

VICTORIA.



ANNO SEXTO DECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7579.

An Act to amend the *Gaols Act 1958*.

[8th November, 1967.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. (1) This Act may be cited as the *Gaols (Amendment) Act 1967*.

Principal Act
No. 6259 as
amended by
Nos. 6651, 7107,
7469.

(2) The *Gaols Act 1958* is in this Act referred to as the Principal Act.

Amendment of
No. 6259 s. 7.

2. For section 7 of the Principal Act there shall be substituted the following section :—

Lock-ups may
be
constituted
" police
gaols " for
terms of
imprisonment
under thirty
days &c.

' 7. (1) Whenever it appears to the Director-General after consultation with the Chief Commissioner of Police to be necessary so to do the Director-General may recommend to the Minister that a lock-up is fit for the reception of prisoners sentenced to imprisonment for a term not exceeding the term the Director-General thinks fit and specifies in his recommendation.

(2) Upon receiving any such recommendation the Minister may by notice published in the *Government Gazette* proclaim any police lock-up so recommended to be a " police gaol " for the reception of prisoners for any term up to the term specified but not in any case exceeding thirty days.

(3) Upon

(3) Upon the publication of any such notice the provisions of the Acts then in force relating to gaols and the rules and regulations made thereunder shall so far as those provisions are applicable apply to police gaols.

(4) A prisoner sentenced to imprisonment for a longer term than is specified under this section in relation to a lock-up shall not be detained in that lock-up except for such period as elapses before he can conveniently be conveyed to a gaol.

(5) The Minister may from time to time by notice in the *Government Gazette* revoke or vary any proclamation made under this section.'

3. After sub-section (3) of section 20 of the Principal Act there shall be inserted the following sub-section :—

Amendment of
No. 6259 s. 20.

“(3A) For the purposes of this section where a person is imprisoned for non-payment of a sum of money within the meaning of sub-section (2) and the keeper of the gaol in which he is imprisoned has warrants for the committal of that person to gaol for non-payment of other sums of money under circumstances in which the terms of imprisonment directed in the warrants are cumulative under section 19 upon the term of imprisonment he is then serving he shall be deemed to be serving one term of imprisonment for the aggregate of all the cumulative terms and the Governor may, by one order, order the discharge of that person in respect of all the sums of money upon his entering into one recognizance under this section conditioned for the payment of all those sums.”

Procedure
where terms of
imprisonment
are cumulative.

4. In paragraph (c) in sub-section (4) of section 20 of the Principal Act after the word “imprisoned” there shall be inserted the words “or liable to be imprisoned”.

Amendment of
No. 6259 s. 20.