



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2287.

An Act to amend the Prison Acts, 1869 to 1934.

[*Assented to, 8th October, 1936.*]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Prison Act Amendment Act, 1936". Short titles.

(2) The Prison Acts, 1869 to 1934, and this Act may be cited together as the "Prison Acts, 1869 to 1936".

2. This Act is incorporated with the other Acts mentioned in this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. (1) If any person lawfully imprisoned under any sentence escapes (whether before or after the commencement of this Act) from any prison, gaol, police prison, police station, watch-house, or lockup, or from the custody of any member of the police force, gaoler, or person in whose custody he is, the period intervening between the day upon which the said person so escapes and the day when he surrenders himself or is apprehended shall not be reckoned as part of the term to be served by him under the said sentence, and the execution of the sentence shall during the said period be suspended. Punishment on escape.
Vic. 3600, 1928,
s. 20 (5).
Cf. N.S.W. 10,
1924, s. 21 (d).

Prison Act Amendment Act.—1936.

(2) If any sentence of imprisonment is imposed (whether before or after the passing of this Act) upon any person for escaping as aforesaid, the sentence shall, subject to any direction or order of the court imposing the sentence, have the effect of suspending any other sentence which the said person is liable to serve; and, subject as aforesaid, any such suspended sentence shall, at the expiration of the term during which it is suspended, become again in force, so that no such suspended term shall be computed as a portion of the time served under the suspended sentence.

Amendment of
1090, 1912,
s. 9—
Escape from
police station.

4. Section 9 of The Prison Act Amendment Act, 1912, is amended by adding at the end thereof the following subsection :—

(3) Subject to any direction or order of the court imposing the sentence, every sentence imposed upon any prisoner pursuant to the provisions of this section—

- (a) shall be carried out or served immediately after it is imposed or as soon thereafter as possible ;
- (b) shall be carried out or served before the prisoner serves any pending term of imprisonment which the prisoner was actually serving when the sentence was imposed.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.