



ANNO DECIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1966

No. 7 of 1966

An Act to amend the Criminal Law Consolidation Act, 1935-1957.

[Assented to 24th February, 1966.]

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

Short titles

1. (1) This Act may be cited as the "Criminal Law Consolidation Act Amendment Act, 1965-1966".

(2) The Criminal Law Consolidation Act, 1935-1957, as amended by this Act, may be cited as the "Criminal Law Consolidation Act, 1935-1966".

(3) The Criminal Law Consolidation Act, 1935-1957, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 3—Arrangement of Act.

3. Section 3 of the principal Act is amended by striking out the passage "PART X.—Convicts' Property (Sections 329-346)" therein and inserting in lieu thereof the passage "PART X.—Prisoners' Property (Sections 329-346)".

Amendment of heading to Part X of principal Act.

4. The heading to Part X of the principal Act is amended by striking out the word "CONVICTS'" therein and inserting in lieu thereof the word "PRISONERS'".

5. Section 329 of the principal Act is amended—Amendment of
principal Act,
s. 329—
Interpretation.

(a) by striking out subsection (1) thereof and inserting in lieu thereof the following subsection :—

(1) In this Part—

“prisoner” means a person undergoing imprisonment pursuant to an order of a court but does not include a person remanded for trial or for sentence. ;

and

(b) by striking out the word “convict” in subsection (2) thereof and inserting in lieu thereof the word “prisoner”.

6. Section 331 of the principal Act is amended—Amendment of
principal Act,
s. 331—
Governor may
appoint curator
of prisoners'
property.

(a) by striking out the word “convict” (wherever occurring) in subsections (1) and (4) thereof and inserting in lieu thereof in each case the word “prisoner” ;

(b) by inserting after the passage “entitled,” in subsection (4) thereof the passage “but not including any earnings of the prisoner while he is in prison,” ; and

(c) by striking out the word “convict’s” in subsection (4) thereof and inserting in lieu thereof the word “prisoner’s”.

7. Section 333 of the principal Act is amended—Amendment of
principal Act,
s. 333—
Remuneration
of curator.

(a) by striking out the word “The”, being the first word in that section, and inserting in lieu thereof the passage “Unless the Governor otherwise directs, the” ; and

(b) by striking out the word “convict” therein and inserting in lieu thereof the word “prisoner”.

8. The following section is enacted and inserted in the principal Act after section 338 thereof :—Enactment of
s. 338a of
principal Act—

338a. (1) Where a prisoner is released on probation or on licence pursuant to section 42 or 42a of the Prisons Act, 1936-1963, the curator may, from time to time while the prisoner is lawfully at large, subject to subsection (2) of this section, cause to be made out of such property or the income thereof any payments and allowances for the support or maintenance of the prisoner which the curator thinks fit and any payments and allowances for any other purpose which in the opinion of the curator will aid in the rehabilitation of the prisoner.

Curator may
make
allowances for
support of
prisoner
released on
probation, etc.

(2) Where the prisoner is released subject to the supervision of a probation officer, the curator shall not cause any such payments or allowances to be made except upon the recommendation of the chief probation officer.

Consequential
amendments
to various
sections of
principal Act.

9. The principal Act is amended by striking out the word "convict" (wherever occurring) in sections 330, 332, 334, 335, 336, 337, 338, 339, 340, 343, 344 and 345 thereof and inserting in lieu thereof in each case the word "prisoner".

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

EDRIC BASTYAN, Governor.