, or any portion thereof, of a prisoner concerning the offence as a result of which he became a prisoner, unless the writing, statement, life story or biographical sketch in question or the relevant portion thereof, as the case may be, was admitted in evidence at the trial of that prisoner;

(ii) at any time received or gave any remuneration or benefit whatsoever in respect of the disclosure or publication of any writing, statement, life story or biographical sketch, or any portion thereof, referred to in subparagraph (i),

shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or, in default of payment, to imprisonment for a period not exceeding two years or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

(2) The court convicting any person of an offence under—

(a) subsection (1) (e) (i) or (iii) may, if it thinks fit, declare the sketches or photographs in question and the negatives from which such photographs were taken to be forfeited to the State;

(b) subsection (1) (g) (ii) by reason of his having received any remuneration or benefit in respect of the disclosure or publication in question, shall declare such remuneration or benefit to be forfeited to the State, and such forfeiture shall have the effect of, and may be executed as if it were, a civil judgment in favour of the State Revenue Fund.”

(2) Any remuneration or benefit whatsoever received after 14 November 1974 but before the date of commencement of this Act, by any person in respect of the disclosure or publication of any writing, statement, life story or biographical sketch, or any part thereof, of any prisoner concerning the offence as a result of which he became a prisoner, is hereby declared forfeited to the State, and may be recovered by the Minister by action in any competent court.

Substitution of
section 52 of
Act 8 of 1959.

7. The following section is hereby substituted for section 52 of the principal Act:

“Special jurisdiction of magistrates in respect of trial of offences and forfeiture of remuneration or benefit.

52. Anything to the contrary notwithstanding in any law relating to magistrates' courts, a magistrate shall have jurisdiction—

(a) to try any offence under this Act and to impose any penalty prescribed by this Act;

(b) irrespective of the amount or value of any remuneration or benefit referred to in section 44 (1) (g) (ii), to declare such remuneration or benefit to be forfeited to the State in terms of section 44 (2) (b).”

Amendment of
section 77 of
Act 8 of 1959,
as amended by
section 16 of
Act 62 of 1973.

8. The following section is hereby substituted for section 77 of the principal Act:

“Training, treatment and labour of prisoners.

77. Every prisoner sentenced to imprisonment and detained in a prison, including a hospital prison for psychopaths, shall, subject to the provisions of this Act and subject also to any special order of the court,

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maak dat daardie inligting juis is, berus by die beskuldigde);

(g) sonder die skriftelike magtiging van die Kommissaris—

(i) enige geskrif, verklaring, lewensverhaal of lewenskets, of 'n gedeelte daarvan, van 'n gevangene wat betrekking het op die misdryf ten gevolge waarvan hy 'n gevangene geword het, op enige wyse hoegenaamd publiseer of laat publiseer tensy die betrokke geskrif, verklaring, lewensverhaal of lewenskets, of die betrokke gedeelte daarvan, na gelang van die geval, by die verhoor van daardie gevangene as getuie is toegelaat is;

(ii) ten opsigte van die bekendmaking of publikasie van enige geskrif, verklaring, lewensverhaal of lewenskets, of 'n gedeelte daarvan, bedoel in subparagraaf (i), te eniger tyd enige vergoeding of voordeel van watter aard ook al ontvang of gegee het,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met sodanige gevangenisstraf sonder die keuse van 'n boete of met beide sodanige boete en sodanige gevangenisstraf.

(2) Die hof wat iemand aan 'n misdryf kragtenis—

(a) subartikel (1) (e) (i) of (iii) skuldig bevind, kan, na goeë dunks, die betrokke sketse of foto's en die negatiewe waarvan bedoelde foto's geneem is aan die Staat verbeurd verklaar;

(b) subartikel (1) (g) (ii) skuldig bevind moet die vergoeding of voordeel wat ten opsigte van die betrokke bekendmaking of publikasie ontvang is, aan die Staat verbeurd verklaar, en sodanige verbeurdverklaring word geag 'n siviele vonnis ten gunste van die Staatsinkomstefonds te wees en kan ten uitvoer gelê word asof dit so 'n vonnis is."

(2) Enige vergoeding of voordeel van watter aard ook al wat na 14 November 1974 maar voor die datum van inwerkingtreding van hierdie Wet deur iemand ontvang is ten opsigte van die bekendmaking of publikasie van enige geskrif, verklaring, lewensverhaal of 'n lewenskets, of 'n gedeelte daarvan, van 'n gevangene, indien dit betrekking het op die misdaad ten gevolge waarvan hy 'n gevangene geword het, word hierby aan die Staat verbeurd verklaar, en kan deur die Minister by aksie in 'n bevoegde hof verhaal word.

7. Artikel 52 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 52 van Wet 8 van 1959.

„Spesiale regsbevoegdheid van landdroste ten opsigte van verhoor van misdrywe en verbeurdverklaring van vergoeding of voordeel.

52. Ondanks andersluidende wetsbepalings met betrekking tot landdroshoue, het 'n landdros die regsbevoegdheid om—

(a) enige misdryf ingevolge hierdie Wet te verhoor en om enige deur hierdie Wet voorgeskrewe straf op te lê;

(b) ongeag die bedrag of waarde van enige vergoeding of voordeel bedoel in artikel 44 (1) (g) (ii), daardie vergoeding of voordeel ingevolge artikel 44 (2) (b) aan die Staat verbeurd te verklaar."

8. Artikel 77 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 77 van Wet 8 van 1959, soos gewysig deur artikel 16 van Wet 62 van 1973.

„Opleiding, behandeling en arbeid van gevangenes.

77. Elke gevangene wat tot gevangenisstraf gevonnis is en in 'n gevangenis, met inbegrip van 'n hospitaalgevangenis vir psigopate, aangehou word, moet, onderworpe aan die bepalinge van hierdie Wet

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be employed, trained and treated in such manner as the Commissioner may determine, and such a prisoner shall at all times perform such labour, tasks and other duties as may be assigned to him for the purpose of such employment, training or treatment or for any other purpose connected with such prison, by any member of the Prisons Service.”.

Amendment of
section 81 of
Act 8 of 1959.

9. Section 81 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsections:

“(2) Alleged mentally ill or epileptic prisoners received into a prison as aforesaid shall only be compelled to do such work as the medical officer may prescribe.

(3) A President's patient detained in a hospital prison for psychopaths shall receive such treatment and may be compelled to perform such work as the Commissioner may prescribe, unless the medical officer has certified that such treatment or the performance of such work is injurious to the health of such President's patient.”.

Amendment of
section 82 of
Act 8 of 1959,
as amended by
section 13 of
Act 62 of 1966.

10. Section 82 of the principal Act is hereby amended by the substitution for paragraph (c) of the following paragraph:

“(c) alleged mentally ill prisoners; and”.

Short title.

11. This Act shall be called the Prisons Amendment Act, 1977.

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en onderworpe ook aan enige spesiale bevel van die hof, besig gehou, opgelei en behandel word op 'n wyse wat die Kommissaris bepaal, en so 'n gevangene moet te alle tye die arbeid, take en ander pligte verrig wat, vir die doeleindes van bedoelde besighouding, opleiding of behandeling of vir enige ander doel wat met bedoelde gevangenis in verband staan, aan hom opgedra word deur 'n lid van die Gevangenisdiens."

9. Artikel 81 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikels te vervang:

Wysiging van
artikel 81 van
Wet 8 van 1959.

„(2) Beweerde geestesongestelde of epileptiese gevangenes wat in 'n gevangenis soos voormeld opgeneem is of word, is verplig om slegs sodanige arbeid te verrig as wat die geneeskundige beampte voorskryf.

(3) 'n Presidentspatiënt wat in 'n hospitaalgevangenis vir psigopate aangehou word, ontvang die behandeling en kan verplig word om die arbeid te verrig wat die Kommissaris van tyd tot tyd voorskryf, tensy die geneeskundige beampte sertifiseer dat daardie behandeling of die verrigting van daardie arbeid nadelig vir die gesondheid van daardie Presidentspatiënt is."

10. Artikel 82 van die Hoofwet word hierby gewysig deur paragraaf (c) deur die volgende paragraaf te vervang:

Wysiging van
artikel 82 van
Wet 8 van 1959.
soos gewysig deur
artikel 13 van
Wet 62 van 1966.

„(c) beweerde geestesongestelde gevangenes; en"

11. Hierdie Wet heet die Wysigingswet op Gevangenis, 1977. Kort titel.

