



ST. CHRISTOPHER AND NEVIS

CHAPTER 19.09

PRISON (EXTRAMURAL SENTENCES) ACT

Revised Edition

showing the law as at 31 December 2002

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This edition contains a consolidation of the following laws—

Prison (Extramural Sentences) Act

Act 7 of 1950 ... in force 20th December 1950

Amended by: Act 6 of 1976

Act 17 of 1975

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CHAPTER 19.09
PRISON (EXTRAMURAL SENTENCES) ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 19.09
PRISON (EXTRAMURAL SENTENCES) ACT

AN ACT TO MAKE PROVISION FOR PERSONS SENTENCED TO SHORT TERMS TO OPT FOR NON-RESIDENTIAL LABOUR *IN LIEU* OF IMPRISONMENT; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Prison (Extramural Sentences) Act.

Interpretation.

2. In this Act—

“Court” means the High Court of the State or a Magistrate’s Court, as the case may be;

(Amended by Act 17 of 1975)

“Extramural Prison Officer” means a person appointed as such by the Governor-General and in default of such appointment means the Keeper of the Prison to which the persons mentioned in paragraphs (a), (b) and (c) of section 3 would be liable to be committed by the Court.

(Amended by Act 6 of 1976)

Persons sentenced to short term may be opt for non-residential labour in lieu of imprisonment.

3. (1) Notwithstanding any law to the contrary, any of the following persons, namely—
 - (a) any person sentenced by the Court to imprisonment for a term not exceeding six months;
 - (b) any woman convicted of an offence which, in the opinion of the Court, is not a grave offence;
 - (c) any person liable to be committed to prison for non-payment of a fine or of a sum of money ordered to be paid in respect of any maintenance, affiliation or civil proceedings;

may, on the recommendation of the Court, in the discretion of the Extramural Prison Officer and with the consent of such person, *in lieu* of imprisonment, be employed on public work outside the prison under the supervision and control of a public authority subject as is hereinafter provided.

(2) In subsection (1), “public authority” means any authority having municipal or administrative jurisdiction in any city, town or village and includes the Public Works Department of the State.

(3) Every such person shall be employed on a daily task which shall be such as can normally be completed in the usual working day and at the usual working hours as the Extramural Prison Officer shall direct and while not so employed shall not be subject to any prison rules.

(4) Every person employed on such labour as aforesaid shall be required to report daily during the term of his or her sentence to the Extramural Prison Officer or to such person as the Extramural Prison Officer shall nominate and at such time and place as he or she shall direct.

(4) If any such person fails, without reasonable cause to the satisfaction of the Extramural Prison Officer, to present himself or herself at the appointed time and place or absents himself or herself from his or her task without permission or works or conducts himself or herself in a manner which the Extramural Prison Officer shall consider unsatisfactory the Extramural Prison Officer may, after due warning, order that such person shall undergo the confinement to which he or she is liable, subject nevertheless to a deduction of the number of days on which he or she has completed his or her daily task and he or she shall thereupon be committed to prison accordingly.
