



PRISONS (AMENDMENT) (NO. 2) ACT, 2016

(Act 8 of 2016)

I assent



A handwritten signature in black ink, appearing to read "Michel".

J. A. Michel
President

15th April, 2016

AN ACT to amend the Prisons Act (Cap 180).

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Prisons (Amendment) Act, 2015.

Short title

Amendment of
Cap 180 as
last amended
by Act 19 of
2010

2. The Prisons Act is hereby amended as follows —

(a) by inserting after section 42, the following section —

Examination
of visitors to
a prison

“**42A.**(1) Any person upon entering the prison premises shall proceed to be examined by the prison officers on duty and the person shall declare and hand over to the prison officer all articles and any cell phone or other devices which may be used for communication or any charger, sim card, battery or such other related accessories which he may have on his person or in his possession.

(2) The prison officer shall make an inventory of the articles handed over under subsection (1) and return the same to its owner when he is about to exit the prison premises.”;

(b) by repealing section 44 and substituting therefor the following section —

Offence of
bringing any
article, etc, into
prison contrary
to this Act

“**44.**(1) Any person who —

(a) brings any article contrary to section 39;

(b) fails to allow himself to be examined or declare or hand over to the prison officer all articles under section 42A;

(c) brings, throws or attempt by any means to introduce into any prison or to give to any prisoner any liquor, tobacco or any article whatsoever; or

- (d) communicates with any prisoner in contravention of the provisions of this Act or any regulations made thereunder,

is guilty of an offence and is liable on conviction to imprisonment for 2 years or to a fine SCR20,000 or to both such imprisonment and fine.”;

- (c) by inserting after section 44, the following section —

Offence of possessing cell phone, etc., in prison

“44A.(1) Any prisoner who is found in possession of any cell phone or any other devices which may be used for communication, or any charger, sim card, battery or such other related accessories or who brings or attempts to bring into prison any cell phone or any such like devices which may be used for communication or any charger, sim card, battery or such other related accessories commits an offence.

(2) Any person who brings, throws, or attempts by any means to introduce into prison or to give any prisoner any cell phone or any other devices which may be used for communication or charger, sim card, battery or such other related accessories commits an offence.

(3) Any prisoner who contravenes subsection (1) or any person who contravenes subsection (2) is guilty of an offence and is liable on conviction to imprisonment for 2 years or to a fine of SCR20,000 or to both such imprisonment and fine.

(4) Where a prisoner is convicted under this section, the term of imprisonment shall, notwithstanding anything in the Criminal Procedure Code, commence after the expiration of any previous sentence of imprisonment the prisoner was serving at the time of the commission of the offence under subsection (1).”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 5th April, 2016.



Ms. Luisa Waye-Hive
Assistant Clerk to the National Assembly