REGULATIONS SURVIVING IN TERMS OF
Correctional Service Act 9 of 2012
section 127

The General Regulations for the Government of Convict Prisons and Gaols were originally made in terms of section 88 of the Prisons and Reformatories Act 13 of 1911, which was repealed by the Prisons Act 8 of 1959, which was then repealed by the Prisons Act 17 of 1998, which was subsequently repealed by the Correctional Service Act 9 of 2012. Pursuant to section 127 of the Correctional Service Act 9 of 2012, the General Regulations for the Government of Convict Prisons and Gaols are deemed to have been made under that Act. Please note that in terms of these regulations, 1 British Pound (£1) is equivalent to 2 Namibian Dollars (N$2). Additionally, there are 20 shillings in a pound and there are also 240 pence in a pound of British currency. The abbreviation “s” refers to shillings and the abbreviation “d” refers to pence.

as amended by

Government Notice 1687 of 1913 (SA GG 428)
came into force on 4 November 1913

Government Notice 1495 of 1914 (SA GG 568A)
came into force on 3 September 1914

Government Notice 1975 of 1914 (SA GG 612A)
came into force on 3 September 1914

Government Notice 756 of 1915 (SA GG 669)
came into force on 13 July 1915

Government Notice 545 of 1916 (SA GG 730A)
came into force on date of publication: 5 May 1916

Government Notice 361 of 1917, (SA GG 795)
came into force on 14 March 1917

Government Notice 928 of 1917 (SA GG 826)
came into force on date of publication: 13 July 1917

Government Notice 1174 of 1917 (SA GG 838)
came into force on 28 August 1917
Government Notice 1721 of 1917 (SA GG 854)  
came into force on 11 December 1917

Government Notice 76 of 1918 (SA GG 861A)  
came into force on 8 January 1918

Government Notice 227 of 1918 (SA GG 867A)  
came into force on 15 February 1918

Government Notice 431 of 1919 (SA GG 958)  
came into force on 25 March 1919

Government Notice 1148 of 1921 (SA GG 1174)  
came into force on 25 July 1921

Government Notice 1295 of 1923 (SA GG 1336)  
came into force on 1 August 1923

Government Notice 688 of 1924 (SA GG 1388)  
came into force on 22 April 1924

Government Notice 264 of 1925 (SA GG 1450)  
came into force on date of publication: 6 February 1925

Government Notice 771 of 1925 (SA GG 1473)  
came into force on 5 May 1925

Government Notice 1861 of 1926 (SA GG 1585)  
came into force on 12 October 1926

Government Notice 109 of 1928 (SA GG 1697)  
came into force on 20 January 1928

Government Notice 925 of 1928 (OG 1970)  
came into force on 1 June 1928

Government Notice 2275 of 1928 (SA GG 1749)  
came into force on 28 December 1928

Government Notice 1419 of 1930 (SA GG 1891)  
came into force on 8 August 1930

Government Notice 1549 of 1933 (SA GG 2147)  
came into force on 10 November 1933

Government Notice 1198 of 1934 (SA GG 2219)  
came into force on 24 August 1934

Government Notice 1304 of 1934 (SA GG 2222)  
came into force on 14 September 1934

Government Notice 169 of 1936 (SA GG 2334)  
came into force on 7 February 1936

Government Notice 286 of 1936 (SA GG 2337)  
came into force on 28 February 1936

Government Notice 813 of 1936 (SA GG 2357)  
came into force on date of publication: 5 June 1936

Government Notice 1360 of 1937 (SA GG 2464)  
came into force on 3 September 1937

Government Notice 1703 of 1937 (SA GG 2475)  
came into force on 5 December 1937

Government Notice 166 of 1938 (SA GG 2500)  
came into force on date of publication: 28 January 1938

Government Notice 283 of 1938 (SA GG 2505)  
came into force on date of publication: 18 February 1938

Government Notice 873 of 1938 (SA GG 2530)  
came into force on 27 May 1938

Government Notice 1780 of 1938 (SA GG 2580)  
came into force on date of publication: 28 October 1938

Government Notice 1903 of 1938 (SA GG 2586)  
came into force on date of publication: 18 November 1938

Government Notice 981 of 1939 (SA GG 2660)
came into force on 7 July 1939
**Government Notice 220 of 1940** (SA GG 2732)
came into force on 9 February 1940
**Government Notice 1811 of 1941** (SA GG 2974)
came into force on 1 December 1941
**Government Notice 1369 of 1942** (SA GG 3074)
came into force on 10 July 1942
**Government Notice 2330 of 1942** (SA GG 3116)
came into force on 1 November 1942
**Government Notice 1724 of 1943** (SA GG 3245)
came into force on 17 September 1943
**Government Notice 2229 of 1943** (SA GG 3278)
came into force on 10 December 1943
**Government Notice 1369 of 1945** (SA GG 3528)
came into force on date of publication: 3 August 1945
**Government Notice 1824 of 1945** (SA GG 3551)
came into force on date of publication: 28 September 1945
**Government Notice 2361 of 1945** (SA GG 3575)
came into force on date of publication: 30 November 1945
**Government Notice 2749 of 1948** (SA GG 4072)
came into force on 17 December 1948
**Government Notice 1237 of 1949** (SA GG 4192)
came into force on 24 June 1949
**Government Notice 2547 of 1949** (SA GG 4290)
came into force on 2 December 1949
**Government Notice 1734 of 1950** (OG 1970)
came into force on 21 July 1950
**Government Notice 2455 of 1950** (OG 1970)
came into force on 6 October 1950
**Government Notice 7 of 1951** (SA GG 4519)
came into force on date of publication: 5 January 1951
**Government Notice 308 of 1951** (SA GG 4540)
came into force on date of publication: 9 February 1951
**Government Notice 399 of 1953** (OG 1970)
came into force on 27 February 1953
**Government Notice 407 of 1953** (OG 1970)
came into force on 27 February 1953
**Government Notice 1039 of 1953** (OG 1970)
came into force on 22 May 1953
came into force on 18 September 1953
**Government Notice 2395 of 1953** (OG 1970)
came into force on 6 November 1953
**Government Notice 239 of 1954** (OG 1970)
came into force on 12 February 1954
**Government Notice 2403 of 1954** (OG 1970)
came into force on 26 November 1954
**Government Notice 2455 of 1954** (OG 2019)
came into force on 3 December 1954
**Government Notice 1017 of 1955** (OG 1928)
came into force on date of publication: 15 July 1955
**Government Notice 1093 of 1955** (OG 1928)
came into force on 27 May 1955
**Government Notice 1467 of 1955** (OG 1947)
came into force on date of publication: 15 October 1955
ARRANGEMENT OF REGULATIONS

[These regulations do not have headings.]

APPLICABILITY

1. Where not otherwise qualified these Regulations are applicable generally to all Convict Prisons and Gaols, but Regulations marked with a marginal perpendicular black line are applicable to Convict Prisons only and Regulations 545 to 622 to Gaols only.

[regulation 1 amended by GN 1975/1914 and GN 407/1953]

2. The General Regulations shall be read subject to the Special Regulations prescribed for particular classes of convicts or prisoners.

3. In the General Regulations, unless where otherwise indicated, the term “Prison” shall include both a Convict Prison and a Gaol, and the term “convict” shall include “prisoner”. Also, unless where otherwise indicated, the terms “Superintendent” and “Assistant Superintendent” shall include “Resident Magistrate”, and the term “Chief Warder” shall include “Gaoler”. In all these Regulations the expression “the Act” shall mean the Prisons and Reformatories Act, 1911, or any amendment thereof. Any expression defined in and for the purposes of the Act and used in any of these Regulations shall, when so used, unless inconsistent with the context, bear the same meaning as is assigned to it in the Act.

4. The Governor-General may restrict the application of any of the Regulations to one or more Convict Prisons or Gaols, and may, in respect of different Convict Prisons or Gaols, or convicts or prisoners of different races, apply differing Regulations. If, in the opinion of the Minister, any Regulation be not suited to the circumstances of any particular Convict Prison or Gaol, the Minister may apply, in respect of that Convict Prison or Gaol or so far as practicable in respect of any class of offender or religious persuasion, such modification of the Regulation as he may think fit. Should it appear that the application of any Regulation to any particular Institution is impracticable the Officer in Charge shall forthwith report to the Director.

GENERAL REGULATIONS
1. - Director and Inspectors

5. The Director shall have charge of the Prisons Department. All lawful directions issued by him to any Officer of that Department shall be promptly obeyed whether in relation to the administration of the Department or any branch thereof or in relation to the treatment of convicts or prisoners generally or the specific treatment of any convict or prisoner.

The Assistant Director shall perform such duties as are assigned to him from time to time by the Director, and shall, in the absence of the Director, act for him.

5 (bis). (1) The designation and ranks of officers (other than subordinate officers) appointed in terms of section six of the Act, as amended, shall be as follows and in the order of precedence here given -

- Superintendent, Special Grade - Colonel.
- Superintendent, Grade I - Lieutenant-Colonel.
- Superintendent, Grade II - Major.
- Assistant Superintendent - Captain.
- Senior Chief Warder - Lieutenant.

(2) An officer upon whom a rank has been conferred may at any time use either or both the designations laid down for his rank.

(3) Officers, other than subordinate officers, appointed in terms of section six of the Act, and upon whom the ranks have been conferred shall wear the following badges of rank on the shoulder straps -

- Superintendent, Special Grade - Colonel - Crown and two stars below.
- Superintendent, Grade I - Lieutenant-Colonel - Crown and one star below.
- Superintendent, Grade II - Major - Crown.
- Assistant Superintendent - Captain - Tree stars.
- Senior Chief Warder - Lieutenant - Two stars.

[regulation 5 (bis) inserted by GN 1093/1955]

6. The Inspector of Prisons shall be subject to the direct control of the Minister, and shall conform to all such instructions as may be issued to him by the Minister.

7. (1) If the Inspector of Prisons in the course of his visits of inspection shall find that any Officer below the rank of Assistant Superintendent or Medical Officer is unfit for the performance of his duties he shall in writing acquaint the Superintendent of the fact and he may, while at the Prison, direct that such Officer be relieved from duty, and the Superintendent shall make temporary provision for the discharge of such duty. In case the matter does not admit of delay, and there is no Superintendent, or the Superintendent is not conveniently accessible, the Inspector may himself relieve the unfit Officer and make temporary provision for the discharge of his duties, and he shall at once communicate what he has done in writing to the Superintendent or other officer in charge of the Institution. In either of the cases mentioned in this subsection the Inspector shall forthwith report his action by telegraph, if possible, to the Director for confirmation.

(2) Notwithstanding anything in any other Regulation contained, if in the course of a visit to any Prison it appears to the Inspector of Prisons that the clothing, rations, medical comforts, or indulgences of convicts or Officers thereof are excessive or beyond any prescribed
scale he shall, after consultation with the Superintendent, Assistant Superintendent, or other Officer in Charge thereof, and with the Medical Officer, report thereon to the Director.

8. If the clothing, rations, and medical comforts are, in his opinion, insufficient, or not in accordance with any prescribed scale, he may, if urgency exists, while at such Prison, and after consultation with the Officers aforesaid, direct that the clothing, rations, and medical comforts be supplemented, and in like manner, if, after consultation as aforesaid, he be of opinion that any article of diet is injurious to, or unsuitable for convicts, he may direct the use of some substitute. Any action taken by an Inspector under this subsection shall be immediately reported by him to the Director.

9. It shall be the duty of the Inspector of Prisons to see that all Regulations have been and are strictly observed, and to give such instructions to the Superintendent, Assistant Superintendent, Resident Magistrate, or other Officer in Charge of the Prison as may appear to the Inspector necessary for the better carrying into effect of such Regulations.

If any difference arises between the Officer in Charge of a Prison and the Inspector with regard to the interpretation to be placed upon any Regulation, the interpretation of the Inspector shall prevail, subject to the right of the Officer in Charge, after carrying out the directions of the Inspector, to represent his views through the Director to the Minister.

10. The Inspector of Prisons may enter any Convict Prison at any hour of the day or night, may inspect records thereof of every description, and may procure such information as he may think fit from any Officer thereof, or convict therein, and the Officer in Charge of such Prison shall immediately admit the Inspector to any part of the Prison, and without notice to any person.

11. The Inspector shall afford subordinate officers and convicts every facility for preferring complaints or making known any grievance they have. He shall carefully inquire into all such complaints and grievances, and if he consider it expedient he shall conduct such inquiries out of hearing of the Officers of the Prison or the Magistrate.

12. The Inspector shall as soon as possible after every periodical visit of inspection to a Prison, transmit a general report embracing such details as may be prescribed as to the condition and management of such Prison, with any recommendation he may think fit to add, to the Director for the Minister’s information. The Inspector shall attach to this report copies of any directions given by him to the Superintendent, Assistant Superintendent, or other Officer in Charge of a Prison.

13. All directions given by the Inspector to the Superintendent, Assistant Superintendent, or other Officer in Charge, of a Prison shall be in writing, and every such Officer in Charge of a Prison shall transmit to the Director such written directions, together with a report in detail, showing what action has been taken in regard to the same.

14. The Inspector of Prisons, while on a visit of inspection of any Prison, may attend meetings of any such Board as is mentioned in Regulation 356.

15. As a Justice of the Peace the Inspector has power to administer oaths, and he shall have power to summon before him any prison officer or convict to give evidence.

16. A Deputy-Inspector of Prisons shall visit such Prisons as he may be required to, and for the purposes of any such inspection shall have all the powers and perform all the duties of the Inspector.
2. - Visiting Magistrate

17. The Visiting Magistrate shall visit the Prison to which he has been appointed Visiting Magistrate at uncertain periods, but as often each month as the Minister may direct.

18. He shall at each formal visit parade all the convicts and afford them every facility for preferring complaints or making known any grievance they have. He shall carefully inquire into all such complaints and grievances, and, if requested by a convict, he shall conduct such inquiries out of hearing of the Officers of the Prison.

19. He shall hear all complaints of Subordinate Officers, apart from any Superior Officer if he thinks fit, and if he deem necessary, report thereon to the Director.

20. He shall forward to the Director each month a report in regard to any complaint he may have received from convicts or Officers, and shall also, at any time, report any facts connected therewith that may come to his notice, and which he may consider it expedient to bring to notice.

21. He shall, not later than the fifth day in each month, forward to the Director a return, on the prescribed form, giving particulars of all punishments imposed by him during the preceding month.

22. He shall hold an inquiry into the circumstances connected with the escape or attempted escape of every convict from custody, and shall transmit a copy of the proceedings, together with his report thereon, to the Director.

[regulation 22 amended by GN 286/1936]

23. It shall be his duty to ascertain whether the provisions of the law with regard to the management of the Prison are strictly complied with, to report on any abuses within the Prison, and generally to do such acts and perform such duties in relation to the Prison as the Minister may require him to do and perform.

24. He shall frequently inspect the rations of the convicts, and if he shall find that the quality of any article is inferior, he shall forthwith report the circumstances to the Director.

25. He shall at least once a month inspect the wards, cells, hospital, and Warders’ quarters, reporting any defect which he may consider should be remedied.

26. He shall report to the Director any Official employed at the Prison who appears to have been guilty of any irregularity.

27. He shall forward to the Director a monthly report on the general management of the Prison, and shall also at any time report to that official any fact connected therewith which may come to his notice, and which he may consider it expedient to communicate.

3. - Officers Generally

28. It will be the first duty of every Officer to make himself thoroughly acquainted with the provisions of the Act, the provisions of these Regulations, and with all Rules, Instructions, and Orders relating to his duties, and, in his degree, to endeavour, by zeal, intelligence, tact, attention, and care, to promote their exact and successful working.
(1) Each Officer will constantly bear in mind that discipline is the necessary purpose of the Prison, and of his employment therein. He will study, according to his grade, not only to enforce, but himself to observe it in the smallest detail. While he will understand that by failing to compel submission to the authority with which he is entrusted he will show himself to be incompetent for his duty, he will carry out the exercise of that authority with firmness, accompanied by good temper, tact, and humanity. Although determination and force may be at times necessary, violence or harshness must never be resorted to. He will render, in his turn, with promptitude and cheerfulness, the same implicit obedience that he is required to exact. He shall perform such duties as shall be assigned to him from time to time. He shall not question the order of a superior but must obey first, and if he think himself warranted in so doing, he may remonstrate afterwards. He shall treat his Superior Officers with deference and respect (according such salutes as may be prescribed), and his subordinates with courtesy.

(2) He shall not fail on any pretence whatever, through fear, favour, or mistaken notions of kindness, to make an immediate report to the Superintendent, or other his Superior Officer, of any misconduct or wilful disobedience of orders.

(3) No Officer shall allow any familiarity on the part of a convict towards himself or any other Officer or servant of the Prison, nor shall he on any account speak of his duties, or of any matters of discipline or Prison arrangement, within the hearing of a convict.

(4) No Officer shall speak to a convict unnecessarily, nor shall he by word, gesture, or demeanour do anything which may needlessly tend to irritate any convict.

(5) Each Officer shall listen patiently to convicts and report their complaints or grievances, but at the same time be firm in maintaining order and discipline, and in enforcing strict observance of the Rules and Regulations of the Prison.

(6) All Prison Officers are placed in a position of special trust, and not only a faithful discharge of the duties laid down, but an intelligent readiness, promptitude, and discretion in unforeseen circumstances will be expected from them. While they will maintain a complete control over the convicts in their charge, they will avoid any course likely to aggravate or excite them.

(7) Sobriety being an essential in prison discipline, no failings in that respect, whatever may be the degree, will be tolerated; neither will improper language nor other analogous misconduct be overlooked. Any Officer failing to observe any of these precepts will be deemed to be guilty of an offence against discipline.

(8) An Officer shall not use or employ or allow any convict under his charge to be employed directly or indirectly for the private benefit or advantage of himself or of any other person, or in any way not in conformity with the Prison Rules and Regulations.

(9) No Officer shall traffic with convicts, or obtain their work or services in any way not authorized, and no Officer shall make use for his own purposes of any Government property or material, however trifling in value the same may be.

(10) No Officer shall lend or sell to, buy, or borrow from convicts, or receive from convicts or their relatives or friends any gifts or promises on any pretext.

(11) No Officer shall take into his service any ex-convict without the Director’s express sanction.
(12) Every Officer while on duty shall wear the uniform allotted to his respective grade. An Officer of senior rank will carefully keep up the position upon which the good exercise of his authority depends by his own conduct and example, avoiding undue familiarity with his subordinates.

(13) Proficiency in drill and shooting exercises will be expected from every Officer.

(14) It will be understood that, either in the charge of a Prison or of a particular post or body of Officers, the command, unless otherwise directed, devolves upon the Superior or Senior Officer present, who will be held responsible.

(15) Officers are prohibited from directly or indirectly engaging in any trade or business or in any commercial or agricultural undertaking, or from keeping any animals without express permission from the Director.

(16) Every Officer shall, outside as well as within the Prison, conduct himself in a decorous manner, so as to maintain a general respect both for himself and for the establishment to which he belongs.

(17) No Officer shall make any unauthorized communication concerning the Prison or Prison administration or convicts to any person whatever, or, without authority, communicate to the public Press or any person information derived from official sources or connected with his duties or the Prisons; and the making of any such communication by an Officer without authority shall be deemed to be a breach of these Regulations, and he shall be liable to punishment therefor in addition to any other penalty he may be subject to under any other law.

(18) No Officer shall publish a book or article on matters relating to the Prisons Department without the written permission of the Director.

(19) It is the duty of each Officer to report any breach of the Regulations, or other irregularity that may occur, or other circumstance which may injuriously affect good order, safety, or discipline in relation to the Prison or to any Officer or convict. Such reports, whether containing a charge against other Officers or not, must be made in writing, and within twenty-four hours after the alleged occurrence. The usual channel for communications or complaints shall be the immediate superior of the Officer complaining, who will, unless the matter be within his own authority to deal with, be responsible for immediately forwarding the same to the proper quarter.

(20) Every Officer shall forthwith report, in such manner as may be directed, any defect in any washing place, bath, or other place used for purposes of cleanliness or sanitation, as well as any defect or insufficiency in any of the buildings or walls which may affect the safe custody of the convicts, or the maintenance of order and discipline among them.

(21) Every Officer will be held responsible for loss of or deterioration to movables and buildings which he has not seen or prevented by default of watchfulness, or which he has not reported through forgetfulness or negligence.

(22) Officers are warned against making frivolous or vexatious complaints, or allowing private differences to interfere with the working of the establishment. An Officer will be held strictly responsible for establishing any charge that he may prefer.
(23) Deliberations or discussions among any class of Officers having the object of conveying praise, censure, or any mark of approbation towards their superiors or any others in the Prison Service are prohibited.

(24) Any meeting or proceeding on the part of the Officers in the nature of or tending to a combination for any object connected with their duties, position, or charges against a superior, taken without the knowledge and sanction of the Superintendent, is strictly prohibited. But the Superintendent will forward any representation made in writing, and duly signed by the Officers or any of them, respecting their duties or position, to the Director.

(25) No Officer shall address the Director or the Minister excepting through the Head of his Prison.

(26) No Officer shall allow’ any member of his family or other person unauthorized by the Head of the Prison to have access to him while on duty.

(27) European Officers should be always ready to assist and advise coloured officers in any difficulties they may have in interpreting the Act or the Regulations. In the case of joint action European Officers should always be prepared to lead coloured Officers.

(28) Officers are recommended to read the books on penology supplied to libraries to enable them to carry out their duties more intelligently, and to increase the value of their services to the Government.

(29) Officers are expressly prohibited from employing or causing to be’ employed political influence, or any other channels than the prescribed official ones, for representing grievances, or improving their rank or status, or for securing privileges, benefits, or transfers.

(30) No Officer shall take an active part in politics, or promote the candidature of any person or the cause of any party.

(31) All Officers are liable to serve in any Convict Prison or Gaol in the Union, and they may be transferred from time to time from one Institution to another as the exigencies of the Service may require.

An officer whose transfer from one Institution to another is ordered will ordinarily be regarded as being on duty during the time occupied by the process of transfer, and will be entitled to free conveyance for himself and his family and effects according to such rules as may be prescribed and to such subsistence and travelling allowances as may be in force.

Provided, however, that in cases where the Director decides that the reasons for transfer are not wholly due to the exigencies of the Service, he may stipulate one or more of the following conditions when ordering the transfer -

(a) That none of the expenses of the transfer be borne by the Department.

(b) That ordinary leave be taken to cover the period occupied in effecting the transfer.

(c) That the officer being transferred bear the expense of moving a successor to replace him.
(d) That the officer receive free transport and subsistence for himself only, but will be required to bear all expenses in connection with the moving of his wife and furniture.

[regulation 28(31) amended by GN 925/1928]

(32) Officers’ liability to duty extends to all days and to all hours of the day or night, the rota being arranged by the Senior Officers. In case of emergency even Officers off duty at that time shall respond to calls to duty.

(33) An Officer may, if the terms of the contract permit it, purchase from any prison contractor provisions for the use of himself and his family at the contract rates, making his own arrangements as to delivery and payment.

(34) Every officer not residing within the prison precincts shall furnish the Chief Warder/Gaoler with his address and shall promptly notify him of any change of his address.

[regulation 28(34) inserted by GN 286/1936]

4. - Superintendent

29. The Superintendent shall reside in the house assigned to him. He shall be responsible for the discipline, safety, and control of any Prison placed under his charge, and the carrying out of the provisions of the Act, and of all Rules, Instructions, Orders, and Regulations made thereunder in respect of such Prison.

30. He shall not, without the permission in writing of the Director, be absent from the Prison for a night, except from unavoidable necessity. If from unavoidable necessity he is absent for a night, and has not been able to obtain leave for such absence, he shall at once inform the Director of the fact, and the cause of it, and shall record the same in his journal. He shall also enter his leave of absence, with the authority for it, in his journal. Before leaving the Prison at any time he shall give over the charge of it to the Assistant Superintendent (if any), or, failing an Assistant Superintendent, to the next Senior Officer.

31. If under any circumstances the Superintendent and Assistant Superintendent are both absent, or if the Superintendent is absent and there be no Assistant Superintendent, the charge of the Prison shall devolve on the Chief Warder or Senior Subordinate Officer; but the omission of such formal handing over shall not justify such Chief Warder or Subordinate Officer in neglecting the charge, if he is aware that the Head of the Prison is actually absent therefrom.

[regulation 31 amended by GN 286/1936]

32. He shall enter in a book called the “Superintendent’s Order Book” all his orders relative to the management and discipline of the Prison, and shall cause such orders to be communicated to the proper Officers and to be initialed by Senior Officers concerned.

[The word “initialled” is misspelt in the SA Government Gazette, as reproduced above.]

33. He shall have complete control over all Subordinate Officers attached to or employed at the Prison, and shall be held responsible for the due and proper discharge by them of their respective duties and for the carrying out of the Act and the Regulations. He shall send a report to the Director of all convictions for offences committed by any Subordinate Officer. If the circumstances, in his opinion, require that summary measures shall be taken against an
Officer convicted as aforesaid, he may suspend such Officer from the discharge of his duties, and order his removal from the Prison until the Director’s decision shall be made known.

34. (1)  

[regulation 34(1) deleted by GN 286/1936]

(2) When visiting the Prison in which female convicts are kept he shall be attended by a Female Officer.

35. The Superintendent and the Assistant Superintendent (if any) shall, at least once during the week, go through every part of the Prison at an uncertain hour of the night; such visits, with the hour and state of the Prison at the time, the Superintendent shall record in his journal.

36. The Superintendent shall keep and be responsible for such books and records as may from time to time be prescribed.

37. It shall be the duty of the Superintendent to see that no convict from whom any labour can be exacted is idle, and that the labour of each convict is utilized to the best advantage of the State and of such convict. No convict is permitted to do work for any one other than the State except on the express sanction of the Director.

38. The Superintendent shall promote the useful employment, the teaching, and industrial training of such convicts as the Director may instruct.

39. The Superintendent shall use his best endeavours to assist in the identification of recidivist convicts, and with that object shall furnish to the Superintendents of other Prisons and to the Police any information in his power.

40. (1) He shall not allow any person other than the authorized Officers to pass into or out of the Prison after the gates are locked for the night, nor until the hour appointed for opening the Prison in the morning, save in special circumstances, which shall be entered in his journal.

(2) Except in special circumstances, and as permitted by his instructions, he shall not allow any person, except the persons mentioned in Regulation 539, to enter the Prison or hold any communication with a convict without a written order from the Minister or the Director.

(3) He may examine and search, or cause to be examined and searched, all persons and vehicles going in or out of the Prison, and may exclude any person who refuses to be examined.

41. He shall require reports from Subordinate Officers to be made to him accounting for all convicts in his custody night and morning, at the closing and opening of the Prison respectively, at such hours as they go to and return from labour, and at such other times as may be necessary.

42. He shall take reasonable steps to assure himself that all gates are locked at the proper times, and that all keys of the Prison are kept in the authorized place or in the possession of the authorized Officers, and he shall not ordinarily allow any key of the Prison to be taken outside the gate.
43. If the Superintendent omits to perform any duty of importance he shall record such omission in his journal, with the cause thereof.

[regulation 43 substituted by GN 286/1936]

44. (1) He shall cause abstracts of the Regulations relating to the treatment and conduct of convicts, with copies of the Prison dietaries and diet scales (printed in legible characters) to be posted in the English, Dutch, and such other languages as the Director may prescribe, in prominent parts of the Prison.

   (2) He shall take an early opportunity of seeing all convicts after their admission, and satisfy himself that they understand the Rules and Regulations to which they are required to conform, exhort them to reform, and point out the privileges they may gain by industry and good conduct, and the consequences of idleness and misconduct.

45. (1) He shall notify to the Medical Officer without delay the illness of any Officer or convict, and shall furnish to him daily a list of the convicts reporting or who have reported sick in the Prison.

   (2) He shall, without delay, call the attention of the Medical Officer to any convict whose state of mind or body specially appears to require attention, and shall give attention to the written directions of the Medical Officer respecting alterations of the discipline or treatment of any convict, the supply of any additional articles to any convict on medical grounds, and the separation from other convicts of any convict labouring under or suspected of being infected with any contagious, infectious, or mental disease.

   (3) He shall immediately, in consultation with the Medical Officer, take such steps as may be necessary to prevent the spread of any contagious or infectious disease.

46. He shall visit the Prison Hospital daily, and see all convicts therein, and shall take care that proper arrangements are made for the safe custody of the sick convicts, and that discipline is maintained so far as is consistent with the medical treatment prescribed for them. Should the Superintendent, for sufficient reason, in any case, depart from any instruction or direction given by the Medical Officer, he shall minute the same and his reasons therefor, and report to the Director. The Director shall decide in the case of any difference between the Superintendent and the Medical Officer.

47. When an accident occurs to a convict the Superintendent will obtain, in addition to the formal report, a report from every Officer who can supply any information, showing exactly how it occurred, and how a recurrence may be obviated, also a report from the Medical Officer, showing the nature and extent, and the present and probable future result of the injury sustained, and such reports shall be sent to the Director. It shall also be made to appear whether the accident is due in any way to the negligence or default of any Officer or of any other person. Unless the Director shall otherwise order, the provisions of this section shall not be applicable to an accident of a purely minor character, resulting in an injury of a trivial nature.

48. Upon the death of a convict otherwise than pursuant to judicial sentence he shall, in addition to the notices required by Law to be given, give immediate written notice of the death to the Director, the Magistrate of the District, and the Visiting Chaplain (if any) of the denomination to which the deceased convict belonged, and he shall see that the body is disposed of in accordance with instructions. He shall also, when practicable, give immediate written
notice of the death to the nearest friend or relative of the deceased. All burials from the Prison shall take place privately.

49. He shall obtain and supply to the Magistrate the name of any convict who expresses the wish to tender his evidence at an inquest or inquiry.

50. He shall report to the Director in respect of any inquest on a convict the finding or other circumstances which may occur at the inquest.

51. He shall, without delay, report to the Director any serious infirmities of mind or body occurring among the convicts, together with the Medical Officer’s remarks thereon.

52. He shall notify the Visiting Chaplain (if any) of the denomination to which the convict belongs, and, where practicable, notify his nearest relative, when such convict’s life is in danger.

53. He shall pay attention to the ventilation, drainage, and sanitary conditions of the Prison, and take such measures as may be necessary for their being maintained in perfect order.

54. He shall take care that proper precautions against fire are adopted, and that any appliances supplied for the extinction of fire are at all times kept in good order and ready for use. *He shall take care that instructions are given as to the steps to be taken in case of fire, and that the Officers concerned are acquainted with their duties on such occasions.*

55. (1) He shall hear reports and complaints at such times as may be most convenient.

[regulation 55(1) substituted by GN 286/1936]

(2) He shall take care that every convict having a complaint to make or request to prefer to him shall have ample facilities for so doing, and he shall redress any grievance or take such steps as may seem necessary, recording the same in the prescribed manner.

(3) He shall forward to the Director, without delay, any report or complaint which any Officer of the Prison desires to make to him, and shall on no account suppress it, but he may offer any explanation with it which it may seem to require.

(4) He shall forward to the Director any report or complaint by any convict, or any report or complaint against an Officer, with which he is not competent or willing to deal, but in every such case the Officer shall be permitted to see the charge against him and to reply to it for the information of the Director.

(5) He shall inform the Inspector or Visiting Magistrate of the desire of any convict to see him.

56. He shall, without delay, summarily try all offenders subject to his jurisdiction. If, for any reason, there is any delay, he shall notify in his journal the fact of such omission and the reasons therefor.

57. (1) He shall freely and confidentially communicate with the Director on all matters relating to the Prison, apprising him of any occurrence of importance, and, in case of any emergency not sufficiently provided for in the Rules, he shall apply to the Director and
conform to his orders, acting, if necessary, in the meantime to the best of his own judgment, according to the circumstances of the case.

(2) He may at any time offer any suggestion for improvements or for the advantage of the Service, and should not reserve it for his annual report.

(3) Suggestions from Subordinate Officers for the benefit of the Service should be encouraged by the Superintendent, to be made in such manner as may be prescribed from time to time.

58. He shall take the necessary steps to maintain order and safety at religious service, in school, or at lectures.

59. He shall personally co-operate in any approved measures for reformation and shall personally interview each convict prior to discharge, explain the consequences of further convictions and exhort him to straight living

[regulation 59 substituted by GN 286/1936]

60. He may, whenever he thinks fit, separate any convict from any other convict, either by day or at night.

61. When in the interests of justice it shall appear to the Superintendent expedient, or, in like interests, at the request of a Commissioned Officer of the Police or of a Public Prosecutor, it shall be lawful for him by order in writing to direct that any convict shall, for any period which shall be specified in such order, be made to wear gloves or special suits of clothes (in both cases of patterns to be approved of by the Director) or to be confined apart from other convicts by day or night.

62. He shall submit to the Director, as soon as possible after the 31st December in each year, or such other date as may be fixed, a report in writing, specifying, with reference to the year ended on that date, the conduct of the Subordinate Officers; the number of convicts admitted to his custody and their disposal; the conduct of the convicts and the number of punishments and restraints imposed on them; the number of escapes or attempts at escape; the labour at which the convicts have been employed; the particulars of their labour and the value thereof; the state and condition of the buildings, fences, and Government property generally; the repairs or alterations which have been made in the Prison buildings; and such other particulars as may be directed, together with a certificate, signed by himself, stating whether, to the best of his knowledge and belief, the Rules laid down for the government of the Prison have been complied with, except as to such cases as have been specially reported to or brought under the notice of the Director.

63. He shall use every endeavour by communicating with the South African Prisoners’ Aid Association and otherwise to assist in providing convicts with employment on their discharge, in order to prevent them from falling again into crime.

64. He shall assure himself by his own inspection, or by reports made to him, of the fitness for duty of all Officers told off for duty.

65. All orders and communications having reference to any Department of the Prison shall be addressed to the Superintendent as the responsible head of the establishment, and his duty shall be to communicate them as the orders of the superior authority to all Officers of the Prison, and they shall be obeyed as if addressed to these Officers themselves.
66. He shall be responsible for any notice of appeal, petition, reply, or statement made by a convict to the Government or to a Court of Law being duly forwarded to the proper quarter.

67. He shall make periodical reports to the Director relative to the character and conduct of Subordinate Officers, and their ability and fitness to perform their duties.

68. He may in his discretion communicate to a convict or to his friends any matter which is of importance to such convict.

69. He shall frequently inspect the articles supplied for the food of convicts, or for the service of the Prison, and in case of any question as to quantity or quality of any article, he shall take action under the contracts in force. When any question of quality is concerned he shall, if practicable, act in consultation with the Medical Officer.

70. He shall promote the utmost economy and shall carefully check any demands made to him by his subordinates.

71. He shall be responsible for the safe custody of all Government property at the Prison, and that all Treasury and Audit Rules are complied with. He shall exercise supervision over the issue of clothing and stores of every description in order to check waste and extravagance. At the same time it shall be his duty to see that the convicts are properly clad. He shall cause stock to be taken at the prescribed periods, and the reports thereon to be forwarded as early as possible to the Director. He shall hold periodical kit inspections of the clothing, arms, accoutrements, and bedding of all Subordinate Officers under his command. All Subordinate Officers shall attend this parade unless specially exempted.

72. He shall see that the convicts rise and go to their beds at the hours prescribed; that their conversation is properly restrained and controlled; that every care is taken to preserve the health and cleanliness of the convicts; that the hours of labour are properly observed, and that no indulgences are given except such as are authorized by the Director, or articles prescribed by the Medical Officer’s written direction.

73. He shall take every precaution to prevent the escape of convicts, and to secure the recapture of any who may have escaped. He shall exact unceasing vigilance on the part of Officers and shall see that they are well instructed as to their duties on an escape taking place.

74. He shall see that the Warders placed at his disposal are distributed amongst the spans in such a manner as to minimize the risk of escape. If the Superintendent considers that the allowance of Warders fixed by the Director should be exceeded in any particular case, he should obtain special authority for departing from the scale.

75. With a view to preventing the escape of convicts he shall see that the whole of the convicts are counted immediately after the doors are opened in the morning, and that the roll is called by each Officer in Charge of a span immediately before the doors are locked in the evening.

76. Once in each month he shall cause the convicts to be checked with the convict roll, and with the current warrants held by him.
77. He shall report immediately to the Police, the Director, and the Visiting Magistrate the escape of any convict. He shall forthwith forward to the Director, the Magistrate of the District, and the Police accurate descriptive returns of the convict who has so escaped.

78. He may, subject to confirmation, offer a reward and reasonable expenses for the recapture of any escaped convict.

79. He shall see that the register of private effects belonging to convicts brought to the Convict Prison is correctly kept, and that all moneys, valuables, and other effects belonging to convicts are disposed of in such a manner as may be prescribed.

80. He shall see that all punishments imposed on convicts are properly carried into effect, and that all orders and regulations as to diet and exercise are duly observed. With this object in view he shall visit at least once in every day every isolation or punishment cell in which a convict is confined, and shall see that every convict in such cell is visited at intervals of not more than three hours.

81. He shall employ convicts to perform the necessary services of the Prison as far as possible, and shall use every precaution in connection therewith. He shall see that the number so employed is kept at the lowest possible point, and that the selection is carefully made.

82. He shall see that the Visitors’ Books are properly kept and signed by official and other visitors.

83. A special book shall be kept for visitors to convicts, and therein shall be entered the name, address, and relationship (if any) to the convict of such visitor, while in the ordinary Visitors Book shall be inserted the name of every other visitor, with the object of the visit, and the authority for the same.

84. He may cause any visitor suspected of smuggling or introducing or conveying contraband to be searched in private by an Officer of the same sex, and may refuse admission to any visitor without reasons, reporting the reasons for refusal, however, to the Director.

85. He may also remove from the Prison any visitor to the Prison or to a convict whose conduct is improper, or who refuses to obey any lawful direction, recording such removal and the cause thereof in his journal.

86. He shall see that proper charges are framed against all Officers and convicts brought before himself or before any Magistrate for trial for offences. He shall, in cases tried by himself, permit the accused to call such witnesses as may be desired, provided the evidence they can give is material to the defence.

87. He shall immediately and searchingly investigate any case of a convict discovered with bodily injuries, the cause of which shall not be apparent.

5. - Assistant Superintendent

88. In the absence of a Superintendent, or in Prisons where there is no Superintendent appointed, the Assistant Superintendent shall perform all the duties of a Superintendent.

89. Where there is a Superintendent the Assistant Superintendent will assist the Superintendent on all occasions, and carry into effect his instructions. He will, in his general
conduct, and in, the discharge of his duties, conform to the rules and instructions laid down for the guidance of the Superintendent, and see that the Superintendent’s orders are strictly obeyed.

6. - Medical Officer

90. The medical officer shall reside as directed in his appointment, and attend to all sick convicts and all officers and servants of the prison resident at the prison, or within such distance as may be prescribed by the Director. He shall also attend the families of such officers and servants of the prison, subject to such conditions and limitations as may be prescribed by the Director. He shall not be required to attend maternity cases in the families of officers and prison servants as part of his duty. He shall be permitted, however, to attend such cases if called in, and to make a charge to such patients for his own profit.

[regulation 90 substituted by GN 1687/1913]

91. He shall himself conform to the Rules and Regulations of the Prison, and shall support the Superintendent in the maintenance of discipline, industry, and order, and the safe custody of the convicts.

92. He shall furnish such reports as may be called for by the Superintendent or Director, and shall advise them on all medical or health matters affecting the Prison.

93. He shall, if resident officer, visit every part of the Prison, at least once every day, and if not resident at the Prison then upon the occasion of each regular visit, but not less than once a week. He shall see every convict at least once a week so as to ascertain his general state of health, and whether he is clean in his person and free from disease.

94. He shall attend whenever summoned to the Prison with the least possible delay.

95. He shall, every day, see such convicts as complain of illness, wherever practicable before labour hours, reporting to the Superintendent in writing those that are fit for labour of any kind, and giving directions in writing respecting those that are kept from labour. He shall daily visit the sick at such times as may be necessary, and shall attend at once on receiving information of the serious illness of any convict or Officer or member of an Officer’s family entitled to attendance.

96. He shall, wherever practicable, once every day, or oftener, visit every convict under punishment, or under special discipline, or any other convict to whom his attention is specially directed.

97. He shall examine every convict as soon after reception as possible, and shall record his medical and mental history, his state of health, paying special attention to any mental or physical abnormalities, and such facts connected therewith as may be from time to time directed; and shall indicate whether the convict is capable of hard labour, light labour, or no labour.

98. He shall weekly examine the washing places, baths, and sanitary arrangements, and see whether they are in efficient working order, and report at once to the Superintendent any defect or insufficiency therein.

99. As early as practicable in every month he shall inspect every part of the Prison for the purpose of ascertaining that nothing exists therein likely to be injurious to the health of
the convicts, and especially that the ventilation appliances are properly attended to. The result of this inspection shall be recorded in his journal.

100. He shall, whenever practicable, daily, at uncertain hours, inspect the food of the convicts, cooked and uncooked, and shall report to the Superintendent as to the quality of the provisions, and also as to sufficiency of clothing and bedding, any deficiency in the quantity or defect in the quality of the water, or any other cause which may affect the health of the convicts.

101. (1) He shall enter, day by day, in his journal, to be kept in the Prison, an account of the state of every sick convict, the name of his disease or infirmity, and a description of the medicines and diet and other treatment which he orders for any convict.

(2) He shall also record his visits and all occurrences and such matters connected with his duties as may be directed.

102. (1) When the Medical Officer has any reason to suspect that the mental state of any convict is becoming impaired or enfeebled by continued imprisonment, he shall take the convict under his special observation; and should there be good reason to believe that, either from the conduct of the convict, or from his manner and habits, there are signs of incipient insanity, he shall report the circumstances to the Superintendent for the information of the Director, stating, in cases of doubt, whether he desires any special or additional advice.

(2) Whenever the Medical Officer has reason to believe that a convict’s health is likely to be injuriously affected by the discipline or treatment or otherwise, he shall report the case in writing to the Superintendent, together with such recommendations as to different discipline or treatment as he thinks proper.

(3) The Medical Officer shall give written notice to the Superintendent when the sickness of any convict appears to him to assume an aspect of danger.

103. If any case of peculiar difficulty or danger occur the Medical Officer may call in additional aid, referring previously to the Director for approval if the case will reasonably admit of such reference. No serious operation shall be performed without the consent of the convict where this can be obtained, nor without a previous consultation with another medical practitioner, except under very urgent circumstances not admitting of delay, such circumstances the Medical Officer shall record in his journal.

104. The Medical Officer shall forthwith on the death of any convict enter in his journal the following particulars, viz. - At what time the deceased was taken ill, when the illness was first communicated to the Medical Officer, the nature of the illness or disease, the date and hour when the convict died, and an account of the appearances after death, together with any special remarks that appear to him to be required. He shall also immediately send the certificates required under section 92 of the Act.

105. In every case of death of a convict otherwise than from natural causes and in every case of death of a convict pursuant to judicial sentence, he shall, as soon after death as possible, hold a post-mortem examination of the body, and he shall duly record and certify on the form provided the results of such examination, together with, in his opinion, the true cause of death, and shall in all cases of executions furnish the Director with a special report on any physical abnormalities indicative of degeneracy.
106. No person other than an Officer shall be allowed to be present at any post-mortem examination conducted in any Prison without the express permission of the Director. The name of any person so admitted shall be inscribed in the journal.

107. The Medical Officer, if prevented from attending to his duties by illness, or when applying for leave of absence, shall communicate in writing the circumstances without delay to the Superintendent, and shall, if necessary, submit through him to the Director, the name and address of a substitute for approval.

108. He may, when he considers it necessary, apply any painful or noxious test to a convict to detect malingerer or otherwise, and it shall be his duty to report and charge any convict found malingerer. He shall aid the Superintendent in securing and enforcing the performance of suitable labour by convicts, not capable of hard manual labour.

109. He shall inform the Superintendent of any particular point of which he may become aware in regard to the person of any convict which might assist in identifying or classifying him, or in throwing light on his criminal or medical history.

110. He shall have the general care of the health of the convicts, and shall report to the Director, through the Superintendent, any circumstance connected with the Prison, or the treatment of the convicts, which at any time appears to him to require consideration on medical grounds.

111. (1) He shall keep such statistical records and furnish such returns as may be directed relative to the health and medical treatment of Officers and convicts, and to the sanitary condition of the quarters of the Officers and of the Prison buildings.

(2) He shall report periodically and from time to time as may be directed on the general health and sanitary condition of the establishment, the health of the Officers, the capability of performing their duties, the health of the convicts, and in reference to any other point upon which he may be directed to report.

(3) He shall submit to the Director through the Superintendent as soon as possible after the 31st December in each year a report in writing with reference to the year ended on that day, with statistics of sickness, mortality, removals on medical grounds, insanity, suicide, and hospital treatment among the convicts, any special facts with regard to any convict or class of convicts, and such other particulars as may be directed.

(4) He may at any time offer any suggestion for improvements or for the advantage of the Service, and should not reserve it for his annual report.

112. He shall examine every convict before his discharge. A convict due for release, or whose discharge has been ordered, shall, if not in full health at the time, and if in the opinion of the Medical Officer his release then is likely immediately to result in his death or grave injury to his health, or to prove at any time a grave source of infection to others, not be released, but shall be further detained until the Medical Officer certifies him to be fit for discharge: provided that a convict suffering from venereal disease which originated before his reception into shall be released on his due date of discharge, and shall not be detained by virtue of this regulation. In the event of satisfactory safeguards being provided by relatives or friends the Minister may order the release on such conditions as he may think fit notwithstanding the Medical Officer’s opinion to the contrary.

[regulation 112 amended by GN 928/1917]
113. He shall enter in a book which shall be submitted to the Superintendent any special directions regarding the health or food of any particular convict not being in the hospital.

114. He shall sign all demands for extras and medical comforts, and for all hospital stores, and shall see that the demands for the latter are sent in at regular times as for other stores.

115. He shall see that regular accounts are kept of the receipt and expenditure of all drugs and medical stores.

116. He shall be responsible for the safe custody of all surgical appliances, equipment, and instruments, and for their being kept in proper condition, and shall keep an up-to-date inventory of the same and furnish the Superintendent with a copy thereof.

117. (1) Subject to the following reservations, he shall vaccinate every convict as soon as possible after his reception into the Prison, i.e., unless

(a) there be an official record that vaccination has been properly performed either

   (1) before the convict was sent from some other Prison, or

   (2) before the convict’s admission or on some previous conviction not exceeding in any case seven years back, or

(b) the Medical Officer is able to certify either

   (1) that the convict is not in a fit state of health to submit to vaccination, or

   (2) that if vaccination be performed the convict (if under order for removal) will not be in a fit state to travel to another Prison on the specified date (to be named in the certificate),

   (3) that the convict bears the marks of a previous attack of small-pox.

(2) Every convict shall submit himself as often as may be required to vaccination in terms of the preceding section and at such institutions as may be determined by the Director shall also submit himself to such inoculation against such diseases as may be generally approved by the Minister on the recommendation of the Medical Officer of Health for the Union.

[regulation 117 amended by GN 1174/1917]

118. He shall examine every convict under sentence before his removal to any other Prison, and certify in writing whether he is fit to travel.

119. Whenever he shall find or suspect a convict or an Officer or any member of an Officer’s family, or any inmate of or visitor to the Prison to be suffering from any infectious or contagious disease, he shall at once report the circumstances to the Superintendent and give all necessary instructions in writing for the prompt segregation of the patient, and for preventing the spread of such infectious or contagious disease, and he shall forthwith report the fact, together with any circumstances bearing upon it, in writing to the Superintendent, stating, if possible, the cause of the disease.
120. Whenever illness arises from any preventible cause, and the Medical Officer’s written representations are not attended to with reasonable dispatch, he shall notify the omission direct to the Director, and, at the same time, shall furnish the Superintendent with a copy of his report.

[The word “preventable” is misspelt in the SA Government Gazette, as reproduced above.]

121. He shall attend at every execution of a sentence of capital punishment carried out in the Prison to which he is attached, and shall, as soon thereafter as may be, report the actual cause of death. The body shall not be removed from the Prison until the certificate required by Section 92 of the Act has been furnished.

122. He shall record in writing all directions given by him pursuant to these Regulations, and if any direction conveyed by him in writing to any responsible Officer is not carried out he shall notify the fact to the Superintendent, and if his recommendations are still disregarded, then to the Director, and, at the same time, shall furnish the Superintendent with a copy of his report.

123. The Medical Officer of the Prison to which an Officer is first appointed must satisfy himself that such Officer is efficiently protected from small-pox, either by evidence of revaccination or of his having suffered from the disease itself. If primary vaccination only has been performed steps should be at once taken to revaccinate such Officer, and in the case of a Subordinate Officer the result will be entered on his enrolment papers.

124. He shall make a special examination of an insane convict before removal to a lunatic asylum, and will at once record and report to the Superintendent if his bodily state is unclean, or if he has sustained any injuries.

125. He shall insert in his own handwriting on the prescribed form detailed orders for the treatment of each convict in hospital.

126. The services of the Medical Officer shall be readily available whenever occasion requires. He shall take care to be accessible at all times. When he may be temporarily absent from the Prison he shall leave notice where he may be found in case his services be suddenly required.

127. He shall inspect the Prison Hospital at least twice a week after lock-up, recording these visits in his journal.

128. He shall, generally, carry out to the best of his ability such duties as may be necessary, and such orders as he may receive from time to time from the Superintendent of the Prison.

129. He shall devote the whole of his time to the duties connected with the Prison, if he be a whole-time Officer, and he shall not engage in private practice unless it is specially provided in his appointment that he may.

130. Where there are two Medical Officers to one Prison the division of their duties shall be determined by the Director. They shall assist and supplement one another as far as possible, and in the temporary absence of the one the other shall, wherever possible, perform his duties in addition to his own.
131. In the case of a part-time Medical Officer the frequency and times of his visits, inspections, and attendances shall be regulated by the terms of his appointment, or as may be required of him or by the necessities of the situation, and where not otherwise provided the duties enjoined by these Regulations shall be performed by him on the occasion of each visit, unless longer intervals be prescribed or exemptions be made by the Director or by Regulation.

7. - Chaplains

132. Whenever the daily average of convicts belonging to any particular approved religion, sect, or denomination exceeds twenty a visiting Chaplain of that sect or denomination shall, wherever possible, be appointed.

133. The appointment shall be a personal one, and not be capable of being delegated except in special cases with the previously obtained consent of the Director. The duties shall be primarily of a moral and religious nature, and shall be such as shall be broadly prescribed by the Director from time to time, and shall include Sunday services, attendance on convicts in their cells, and an annual report in writing in detail on the moral progress of the convicts under each Chaplain’s charge, and his suggestions for the moral upbuilding of the convicts.

134. While primarily appointed to the moral and religious welfare of the convicts professing his particular faith, the Chaplain shall, when requested by the Superintendent, attend those convicts, sick, dying, under punishment, or sentenced to death, who may have no Chaplain of their faith. No proselytizing is allowed.

135. While with the express consent of the Director European Christian workers of either sex may be permitted access to the Prison, no non-European worker shall be admitted unless he be ordained as a religious worker of a denomination, vouched for by some responsible authority of that denomination, and approved by the Director.

136. All convicts who on admission declare to a certain faith shall attend the ministrations of that faith unless excused for illness or other sufficient cause. The request of a convict who is ill or under sentence of death that a minister of his faith shall be sent for shall, where reasonably possible, be carried out.

137. Officers shall afford all facilities and every attention to Visiting Chaplains, and shall maintain order at their services.

138. The Chaplain shall not act as a channel of communication between convicts and the outer world, or conversely, or divulge anything which comes to his notice to unauthorized persons, and shall not accept any petitions for release or complaints, but refer petitioners and complainants to the Superintendent. He may, however, personally make suggestions freely to the Director or Superintendent.

139. The Chaplain shall forward by all means in his power the suitable re-employment of convicts on discharge in order to prevent relapse into crime, and shall endeavour to keep in touch - with them personally or by correspondence during the first months of release. For these purposes he is specially empowered to enter into communication with Visitors’ Boards and the South African Prisoners’ Aid Association or similar organizations where such exist, and is encouraged to promote the establishment of such where none exist.

8. - Subordinate Officers

(a) Conditions of Service and Discharge
140. (1) The term subordinate officer includes every officer male or female, attached to a convict prison or gaol, and embraces all officers including and between the ranks of chief warder, matron, and warder and wardress, respectively. It does not include a, visiting magistrate, magistrate, superintendent, assistant superintendent, warden, assistant warden, chaplain, medical officer, or any other officer or class or officers specially exempted by the Minister from inclusion within this definition.

(2) European subordinate officers are enrolled by the Director, subject to the approval of the Minister. No application for enrolment in the permanent European male warder rank will be considered unless the candidate is able to comply with the following conditions:

(a) He must be a British subject.

(b) He must be between twenty-one and thirty-five years, according to birth certificate produced at time of enrolment or within a reasonable time thereafter.

(c) He must be at least 5 ft. 7 in. in height, with weight and chest measurements according to standards laid down from time to time.

(d) He must be free from all material mental and bodily infirmity, of strong constitution, and equal to the performance of prison duty.

(e) He must be unmarried, or a widower without children dependent upon him.

(f) He must produce evidence of good character to the satisfaction of the Director.

(g) He must have acquired the sixth standard of education or its equivalent, provided, however, that for duties not requiring this standard of education the Director may in his discretion enrol suitable applicants with lower educational qualifications, who will be graded as second class warders.

(h) In special cases men not over forty-five years of age, whether married or single, who have had previous prison experience, may be enrolled, provided they fulfil all other requirements.

(i) Any of the above requirements may be waived with the consent of the Minister in special cases. Where men with special qualifications are required to fill specific posts enrolment may he made to any of the subordinate ranks.

(3) Temporary appointments may be made as necessary in the Director’s discretion, provided the relative scales for permanent officers are not exceeded.

(4) Special warders may be appointed as required, with or without pay, in terms of section three, Act No. 46 of 1920.

(5) For the ranks of matron, wardress, and coloured, native, or Indian warder, the Director may enrol candidates at his discretion, provided they are physically and mentally sound and fit and are of good character.

(6) Candidates for enrolment, after selection, will be examined by a medical officer of the Department free of charge. Accepted candidates will receive free transport to the depot or institution to which they may be drafted and reasonable out-of-pocket expenses.
(7) A recruit rejected for any cause outside his own control either before enrolment or during his probationary training, shall be given free transport to enable him to return to the place within the Union whence he was brought, together with a sum of money to cover reasonable out-of-pocket expenses on the journey, and shall not be liable to the penalty prescribed in Regulation No. 149. A probationary warder who is discharged for any other reason shall not be entitled to free transport and shall be liable to pay the prescribed penalty, unless remitted.

[regulation 140 substituted by GN 1295/1923]

141. European subordinate prison officers shall be graded in the following ranks -

Chief Warder: Grade I and Grade II.

Head warder.

Warder: Warder.

Probationary Warder.

Temporary or special.

Matron: Grade I and Grade II.

Wardress: Wardress.

Temporary or special.

*Non-discipline officers shall be graded in their relative ranks.

[regulation 141 substituted by GN 1295/1923 and GN 1237/1949]

142. All officers before enrolment shall fill in the prescribed application form, and declare upon oath the accuracy of the statements made therein, and shall sign the general conditions of service governing the appointment of subordinate officers. Fingerprint must be given by all applicants who may be required to do so.

On enrolment they will be required to take oaths of allegiance and of office. Failure to produce proof of date of birth in support of the sworn statement within a reasonable time of enrolment will render an officer liable to be discharged as unsuitable.

[regulation 142 substituted by GN 1295/1923]

143. The first engagement of a permanent officer will be for one year only. The first three months of a European subordinate officer’s service, which will ordinarily be spent under instruction, will be regarded as a probationary period. Such probationary period may be extended for sufficient reason, and confirmation of appointment may be withheld in the case of an officer who without sufficient reason has failed to produce the requisite proof of age. Prior to the expiration of this period a report will be made as to the probationer’s suitability for his office, and if he is found to be unsuitable he will be required to vacate his office forthwith, subject to a right of appeal to the Minister. The fact that the officer is regarded as being a probationer shall not absolve him from his obligation to serve one year. At the expiration of one year’s service, officers who have been found suitable may be permitted to engage for yearly periods, for so long as they continue fit and capable and subject to any superannuation rules.
144. Wherever practicable, European officers shall undergo a course of instruction at a training depot before being approved for appointment.

145. Whilst on probation in a training depot and until confirmation, an officer shall be paid at the rate prescribed, but will not be entitled to local allowance, and will not be charged rent for his quarters

The probationary period will be included for the purpose of calculating the due date of annual increments.

146. A European warder graded as second class may be regraded as first class when the Director is satisfied that his efficiency and education justify such promotion.

Such promotion shall have effect from the officer’s existing incremental date, and the officer will be placed in the higher rank on the notch equivalent to or next higher than the pay he was drawing or would have drawn in the lower rank.

147. Should an officer fail to give one month’s prior notice of his intention to leave the service at the expiration of his year of engagement, his engagement for another year will be tacitly renewed.

148. Should the Director be unwilling to allow any office to re-engage at the expiration of his year of engagement, he shall cause one month’s prior notice to that effect to be given to the officer concerned. Failing such notice from either side, the engagement will be tacitly renewed for another year.

149. An officer cannot claim the right to resign during his first year of service, but if permitted to resign a month’s notice must ordinarily be given, and a deduction from salary shall be made to the amount of ten shillings (in the case of Europeans) and five shillings (in the case of natives) for each unexpired month or portion of a month of the period of engagement.

Subject to the provisions of section seven (2) of the Prisons Act, after the first year’s engagement an officer may be permitted to resign during the current year of engagement without deduction from salary on giving three months’ notice. If permitted to resign at shorter notice, he shall be liable to the deduction from salary herein prescribed. A similar deduction shall be made from any pay due to any officer dismissed for misconduct or discharged as unsuitable.

The Director may remit the deduction either wholly or in part in cases where he thinks fit.
150. Any officer who proves to be unsuitable or medically unfit during his term of engagement may be removed from his office at the discretion of the Director after thirty days’ notice, or with one month’s salary in lieu of notice, subject to a right of appeal to the Minister against the Director’s decision.

[regulation 150 substituted by GN 1295/1923]

151. Serious pecuniary embarrassment will be regarded as impairing the efficiency of an office, and such embarrassment, if occasioned by imprudence or other reprehensible cause, will be regarded as affecting the trustworthiness of an officer and the respectability of the service, and the officerembarrassed may in the discretion of the Director forfeit his claim to promotion or increase of pay until free from such embarrassment, and in aggravated cases may be dismissed or reduced in rank.

Officers may be required to disclose in an affidavit or solemn declaration full details of their liabilities.

[regulation 151 substituted by GN 1295/1923 and amended by GN 286/1936]

152. If any officer be convicted before any tribunal of any offence under the Act or these regulations or before any court for an offence against any other law, or have his bail estreated, the Director may degrade him to such lower rank as he may think fit, or may dismiss him from the service, provided that such officer shall have the right of appeal to the Minister.

[regulation 152 substituted by GN 1295/1923]

153. When an officer is required for a time, to, exercise a higher charge than usually falls to his class, he shall undertake such higher charge without having conferred on him any special designation or uniform implying higher rank than the grade to which he belongs. An officer holding a definite acting appointment confirmed by the Director shall wear the badges of his acting rank while so acting.

[regulation 153 substituted by GN 1295/1923]

154. Officers may be required to pass such qualifying examinations for promotion as may be prescribed by the Director.

[regulation 154 substituted by GN 1295/1923]

155. (1) When names of officers are submitted to the, Director for consideration for promotion; those best qualified in all respects are to be recommended.

When the senior in the rank cannot be recommended, the reasons therefor should be stated.

(2) In the granting of promotion, efficiency shall be the first consideration, but regard shall be had to seniority where other things are equal. No appeal shall lie against any decision in respect of any promotion refused or authorized by the Director. No application for promotion made on behalf of officers from other than official sources will be received or considered, and any officer endeavouring to influence promotion through the intermediation of others will be considered to have committed a breach of these regulations.
(3) Officers must ordinarily look for promotion in the special branch in which they are employed. The Director, may, in his discretion, transfer an officer to another branch, whether on promotion or not.

[regulation 155 substituted by GN 1295/1923]

156. (1) In the granting of promotion, efficiency shall be the first consideration, but regard shall be had to seniority where other things are equal. No appeal shall lie against any decision in respect of any promotion refused or authorized by the Director. No application for promotion made on behalf of officers from other than official source will be received or considered, and any officer endeavouring to influence promotion through the intermediation of others will be considered to have committed a breach of these regulations.

(2) Officers must ordinarily look for promotion in the special branch in which they are employed. The Director may, where the interests of the service demand, transfer an officer to another branch whether on promotion or not.

[regulation 156 substituted by GN 1687/1913 and GN 1295/1923]

157. Increments of pay attaching to any grade will not be given as a matter of course, but will be in the discretion of the Director, who will, before determining, consider the continuous good conduct, zeal, and efficiency of the officer concerned. If an officer commits a serious offence, or his general conduct is reported as being indifferent, or his manner of performing his duty as being inefficient, the Director may order that his increment shall be stopped for one or more years. A subordinate officer may be reduced to a lower rank or may have his emoluments reduced or may be deprived of one or more long service increments by the Director for similar causes.

[regulation 157 substituted by GN 1295/1923 and amended by GN 1724/1943]

158. The Director may prescribe a scale of allowances to be granted to officers in respect of extra or special duty. Such scale shall not, without the approval of the Minister, exceed 1s. per diem in respect of anyone officer. The Director may authorize the payment of an allowance not exceeding 2s: 6d. per diem to any officer carrying out the infliction of corporal punishment; and not exceeding 4s. to an officer for assisting at a post-mortem.

An officer temporarily appointed by the Director to act in chief warder’s grade may, at the Director’s discretion, receive an allowance of the difference between his pay and that of the lowest rate of the grade in which he acts, provided the allowance shall not exceed 2s. per diem.

[regulation 158 substituted by GN 1295/1923]

159. Where an officer is suspended from duty pending trial for an offence against the Act or regulations, and the decision in his case, he shall, if convicted of the offence, forfeit his pay for the period under suspension. Where there has been undue delay in bringing the officer to trial or in disposing of his case, the facts may be specially represented to the Director, with a view to a partial relaxation being made of forfeiture. Where an officer is suspended from duty whilst awaiting trial for any other offence, the question of pay shall be decided on its merits by the Director.

[regulation 159 substituted by GN 1295/1923]
160. Any officer who shall withdraw or absent himself from duty for seven consecutive days shall be struck off the strength as a deserter, and shall forfeit all arrears of pay due to him, unless he is claimed for further service.

A warrant must be issued for his arrest, and if he is subsequently arrested, tried, and convicted of being absent without leave, the Director may claim him for further service to complete his current period of engagement, and shall then restore him to the establishment, his period of absence being regarded as leave without pay. If not so claimed, he shall be given a protection certificate.

[regulation 160 substituted by GN 1295/1923]

161. A certificate on the prescribed form, duly completed and countersigned by or on behalf of the Director, shall be given on discharge to all permanent officers, except deserters, and to temporary officers who have completed not less than three months’ service.

No officer on his discharge certificate shall be given a character not just justified by his record of service.

In the event of a discharge certificate being destroyed or lost, a duplicate shall be issued only on the Director’s authority in exceptional circumstances.

No discharge certificate or testimonial, other than the official discharge, shall be issued without the Director’s sanction.

[regulation 161 substituted by GN 1295/1923]

PAY AND ALLOWANCES.

162. (1) Rate of Pay. - European and male Indian and coloured officers who were in receipt of pay on the scales operating on the 31st July, 1923, and native officers who were in receipt of pay on the scales operating on the 31st January, 1924, shall, subject to the provisions of the regulations relating to promotion or reversion to a lower rank, continue on those scales so long as the officers continue in the ranks in which they were serving on that date.

From and after the 1st day of August, 1923, for European and male Indian and coloured officers, and from and after the 1st day of February, 1924, for native officers, the pay of all subordinate officers appointed prior to those dates at a provisional rate of pay or newly enrolled or promoted or removed from the rank in which they are serving shall be at the rates set forth herein.

An officer who on promotion is in receipt of salary in excess of the minimum notch of the scale of pay of the rank to which he is promoted shall be placed in the higher rank on the notch equivalent to or next higher than the pay he was drawing in the lower rank, and he shall, subject to the provisions of the preceding paragraph, remain on that notch until his length of service in the new rank shall entitle him to a further increment.

An officer who is reduced in rank may be placed on such notch as the Director may decide of the scale of pay of the rank to which he has been reduced, such scale being the scale operating in the case of European and male Indian and coloured officers from 1st August, 1923, and in the case of native officers from 1st February, 1924 but not higher than the notch corresponding with his total length of service in the higher and the lower rank.
An officer who voluntarily reverts in rank shall be placed on the notch of the scale of pay of the rank to which he has reverted, such scale being the scale operating in the case of European and male Indian and coloured officers from 1st August, 1923, and in the case of native officers from 1st February, 1924, corresponding with his total length of service in the higher and the lower rank and no higher.

**European Officers**

Warder, probationary, whilst in training depot, £120.

<table>
<thead>
<tr>
<th>Rank</th>
<th>1st year</th>
<th>2nd year</th>
<th>3rd year</th>
<th>4th year</th>
<th>5th year</th>
<th>6th year</th>
<th>7th year</th>
<th>8th year</th>
<th>9th, 10th, and 11th years</th>
<th>12th, 13th, and 14th years</th>
<th>15th, 16th, and 17th years</th>
<th>18th year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warder</td>
<td>£140</td>
<td>£150</td>
<td>£160</td>
<td>£170</td>
<td>£180</td>
<td>£190</td>
<td>£200</td>
<td>£210</td>
<td>£246</td>
<td>£258</td>
<td>£270</td>
<td>£282</td>
</tr>
<tr>
<td>&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Head Warder</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£260</td>
</tr>
<tr>
<td>1st year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd and 3rd years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4th, 5th, and 6th years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7th year (long service increment)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>£275</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Warder, 3rd Class -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd and 3rd years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4th, 5th, and 6th years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7th year (long service increment)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>£305</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Warder, 2nd Class -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd, 3rd, 4th, and 5th years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7th year (long service increment)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>£340</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Warder, 1st Class -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st, 2nd, 3rd, 4th years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5th year (long service increment)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>£380</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Warder, Special -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st, 2nd, 3rd, and 4th years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5th year (long service increment)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>£400</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wardress -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£120</td>
</tr>
<tr>
<td>2nd year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£130</td>
</tr>
<tr>
<td>3rd year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£140</td>
</tr>
<tr>
<td>4th year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£150</td>
</tr>
<tr>
<td>5th year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£160</td>
</tr>
</tbody>
</table>
6th year .................................................. 170
Matron, 2nd Class -
1st year .................................................. 210
2nd year .................................................. 225
3rd year .................................................. 240
Matron, 1st Class -
1st year .................................................. 260
2nd year .................................................. 280
3rd year .................................................. 300
Special Matrons -
4th class .................................................. 24
3rd class .................................................. 48
2nd class .................................................. 66
1st class .................................................. 90

Native, Indian, and Coloured Officers

<table>
<thead>
<tr>
<th></th>
<th>Native Warder</th>
<th>Indian and Coloured Warder</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st year</td>
<td>£48</td>
<td>£64</td>
</tr>
<tr>
<td>2nd year</td>
<td>48</td>
<td>70</td>
</tr>
<tr>
<td>3rd and 4th years</td>
<td>54</td>
<td>76</td>
</tr>
<tr>
<td>5th and 6th year</td>
<td>60</td>
<td>82</td>
</tr>
<tr>
<td>7th, 8th and 9th years</td>
<td>66</td>
<td>88</td>
</tr>
<tr>
<td>10th year</td>
<td>66</td>
<td>94</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Induna, 2nd Class</th>
<th>Interpreter, 2nd Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st and 2nd years</td>
<td>£78</td>
<td>£100</td>
</tr>
<tr>
<td>3rd and 4th years</td>
<td>84</td>
<td>106</td>
</tr>
<tr>
<td>5th year</td>
<td>90</td>
<td>112</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Induna, 1st Class</th>
<th>Interpreter, 1st Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st and 2nd years</td>
<td>£95</td>
<td>£118</td>
</tr>
<tr>
<td>3rd and 4th years</td>
<td>100</td>
<td>124</td>
</tr>
<tr>
<td>5th year</td>
<td>105</td>
<td>130</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Indian and Coloured Wardresses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st and 2nd years</td>
<td>£48</td>
</tr>
<tr>
<td>3rd and 4th years</td>
<td>54</td>
</tr>
<tr>
<td>5th and 6th years</td>
<td>60</td>
</tr>
<tr>
<td>7th, 8th, and 9th years</td>
<td>66</td>
</tr>
</tbody>
</table>

The above scales for native, Indian, and coloured officers will apply at such centres as are approved all the recommendation of the Public Service Commission after consultation with the Director. Outside of these centres local rates of pay bearing relation to the labour rates appertaining in such districts will apply on the recommendation of the Commission after such consultation.

[regulation 162(1) substituted by GN 688/1924, GN 1237/1949 substitutes regulations 162(1)(a) and (b), however, these amendments could not be effected as regulations 162(1)(a) and (b) do not exist.]

(2) Female Officers. – Matrons, Grade I and II and wardresses are whole-time officers and are entitled to the leave privileges of subordinate officers. Special matrons are part-time officers, and hold purely temporary appointments. They receive a retaining fee, and in
return are required to attend at the gaol and perform the prescribed duties when there are female prisoners in custody. They are not entitled to leave.

[regulation 162(2) amended by GN 1237/1949]

When they are the wives of officers, their appointments cease, when the husband is transferred or vacates his appointment. If employment is offered to them at their new station, they are re-appointed from date of assumption of duty in the new appointment.

(3) **Local and Climatic Allowances.** - The rules governing the payment of local and climatic allowances to the public service apply also to the prisons service.

European officers in training depots, special matrons, and native, Indian, and coloured officers are not entitled to these allowances.

(4) **Rations.** - No rations or ration allowances will be provided for officers. Officers “messing in” will be provided with sufficient fuel to cook their food and prison labour to cook and serve. Except where the food is cooked within the prison or gaol, officers are required to make their own arrangements as to the actual cooking and waiting. A reasonable amount of prison labour will be allowed for cleaning out single officers’ quarters, including the mess-rooms, but prison labour is not to be used outside the prison or gaol walls for cooking or waiting. Beyond the cleaning out of the single quarters, prison labour is not to be employed on domestic services for officers. Owing to risks attendant upon the employment of prisoners in residences where they come into contact with women and children, and in view of Regulation No. 448, prison labour is not to be employed in occupied married quarters. This prohibition does not extend to working parties employed in repairing or renovating quarters.

(5) **Light, Bedding, and Furniture.** - The rent charged to single officers includes light in single quarters, mess-rooms, libraries, and recreation rooms, and ordinary furniture, in the discretion of the Director, as also bedding. No light, furniture, or bedding is supplied to married officers.

(6) **Water and Sanitary Services** supplied and rendered in married and single Government quarters are covered by the rents charged.

(7) **Washing.** - Government bedding only will be washed free of charge when prison labour is available. All other washing must be paid for.

(8) **Bicycles.** - In cases where Government bicycles are not provided, officers who are required to use their private bicycles on Government service may be given a reasonable allowance on the authority of the Director.

(9) **Stoppages.** - The Director is authorized to deduct from the amounts due to officers any sum due in respect of absences without leave, leave without pay, fines, clothing, equipment, medical fees, loss or damage to Government property, over-payments of salary or allowances, and other authorized stoppages or surcharges of a like nature.

[regulation 162 substituted by GN 1687/1913 and GN 1295/1923]

**(a.a.) Pay and Allowances.**

163. (1) Rates of Pay. - The pay of European subordinate officers shall be at the following rates -
Chief Warder -
1st Class ................................................................. 14s. 6d. - 6d. - 15s. 6d. per day
2nd Class ................................................................. 13s. 0d. - 6d. - 14s. 0d. per day
3rd Class ................................................................. 11s. 6d. - 4d. - 12s. 6d. per day

Head Warder -
1st Class ................................................................. 10s. 0d. - 4d. - 11s. 0d. per day
2nd Class ................................................................. 8s. 6d. - 4d. - 9s. 6d. per day
Wader ................................................................. 6s. 0d. - 4d. - 8s. 0d. per day
Probationary Warder, 5s. per day.
Supernumerary Warder, ranging up to 4s. 6d. per day.

An officer enjoying emoluments on a scale superior to these scales will exhaust that scale before being placed on the equivalent notch of these scales.

Temporary appointments may be made as necessary in the Director’s discretion, provided the relative scales for permanent officers are not exceeded.

The probationary period served by an officer will be included for the purpose of calculating the due date of annual increments.

(2) Local Allowances. - To compensate for the higher cost of living or climatic conditions, non-pensionable local allowances will be paid on the approval of the Director as follows -

In an “A” District ................................................................. 2s. 0d. per day.
In a “B” District ................................................................. 1s. 6d. per day
In a “C” District ................................................................. 1s. 0d. per day
In a “D” District ................................................................. Nil.

The areas in respect of which local allowances are drawn are subject to alteration, and the rates of such allowances may be increased, decreased, or withdrawn by the Director with the approval of the Minister, provided that no such alteration in areas or variation of rates shall take effect except from the 1st of April in each year, and after notice of at least three months has been given to all concerned of the intention to make such alteration in areas or such variation of rates.
At institutions situated in recognized malarial parts of “C” District, the Director may, with the approval of the Minister, grant local allowances to members of the staff at “A” or “B” District rates, according as the particular case appears to merit.

The grouping of institutions for local allowances, subject to the foregoing provision, will be as follows -

“A” District -

1. Pretoria Central Prison and all institutions falling under the same command.
2. Johannesburg Gaol and all institutions falling under the same command.
3. The penal institutions falling within the commands of the Districts of Boksburg, Germiston, and Krugersdorp.

“B” District -

1. The Kimberley Gaol command.
2. Bloemfontein Gaol.

“C” District -

1. All prisons, gaols, road camps, or reformatories in Transvaal not included within “A” Districts.
2. All prisons, gaols, road camps or reformatories in Orange Free State not included within “B” Districts.

All other penal institutions will be regarded as falling within “D” District in which no local allowance is payable.

An officer transferred to a place where no local allowance is payable will lose the allowance he may have been drawing. If transferred to a place where a higher or lower allowance is in force his allowance will be increased or decreased accordingly.

Warders and wardresses whilst under training, supernumerary warders, special matrons, and native, coloured, and Indian officers will not draw local allowance.

First and second class matrons and wardresses will draw half the local allowance attaching to the institution at which they may be stationed.

(3) Past Service Allowance. - When it is found that an officer regraded under the new rates of pay would suffer a reduction in the emoluments drawn by him prior to the 1st
April, 1913, his emoluments will not be reduced, but the equivalent will be preserved to him by the grant of a past service allowance. This allowance will be drawn by the officer until he has gained a similar amount in increments or by promotion.

The past service allowance will be borne by the officer as attaching to his person and in whatever class of district he may be serving. If the officer is transferred to a lower class district his past service allowance remains the same, and is not subject to reduction as in the case of local allowance.

Where, however, an officer drawing a past service allowance in the Transvaal, Orange Free State, or at Kimberley, is stationed in or transferred to a district where a local allowance is payable, the local allowance will be replaced or reduced by the amount of the past service allowance.

The past service allowance will be pensionable only to the extent of the pensionable emoluments it represents.

(4) **Rations.** - No rations or ration allowances will be provided for European officers. Officers “messing in” will be provided with sufficient fuel to cook their food and prison labour to cook and serve. Except where the food is actually cooked within the prison or gaol, officers are required to make their own arrangements as to the actual cooking and waiting. A reasonable amount of prison labour will be allowed for cleaning out single officers’ quarters, including the mess-rooms, but prison labour is not to be used outside the prison or gaol walls for cooking or waiting.

Beyond the cleaning out of the single quarters prison labour is not to be employed on domestic services for officers. Owing to risks attendant upon the employment of prisoners in residences where they come into contact with women and children, and in view of Regulation 448, prison labour is not to be employed in occupied married quarters. This prohibition does not extend to working parties employed in repairing or renovating quarters.

(5) **Light** is supplied free in Government single quarters, mess rooms, libraries, recreation rooms and, kitchens.

(6) **Bedding and Furniture.** - Ordinary furniture, in the discretion of the Director, is supplied in Government single quarters, as also bedding. No furniture or bedding is supplied to married officers.

(7) **Water and Sanitary Services** will be supplied and rendered free of charge in both married and single Government quarters.

(8) **Washing.** - Government property only will be washed free of charge when prison labour is available. All other washing must be paid for.

(9) **Female Officers.** - First and second class matrons and wardresses are whole-time officers and are entitled to the leave privileges of subordinate officers. Special matrons are part-time officers and hold purely temporary appointments. They receive a retaining fee of from £15 to £50 per annum, and, in return, are required to attend at the gaol and perform the prescribed duties when there are female prisoners in custody. They are not entitled to leave.

(10) **Coloured, Native, and Indian Officers.** - The rates of pay of coloured, native, and Indian officers shall be governed by the local labour rates obtaining in the Province in
which they are employed. Rates slightly in excess of the local rates may be fixed by the Director in order to attract a good class of recruit.

Officers graded as induna or 4 mandoor may receive, in addition, the following allowances -

First class, up to 20s. per mensem.
Second class, up to 10s. per mensem.

All coloured, native, and Indian officers will receive free uniform. Free single quarters will only be provided when available and authorized in the appointment.

Free rations will not be given unless authorized in the appointment either specifically or generally. Officers living in Government single quarters will be supplied with stretchers and blankets.

(11) Stoppages. - The Director is authorized to deduct from the amounts due to officers any sum due in respect of absences without leave, leave without pay, fines, clothing, equipment, medical fees, loss or damage to Government property, overpayments of salary or allowances, and other authorized stoppages or surcharges of a like nature.

[regulation 163 substituted by GN 1687/1913]

164. Grading of Institutions. - Convict prisons and gaols will be graded in five classes, the classification of gaols depending generally on the daily average number of prisoners in custody. The classification may be amended from time to time, but alteration in the average of an institution will not automatically cause change in grading. The following is the general rule -

Class 1. - Special.
Class 2. - Daily average over 100.
Class 3. - Daily average over 25 and up to 100.
Class 4. - Daily average over 10 and up to 25.
Class 5. - Daily average up to 10.

The grading of prisons depends upon their relative importance. No prison for non-Europeans will be graded higher than second class.

Ordinarily the senior subordinate officer in charge of each institution will be graded as follows -

First class prisons and gaols - Chief warder, first class.
Second class prisons and gaols - Chief warder, second class.
Third class prisons and gaols - Chief warder, third class.
Fourth class prisons and gaols - Head warder in charge.
Fifth class prisons and gaols - Warder in charge.
All officers in charge of gaols not in charge of a superintendent or assistant superintendent will be styled “gaoler.” The title “gaoler” confers no actual rank. Gaolers will wear the uniform and badge prescribed.

In selecting officers for appointment as gaolers, for promotion to higher class gaols, preference may be given to officers whose wives are prepared to act as special matrons.

[regulation 164 substituted by GN 1687/1913]

165. In terms of section six (4), Act No. 13 of 1911, a European subordinate officer who was unmarried when enrolled shall be liable to dismissal if he marries without the consent of the Director.

No such consent shall be given until the applicant has been confirmed in his appointment.

The married strength shall consist of all European married officers, and widows, widowers and divorced officers who are solely responsible for the maintenance of their families as defined in Regulation No. 168.

Officers will not be placed on the married establishment unless their wives and families are resident in the Union. Should the wife and family of an officer on the married establishment leave the Union, the allowances and privileges ordinarily applicable to such an officer will not be continued for a longer period than six months, save in exceptional circumstances at the discretion of the Director.

[regulation 165 substituted by GN 1687/1913, amended by GN 756/1915, GN 431/1919 and substituted by GN 2547/1949]

166. [regulation 166 substituted by GN 1687/1913 and deleted by GN 688 of 1924]

167. Every Officer shall occupy such quarters as may be assigned to him and may be required at any time to give them up or may be required to sleep in the Prison notwithstanding that his assigned quarters are outside the Prison.

168. Quarters assigned to an Officer shall be used for his family only, and no one else shall be permitted to sleep there without permission from the Superintendent previously obtained, and every such permission shall be recorded.

For the purposes of these Regulations “family” shall be taken to include the Officer’s wife and children, but shall not include sons above sixteen years of age and daughters above eighteen years of age, unless such boys or girls are incapacitated through mental or physical infirmity from earning their living. Special permission from the Director shall be required for any case not falling within this definition.

169. Every Officer who may not be provided with Government quarters shall reside within such distance from the Prison as may be directed. In the absence of specific direction the distance shall be construed as a maximum of one mile.

170. All quarters shall be signed for on entry into occupation by the Officer, and shall be inspected by the Superintendent or his duly appointed representative on vacation, and the keys, the glass, the woodwork, and the walls specially examined. Any defect or damage due
to causes other than fair wear and tear found on inspection shall be paid for by the Officer concerned at the amount assessed by the Superintendent.

[regulation 170 inserted by GN 286/1936]

171. An Officer shall not make any alteration in quarters nor convert them to any other purpose than that for which they are intended, nor remove from them any bedding or furniture supplied for the use of such Officer. He shall make good any damage occasioned by his act or neglect.

172. No fixture shall be placed in any quarters without the approval of the Superintendent.

173. Officers will not be permitted to keep live stock, birds, or animals on prison premises, except a limited number of fowls for domestic use. This concession may be withdrawn in respect of any place at any time. Permission to keep live stock on other premises may be granted by the Director, but no live stock may be kept without the Director’s permission.

174. When any quarters become vacant they shall be locked up and the key handed over to the Chief Warden for the inspection above referred to.

175. Any Officer proceeding on leave of absence shall vacate his quarters if required for any other Officer. He shall make his own arrangements for the storage of his furniture and effects.

176. All changes of occupancy of married quarters, with the dates of vacancy and reoccupation, and the names and ranks of the Officers concerned, shall be reported to the Director periodically as required.

(d) Sickness, Medical Attendance, and, Funeral Expenses

177. (1) Subject to the following provisions officers shall be entitled to receive medical attendance and hospital treatment including drugs and dressings, at Government expense, and the Director, a Superintendent or a Magistrate in charge of a prison may order an officer to undergo treatment in a military or other hospital.

[regulation 177(1) amended by GN 756/1915, substituted by GN 928/1917, amended by GN 431/1919, GN 688 of 1924 and GN 771/1925]

(2) Medical attendance and hospital treatment provided under this regulation imply -

(a) attendance by a prison medical officer or other Government medical officer or, in the event of their services not being available, by a private medical practitioner;

(b) admission to, and treatment in, a military or public hospital;

(c) admission to, and treatment in, a private hospital or nursing home in cases of special urgency or where suitable accommodation is not available in a public hospital;
(d) employment of a registered nurse when, in the opinion of the prison medical officer or other authorised medical practitioner attending the case, such a course is imperative;

(e) the provision of medical comforts and appliances, the cost of which to public funds shall be subject to the approval of the Director.

(3) As long as an officer receives treatment in a military or other hospital, he shall submit himself to the rules of the institution.

[regulation 177(3) substituted by GN 308/1951]

(4) (a) The cost of providing any additional medical assistance (including radiographic examination) shall not be met from public funds in excess, of the amount laid down for the particular service in a scale of fees approved by the Treasury, provided that if in any special case arrangements have been authorised by the Director involving the payment of a fee exceeding the amount laid down in the aforesaid tariff, and such fee is considered by the Secretary for Public Health to be reasonable, the whole cost may be defrayed from public funds.

[regulation 177(4)(a) substituted by GN 1721/1917]

(b) An officer may be refunded half the cost incurred by him for such dental treatment as, in the opinion of the Director, is necessary to fit him for further efficient prison service.

[regulation 177(4)(b) substituted by GN 1721/1917]

(c) An officer shall be entitled free of charge to such dental treatment as can be rendered by a prison medical officer or a district surgeon.

(d) An officer may, in the discretion of the Director, be refunded the cost in part or whole of any dental treatment occasioned by circumstances defined in regulation 185(d)(i) and (e)(iv).

[regulation 177 substituted by GN 1687/1913 and GN 873/1938]

178. (1) The wife residing with and children dependent on him of a European officer on the permanent establishment shall, subject to the following provisions, be entitled to receive medical attendance and hospital treatment, including drugs and dressings, at Government expense.

[regulation 178(1) amended by GN 1369/1942]

Provided that in this regulation “children” shall include male children under sixteen years of age and unmarried female children under eighteen years of age, only.

(2) Medical attendance and hospital treatment under this regulation include -.

(a) attendance by a prison medical officer or other Government medical officer or, in the event of their services not being available, by a private medical practitioner;

(b) admission to, and treatment in, a military or public hospital, except treatment in a leper or mental hospital;
(c) admission to, and treatment in, a private hospital or nursing home in cases of special urgency or where suitable accommodation is not available in a public hospital;

(d) employment of a registered nurse when, in the opinion of the prison medical officer or other authorised medical practitioner attending the case, such a course is imperative;

(e) the provision of medical comforts and appliances, the cost of which to public funds shall be subject to the approval of the Director.

(3)

(regulation 178(3) deleted by GN 308/1951)

(4) The cost of providing for the benefit of the wife and children of an officer any additional medical assistance. (including radiographic examination) shall not be met from public funds in excess of the amount laid down for the particular service in a scale of fees approved by the Treasury provided that if in any special case arrangements have been authorised by the Director involving the payment of a fee exceeding the amount laid down in the aforesaid tariff and such fee is considered by the Secretary for Public Health to be reasonable, the whole cost may be defrayed from public funds.

(5) Any European officer shall, in a case of pregnancy, miscarriage or confinement of his wife, be entitled to a grant-aid not exceeding £5. 5s. towards the cost of medical assistance and nursing fees but to no further privileges provided, however, that the Director may in his discretion, approve of medical and, hospital treatment under the preceding subsections of this regulation in cases where, in the opinion of the Secretary for Public Health latent diseases or constitutional weaknesses have developed or are aggravated by the condition of pregnancy or of childbirth, as also of diseases or disorders which, in the opinion of the Secretary for Public Health, have arisen therefrom.

(6) The wife or children, as defined in subsection (1) of this regulation, of an officer shall be entitled free of charge to such dental treatment as can be rendered by a prison medical officer.

(regulation 178 deleted by GN 1687/1913 and substituted by GN 873/1938, the word “rendered” is misspelt in the SA Government Gazette, as reproduced above.)

178bis. In regulations 177(1) and 178(1) the term “drug” shall mean any medical preparation required for the treatment of disease or restoration of health prescribed by a prison medical officer or duly authorised medical practitioner, with the exception of-

(i) extracts of malt, virol, emulsions of cod liver oil or of paraffin, medicinal wines, infant or chemical foods and similar preparations;

(ii) lip salves, toilet powders, skin or hair preparations of a cosmetic nature, soaps, dental pastes and similar preparations;

(iii) alcoholic stimulants, except where in cases of pneumonia or other acute disease the Director, on a report, by a prison medical officer, especially authorises payment therefor by the Government;

(iv) drugs required in cases of pregnancy, miscarriage or confinement.
179. In the event of smallpox or other infectious disease occurring in the family of an officer whose members have not all been vaccinated or inoculated, such officer will not be allowed to enter the prison during the time the infection lasts.

[regulation 179 substituted by GN 286/1936]

In the event of small-pox or other infectious disease occurring in the family of an Officer who is not occupying Government quarters, and whose family or any members thereof have not been vaccinated, such Officer will not be allowed to enter the Prison during the time the infection lasts.

180. The Government may bear the reasonable expenses incurred in burying subordinate officers who die whilst serving. Grants-in-aid of the funerals of the wives and families of officers on the married establishment may be made at the following rates, viz -

For an adult ........................................................................................................... £5 0 0
For a child ............................................................................................................. 2 10 0

[regulation 180 substituted by GN 1687/1913]

(e) Leave

181. (1) Officers will remain eligible for any leave which may have accrued to them prior to the coming into operation of these regulations.

(2) The grant of leave is subject to the exigencies of the Service; it may be withdrawn at any time by the Director and the officer recalled to duty.

(3) Leave cannot be claimed as a right nor can an equivalent be claimed in lieu in respect of leave not availed of during the course of an officer’s service.

(4) All leave of absence during these regulations shall be classified under one or more of the following heads -

(a) Vacation leave;
(b) sick leave;
(c) leave without pay;
(d) special leave.

[regulation 181 substituted by GN 109/1928]

182. (1) European officers (other than part-time or temporary officers) may be granted the following leave by the Director -

(a) Vacation leave on full pay, calculated at the rate of one-twelfth of the period of service performed. Such leave may be accumulated, but in no case will it be granted for a longer period than 120 days at anyone time. Any leave availed of under section 185(i)(ii) shall be counted against this leave.
(b) Sick leave not exceeding in the aggregate 90 days on full pay and 90 days on half pay in each cycle of three years’ service, reckoned from date of first appointment.

(2) In the case of an officer with less than three years’ service sick leave may only be granted in proportion to the period of service actually completed, based on the maximum amount of sick leave on full pay and on half pay allowed during each cycle.

[regulation 182 substituted by GN 109/1928]

183. (1) Temporary European officers may be granted the following leave by the Director -

(a) Vacation leave on full pay not exceeding 30 days after the completion of anyone year of service. Any leave earned in respect of a completed year of service and not availed of during the twelve months following such year shall lapse except as provided in subsection (2) hereof. Leave availed of under section 185(i)(ii) hereof shall be reckoned against any leave accruing under this paragraph. No vacation leave shall be granted during the first year of service except that indicated in section 185(i)(ii) hereof.

(b) Sick leave not exceeding in the aggregate 90 days on full pay during the course of each cycle of three years’ service, reckoned from date of first appointment, subject, mutatis mutandis, to the provisions of section 182(2) of these regulations.

(2) A temporary officer promoted to the permanent establishment may be permitted to carry forward any vacation leave standing to his credit in respect of a completed year of service at the date of promotion; the triennial cycle for purposes of sick leave shall be reckoned as from date of first appointment as temporary officer.

[regulation 183 substituted by GN 109/1928]

184. (1) Native, Indian, and Coloured officers may be granted the following leave by the Director -

(a) Vacation leave on full pay, calculated at the rate of one-thirtieth of the period of service performed. Such leave may be accumulated, but in no case will it be granted for a longer period than 60 days at any one time. Officers who, at the coming into operation of these regulations, had accrued vacation leave will be credited with such leave up to a maximum of 14 days. Officers with periods of service less than twelve months in respect of which no vacation leave has been granted prior to the coming into operation of this regulation will be credited with vacation leave at the rate of one day for each completed month of service.

(b) Sick leave not exceeding in the aggregate 60 days on full pay and 60 days on half pay during the course of each cycle of three years’ service, reckoned from date of first appointment, subject, mutatis mutandis, to the provisions of section 182(2) of these regulations.

[regulation 184 substituted by GN 109/1928]

185. The following conditions shall apply to the grant of leave to all subordinate officers -
(a) The grant of sick leave is subject to the certificate of a medical officer of the Prisons Service or of the district surgeon on the prescribed form or, in the case of an officer not within reach of a prison medical officer or district surgeon, a certificate from a registered medical practitioner.

(b) Sick leave shall not be granted in advance for a definite period except on the special approval of the Director. A further medical certificate must be submitted at the end of each month of absence and when the actual sickness ceases.

(c) The sick leave which may be granted in respect of the unexpired portion of any cycle at the date of coming into operation of these regulations shall be in proportion to the maximum amount allowed by these regulations.

(d) Whenever an officer is absent from duty by reason of -

(i) injury or illness which, in the opinion of the Director is the direct effect of actual violence sustained by that officer in the actual performance of some duty or directly attributable to exposure or infection in the course of the performance of some duty against which exposure or infection precaution could not reasonably have been taken owing to the particular nature of that duty and in such circumstances that exemption from stoppage on account of hospital treatment (if given) would have been allowed under section 177(3) of these regulations; or

(ii) Vaccination or inoculation performed in accordance with Regulation 123 or 164;

[regulation 185(d)(ii) substituted by GN 286/1936]

(iii) isolation ordered in accordance with regulation No. 119; such absence shall be recorded as special leave on full pay, and shall not be debited against any other leave for which the officer concerned may be eligible under these regulations.

(e) (i) Should any officer be absent from duty through illness or injury, occasioned by his own misconduct, neglect, or intemperance, such absence shall be recorded against any vacation leave which at the time may be standing to his credit. If his accumulated vacation leave is insufficient to cover the whole period of absence, so much of the period as may be in excess of such accumulated vacation leave shall be recorded as sick leave without pay.

(ii) When the disability from which an officer is suffering is a venereal disease, the period of absence off duty sick shall, provided the medical officer certifies that, in his opinion, there has been no unreasonable delay in reporting sick, be treated as ordinary sick leave as prescribed by regulations Nos. 182(1)(b) and 183(1)(b) in the case of Europeans and 184(1)(b) in the case of non-Europeans; but if the medical officer certifies that, in his opinion, there has been unreasonable delay in reporting sick such period of absence shall be treated in terms of regulation No. 185(e)(i).

(iii) Where an officer has been absent from duty for any such cause for a period exceeding twenty-one days, or is so frequently absent for lesser periods that his
case appears to call for action, the Director may dispense with his services in terms of regulation No. 150.

(f) All periods of absence without leave, or during suspension or arrest followed by conviction for any offence under the Act or regulations or otherwise, shall be recorded in the leave register, and shall be supported by a properly completed form of application for leave.

(g) Any officer may at any time in the interests of the Service be required to take leave for such period as may be determined; such leave to count against vacation or sick leave as the Director may determine.

(h) An officer granted sick leave on half pay or without pay, who has the necessary period of vacation leave to his credit, may elect to take vacation leave instead of sick leave on half pay or without pay.

(i) The superintendent or magistrate may, with due regard to the exigencies of the Service at the particular institution, grant the following leave to subordinate officers -

   (i) Up to 4 hours in any one week to officers liable to perform week-end duty.  

   [regulation 185(i)(i) substituted by GN 286/1936]

   (ii) One day (of 24 hours) in each calendar month such leave to count against any vacation leave accrued to the officer.

   (iii) Permission by order in writing to such percentage of subordinate officers resident in the prison as may be fixed by him to be absent therefrom every evening after the convicts’ working hours and until such hour as he may fix, subject to the exigencies of the Service and the safety of the institution.

(j) All leave on full and half pay, and all leave without pay not exceeding 15 days at any one time (excluding leave without pay necessitated by misconduct) shall be admitted as service for the purposes of leave under these regulations; but no single period of leave without pay in excess of 15 days, and no period of leave without pay necessitated by misconduct, shall be deemed to be service for leave purposes.

(k) Absence on leave without pay (excluding leave without pay necessitated by misconduct) not exceeding in the aggregate 120 days in the case of sick leave and 30 days in the case of other than sick leave, reckoned from the date of the last increment, and absence on leave with pay shall be deemed to be service for incremental purposes. An increment of salary normally falling due within a period of leave without pay shall be deferred until the officer has resumed duty and has completed the required period of service admissible as service for incremental purposes, reckoned from the date of the last increment.

(l) Leave without pay on private affairs of a pressing or extreme urgency, necessitating the temporary absence of the officer from duty, may be granted by the Director to an officer who has no leave or insufficient leave for the purpose for which it is required standing to his credit; provided that the nature of such urgent private affairs be communicated to the Director in writing, under confidential cover if desired.
(m) An officer may be required to act without an increase in pay for any other officer absent on leave and to perform his duties in addition to his own.

(n) An officer proceeding on leave may be permitted to continue in occupation of any Government quarters assigned to him, provided that the quarters are not required by the department.

(o) Every application for leave shall be submitted in duplicate on the prescribed form.

(p) Every application for vacation leave shall have endorsed thereon the recommendation of the superintendent or magistrate and a statement of the manner in which it is proposed to carry out the officer’s duties during his absence.

(q) Vacation leave shall not be granted to an officer who has voluntarily resigned his appointment. If an officer resigns whilst on leave, the unexpired portion of his leave shall be cancelled and the officer returned to duty.

(r) Nothing in these regulations contained shall preclude the retirement of an officer before the maximum or any period of sick leave has been granted.

(s) For the purposes of leave, the expression “full pay” shall mean the whole pay and allowances which are usually drawn. “Half pay” shall mean half the rate of pay and half allowances.

(t) In the case of leave being erroneously but in good faith granted to and taken by an officer in excess of the amount permissible under these regulations, such over-grant of leave may, on the recommendation of the Public Service Commission, be deducted from any leave which may subsequently accrue to such officer.

(u) The conversion into sick leave of any portion of vacation leave granted to an officer shall not be permitted after he has relinquished his duties for the purpose of proceeding on vacation leave, except upon the recommendation of the Public Service Commission.

(v) If a period of sick leave intervene between two periods of vacation leave, the total of such two periods of vacation leave shall not, except upon the recommendation of the Public Service Commission, exceed the limit prescribed in these regulations.

(w) If the circumstances of a case justify a departure from the provisions of these regulations, the Director may authorize the grant of leave on such terms as the Public Service Commission may recommend.

(x) Should the Director disagree with any recommendation made or refused by the Public Service Commission under these regulations he may submit the question to the Minister, whose decision shall be final.

[regulation 185 substituted by GN 109/1928]

(f) Subsistence Expenditure, Official Travelling and Transport

186. (1) In this sub-section of the regulations, unless inconsistent with the context -
“headquarters” means the city, town of place where the principal duties of an officer or employee are or have to be performed or which may be indicated to him as his headquarters by the Director;

“subsistence allowance” means a payment designed to recompense an officer or employee in respect of reasonable expenses necessarily incurred by him on accommodation, whilst absent from his headquarters on official duty, over and above his normal living expenses at his home;

“accommodation” means lodging, bedding, meals or liquid refreshment other than alcoholic liquor, or any combination of these items;

“month” means a period extending from a date in one month to the date preceding the corresponding date in the following month, both dates inclusive; this principle is also applied in the determination of any period expressed in months;

“Protectorates” means the Swaziland, Bechuanaland and Basutoland Protectorates;

“salary or wage” means the annual salary or wage inclusive of any pensionable allowance and the cash value of any pensionable privileges supplied in kind;

“household” means -

(a) the wife of an officer or employee and a child (including an adopted child) who is permanently resident with and necessarily entirely dependent upon him;

(b) a relative of an officer or employee who is permanently resident with and necessarily dependent upon him and whose own income does not exceed the maximum amounts laid down in terms of paragraph (a) in the case of a European or in the case of a non-European, irrespective of race, paragraph (b) of subsection (1) of section six of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), as amended, or any increase thereon; and

(c) not more than two domestic servants employed in a wholetime capacity by the officer or employee;

“personal affects” means the movable property of an officer or employee of that of his household including vehicles but excluding livestock.

[regulation 186(1) amended by GN 688/1924, GN 1780/1938, GN 1811/1941 and GN 2330/1942, GN 1237/1949 amends regulation 186(1), however, this amendment could not be effected as it does not correspond with the regulation above.]

(2) Subject to the provisions of paragraph (6) of this regulation and save where other special provision is made in these regulations, or unless accommodation or subsistence allowance is otherwise provided or paid by the Government, or where an officer or employee during his absence from his headquarters for a period of 24 hours or longer on official duty in the Union of South Africa in South West Africa, in Southern Rhodesia or in the Protectorates, including travelling time and irrespective of the mode of conveyance, may be paid subsistence allowance at the following rates -

(A) In case of Europeans -
(a) Senior officers -
   (i) of or above the rank of Superintendent of Prisons, Grade I: Not exceeding 25s. per day;
   (ii) others (that is Senior Chief Warder to Superintendent of Prisons, Grade II): Not exceeding 31s. per day;

(b) Subordinate officers -
   (i) Chief Warder, Grade I, Chief Warder, Grade II and Head Warder: Not exceeding 27s. per day;
   (ii) Warder, Matron, Grade I, Matron, Grade II and Wardress: Not exceeding 23s. per day.

(B) In the case of non-Europeans -
All ranks: Not exceeding 14s. per day.

[regulation 186(2)(A) and 186(2)(B) substituted by GN 957/1958]

(3) Save where other special provisions is made in these regulations or where an accommodation or a subsistence allowance is otherwise provided or paid by the Government, a Prison Officer who is necessarily absent from his headquarters for a period of less than 24 hours on official duty in the Union of South Africa, in South West Africa, in Southern Rhodesia or in the Protectorates, may be reimbursed the reasonable expenditure actually and necessarily incurred by him on accommodation but not exceeding one day’s full subsistence allowance.

[regulation 186(3) substituted by GN 957/1958, the word “subsistence” is misspelt in the SA Government Gazette, as reproduced above.]

(4) An officer or employee who is absent from his headquarters on official duty outside the Union of South Africa, South West Africa, Southern Rhodesia and the Protectorates may be paid subsistence allowance or may be reimbursed expenditure on accommodation at rates and according to directions approved by the Treasury on the recommendation of the Commission.

[regulation 186(5) renumbered as 186(4) by GN 957/1958]

(5) Except where other special provision is made in the regulation, the subsistence allowances prescribed in paragraphs (2) and (4) may be paid to an officer or employee during period of absence from his headquarters but for a continuous period not exceeding 180 days at the same town or place. The time occupied by an officer’s or employee’s journey to and from his destination shall be disregarded for the purpose of the calculation of the period of 180 days and, for the purpose of this paragraph, the continuity of any period of sojourn at the same town or place shall not be regarded as having been interrupted by an absence, for any reason whatsoever, of less than one month.

[regulation 186(6) renumbered as 186(5) and amended by GN 957/1958]

(6) Substitute allowance at the following rates may be paid to a Prison Officer in respect of every full hour of absence in excess of 24 hours or any multiple of 24 hours -

(A) In the case of Europeans -
(a) Senior officers -

(i) of or above the rank of Superintendent of Prisons, Grade I: Not exceeding 1s. 6d. per hour;

(ii) others (that is Senior Chief Warder to Superintendent of Prisons, Grade II): Not exceeding 1s. 4d. per hour.

(b) Other ranks -

(i) Chief Warder, Grade I, Chief Warder, Grade II and Head Warder: Not exceeding 1s. 2d. per hour;

(ii) Warder, Matron, Grade I, Matron, Grade II and Wardress: Not exceeding 1s. per hour.

(B) In the case of non-Europeans -

All ranks: Not exceeding 7d. per hour.

[regulation 186(7) substituted and renumbered as 186(6) by GN 957/1958]

(7) An officer or employee shall not be paid subsistence allowance in respect of a period spent on board ship nor shall be refunded any expenditure in respect of extras or liquor. An officer or employee who travels by air on official duty in the area embracing the Union of South Africa, South West Africa, Southern Rhodesia and the Protectorates, may be paid subsistence allowance as prescribed in or in terms of this regulation, for the time occupied by such air journey; subsistence allowance is not payable in respect of other air journeys but an officer or employee may be reimbursed reasonable expenses which he actually and necessarily incurred on accommodation during such journeys.

(8) An officer or employee may be reimbursed expenditure incurred on steward’s fees on board ship, within the limits approved by the Treasury on the recommendation of the Commission.

(9) Subject to the provisions of paragraph (11) this regulation, an officer or employee shall not be paid subsistence allowance during periods of leave, unless the approval of the Treasury on the recommendation of the Commission, has been obtained.

(10) Subsistence allowance may be paid to an officer or employee in respect of any period of sick leave not exceeding 14 days, including special sick leave granted in terms of Regulation 184(4), provided the officer or employee does not return to his headquarters.

(11) Application for the payment of subsistence allowance shall be made in writing in a form approved by the Commission.

(12) If circumstances arise which justify a departure from the provisions of this regulation or in cases not covered by these regulations, subsistence allowance may be paid to an officer or employee on such conditions as may be approved by the Treasury on the recommendation of the Commission. The Treasury may also, on the recommendation of the Commission, prescribe special subsistence allowance for an officer or employee or classes of officers or employees.
186 bis. (1) All official journeys shall be approved by the Director who shall ensure that they are necessary and in the interests of the Department and performed as economically as possible. The Director may delegate his powers under this regulation to any other officer or officers.

(2) (a) An officer or employee shall travel by the most economical means, as expeditiously as circumstances permit, and, subject to the provisions of paragraph (4), (5), (6) and (7) of this regulation, by the shortest route.

(b) The reason for any non-observance of the requirements of subparagraph (a) shall be explained by the officer or employee concerned, in writing, and the explanation attached to the form referred to in paragraph (14) of this regulation.

(c) If an officer or employee has travelled in a manner involving greater expenditure on transport than was necessary, the Director shall limit the amount payable to him in reimbursement of his travelling costs, to what it would of cost had he observed the requirements of subparagraph (a); and if he has so travelled on a government warrant or order or by means of government transport he shall refund the expenditure up necessarily incurred.

(3) Subject to the provisions of this regulation an officer or employee required to travel on duty, shall be reimbursed the cost of conveying himself and his necessary personal luggage, and all reasonable expenditure incurred in connection with taxi hire (where government or contract transport is not available) porterage, landing or shipping fees and other incidental services.

(4) An officer or employee required to travel on duty in the Union and South West Africa shall perform his journey by train or Railway bus (including luxury bus where such service operates and is more economical). If the journey cannot be performed by train or Railway bus, the officer or employee shall travel by means of the cheapest public transport available. No official journey shall be performed by aeroplane unless the approval of the Treasury has been obtained.

(5) Subject to the provisions of paragraphs (1) and (2) of this regulation official journeys to, from and between places outside the Union and South West Africa shall be undertaken by the cheapest means of public transport available including transport by aeroplane.

(6) If an officer or employee is required to travel on duty, and public transport is not available or its use impracticable, he shall requisition on the Government Garage or person having a transport contract with the Government, for such transport as may be necessary for the performance of the journey, or, where neither of these means of transport is available, make the best and most economical arrangements for the hire of the necessary transport.

(7) In an exceptional case the Director may authorise an officer or employee to perform an official journey by means of privately owned transport if the Director is satisfied that the public interest will be better served, whether or not it is possible to perform the journey by means of Government, public or contract transport; provided that in the case of frequent or regular travelling, the prior recommendation of the Secretary for Transport shall be obtained.
(8) An officer or employee authorised to travel at State expense by train or boat, may, when not escorting convicts or prisoners, travel in the classes indicated here under -

(a) **By Train** -

(1) In the Union, South West Africa, the protectorates, Northern and Southern Rhodesia and Mozambique -

*In the case of Europeans* -

(i) Officers, except those falling under group (ii) hereunder - First class.

(ii) Warders, Matrons, Grade II and Wardresses – Second Class.

(iii) Employees – Second class.

Provided that a European female officer or employee may, notwithstanding the provisions of this subparagraph, travel first class if the Director so authorises and provided further that a person appointed under contract shall, unless his service contract provides otherwise, be permitted to travel in the class prescribed for a comparable officer or employee.

*In the case of non-Europeans* -

(i) Officers, Second class.

(ii) Employees – Third class.

Provided that the Director may allow a non-European employee to travel second class if he is satisfied that the status of the employee concerned justifies travelling in this class.

(2) In countries or territories other than those indicated in subparagraph (1) -

In the class considered by the Director to be in keeping with the officer’s or employee’s status with due regard to the class by which persons having a comparable status travel in the country or territory concerned.

[The word “with” is misspelt in the SA Government Gazette, as reproduced above.]

(b) **By Boat** -

(i) (aa) European officers with the rank of Chief Warder, Grade I, and higher ranks - First class.

(bb) Other European Officers and employees - First class.

(ii) If accommodation in a class on a boat is divided into various grades, the officer or employee shall travel in the cheapest accommodation in the class prescribed; providing that the Director may in a more expensive class if circumstances justify travelling in such a class.

[The word “prescribed” is misspelt in the SA Government Gazette, as reproduced above.]
(iii) If an officer or employee for whom second class travel by boat is prescribed is required to travel on a boat which has only first class and cabin class or first class and tourist class accommodation available, such officer or employee shall travel cabin class or tourist class as the case may be. If only first class accommodation is available, the officer or employee may travel first class.

(c) A junior officer or employee travelling on duty with a senior officer or high ranking personage may be permitted, in the discretion of the Director, to travel in the same class as the senior officer or personage.

(d) Officers or employees, excluding European female officers, escorting convicts or prisoners, shall travel in the carriage assigned to the convicts or prisoners. European female officers escorting non-European female prisoners, shall travel in second class reserved accommodation.

(9) On conditions relating to means of transport and class of travel similar to those prescribed for officers and employees in this regulation -

(a) a person residing in the Union or South West Africa, who is appointed to a post on the fixed establishment may be granted free transport for himself from the place at which he is recruited to the place at which he has been instructed to assume duty (transport shall include conveyance at the place of recruitment and appointment, by Government Garage or contract transport or, where neither is available, by taxi between the residence and the public conveyance by which the journey is undertaken);

(b) a person residing outside South West Africa, who is appointed to a post on the fixed establishment in that territory may, in addition to free transport for himself as provided for in subparagraph (a), be granted free transport for his household and personal effects from De Aar to his destination on the basis applicable to transferred officers and employees in terms of Regulation No. 187.

(10) If he is satisfied that the interests of the state will be served thereby, the Director may, on the recommendation of the Secretary for Transport, require an officer or employee whose duties necessitate frequent or regular travelling to utilise such Government-owned motor transport as may be deemed necessary for the efficient performance of his duties.

If the relative officer is not a holder of an appropriate driver’s licence he shall be provided, at Government expense with the necessary tuition and be refunded any examination or driver’s licence fees as well as the cost photographs required for affixing to the licence.

(11) An officer or employee who has been authorised, in terms of paragraph (7) of this regulation to use his privately owned transport for the performance of an official journey may be paid -

(a) in the case of motor transport, the relative millage and passenger allowances approved by the Treasury on the recommendation of the Secretary for transport for the use of such Transport;

(b) in the case of other means of transport, such allowances as are approved by the Treasury on the recommendation of the Commission.
An officer or employee stationed in the Union or South West Africa and authorised by the Director to maintain privately owned transport or the efficient performance of his official duties, shall be paid -

(a) in the case of bicycle transport, a commuted allowance at a rate approved by the Director but not exceeding £5 per annum except if the Treasury, on the recommendation of the Commission, approves a higher amount;

(b) in the case of other means of transport, except motor transport, a commuted allowance at a rate approved by the Treasury on the recommendation of the Commission;

(c) in the case of motor transport, the mileage allowance prescribed in terms of subparagraph (a) of paragraph (11) of this regulation. In cases of exceptional nature a commuted allowance at a rate approved by the Treasury on the recommendation of the Commission shall be paid.

An officer or employee in receipt of a commuted transport allowance in terms of subparagraphs (a), (b) or (c) of paragraph (1) of this regulation, shall continue to be paid the allowance during the periods indicated hereunder whilst he is on leave or employed on duties not necessitating the use of transport -

(a) in the case of motor transport - Fourteen days in the aggregate during any calendar year;

(b) in the case of transport other than that referred to in subparagraph (a) - Any period during which the transport is placed at the disposal of the Government and whether or not it is used for official purposes.

All claims for reimbursement of transport expenses shall be submitted on a form approved by the Commission.

If circumstances arise for which no provision is made in this regulation or which justify a departure from the provisions of this regulation, the Treasury may authorise official travelling by such manner of means, or the payment of such expenses or allowances as the Commission or the Secretary for Transport, as the case may be, may recommend.

[regulation 186bis inserted by GN 1591/1956]

187. (1) (a) Subject to the provisions of this regulation an officer or employee may be transferred and his household and personal effects move at state expense from one headquarter to another, within the Union and South West Africa; provided the approval of the Director has been obtained, and provided further that in the case of a non-European employee the approval of the Treasury given on the recommendation of the Commission has been obtained. The Director may delegate his powers under this regulation to any other officer or officers.

(b) If an officer or employee is transferred at his own request no expenditure in connection therewith shall be met from public funds, and any absence from work as a result of such transfer shall be covered by the grant of leave in terms of Regulations Nos. 181 to 185.
(2) An officer or employee who is permanently transferred in terms of subparagraph (a) of paragraph (1) of this regulation shall be regarded as travelling on official duty and shall be -

(a) granted the privileges provided for in this and the previous regulation; and

(b) paid subsistence allowance in accordance with Regulation No. 186.

(3) The following provisions shall be applicable to the removal from one headquarters to another of the household and personal effects of an officer or employee transferred in terms of subparagraph (a) of paragraph (1) of this regulation -

(a) The officer or employee may be paid subsistence allowance and additional subsistence allowance at the full rate applicable to himself in respect of each member of his household over 12 years of age and at half that rate for each other member during periods necessarily spent in travelling from one headquarters to another, except in regard to a domestic servant in respect of whom reasonable expenses actually and necessarily incurred on subsistence may be paid.

(b) (i) A member of the household, other than a servant, may travel in the same class on the Railways as that to which the transferred officer or employee is entitled.

(ii) A European or Coloured servant may travel in the second class and an Indian or a Native servant in the third class on the Railways; a nurse in charge of a baby in arms may, however, travel in the same class as the officer’s or employee’s household.

(c) (i) Excess luggage not exceeding 450 lb. in weight (gross) may be transported by passenger train.

(ii) Personal effects not exceeding 14,000 lb. in weight (gross) may be conveyed by goods train or South African Railways Road Motor Service or other public conveyance or government-owned transport from one headquarters to another and from the dwelling to the railway station and vice versa and to and from a warehouse if warehousing of the personal effects has been authorised in terms of subparagraph (e). The weight stipulated is inclusive of the weight of vehicles but exclusive of the weight of an animal maintained for official purposes; such animal may be transported at state expense over and above the provision made for personal effects. The Director may authorise the transport of personal effects by means of conveyance other than that administered by the South African Railways, a public conveyance or government owned transport if conveyance by these latter means of transport is impossible or less economical.

(d) The cost of packing (including packing material) and unpacking of personal effects within the weight limit specified in subparagraph (ii) of subparagraph (c) of this paragraph may be met from public funds.

(e) Subject to approval by the Director and officer’s or employee’s personal effects, within the weight limits specified in subparagraph (ii) of subparagraph (c) of this paragraph, may in exceptional circumstances be warehoused at state expense for a period not exceeding six months.
(f) Subject to such limitations and conditions as may be approved by the Treasury on the recommendation of the Commission the following items of expenditure may be met from public funds -

(i) cost of repairs to or replacement of personal effects damaged in transit;

(ii) cost of disconnecting and connecting and altering electrical domestic appliances; and

(iii) cost involved in purchasing essential school books for a child or other dependant.

(g) Where a European officer or employee who has maintained a house or a flat at or in the vicinity of the headquarters from where he is transferred, wholly or partly furnished by himself, removes his personal effects, inclusive of furniture, to a house or a flat or a place of storage at or in the vicinity of the headquarters to which he is transferred, or where a European officer or employee removes his personal effects, inclusive of furniture, from a place of storage at or in the vicinity of the headquarters from where he is transferred to a house or a flat at or in the vicinity of the headquarters to which he is transferred; he may be paid an amount of £20 in respect of depreciation of personal effects and to meet expenses arising from transfer, other than those for which provision is made elsewhere in this regulation; provided that the Director may, in his discretion, authorise the payment of a lesser amount, if he considers that circumstances do not justify payment of an amount of £20.

(4) An officer or employee transferred in terms of subparagraph (a) of paragraph (1) of this regulation may be refunded -

(a) the amount actually and necessarily expended on rent or board and lodging and servant’s wages at his original headquarters and forfeited in consequence of short notice of transfer; provided expenditure on rent or board and lodging and servant’s wages is concurrently incurred at the headquarters to which the officer or employee is transferred;

(b) the difference between normal living expenses comprising rent, rates, light, fuel, food and servant’s wages and the abnormal expenses actually and necessarily incurred by an officer or employee at his old headquarters or his new headquarters, or both, through being compelled to reside in a hotel or boarding-house while his furniture and effects are being packed or unpacked or are in the course of transit from one headquarters to the other or while he is in search of a house of a flat; provided that no claim shall be entertained in respect of abnormal living expenses for a period in excess of seven days at the old headquarters and one month at the new headquarters;

(c) expenditure necessarily incurred as a result of his transfer in the re-registration of one privately owned motor vehicle;

(d) expenditure necessarily incurred as a result of his transfer in the replacement of number plates in respect of one privately owned motor vehicle subject to a maximum amount of £1 per set of number plates;
(e) telephone rental on a pro-rata basis in respect of the period during which he is unable to use the telephone as a result of his transfer.

(5) The conveyance of a motor vehicle on state expense is subject to the condition -

(a) that no liability shall develop upon the State for loss of or damage to a motor vehicle in transit; and

(b) that it be transported by goods train at a rate which has been approved by the Treasury on the recommendation of the Commission and that all incidental expenses connected with the trucking of the vehicle be met by the officer or employee.

(6) The benefits prescribed in paragraphs (3) and (4) of this regulation shall only apply if the officer or employee transfers his household and personal effects within one month from the date on which his transfer takes effect unless prior to the expiry of this period he shall have obtained permission to defer the removal of his household or his personal effects, which permission may be granted by the Director, for a period not exceeding twelve months subject to the condition that the expenditure ultimately to be met from public funds does not exceed that which would have been incurred had the said household and personal effects been moved within one month from the date of the officer’s or employee’s transfer. The recommendation of the Commission shall be obtained for the deferment of the transfer of the household and personal effects of an officer or employee beyond a period of twelve months.

(7) An officer or employee who is required to be in attendance at Cape Town during the whole period of a parliamentary session may be granted conveyance by rail at State expense for himself, his household and excess luggage on the basis laid down for transferred officers and employees. Such officer or employee may further rail one privately owned motor car to and from Cape Town at State expense on such conditions as the Treasury may approve on the recommendation of the Commission.

(8) (a) An officer who retires on account of superannuation; and

(b) An officer or employee whose services terminate on grounds approved for the purpose of this regulation by the Treasury on the recommendation of the Commission; and who has completed not less than ten years continuous full-time Government service in any capacity, may be granted conveyance at State expense for himself, his household and his personal effects to the place in the Union or South West Africa where he wishes to reside, subject to such limitations, and conditions as may be approved by the Treasury on the recommendation of the Commission.

(9) The household and personal effects of an officer or employee who has completed not less than ten years continuous full-time Government service in any capacity and who dies whilst in Government employment, may be conveyed at State expense to any place within the Union and South West Africa subject to the provisions of paragraph (8) of this regulation which shall apply mutatis mutandis to such conveyance.

(10) The provisions of paragraphs (8) and (9) of this regulation shall not apply in a case involving transport between places which are in the same or in adjoining municipalities or which are situated less than twenty miles apart, unless the officer or employee immediately prior to the termination of his services or death occupied official quarters which have to be vacated, in which case the limitations imposed by this paragraph shall not apply.
(11) In the event of circumstances arising which justify a departure from the provisions of this regulation, an officer or employee may be transferred at State expense on such conditions as the Commission may recommend and the Treasury may approve. The Treasury may also on the recommendation of the Commission prescribe special transfer and travelling privileges for an officer or employee or classes of officers or employees or approve matters not covered by this regulation or which constitute a departure from the provisions of this regulation.


(g) Discipline and Duty

188. Any officer who -

(1) exceeds his leave or absents himself without leave;
(2) is under the influence of intoxicating liquor whether on or off duty;
(3) while on duty partakes of any intoxicating liquor or drugs;
(4) unfit himself for duty by excessive use of alcohol or drugs;
(5) habitually frequents any place at which intoxicating liquor is sold;
(6) swears or uses improper language at any time or place;
(7) wilfully or unlawfully points a firearm at any person, or discharges it through negligence;
(8) wilfully or negligently gives or presents false or incorrect information;
(9) is asleep on duty;
(10) communicates without proper authority, directly or indirectly, to the Press or to any member of the public, any matter or thing relating to the Prison Services;
(11) if he has contracted venereal disease, fails to report the matter promptly to the officer under whom he is serving;
(12) conducts himself in a manner unbecoming an officer of his rank;
(13) is guilty of any other act, conduct or omission, whether or not described in any other part of these regulations, which impairs or may impair the discipline or good order of a prison or goal or the Prison Service or affecting the due performance of his duty,

commits an offence; and if he is a subordinate officer he shall be tried by a Superintendent, Assistant Superintendent or visiting Magistrate or the Magistrate of the district, and shall be liable on conviction to a reprimand or a deduction from his accrued or future pay of an amount not exceeding five pounds, and, in addition to that penalty, the Director may degrade him to
lower rank or dismiss him; provided that such officer shall have the right of appeal to the Minister.

[regulation 188 substituted by GN 1304/1934, amended by GN 1703/1937, amended by GN 220/1940 and substituted by GN 57/1956]

189. (1) No Officer shall accept or borrow money from any other member of the Prisons Service junior to him in rank or grade, whether the latter be under his command or not, or otherwise make him the channel for borrowing money from any other source, or allow him to become security for any loan or debt.

(2) Officers are strictly prohibited from lending money to Officers who are their senior in rank or grade, whether for their own use or for the use of another, or from becoming security for them in any way.

(3) It shall not be lawful for any officer to cede or assign, without the previous approval in writing of the Director, the whole or any part of any salary or allowance payable under the Prisons Act or under these Regulations, and any cession or assignment purporting to be made without such approval shall be void; nor shall the whole or any part of such salary or allowance be capable of being seized or attached under or by virtue of any writ of execution sued out against any officer entitled to such salary or allowance; nor shall the same pass under or by virtue of any order made for the sequestration of the estate of any such officer.

[regulation 189(3) inserted by GN 361/1917]

190. An Officer shall not correspond with or hold any intercourse with the friends or relatives of any convict or prisoner, or with any ex-convict or ex-prisoner, unless expressly authorised by the Superintendent.

191. (1) If any Officer is charged with any serious offence for which he is triable by law he shall forthwith be suspended and may be kept under close arrest.

(2) An Officer who is suspended from duty for misconduct shall immediately give up his keys, but shall attend daily at the Prison at such hour as the Superintendent may appoint, unless or until otherwise directed.

192. No Officer shall be permitted to receive visitors within the Prison without the specific permission of the Superintendent, and no such visitor shall be permitted to sleep in the Prison.

193. (1) An Officer shall not introduce into his quarters or use tobacco or spirituous or fermented liquors within the Prison wall except under such restrictions as to time and place as may be laid down by the Superintendent and approved by the Director.

(2) The Superintendent may order the search of any Officer who he may suspect is contravening or attempting to contravene sections 32, 33, or 34 of the Act, or any of these Regulations, and any Officer who shall refuse to allow such search or resist or obstruct any person entrusted with the carrying out of such search shall be deemed to have contravened these Regulations.

194. All letters addressed to Prison Officers shall be handed to the Superintendent, who, if he thinks fit, may require the recipient to inform him of the contents of such letters. Refusal shall constitute a breach of discipline.
195. (1) An Officer desiring to appeal against any decision other than a conviction which affects him, or wishing to bring any matter before superior authority, shall, within 24 hours, state his complaint verbally or in writing to the Superintendent for the consideration of the Director provided however that the Superintendent may in exceptional circumstances extend the time within which such complaint shall be stated. The Superintendent shall be the channel of communication in all cases, and failure to observe this Regulation will be regarded as a breach of discipline.

[regulation 195(1) substituted by GN 286/1936]

(2) In the case of an Officer wishing to appeal to the Minister against a decision of the Director in terms of sections 6 and 38 of the Act, he shall immediately state his reasons for appeal succinctly in writing, and transmit them through the usual channel to the Director who shall submit them to the Minister.

[regulation 195(2) renumbered by GN 286/1936]

196. The channel for reports or complaints by a Subordinate Officer shall be through his immediate Superior Officer.

[regulation 196 amended by GN 286/1936]

197. Under no circumstances shall coloured Warders be placed in exclusive charge of European convicts.

198. If an Officer becomes ill he shall at once report to the Chief Warder, whose duty it shall be to bring him before the Medical Officer at the earliest possible time.

199. Officers shall enter their names and the time of going on and coming off duty in a book provided for that purpose and also any irregular or unusual occurrence that may take place during their watch.

200. An Officer shall not be absent from the Prison without leave from the Superintendent. He shall use the utmost vigilance ensure the safe custody of the convicts, and shall not take any key of the Prison or any Prison book outside the gate without permission.

201. (1) Officers shall always appear in uniform when on duty. They shall be prompt in falling in for duty. No Officer shall be permitted to proceed on leave with any part of his arms or accoutrements, nor shall any Officer, without permission, wear any part of his uniform while on leave. No Officer shall appear at any time in part uniform and part plain clothes.

(2) No Officer shall permit any portion of his uniform or other appointments to be worn or used by any other person, and if he shall improperly damage or shall lose any portion of such dress or appointments he shall be liable to make good the damage or loss, the value of which may be deducted from his pay on the order of the Superintendent if Government property.

202. Officers are required to frequently examine the state of the cells, bedding, locks, bolts, and to seize all unauthorized articles, and deliver them to the Superintendent forthwith.
203. An Officer shall not on any account enter the cell of a convict after lockup unless accompanied by one or more Officers, and then only in case of the sickness of the convict or other emergency.

[regulation 203 amended by GN 286/1936]

204. Female convicts shall in all cases be attended by Female Officers. A Male Officer shall not enter a Prison or division of a Prison appropriated to female convicts except on duty, and in such case he shall be accompanied by a Female Officer.

205. If any convict, whether inside or outside the Prison, being in custody of any Officer, is found in a state of intoxication or under the influence of any narcotic or drug, such Officer shall, unless the contrary appear, be deemed to have been guilty of neglect of duty.

206. (1) A European Officer on duty in charge of prisoners shall be armed with a fire-arm capable of firing both ball and shot cartridges wherever practicable, and shall carry so many cartridges, and in such manner, as may be directed. A European Officer shall at all times be armed with a truncheon carried concealed. A revolver may be ordered to be carried, of such calibre, and in such manner, and for such duties, as may from time to time be prescribed, in place of a gun.

(2) A Non-European Officer may be armed with a kierie and assegai, or with a fire-arm, as in the Province concerned may be directed.

(3) Every Officer shall keep his arms, ammunition, accoutrements, kit, and quarters in proper order and complete, and any deficiency or defect therein shall be reported at once.

207. Every ladder, plank, wheelbarrow, rope, chain, implement, or material of any kind likely to facilitate the escape of a convict, shall be kept by the officer responsible for its use or control in its appointed place when not in use, and shall not be left exposed at any time in any yard or elsewhere.

208. Every Officer shall report at once the fact of any such article being so improperly exposed, whether it be in his own department or otherwise.

209. If a convict effects his escape the remaining convicts shall be at once concentrated, and where the party is a large one, an Officer immediately dispatched in pursuit of the fugitive. Where, however, the party is small, and an Officer cannot be safely spared for pursuit, the party shall be immediately marched back to the Prison, or to the nearest available working party, and the matter reported.

[regulation 210 deleted by GN 2455/1954]

210.

211. In the event of an outbreak or mutiny occurring at a Prison which cannot be promptly quelled, the Police may be called in.

212. Whenever the alarm is sounded it shall be the duty of every Officer in the Prison to turn out immediately fully armed and equipped, at the customary place of parade, or at such place as may be directed.
213. All Officers, no matter what their ordinary duty, shall be liable to do duty as Discipline Officers to maintain order and discipline among the convicts in cases of emergency, or at the discretion of the Superintendent.

214. (1) An Officer shall not strike or assault a convict unless compelled to do so in self-defence.

(2) In any case in which the application of force is needful no more force than is necessary shall be used.

(3) An Officer shall not inflict any punishment of any kind upon any convict unless ordered by the Superintendent, nor shall he deprive any convict of any duly authorized privilege without the Superintendent’s order.

215. Officers shall march the convicts in an orderly manner, in twos, unless their number exceed ten, when they shall march in fours, in close order, to and from work, and shall allow no one to have any communication with them on any pretence whatever. The Officers shall march in such positions in relation to the convicts as will best ensure the due and proper performance of their duties. In cases where a single Officer is in charge of a small party he will usually march about five yards in the rear, and at the works he will take up a position of fifteen yards distance from the convicts, and cover the side nearest any scrub, bush, or obstacles or ditches offering concealment.

216. If when in charge of a gang outside the Prison an Officer shall see a procession or crowd of people approaching he shall at once withdraw the convicts to a distance so as to avoid their intermingling with the procession or crowd.

217. Officers shall under no circumstances allow any of the convicts in their charge to move out of their sight, nor, when in an open place, to a greater distance from them than twenty-five yards, except where a cordon is formed. Convicts visiting a latrine of prescribed pattern may be taken to be within sight. When the ground is very uneven, or intersected by shuts, all prisoners shall work within fifteen yards of the Officers, and when there is no properly arranged latrine, and a convict receives permission to retire for purposes of nature, some portion of the body of such convict must be in sight of the Officer during the whole time of the former’s absence from work.

218. Officers shall see that convicts in their charge work steadily throughout the day, and without idling or talking.

219. Officers shall take care that their orders are obeyed, and any act of disobedience, insolence, laziness, or insubordination on the part of a convict shall be reported at the first opportunity to the Officer in Charge.

220. (1) Officers shall at all times carefully watch the convicts in their various movements and employments, shall give the necessary directions thereon, and shall use the utmost alacrity and vigilance to promote industry, and to maintain order among them, and to prevent the escape of any convict. They shall not allow any unauthorized person to communicate with convicts.

(2) Officers shall carefully observe the character, habits, and industry of the convicts under their charge, and shall carefully and impartially keep such records as may be ordered, and shall afford at all times to their superiors unreserved information on such subjects.
221. Officers in charge of convicts shall invariably report the number of their party to the Superintendent the Assistant Superintendent, or the Chief Warder/Gaoler when approached.

[regulation 221 substituted by GN 286/1936]

They shall, when handing over convicts to or receiving convicts from another Officer, check the number with that Officer, and satisfy themselves that the convicts are properly received. They shall also, when passing through gates, check with the gateman the number of convicts in their charge.

Any Officer who is unable to state correctly the number of convicts in his charge, or who cannot account immediately for all convicts placed in his charge, shall be guilty of a breach of these Regulations.

222. No Officer shall smoke or sit down when on duty except during recognized rest intervals, neither shall he turn his back on the convicts. He shall not lay aside his arms for a single moment, neither shall he converse with any one except in the performance of his duty.

223. Officers shall be respectful to the Officers of other departments of Government or of public bodies employed at the works on which the prisoners may be engaged, and shall afford all proper assistance to those with whom their duty calls upon them to co-operate; but they shall take care in so acting to observe the Rules and Regulations of the Service, and the special orders which they may from time to time receive from their immediate superiors in the Prisons Department.

224. Officers shall see that no disrespect is shown by the convicts to persons with whom their employment shall bring them into contact.

225. Every Officer shall be watchful in order to detect and prevent any person secreting any unauthorized article for any convict on the public works, or about the Prison, and shall immediately report any such occurrence, and shall especially take care that no clothes of any free workman or other person are left about in any place accessible to convicts, and shall, as soon as possible, report any suspicious circumstance of this kind, or the loitering of any unauthorized or suspicious person about the Prison or works.

226. It is the duty of every Officer to direct the attention of the Superintendent to any convict who appears to be out of health (whether or not such convict complains), or whose state of mind appears to be deserving of special notice and care, in order that the opinion and instructions of the Medical Officer may be taken on the case.

227. An Officer shall, without delay, inform the Superintendent of any convict who desires to see him, or to make any complaint or to prefer any request to him or to any superior authority.

228. Every Officer shall take the utmost care to guard against accidents by fire from the lights and furnaces in and about the Prison, and shall immediately report any danger of such accidents which he may observe in any part of the establishment, and use all possible means to prevent them. No lights or fires shall be left burning unnecessarily, or unattended to, in any part of the Prison. No light shall at any time be carried about the Prison unless it is enclosed in a lantern, and each Officer coming on duty during the night shall examine all accessible parts of the Prison to see that they are safe from fire.
229. To ensure that the steam boilers when in use are properly and constantly supplied with water, and that they are kept in a safe condition, an Officer shall be detailed to have charge or supervision of them both by day and night.

(h) Chief Warder

230. The Chief Warder shall reside in the quarters assigned to him and be responsible for the due observance of the Law, the Rules and Regulations in relation thereto.

[regulation 230 substituted by GN 286/1936]

231. He shall visit the whole of the Prison and quarters, and see every convict at least once in every twenty-four hours, and in default of such daily visits and inspections he shall state in his journal how far he has omitted them, and the cause of such omission.

232. He shall at least twice a week go through the Prison at an uncertain hour of the night, which visit, and the hour and state of the Prison at the time, he shall record in his journal.

233. He shall daily carefully examine the rations supplied to the convicts and shall be present at the issue of them. He shall forthwith report to the Superintendent if they are in any way defective, and he shall also carefully examine all cells and other portions of the Prison and test their security, and at once report to the Superintendent any defects.

234. He shall see that nothing likely to be used to facilitate escape is left within the reach of convicts or kept without proper safeguards against such use.

235. He shall notify the Medical Officer, without delay, of the illness of any Officer or convict, and shall deliver to him daily, as may be instructed by the Superintendent, a list of convicts who are ill, or who complain of illness, and a list of convicts in isolation cells.

236. He shall not absent himself for a night from the quarters assigned to him without the special written permission of the Superintendent, and on every occasion of his absence, by day or by night, the occurrence shall be entered in his journal.

[regulation 236 substituted by GN 286/1936]

237. He shall not, without the special written permission of the Superintendent, allow any visitor to remain in his quarters after 10 p.m. if such quarters be within the Prison.

238. He shall see that the cell doors and windows are left open every morning, if possible, for a sufficient time to ensure the proper ventilation of the cells.

239. He shall see that all cells are closed at lock-up at the prescribed hours.

240. The particulars of all leave which is granted to a Prison Officer shall be entered in his journal. The authority by whom it was granted shall be stated in every case.

241. He shall generally, subject to the Superintendent’s directions, be responsible for the good order and discipline of the Prison.

242. The Chief Warder shall have personal charge of the Prison by day as well as by night, and of all convicts therein confined.
243. He shall receive all convicts on arrival at the Prison, and shall be responsible for their personal cleanliness before they are assigned to their cells.

244. He shall be responsible for the proper searching of all male convicts on admission, and also on every occasion when convicts return from labour outside the Prison.

245. On convicts being consigned to the yards he shall take care that proper guards are placed at the gates, and that in particular no convict shall be allowed outside the yards unless passed out by a responsible official.

246. He shall see that the ordinary and necessary duties of the Prison are duly performed.

247. He shall see that the quarters and grounds of all Subordinate Officers residing at the Prison, whether married or single, are kept in a clean and tidy condition.

248. He shall allow no stranger to remain in the Prison during the day or night without the express permission of the Superintendent.

249. At morning muster he shall parade and inspect the Officers for day duty, and shall see that every man is properly armed and equipped.

250. At evening muster he shall parade and inspect the Officers for night duty and shall post the sentries. Each relief shall be regularly inspected before going to and after returning from its post.

251. He shall inspect weekly the arms, ammunition, and clothing of the Officers at the Prison, and shall certify in his report for the day as to their state.

252. On any alarm being given he shall sound the alarm in the prescribed manner, report to the Superintendent, muster the Officers, and take all necessary steps.

253. He shall present a statement every morning to the Superintendent showing that all was correct or otherwise during the preceding twenty-four hours. This statement shall contain, besides his own report, those of the various responsible Officers, and shall show specifically in regard to that period -

(a) the duties performed by various Subordinate Officers;

(b) the hours at which the sentries were visited during the night;

(c) the hours at which any Subordinate Officer not on leave left the Prison and returned during the night;

(d) the name of each Subordinate Officer who was sick or absent, whether on leave or otherwise;

(e) the name of each Subordinate Officer who may have infringed the Rules of the Prison, or committed any offence;

(f) any unusual occurrence.
254. He shall enter or cause to be entered in the prescribed books all offences committed by any Subordinate Officer or any convict which shall come to his notice. These books shall be delivered to the Superintendent daily, and shall be signed or initialed by that Officer.

[The word “initialled” is misspelt in the SA Government Gazette, as reproduced above.]

255. He shall forthwith report specially in writing to the Superintendent any act of misconduct or impropriety committed at the Prison by a member of the family of any Subordinate Officer.

256. He shall attend the first lock-up, parading the Officers for duty, and shall see that the numbers of convicts in cells and in hospital are duly recorded on the state. He shall march to then- posts the warders detailed for night duty, and shall see that they are properly posted, and that correct orders have been given them.

257. He shall, at least every hour if possible, visit every post to ascertain whether the sentries are on the alert, and to inspect the Prison walls, and shall report at once to the Superintendent any disturbance in the cells.

[regulation 257 deleted by GN 286/1936]

258. The gates of the Prison shall be locked at 6 p.m, for the night and thereafter no person other than those prescribed by the Act or the regulations, officers on duty and officers living in the Prison shall under any pretext whatever be admitted without the written permission of the Director or the Superintendent.

[regulation 258 substituted by GN 286/1936]

259. He shall see that the sentries are relieved at the proper times. He shall see that the cooks are roused at the appointed hour; he shall also call the Officers for day duty, and according to the season, ring the first bell. He shall see that the morning meal for the convicts is distributed in a proper manner. He shall parade the warders for duty and shall at the same time formally hand over the keys of the respective wards to the Section Officers. He shall then proceed to the isolation cells in order to release any convict whose term of confinement has expired.

260. He shall make a weekly inspection of the convicts’ bedding and clothing. In any case in which a convict’s kit is incomplete, or in which a convict has more than the regulated allowance of clothing or bedding, he shall immediately report to the Superintendent the convict and the name of the Officer responsible.

261. He shall, on the day preceding the termination of service of any Subordinate Officer, whether by discharge or resignation, give a written notification thereof to the Issuer of Stores or such other Officer as may be prescribed. In the case of the desertion or dismissal or sudden illness of any Officer he shall give immediate notice to the Stores Issuer with a view to the collection of the kit of such Officer.

262. He shall receive reports from Subordinate Officers and lay them before the Superintendent.

263. He shall keep a record of the location of each convict.
264. He shall receive from the responsible Officers requisitions for the rations required for the convicts for the following day, and after checking the same shall deliver them with a summary thereof to the Superintendent.

265. He shall check all requisitions made on Prison Stores, and see that all articles worn out or not in use or required for use are returned to Stores.

266. He shall pay special attention to the latrines, urinals, and general cleanliness of the Prison, and see that the water supply is working satisfactorily and that there is sufficient water to cope with an outbreak of fire.

267. He shall be responsible that orders recorded in the Superintendent’s Order Book are communicated to all Subordinate Officers, and duly attended to.

268. He shall see that the convicts for whom exercise is prescribed are exercised daily, and are not allowed to sit or loiter about the exercise yards, but are kept occupied at all times.

269. He shall see that all sentences for the punishment of convicts are duly carried out.

270. He shall keep records of all persons visiting convicts and shall in each case detail an Officer, where practicable with the necessary language qualifications, to be present at such interviews, with the necessary instructions.

271. He shall be present at the parade of all working parties, within or without the Prison, when leaving for or returning from labour, and shall note the names of the Warders and the number of convicts in their charge respectively.

He shall inspect convicts whilst at labour within the Prison, and satisfy himself that all are present and accounted for.

272. He shall keep an up-to-date list of addresses of all Officers not residing within the Prison precincts.

273. At Prisons where no Stores Issuer or Kitchen Head Warder has been appointed the Chief Warder shall carry out the duties assigned by Regulation to these Officers.

274. Where the term “Chief Warder” is used it shall be taken to mean and include any Acting Chief Warder, Assistant Chief Warder, or Night Head Warder, or any other Officer performing the duties for the time being of any one of such positions.

(i) Matron

275. The Matron shall reside in the Prison or at such place outside it as may be approved by the Director.

276. She shall be held responsible for the due observance of the Prison Rules and Regulations in respect of all female convicts.

277. She shall daily inspect every part of the Prison occupied by females and see every female convict at least once in every twenty-four hours, and shall, at least twice a week, at an uncertain hour of the night, visit and inspect each part of the Prison. The state of the Prison at
the time of every such inspection, and the time at which the inspection is made, shall be recorded in the Prison journal. She shall also report to the Superintendent any defects or repairs necessary.

278. She shall keep such books as may have been or may from time to time be prescribed by the Director.

279. She shall bring before the Superintendent the case of any Female Officer or female convict charged with breach of discipline or disobedience of the Prison Rules.

280. She shall search or cause to be searched by a Female Officer female convicts on entering the Prison, and at such other times as she may consider to be necessary.

281. She shall be responsible for the due cleanliness of the female cells and of female convicts, and shall see that the labour ordered is carried out.

282. She shall see that no female convict is employed outside the precincts of the Prison, and that any female convict sent outside the Prison is accompanied by a female escort.

283. She shall accompany or cause a Female Officer to accompany every male visitor to the female Prison.

284. She shall observe, as far as possible, in regard to the female Prison, the Regulations prescribed for the Chief Warder.

(j) Female Officers

285. Female Officers shall take their orders from the Matron, and shall perform such duties as may be assigned to them. All Regulations or Orders applicable to Male Officers shall in like manner be applicable to Female Officers of the same rank, except in so far as such Regulations or Orders obviously relate to Male Officers only.

(k) Head Warder

286. The Head Warder shall receive his orders from the Chief Warder and assist the latter Officer generally in carrying out his duties and strictly obey his orders.

287. He shall immediately report to the Superintendent all new admissions to the Prison.

288. He shall do duty by day or by night inside or outside the Prison as may be ordered.

289. In the absence of a Chief Warder his duties shall be performed by a Head Warder or such other Officer as may be appointed.

290. A Head Warder shall supervise the Warders in the discharge of their duties, and shall observe the conduct of the convicts.

291. He shall ensure compliance with the instructions of the Superintendent as to punishment of convicts, and shall daily instruct the Warders in respect thereof.
292. He shall keep records of all convicts in his charge, showing the name, number, cell, working party, and class of each convict, and any other particulars which the Superintendent may from time to time require.

293. He shall prepare returns of number of rations to be provided for convicts in his charge on the following day, and deliver the same to the Chief Warder.

294. He shall exercise great care in making recommendations for the granting of indulgences to convicts.

295. He shall be responsible that all convicts in his charge are supplied with all articles prescribed by Regulations, and that the same are in good order and repair. He shall be responsible for calling the attention of his superior officers to all articles unfit for use with a view to their being replaced, and shall pay careful attention to the personal cleanliness of the convicts and see that they are properly clad.

296. He shall requisition for clothing, bedding, and other necessary supplies required for convicts under his charge at such times and in such manner as may be prescribed, or whenever such clothing may be necessary.

297. He shall be responsible for the proper use of all articles by the convicts committed to his charge. He shall, upon the morning of the day on which a convict in his charge is due for discharge, return into the store or deliver to the duly appointed Officer, every article comprising the kit (bedding included) issued to such convict, and he will be required to account for each article missing. He shall keep a record of the dates of discharge of all convicts in his charge.

298. He shall see that the instructions with regard to the washing of clothing by convicts are strictly observed.

299. He shall, at the appointed time, attend convicts proceeding to draw stores, and shall see that they conduct themselves in in orderly manner.

300. He shall frequently inspect every part of the Prison under his charge and ascertain that all locks and bolts are in good order, and that the convicts have no unauthorized articles in their possession, for which purpose he may search the person of the convict. He shall record the condition of the section under his charge daily in his journal, detailing the fact that he has personally examined all locks, bolts, bars, and windows.

301. He shall report daily to the Chief Warder, as may be directed, and shall specially report any circumstances which require immediate attention.

(1) Officers Supervising Outside Labour

302. It shall be the special duty of the Officer supervising outside labour to aid the Superintendent in supervising the labour of all convicts working outside the Prison. He shall, therefore, visit each working party frequently during the day, noting the time of visit to each gang, and obey such instructions as he may receive from the Superintendent.

303. In the morning he shall parade the Officers for outside duty, and after the convicts for labour have been mustered receive them, together with a written detail of their
numbers, which he shall carefully check. He shall be present at all times when the convicts return from labour, and verify the number of each gang before handing them over to the Senior Prison Officer.

304. With regard to the direction of Prison labour on the works he shall, when required by the Superintendent, take instructions from the Officer in chief control of such works, and shall convey them to the Officers in charge of the labour parties.

305. He shall assist the Chief Warder in supervising the issue of rations, and remedying any complaints as to the quality or quantity. He shall also assist the Chief Warder in maintaining order generally when he is at the Prison.

306. When no Officer has been specially appointed the above duties shall devolve upon the Chief Warder.

(m) Officer in Charge of Labour Party

307. An Officer in charge of a party shall be held responsible for the safe custody of every convict under his charge, and for this purpose he shall be provided with an adequate number of Warders. He shall from time to time check the number of convicts under his charge.

308. He shall, when in charge of working parties, require the Warders in charge to count their men at frequent intervals, and make necessary reports.

309. He shall keep a correct roll of all convicts in his party, which roll shall be written up and produced each morning before his party leaves the Prison, and whenever else required. When a convict leaves his party whilst at labour for any purpose he shall hand him over properly to some Officer, and shall satisfy himself that the Officer receives the convict. Similarly he shall properly receive into his party any convict handed over by another Officer.

310. He shall instruct the convicts under his charge, during the hours of labour, as to the manner in which the work has to be performed, and obey such directions as he may receive from the Officer in charge of the works or his Superior Officer.

311. He shall attend specially to the morning and evening muster and counting of his span, and shall obey all orders he may receive from the Superintendent with regard to calling the roll. He shall report without delay the absence of a convict for whom him unable to account.

(n) Warder

312. Warders on day guard inside the Prison shall remain in the Guard Room during such hours as may be directed.

313. A Warder shall have the immediate charge of such convicts and of such parts of the Prison as the Superintendent may order, and shall be responsible for discipline and good order.

314. He shall frequently inspect the state of the cells in his charge and search the same; also the person of any convict as may be necessary.

315. He shall make reports to his immediate senior of any misconduct or breach of Regulations on the part of the convicts in his charge.
316. He shall report daily to the Head Warder the names of any convicts who have been idle or have failed to perform their allotted tasks.

317. He shall give immediate notice to the Head Warder of any convict who may report himself sick, or who may appear to be out of health.

318. He shall, when on duty with gangs outside the Prison, exercise a constant supervision over the convicts, and shall not allow any one of them to idle, loiter, straggle, or work at a distance from the gang. He shall count the convicts at frequent intervals to assure himself that all are present.

319. He shall, at the close of the day’s labour, whether such labour was within or without the Prison walls, search all the convicts in his charge, and count the number of tools and other implements to ensure that none have been secreted, under such orders as he may receive. If the convicts have been working in their cells, all material shall be collected and removed at prescribed intervals.

320. Warders on night duty shall parade at the Guard Room at such hour as may be directed, and shall not leave the Guard Room without permission.

321. A certain beat shall be assigned to each Warder, which he shall constantly patrol to prevent any convict from attempting to escape. So many of the night Warders as are not on beats shall hold themselves in readiness to turn out at a moment’s notice. At night inspections the Warder on duty inside each yard shall stand on guard at the door of each dormitory while the duly authorized Official, attended by an adequate guard, enters and inspects it.

322. It shall be the duty of every Warder on night guard to prevent the convicts from making a disturbance, and from conversing during the night. If he suspects that any convict is attempting to escape or to create a disturbance, or if there is any unusual occurrence, he shall immediately give the alarm.

323. He shall patrol during the night such part of the Prison and corridors as may be in his charge, giving immediate notice of any unusual occurrence, and alarming, if necessary, the guard. He shall immediately attend any call by a convict during the night, and in the event of any report of illness during the night see that the necessary steps are taken.

324. He shall, at the hour appointed, see that all the convicts rise, dress, and arrange their beds for the day. When the convicts are unlocked he shall assist the day duty Officers in escorting them to their morning ablutions.

325. He shall generally assist the Head Warder in the discharge of his duties, and carry out the orders of the Superintendent.

326. On no account shall the keys of the cells be left with a night duty Warder. The night Head Warder shall have charge of the keys, and shall see that they are secured in the place appointed.

(o) Clerks

327. They shall attend at the Prison at such hours as the Superintendent may order. They shall be allowed an interval of one hour during the day.
328. Their duties shall be such as may be assigned to them by the Superintendent. They shall be punctual and diligent in the discharge of their duties, and shall be held responsible for all books, registers, and records in their charge being correct and up to date. They shall strictly conform to and carry out all orders and help in maintaining order and discipline.

(p) Master Tradesmen, Trades Assistants, and Trades Warders

329. A Master Tradesman shall not absent himself during the hours of labour without the permission of the Superintendent.

330. He shall carry out the instructions of the Superintendent and shall superintend the works, industries, and shops assigned to him, and see that everything connected with them is in perfect order.

331. He shall, whenever required by the Superintendent, prepare estimates, plans, and requisitions.

332. He shall see that the labour of working parties is properly and economically applied, that all trades are efficiently taught, that work is carefully carried out, and to the best public advantage, and at once report to the Superintendent any failure of duty on the part of any Official in relation to the application of labour.

[regulation 332 deleted by GN 286/1936]

333. He shall see that the required records are duly kept of the measurement and value of labour of every kind performed by convicts at works, industries, or shops assigned to him.

334. He shall keep an account of all implements, material, and plant, and see that they are ready for use.

335. He shall see that serviceable tools and machine parts replace all that are damaged or worked out, and that the stock of tools is properly maintained.

336. He shall make such reports as may be ordered by the Superintendent, and shall freely make any suggestions and recommendations for the good of the Service.

337. He shall take every precaution to ensure that machinery under his control is duly safeguarded against danger to life or limb and is carefully kept and worked, and that all structures and scaffolding under his supervision are erected with due regard to safety, and that his buildings and works are safeguarded against risk of fire.

338. Trades Assistants and Officers detailed for duty in the Prisons’ workshops shall conform to all orders issued by the Master Tradesman to whose control they are assigned, and they shall be responsible to him for the proper care of stores, tools, and workshops placed in their charge, and for the proper teaching and efficient rendering of labour by the convicts, and generally for all matters pertaining to the proper conduct of the workshops.

339. Trades officers may at the Superintendent’s discretion be detailed for any duties whether connected with their trades or not.

[regulation 339 substituted by GN 286/1936]
340. Senior Trades Officers (Master Tradesmen and Trades Assistants) may be required to parade for duty in time to march the spans of trades convicts to their work, and will cease duty after handing over the convicts at night.

Junior Trades Officers (Trades Warders) may be required to parade for duty in the sections at the same hour as the discipline staff, subject to any arrangement the Superintendent may find convenient in regard to meal hours, and to remain on duty until the discipline staff is dismissed.

341. Trades Officers may be called upon to perform ordinary discipline duty if emergency arises. Whilst instructing or supervising work or employed in connection with their trades, they are required to perform the functions of discipline officers in so far as guarding and the maintenance of discipline is concerned.

342. All Trades Officers may be required to personally work at their trades in addition to imparting practical instruction to convicts under their charge.

343. Any Officer stating any trade or calling on his application form may be required to exercise the same or teach the said trade or calling to convicts.

344. For purposes of discipline Master Tradesmen, Trades Assistants, and Trades Warders shall at all times be considered Subordinate Officers, and as such be compelled to obey the lawful Offers of the Chief Warder.

(q) Stores Issuer and Assistant

345. The Stores Issuer shall attend at the Prison at such hours as may be prescribed, and shall not absent himself without permission of the Superintendent, whose orders he will carry out promptly.

346. He shall, when required thereto, furnish for purposes of insurance or otherwise an estimate of the value of the stores under his charge.

347. The strictest observance is demanded from Stores Issuers and their Assistants of the provisions of section 33 of the Act, which, amongst other things, makes it an offence severely punishable for any Officer connected with a Convict Prison to receive any benefit or have any interest whatever, either directly or indirectly, in connection with contracts for supplies to Prisons.

348. He shall keep such books and furnish such returns as may from time to time be prescribed, and shall render such general clerical assistance as the Superintendent may require.

349. He shall not be concerned, either directly or indirectly, in any business, occupation, or employment whatsoever other than such as belongs to his office as a Prison Officer.

350. He shall be responsible for the due receipt, custody, and issue of all stores in such manner as may from time to time be prescribed, and shall see that all stores are kept in an orderly and systematic manner in the appointed places, and that all articles are properly marked before they are issued.
351. The Stores Issuer shall make immediate reports to the Superintendent of any defect in quality or deficiency in the weight or measure, or irregularity in the delivery of any articles delivered.

352. The Stores Issuer shall open stores in the morning and either he or his Assistant shall be present as long as the stores are opened.

353. He shall see that the stores are kept locked at all times except when it is necessary to issue or receive goods, and that they are not opened except in his presence or in that of his Assistant.

354. (1) He shall see that articles of bedding and clothing retained in stores are duly sent to be washed and returned to him or the appointed Officer.

(2) Shirts and underclothing shall be washed and changed once a week, as also socks, stockings, handkerchiefs, towels, and clothing made of duck, cotton, moleskin, or jean. Blankets shall be washed at least once in six months, and where practicable, before re-issue to another convict.

(3) Prison clothes which have been worn by a convict suffering from any infectious or contagious disease shall be thoroughly disinfected under direction of the Medical Officer before being stored. Clothes specially set aside for uses of this nature shall be stored separately.

(4) Blankets used for coloured persons shall be marked in the corner with a disk of red paint, three inches in diameter, and should be stored separately.

355. He shall see that every precaution is taken to prevent injury to any property in stores or under his immediate charge, and shall report to the Superintendent from time to time whenever it is necessary to convene a Board of Survey for the condemnation of unserviceable stores.

356. Boards of Survey shall consist of the Superintendent, the Medical Officer, and the Inspector, if he should be present at the Prison. They shall meet at least once a quarter and shall consider whether any articles which may have become unserviceable shall be condemned, and may recommend to the Director what use they may be put to short of destruction. If applied to other use they shall be immediately and specially marked. Minutes of their proceedings should be kept. The articles condemned shall not be struck off charge or treated as condemned until the Director’s authority for that course is given. In the event of destruction being decided upon the Superintendent shall personally supervise the destruction.

357. He shall, upon the receipt of the written order of the Superintendent to that effect, but not otherwise, issue such articles of stores, clothing, and bedding as may from time to time be required.

358. He shall see that proper order is maintained at the store when articles are being issued. Convicts shall not be allowed at the store for the purpose of receiving any article of their kit except when accompanied by an Officer.

359. It shall be his special duty to aid the Superintendent in securing the strictest economy in the use of stores of every description. He shall bring at once to the Superintendent’s notice any neglect on the part of Officers in respect of requisitions for Prison clothing, and all cases in which a kit, or any article thereof, is sought to be removed before the appointed time or before a reasonable period has elapsed after a previous issue. He shall keep a monthly abstract
of all stores consumed, and shall report at once any increased consumption which, in his opinion, is not warranted by an increase in the number of convicts maintained.

360. In the event of any Officer leaving the Service he shall see that all Government property is accounted for and returned into store.

361. He shall be responsible for weights and measures in the Prison being in proper order and correct, and in accordance with any law relating to weights and measures.

362. The Stores Issuer’s Assistants shall receive their orders from the Stores Issuer, and shall perform such duties as may be assigned to them.

(r) Kitchen Head Warder and Baker

363. The Kitchen Head Warder or other Officer in charge of the kitchen shall manage the cooking for the whole Prison, and shall be held responsible for the cleanliness of the kitchen and of the boilers, coppers, and all utensils in use in the kitchen.

364. He shall receive every day from the Stores Issuer the necessary provisions for the day’s diet, together with a note of the number and location of convicts to be dieted.

365. He shall be as exact as possible in measuring and weighing the provisions to be served out at each meal, and shall be responsible for the right mixture of all ingredients and the proper cooking of the food, and shall carefully follow all instructions issued with the Diet Scales.

366. He shall report at once to the Stores Issuer and Superintendent any defect he may observe in the quantity or quality of the food.

367. He shall report on the conduct of convicts employed in the kitchen, and shall be responsible for their getting the proper allowance of food.

368. The foregoing instructions are also applicable to the Baker, if any, regard being had to difference of occupation and duties.

9 - Canteen

369. Whenever a Canteen or Club shall be established at a Convict Prison it shall be conducted under the presidency of the Superintendent or Assistant Superintendent, and under such rules as shall from time to time be approved by the Director, with due precautions against excessive consumption of alcoholic stimulants.

10. - Gate

370. The Prison gate shall be kept locked and only opened when necessary, and shall not, under any circumstances, be kept open longer than is absolutely necessary. Where there are outer and inner gates only one shall be opened at a time unless otherwise necessary.

371. The Officer acting as Gatekeeper shall examine all articles carried into or out of the Prison, and may stop any person suspected of bringing in unauthorized articles into the Prison, or of carrying out any property belonging to the Prison, or any unauthorised article, giving immediate notice thereof to the Superintendent.
372. The Officer on gate duty shall count all parties entering and leaving the Prison, and compare the number with the Officer or Constable in charge of the party. He shall record all such numbers, with the name of the Officer in charge, in such manner as may be directed.

373. No Officer on gate duty shall leave his post without permission from the Senior Discipline Officer in the Prison, nor shall he hand over his keys except upon proper authority.

374. The Officer on gate duty shall take care that all visitors sign the Visitors’ Book, and that all Subordinate Officers sign in the Duty Book the correct time of their passing through the gate.

375. He shall not allow any stranger to enter the Prison without a sufficient order. Strangers with written permits shall be requested to wait until the Superintendent has been referred to.

376. He shall not allow any Subordinate Officer to pass out of the Prison during working hours without due authority.

377. He shall not allow any convict to pass out of the gate except in strict accordance with instructions he may receive from the Superintendent.

378. He shall be responsible for all keys entrusted to him, and shall account for them in such manner as he may be directed.

11. - Hospital

379. In every Convict Prison a Hospital or proper place for the reception of sick convicts shall be provided.

12. - Prison for Females

380. The main gates and yard doors of a Prison where females are confined shall be secured by locks different from those securing any part of any portion of the prison assigned to males. The keys shall be kept by the Matron.

13. - Convicts

(a) Admission

381. Each convict, except civil debtors, unconvicted prisoners, and witnesses, shall on admission be assigned a number, which shall be marked on all articles supplied to him. He shall also be supplied with a complete kit, which shall consist of such articles as may have been fixed or may from time to time be fixed by the Director, and for the care and cleanliness of which he shall be responsible.

382. Subject to any directions given by the Medical Officer every convict shall bathe upon admission to a Prison, and as often thereafter as may be required or directed.

383. Except as provided in Regulations No. 477(3) and (4) and 604 a male convict with a sentence exceeding two months imprisonment with hard labour shall upon admission have the hair on his head and face shorn unless he be a Sikh or Chinaman wearing a pigtail, or member of any other nation or tribe who by national characteristic or under religious influence keep their hair uncut, in which case his hair shall not be shorn unless he voluntarily consents
thereto, or unless the medical officer directs in writing that it shall be done as indispensable on the ground of health and cleanliness.

(regulation 383 substituted GN 1369/1945)

384. Except as provided in Regulation 604 any South African native wearing a “head ring” shall have it removed and it shall be stored with his personal property.

385. The hair of a female convict shall not be shorn unless the Medical Officer directs in writing that it shall be done as indispensable on the ground of health or cleanliness.

386. (1) On admission to any Prison, or at any time during detention in such Prison, such personal statistics and history, marks, finger impressions, photographs, and measurements may be taken of each convict as are necessary for purposes of record, but no copy of any portion of this record shall be given to any person unless he is officially authorized to receive it.

(2) Similar records and particulars may be taken from a person otherwise detained in custody.

387. Such force as may be necessary may be used to secure the finger impressions of any convict who refuses to allow such impressions to be taken, or to secure his compliance with the other provisions of these Regulations. The use of such force shall not in any way affect the liability of such convict to punishment for such refusal as prescribed in section 421 of these Regulations.

(b) Searching

388. The searching of a convict shall be conducted with due regard to decency and self-respect, and in as seemly a manner as is consistent with the necessity of discovering any concealed article on or in any part of his body or clothing.

(regulation 388 inserted by GN 286/1936)

389. Female convicts shall be searched by Female Officers. In other respects the same course shall be pursued in reference to the admission, removal, or discharge of a female convict as in the case of a male convict.

[The words “other” and “admission” are misspelt in the SA Government Gazette, as reproduced above.]

390. Convicts sent outside the Prison to work shall be thoroughly searched on returning to Prison.

391. (1) Every convict shall be searched on admission and at such times subsequently as may be necessary, and all unauthorized articles shall be taken from him.

(2) A convict shall not be allowed to have in his possession any article not supplied by the Prison or sanctioned by the Superintendent.

392. Any convict who shall be found in possession of or to have concealed in his cell any article not authorized shall be deemed to be guilty of a breach of discipline.
393. Any money or unauthorized article found within the precincts of a Prison or in possession of a convict shall be immediately handed over by the finder to the Superintendent and may be forfeited to the Crown or destroyed.

(c) Private Effects

394. The Prison authorities will only receive and store the effects which the convict carries on his person. In cases in which the sentence is to two years imprisonment or over he may be required to indicate the method of disposal of his clothes, failing which they may be destroyed. On admission private clothes shall be dipped in disinfectant if dirty or verminous. Where deemed advisable, owing to risk of infection or excessive dirt, they may be destroyed. All money, effects, or articles belonging to any convict on admission which he is not allowed to retain or receive shall be placed in the custody of the Superintendent, who shall cause an inventory of the same to be made and kept in the book provided for the purpose. Each entry shall be signed and dated by the Searching Officer in the presence of a witness. When the property is returned to the convict his receipt shall specify the money, effects, or articles received, and shall be signed and dated by such convict in the presence of a witness.

[regulation 394 substituted by GN 286/1936]

395. Money or other property received from or on behalf of any convict shall not, before his discharge, be delivered to him, or to any other person except with the sanction of the Superintendent or under 11 specific order of court.

[regulation 395 substituted by GN 286/1936]

396. Where a convict’s sentence exceeds 3 months, and the amount held or received on his behalf amounts to £1 or more such amount shall be deposited by the Superintendent in the Post Office Savings Bank to the credit of the convict concerned. When money has been so deposited the bank book shall be retained by the Superintendent, who shall, if the convict so request, cause notice of withdrawal to be given a reasonable time before the convict’s due date of discharge, in order that he may be enabled to obtain his money without delay.

[regulation 396 substituted by GN 286/1936]

The Superintendent shall, if the convict so requests, cause notice of withdrawal to be given a reasonable time before the convict’s due date of discharge in order that he may be enabled to obtain his money without delay.

397. The Director may direct that any money or property belonging to any convict shall be delivered into the charge of some person or institution nominated by the said convict, instead of being received and kept on his behalf by any public officer, or instead of being invested in manner provided by the preceding Regulation.

398. The effects of any convict who has escaped and has not been recaptured, or has died, whether an executor shall have been appointed in his estate or not, or who has failed to claim or to receive any effects deposited with the Prison authorities, may be sold by public auction or by private sale after the expiration of six months or as may in any particular case be prescribed by the Director, and the net proceeds devoted to the satisfaction of any claims due to the Government, and the balance shall be handed to the Master of the Provincial Division concerned of the Supreme Court or in the case of natives to the Native Commissioner concerned to be dealt with according to law. The same course shall be followed with regard to the effects of a Prison Officer who has deserted from the Service.
(d) Classification

399. All convicts shall be classed primarily according to sex and secondarily according to race. The white and coloured races shall, wherever practicable, be kept apart at work, at eating, and at rest. Where possible different coloured races will be further divided, as the Director may approve.

400. [regulation 400 substituted by GN 166/1938, GN 1824/1945 and deleted by GN 2020/1957]

401. [regulation 401 deleted by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

402. [regulation 402 substituted by GN 545/1916, deleted by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

403. [regulation 403 deleted by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

404. [regulation 404 deleted by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

405. [regulation 405 amended by GN 286/1936, substituted by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

406. [regulation 406 amended by GN 166/1938, substituted by GN 1824/1945 and deleted by GN 2020/1957]

407. [regulation 407 deleted by GN 2020/1957]

408. [regulation 408 amended by GN 227/1918, substituted by GN 166/1938 and deleted by GN 2020/1957]

409. [regulation 409 deleted by GN 2020/1957]

410.
411. [regulation 411 deleted by GN 2020/1957]

412. [regulation 412 amended by GN 166/1938 and deleted by GN 2020/1957]

413. [regulation 413 deleted by GN 2020/1957]

414. [regulation 414 deleted by GN 2020/1957]

415. [regulation 415 substituted by GN 1687/1913, amended by GN 286/1936, GN 166/1938 and deleted by 2020/1957]

416. (1) In addition to previous convictions proved or admitted in Court any previous conviction which has been established and fully proved to the satisfaction of the Superintendent shall be deemed to be a previous conviction for the purposes of these Regulations. Records of all previous convictions may be obtained -

(a) by admission of the convict, recognition by a Prison Officer, or from Prison records;

(b) from information obtained and furnished by Police authorities within or outside the Union; or

(c) from information obtained from any other Prison within or outside the Union.

(2) The Superintendent shall test any information as to previous convictions so received in the best manner practicable, and shall satisfy himself, either by the convict’s admission or by the testimony of credible persons, or by the evidence of photographs, reports, records, finger impressions, or distinctive marks, as to the identity of the convict with the person referred to in such record of previous convictions.

(3) As soon as the Superintendent is satisfied that a previous conviction has been fully established against a convict he shall cause entry of the same to be made in the Prison records. Full details as to date, place, and nature of such previous conviction, and the manner in which it has been established, shall be entered in such records.

417. (1) For the purpose of these regulations, a recidivist means any person who, having at any time served a sentence of imprisonment of more than 92 days in goal or prison, irrespective of whether or not regulated remission was granted thereon, or such period on an order of detention in a reformatory, or a farm colony, or a week colony, is thereafter
sentenced to imprisonment, either with or without the option of a fine, or to detention, in respect of an offence committed subsequent to the date of the last antecedent sentence or order; provided that -

(a) any person as so defined who, during the periods specified in subregulation (2), has not been convicted of any offence between the date of expiration of the last antecedent sentence and the date of admission to a gaol or prison in respect of a conviction for an offence for which the current sentence was imposed shall be classified as a first offender.

(2) The periods mentioned in *proviso* (a) of subregulation (1) are -

(i) five years in the case of a person previously convicted of an offence for which a sentence of up to and including two years was imposed;

(ii) ten years in the case of a person previously convicted of an offence for which a sentence of more than two years was imposed.

(3) The Director may, in his discretion on the merits of any particular case, classify as a first offender for prison purpose any convicted person who has any previous convictions recorded against him and whose case does not fall within the provisions of *proviso* (a).


**RULES FOR NO-LABOUR PRISONERS**

(a) Non-Political

418. Prisoners sentenced to imprisonment without hard labour, herein after referred to as “no-labour prisoners,” while ordinarily subject to the rules and regulations applying to convicted prisoners, will be allowed the following privileges accorded to civil debtors and unconvicted prisoners by Prison Regulations Nos. 603 as to finger prints and description 607 as to forfeiture of privileges, 608 as to clothing and bedding, 609 as to search on admission, 610 as to writing, 613 as to literature and disposals, with the qualification as to haircutting set forth in Regulation No. 477(4), and subject to the following special rules -

(a) They shall be required to keep any room, cell, or place occupied by them, or any premises adjoining or subserving the same or any article or thing subserving such room, cell, or place or the occupants thereof, in a clean and sanitary state.

(b) They shall be permitted one visit a week of fifteen minutes duration in the ordinary place allotted to interviews with prisoners from not more than two friends coming together, and to write one and to receive one letter a week.

(c) They shall be allowed such access either together or separately to one or other of the prison yards during the day as the superintendent can arrange, with due regard to his duty and facilities.

(d) Should a prisoner sentenced for longer than one month express the desire in writing to work in the prison workshops, at some approved trade, and the superintendent can arrange, such prisoner may be permitted to do so, but in such case he will,
while working be subject to the ordinary regulations and practice applying to convict labour.

(c) They shall have the rations prescribed for their class in the diet scales.

(b) Political

(2) No-labour prisoners convicted of treason or of an offence of a treasonable or seditious nature generally regarded as a political offence, shall be subject to the regulations and practice governing other no-labour prisoners, qualified, however, by the following special rules -

(a) The medical officer shall personally supervise their treatment during the process known as reception, and the superintendent may, in his discretion, waive any ordinary requirement in connection therewith.

(b) They shall as far as practicable be kept separate from prisoners of other classes.

(c) They shall be permitted to receive two visits a week of fifteen minutes’ duration from not more than two friends coming together, such visit to take place in some other place than that assigned to other prisoners, but not in their own sleeping cells or rooms, within sight but not within hearing of the prison officers.

(d) They may receive two and may write two letters a week.

(e) They may manufacture and dispose of for their own profit articles approved by the superintendent, provided they supply all tools and materials at their own cost. The superintendent will regulate the disposal of these tools and materials while not in use.

(f) They may on payment of the sum of 15. a day in advance be relieved of the performance of any unaccustomed tasks or offices.

(g) They may arrange for and receive food from outside in the same way as awaiting trial prisoners.

[regulation 418 inserted by GN 76/1918]

[regulations 416, 417, 418 and 419 renumbered by GN 1495/1914]

(d) Special Classification Scheme under section twenty-three of Act No. 13 of 1911.

419. (1) Whenever a superintendent or magistrate shall certify that certain convicts named by him are exercising a pernicious influence over other convicts who desire to behave, and that he considers it necessary that they should be segregated, he shall apply to the Director of Prisons for an order under section twenty-three of the Act.

(2) The Director may thereupon under the powers of section twenty-three order the segregation of the said convicts at work as well as at rest for any period not exceeding three years.

[regulation 419(2) deleted the words “either in the same prison or in such part of the Pretoria Gaol declared a convict prison” by GN 286/1936]
(3) This order shall not affect the segregation which may be ordered by the superintendent under Regulation 412, but the segregation of a convict under this order, when added to his segregation under Regulation 412, shall not exceed three years.

(4) The Director may at any time for sufficient reason revoke the order of segregation.

(5) [regulation 419(5) deleted by GN 286/1936]

[regulation 419 inserted by GN 1495/1914]

(e) Rules for Convicts

420.  (1) Obey the orders of Officers without reply or argument.

(2) Be quiet everywhere and at all times.

(3) You must not talk or communicate in any manner with any other convict while marching or standing in line, while at meals, while in the Chapel or at work, and whenever and wherever else required, except when given permission by an Officer. You must not talk to any free person unless by permission and in the presence of an Officer. You must not talk to any Officer on subjects not concerning your duty or conduct as a prisoner. Insolence, profanity, or obscenity will not be tolerated.

(4) Up to 8 p.m. in your cell you may talk to your cell mates, if any, but in low tones only. Do not talk or call to men in other cells. Do not whistle, sing, or make any unnecessary noise. Keep silence from 8 p.m. until the first bell in the morning.

(5) Keep your person, clothes, bedding, cell, and library books clean. You must not draw, paint, or hang pictures on the walls of your cell, nor in any way mark or deface library books, buildings, walls, furniture, or fittings.

(6) You must not alter or deface your clothing in any way and must not cut your shoes. If your clothing or shoes do not fit, or need repair, report at once to your Officer, who will take the necessary steps to remedy the matter.

(7) When leaving your cell open the door without noise. Stand at the cell door or as directed whenever required for count.

(8) You are not permitted to use your bedding in the day-time except by permission and on account of sickness. Do not go to bed with your clothing on. Leave your boots outside your cell before entering.

(9) On returning to the section go into your own cell. If found in the wrong cell you will be punished. You must not stop to look into another convict’s cell or pass any article into a cell or from one cell to another. All these offences will be severely punished.

(10) You are not permitted to be in the same division of a latrine at the same time as another convict.
(11) You must not have on your person or in your cell any money, jewellery, cards, dice, or other gaming instruments, postage stamps, valuables, or stationery, except that furnished you on writing day. All your letters must pass through the Superintendent’s office. Writing materials will be furnished you on writing day. Paper when not used for a letter must be returned.

[The subregulation is reproduced as it appears in the SA Government Gazette, the phrase “Writing materials will be furnished you” should read as “Writing materials will be furnished to you”.]

(12) You must not, at any time, have any tools or weapons in your cell or concealed in your clothing or on your person.

(13) You must not, at any time, have a knife on your person or in your cell unless you have special permission from the Superintendent or Assistant Superintendent.

(14) You must not carry a pen, lead pencil, or writing paper upon your person or into your cell without permission of an Officer. If it is necessary for you to use a pencil at your work it must be left in the custody of your Officer. Materials from the shop must not be taken into your cell.

(15) You are not allowed to retain in your possession any tinder box or other instrument for striking fire or making light, and no smoking is allowed within the Prison or Prison yard otherwise than as may be authorized.

(16) Whenever you have any necessary communication to make or a request to present to the Superintendent or Assistant Superintendent, inform your Officer, who will advise the Officer you wish to address. On matters of minor importance notify your Officer of your desire to speak to the Superintendent when he next visits your cell or place of work. Do not step out of line to address the Superintendent until ordered to do so.

(17) When marching in line keep your head erect and your face turned toward the front. You must not leave the line or change places in the line without permission of the Officer in Charge. In marching into your shop or to your place of work keep your place in line until the Officer commands the line to break.

(18) You must not leave your place of work except by permission of the Officer in Charge.

(19) Careless or wilful injury of your work or tools will be promptly reported and punished.

(20) You must not communicate with other convicts while at work, except when absolutely necessary, and then only by special permission of the Officer in Charge.

(21) Whenever you leave your cell, and whenever you leave your shop or place of work, see that your clothing is in order and properly fastened. No unauthorized ribbons, badges, or decorations will be allowed on your clothing. Put your cap or hat on properly and keep your hands out of your pockets. Avoid all insolence or rowdyism in walk, manner, or gestures.

(22) You will be promptly reported and punished if you, unnecessarily, jostle or brush against another convict with the intention of annoying him, or in any way provoke another convict to anger. Making faces or insulting gestures will not be tolerated. Any trick by which
another convict is led into violation of the Bales and loss of time will lead its author into punishment and loss of marks.

(23) You must pay proper respect to all persons placed in authority over you. In addressing an Officer, say “Sir”, and proceed with your communication. Remove your hat when addressing a Superior Officer.

(24) If addressed by an Officer you must answer or respond. Undue familiarity between Officers and convicts will not be tolerated. Any attempt at familiarity on your part with an Officer will be punished. You must not place your hand upon an Officer, or touch his clothing, or in any way get into close contact with him.

(25) In speaking to an Officer stand at two paces distance, and speak distinctly; it is not necessary to breathe into an Officer’s face to make him hear you. Do not pass closely in front of an Officer, or between two Officers who are conversing.

(26) You must not receive anything whatsoever from any person not connected with the Prison in an official capacity without permission. You must make no present whatsoever to any Officer or employee of the Prison, nor buy or receive anything from or for such person, nor ask any such person to buy or receive anything from or for you. You must not ask any Officer, employee, or any other person to post, deliver, or write a letter for you without special permission from the Superintendent. You must not have letters addressed to you in care of any Officer or employee, but solely in care of the Superintendent. You must not make or repair anything for any Officer or employee except upon orders from the proper Officers.

(27) On entering any Prison building you must uncover, unless your duties are such that you have special permission to remain covered.

(28) When the bell rings in the morning rise promptly, make up your bed as instructed, wash and carry out domestic duties as ordered. If sick notify the Officer who unlocks your cell. Do not remain in your cell without permission.

(29) At the 8 p.m. signal go to bed at once, unless you have permission to remain up later, having placed your boots outside the cell door and the rest of your clothing where it can be plainly seen.

(30) You must not spit anywhere about the Prison or grounds. When you go to sick parade be sure that your mouth has been rinsed out. You must not use or have tobacco anywhere else than allowed.

(31) You are permitted to have in your cell only the articles supplied by the Government, and such school library books, letters, and family photographs as have been duly authorized.

(32) On entering the dining hall take your seat promptly, position erect, with eyes to the front, until the signal is given to commence eating.

(33) Strict silence must be observed during the meal. Staring at visitors, talking and laughing, fooling, or gazing about the room are strictly forbidden.

(34) Eating or drinking before the signal to commence, is given, or putting meat on the table, is prohibited.
(35) All food must be consumed at the proper meal time, and all uneaten food must be returned to the kitchen.

(36) If you desire to speak to an Officer about food or service in the dining hall, hold up your left hand.

(37) Wasting food in any form will not be tolerated.

(38) After finishing your meal sit erect until the signal is given to rise, then march out in line in a prompt, quiet, and orderly manner.

(39) On entering the section go to your cell quietly and promptly when ordered. Then stand at “attention” until the count is completed.

(40) When at work give your undivided attention to it. Gazing at visitors or at other convicts will not be allowed. You must respectfully listen to and faithfully carry out all instructions given you by your Officer concerning your work.

(41) In talking with your Officer confine yourself strictly to the work in hand. If you have any cause for complaint of your Officer or others you should make your complaint to a Senior Officer at the first opportunity.

(42) If you are sick or unable to work report the fact to the Officer in charge, and act as he may direct. If you wish to see the Medical Officer give your name and number to the Officer immediately after first unlock in the morning. Should you be taken ill during the day you should report sick at midday or evening parade. Reporting sick at other times is only permissible in serious cases.

(43) You are not allowed to give, barter, or sell any portion of your food to any other convict.

(44) All lending, borrowing, trading, bartering, or selling, of whatsoever kind, between convicts or between convicts and Officers or other persons is strictly prohibited.

(45) Make it your business to keep your cell clean and free from vermin. Make careful inspection of your bedding every day. If any bugs are found report the fact immediately to your Officer.

(46) At morning sick parade stand quietly in the line until your number is called, then pass quickly into the Medical Officer’s room, receive and promptly obey his directions, and again take your place in line. No conversation or disorder of any kind will be permitted.

(47) If ordered by the. Medical Officer to the Hospital for treatment you will be properly cared for, but to hold your place in the Hospital you must remain quiet and perfectly obedient. No disorder of any character will be tolerated. While in the Hospital you must be neat and tidy in habits, and perfectly respectful in language to the Hospital Officers.

(48) Neither food nor medicines can be sent to any convict by private individuals outside the Prison.

(49) For violation of these Rules you may lose part or all of your marks. A record of all violations of these Rules is kept in the Superintendent’s office.
(50) When in the yard or in the cell corridors not at work, if approached by the Superintendent or Assistant Superintendent, you must stand at “attention” until he has passed.

(51) You must obey promptly whenever called to “attention”.

(52) When parades are called you will fall in at your allotted place promptly, and in an orderly manner.

(53) Your cell is subject to search at any time. If unauthorized articles are found you will be dealt with for a breach of the Regulations.

(54) You are compelled to attend the chapel services required by the Superintendent because the moral support of religious instruction is necessary for all unless satisfactory reasons exist for not doing so.

(55) You may make complaints only to the Superintendent, Assistant Superintendent, Visiting Magistrate, Inspector of Prisons, Deputy-Incisor of Prisons, or (in the case of females) to the Matron, and you may request to have your complaint brought to the Director’s notice.

(f) Offences

421. (1) A convict or arrested person shall be guilty of an offence against Prison discipline if he -

(1) at any time after admission refuses to allow himself to be medically examined or vaccinated, to be photographed or measured, or to have his finger impressions taken, or wilfully obstructs any person whose duty it is to medically examine, vaccinate, photograph, or measure him, or take his finger impressions;

(2) gives false replies to any questions put to him regarding his past life or antecedents, or any other matter upon which information is required for purposes of Prison records or statistics, or refuses to give replies to such questions;

(3) wilfully disobeys any lawful order;

(4) treats with disrespect any Officer or servant of the Prison, or any visitor, official or non-official, or any person employed in connection with the Prison or works;

(5) is idle, careless, negligent at work, or refuses to work;

(6) swears, curses, or uses any abusive, insolent, threatening, or other improper language;

(7) is indecent in language, act, or gesture;

(8) commits a minor assault upon an officer or another convict;

[regulation 412(1) of paragraph 8 inserted by GN 286/1936]

(9) converses or holds intercourse with another convict at unauthorized times;

(10) sings, whistles, or makes any unnecessary noise or gives any unnecessary trouble;
(11) leaves his cell or other appointed location or his place of work without permission;

(12) in any way disfigures or damages any part of the Prison or any article to which he may have access;

(13) has in his cell or possession any article he is not allowed to have;

(14) gives to or receives from any convict any article whatever without leave;

(15) in any other way offends against good order and discipline;

(16) uses language tending to cause discontent, excitement, or insubordination among his fellow-convicts, or enters into or belongs to any combination of convicts for any purpose not authorized;

(17) makes false, frivolous, or malicious reports or complaints;

(18) commits any nuisance, neglects his duty, fails to keep himself clean or to wash or mend his clothes, or fails or neglects to keep clean and tidy any cell or other place in violation of any order which has been given him;

(19) absents himself from or refuses or fails to attend divine service, school, lecture, or parade, or misbehaves himself when present at any such place;

(20) evades work by any means;

(21) malingers by feigning any malady whatever;

(22) commits any act with the intention of endangering his life or injuring his health or interfering with his work;

(23) wilfully loses, destroys, alters, defaces, or exchanges any identification card issued to him;

(24) procures or receives any article whatever in an unauthorized manner, or commits any act of petty theft;

(25) holds any communication by any means, or of any kind, or on any subject, with any person with whom such communication is not authorized, or converses with a visitor in a language not authorized;

(26) contravenes the provisions of any Regulations framed under the Act, or any amendment thereof;

(27) violates any Departmental Rule or Superintendent’s order which has been duly posted in the Prison;

(28) otherwise conducts himself to the prejudice of good order and discipline;

(29) Having been hired to an employer or assigned for the purpose of labour to any person or body, deserts from the service of such employer, person or body or leaves the place of work without proper authority;
(30) attempts to do any of the foregoing things;

and upon conviction shall be liable to be sentenced to the penalties enumerated in sections 35 and 36 of the Act, namely -

(i) If convicted by a Superintendent or Assistent Superintendent, one or more of the following punishments -

(a) a reprimand;

(b) the deprivation of all or any marks, privileges, gratuities, or indulgences for a period not exceeding one month;

(c) the degradation of the offender from one class to another;

(c)(bis) The deprivation of one or more meals on any one day.

(d) extra labour not exceeding three hours per day for a period not exceeding three days;

(e) corporal punishment not exceeding six strokes, if the offender be a convicted male prisoner apparently under the age of sixty years;

(f) solitary confinement in an isolation cell with or without spare diet for a period not exceeding six days in all; provided that if spare diet be ordered for more than three days there shall be an intermission of one day upon full diet after the third day of spare diet;

(g) solitary confinement in an isolation cell with or without light labour for a period not exceeding fifteen days, ten days of which may be ordered to be passed on reduced diet.

Nothing in this section contained shall be construed as preventing the imposition by any person in charge of a Convict Prison or Gaol of any such punishment as is mentioned in paragraphs (a), (b), (c) or (c)(bis) without trial, for offences deemed by him to be trivial. He shall duly record all such punishments.

(ii) If convicted by a Visiting Magistrate or the Magistrate of any district, any of the following punishments in lieu of or in addition to those which might have been imposed under subsections (a), (b), (c), (c)(bis), (d), (e), (f), and (g) hereof, that is to say -

[regulation 421(g)(ii) inserted by GN 286/1936]
(i) to undergo imprisonment with or without hard labour for any period not exceeding three months, which shall be served in addition to the sentence (if any) for which he is being detained; or

(ii) to receive corporal punishment in any number of strokes, not exceeding twelve, if the offender be a convicted male prisoner apparently under the age of sixty years; or

(iii) to be kept in solitary confinement with or without light labour, for a period not exceeding forty-two days, twenty-eight days of which may be ordered to be passed on reduced diet: Provided that no continuous period passed on reduced diet shall exceed fourteen days, and at least fourteen days shall elapse between one period passed on reduced diet and another such period.

(2) When any act in contravention of these Regulations appears to have been committed by two or more convicts acting in conjunction or in concert together, each such convict shall be punishable for the offence whether or not it be proved that he himself committed the said act.

(g) Corporal Punishment

422. Every sentence of corporal punishment shall be carried out as soon as possible after it has been confirmed in the case of a sentence of an Inferior Court or for a Prison offence, and in case of a sentence of a Superior Court as soon as possible after it has been passed.

423. All inflictions of corporal punishment shall be attended by the Medical Officer, after the convict has been certified by him to be fit for punishment. The Superintendent shall keep a full record of the infliction and shall see that all appliances are kept in order. The Medical Officer’s instructions for the prevention of injury to health shall be obeyed, and he shall have the power to stop the punishment at any period of the infliction should it appear to him that the continuation may endanger life. He shall record his reasons for such stoppage.

424. Where, under the sentence of any Court, punishment by whipping with the cat is to be inflicted, the instrument used shall be of a pattern which has been approved of by the Director. The whipping shall be inflicted upon the bare back, across the shoulders of the convict.

425. Where the Court imposing any sentence of corporal punishment by whipping has not indicated the character of the instrument with which the whipping is to be inflicted, such punishment shall be inflicted by caning in manner herein after described.

426. Corporal punishment by caning shall be inflicted in the case of adults with a rattan cane four feet long and one-half inch in diameter, and in the case of juveniles under sixteen years with a cane three feet long and three-eighths of an inch in diameter, the canes to be of an approved pattern. The strokes shall on no account be administered upon the back, but upon the bare buttocks.

427. In the infliction of corporal punishment particular care shall be taken to see that the body of the convict under punishment is so laid out as to avoid the chance of blows falling on any other part of the body than that at which they are aimed.
428. The convict shall be secured to a triangle or other suitable appliance. In case a triangle is not procurable a temporary appliance shall be constructed under the advice of the Medical Officer so that the necessity of deferring the sentence may be avoided.

429. In the event of there being no Prison Officer available to inflict punishment it shall be inflicted by a suitable person to be nominated by the Superintendent, but the strokes shall on no account be administered in any case by the Senior Subordinate Officer, or, in the case of European offenders, by a coloured person.

430. The date of the carrying out of the sentence shall invariably be endorsed on the warrant.

431. When the sentence of any Court for the infliction of corporal punishment cannot be carried out wholly the Superintendent shall immediately bring all the facts to the notice of the Director, who will take the necessary steps to obtain the decision of the Governor-General or of the proper Court in the matter in terms of section 45 of the Act.

(h) Solitary Confinement and Dietary Punishment

[Heading substituted by GN 1687/1913]

432. The term “solitary confinement” signifies detention in an isolation cell under authority of sections twenty-four and twenty-five of Act No. 13 of 1911, and does not include the segregation or separation from other convicts authorized by section twenty-three of the Act or by these regulations.

“Spar diet” shall consist of a daily ration for males of 8 oz. rice boiled in 2 quarts of water without salt, and for females of 6 oz. rice boiled in 3 pints of water without salt. “Reduced diet” shall be one-half of the ordinary short-sentence ration, and shall not include articles like jam, treacle, or curry powder.

[regulation 432 substituted by GN 1687/1913]

433. (1) Before a convict is required to undergo solitary confinement or is subjected to dietary punishment the medical officer shall certify whether or not he is fit for the punishment. The superintendent may also at all times act in consultation with the medical officer as to the method of carrying out long sentences of spare diet which may be imposed by Court.

(2) Every convict sentenced to solitary confinement for more than three days shall be made to take exercise for half an hour in the morning and half an hour in the evening of each day he may be in solitary confinement, and where he refuses to take such exercise the force necessary to compel him to do so may be used. Whilst taking such exercise no convict under punishment shall be permitted to hold any communication with any other convict or with any officer without special permission. The form or exercise shall be such as may from time to time be prescribed by the Director.

(3) A convict whilst undergoing spare diet shall not be compelled to perform labour, but a convict sentenced to solitary confinement on reduced diet shall perform such light labour as may be prescribed.

(4) Spare diet or solitary confinement shall not be imposed in the case of a boy under fourteen years of age or of a girl under sixteen years of age.
(5) No convict, whatever the length of the sentence, shall be kept on spare diet for more than three consecutive days at a time. After each such period of three days there shall be a break of at least twenty-four hours on full diet before the convict is subjected to such further dietary punishment. Similarly there shall be a break of at least twenty-four hours between the carrying out of a sentence of spare diet and of a sentence of reduced diet or conversely.

[regulation 433(5) amended by GN 2229/1943]

(6) A convict shall not be subjected to dietary punishment within twenty-four hours of the expiration of his sentence when the date of expiration is determined, nor when practicable on the day preceding his appearance before a Court held outside the precincts of the prisons.

[regulation 433 substituted by GN 1687/1913]

434. Solitary confinement during the day and night shall not be imposed as a punishment sentence for a longer period than six months in the case of prisoners of and over the age of eighteen years - nor for a longer period than ten consecutive days in the case of prisoners under the age of eighteen years and of or over the age of fourteen years in the case of mails, and sixteen years in the case of females. The said period shall be subject to such intervals for exercise or other purpose as may be prescribed.

[regulation 434 substituted by GN 1687/1913]

435. Save as otherwise provided in any law not relating to the management of prisons the following proportion of days on spare diet to the whole term of imprisonment if such imprisonment does not exceed six months or to the first six months of the period of imprisonment may be imposed as a maximum -

If a prisoner is sentenced to imprisonment with hard labour he may be sentenced during the first period of six months to spare diet for two days in each week on which days he shall be placed in solitary confinement and not be put to hard labour.

If a prisoner be sentenced to imprisonment without hard labour for a period not exceeding one month he may be sentenced to spare diet in solitary confinement as follows -

Out of seven days, three days.

Out of fourteen days, nine days.

Out of twenty-one days, fourteen days.

Out of twenty-eight to thirty-one days, eighteen days.

If a prisoner be sentenced to imprisonment without hard labour for a period exceeding one month he may he sentenced to spare diet in solitary confinement as follows -

If a prisoner be sentenced to imprisonment without hard labour for a period exceeding one month and not exceeding two months he may he sentenced to spare diet in solitary confinement as follows -

Out of thirty-five days, sixteen days.
Out of forty-two days, nineteen days.

Out of forty-nine days, twenty-two days.

Out of fifty-six to sixty days, twenty-five days.

If a prisoner be sentenced to imprisonment without hard labour for a period exceeding two and not exceeding six months he may be sentenced to spare diet in solitary confinement as follows -

Out of sixty-three days, twenty-eight days.

Out of seventy days, thirty-one days.

Out of seventy-seven days, thirty-four days.

Out of eighty-four days, thirty-seven days.

Out of ninety-one days, forty days.

Out of ninety-eight days, forty-three days.

Out of one hundred and five days, forty-six days.

Out of one hundred and twelve days, forty-nine days.

Out of one hundred and nineteen days, fifty-two days.

Out of one hundred and twenty-six days, fifty-five days.

Out of one hundred and thirty-three days, fifty-eight days.

Out of one hundred and forty days, sixty-one days.

Out of one hundred and forty-seven days, sixty-four days.

Out of one hundred and fifty-four days, sixty-seven days.

Out of one hundred and sixty-one days, seventy days.

Out of one hundred and sixty-eight days, seventy-three days.

Out of one hundred and seventy-five days, seventy-six days.

Out of one hundred and eighty-two to one hundred and eighty-five days, seventy-nine days.

Where the Court which has passed sentence including spare diet and solitary confinement, the fixing of the days on which such punishment is to be carried out and of the intervals on full diet that should elapse between any periods on spare diet shall be in the discretion of the Superintendent subject to the provisions of Regulation No. 433 and to the
conditions of the Prison. Sentences of spare diet in solitary confinement may be carried out on any day of the week.

[regulation 435 substituted by GN 1687/1913, GN 1861/1926, amended by GN 2275/1928, GN 1549/1933 and GN 2229/1943]

436. It is necessary for the due performance of sentences of spare diet that convicts while undergoing them shall be strictly secluded. Convicts should therefore be sentenced to solitary confinement on the days on which they are to be kept on spare diet, and it will be the duty of the superintendent in all cases to enforce the sentence strictly. For the remaining days of their sentences convicts shall receive the proper ration of their class. A sentence of spare diet will be held to include solitary confinement although not expressly stated.

[regulation 436 substituted by GN 1687/1913]

(i) Chains, Leg Irons, and other Restraints

437. It shall be the duty of the Officer ordering the wearing of irons, chains, or other restraint to specify the class and weight of irons and chains to be worn, and the period during which they shall be worn, and to keep a record of the same in the form prescribed, and such record shall be shown to, and, if approved, initialled by the Visiting Magistrate whenever he shall visit the Prison. If not approved the Visiting Magistrate shall report to the Director all the circumstances, and make such recommendations as he may think fit.

[regulation 437 substituted by GN 1687/1913]

438. Any convict placed in chains may be ordered to wear a distinctive dress.

[regulation 438 deleted the words “as a punishment” by GN 1687/1913]

439. All mechanical means of restraint shall be of such pattern and be used in such manner as may be approved by the Director, but in no case shall chains be used of a greater weight than ten pounds.

440. Nothing in these Regulations contained shall prevent the use of handcuffs, leg irons, or gang chains in connection with the transfer or the marching to labour of convicts. When any convict is taken or marched to or from any Court the Superintendent shall decide whether or not he shall be handcuffed while on the journey.

(j) Labour

441. Convicts shall never be left idle. The Superintendent shall, subject to the approval of the Director, determine what shall be considered hard and what light labour at his Prison. The determination of the particular labour to which any convict shall be put shall rest with the Superintendent, who may confer with the Director as to any special case, and shall take his directions thereon. A convict may be employed in the service of the Prison other than the discipline thereof.

442. Every convict, whether in separate confinement or at hard labour shall, unless prevented by sickness, be employed every day in such work as the Superintendent may appoint. The hours of work in each day shall not be less than eight. In the computation of hours of labour under this section time occupied in going to or returning from work shall be included, but meal times and other recognized rest intervals shall be excluded.
443. Every convict shall as far as possible be exercised for a period of one hour a day, unless exempted for medical reasons. This rule shall not apply to prisoners with a sentence of under eight days.

[regulation 443 substituted by GN 1687/1913 and by GN 166/1938]

444. Subject to the next succeeding regulation, on Sunday, Day of the Covenant, Christmas Day, Good Friday, the day appointed for the keeping of Queen’s Birthday, Kruger Day, and New Year’s Day the employment of a convict shall be confined to what is strictly necessary for the service of the prison, provided that the Minister may, if such course is found expedient at any station, authorize the employment of the convicts at ordinary hard labour on any of the above days or substitute some other day for any one of them except Sunday.

[regulation 444 amended by 264/1925 and substituted by 1039/1953]

445. Jewish convicts may be allowed to receive food specially prepared at Passover; on the first and second days of the Jewish New Year; and on the Day of Atonement; provided such food does not differ in class or quantity from the ordinary ration. They shall be exempted from work on the Day of Atonement and on the first and second days of the Jewish New Year, but to compensate for such exemptions they may be required to forego the conditions granted to other convicts under the last preceding section on a corresponding number of holidays of the Christian year.

446. Infirm convicts who, in the opinion of the Medical Officer, are using their infirmities as an excuse for evading work which the Medical Officer considers they are able to perform, may be deprived by the Superintendent, in consultation with the Medical Officer, of such articles of the prescribed diet as the Medical Officer may advise, provided that the deprivation shall not extend to a deprivation of half the prescribed diet. Any deprivations made under this Regulation shall be duly recorded.

447. For every twenty convicts employed there shall ordinarily be at least one European guard.

448. The use of prison labour by officers is wholly prohibited except where this is done with the express consent of the Director in writing.

[regulation 448 substituted by GN 2395/1953]

(k) Privileges and Indulgences

(i) Visits and Communications

449. A convict serving a total sentence of not more than four months may write no letters or receive letters or visits, and is not entitled to any privileges or indulgences not prescribed by law or regulation.

[regulation 449 substituted by GN 1824/1945 and substituted by GN 2020/1957]

450. A convict serving a total sentence of more than four months or who has been declared a habitual criminal shall during the first four months of his sentence not be permitted to write any letters or to receive any letters or visits, and is not entitled to any privileges or indulgences not otherwise prescribed by law or regulation.
Upon completion of four months of his sentence such convict may, subject to the provisions of regulation 466 and besides any other privileges and indulgences prescribed by law or regulation, be granted the following privileges -

(a) If detained in an ultra-maximum security institution he may every six months write one letter and receive one letter and may receive one visit of 30 minutes from one person;

(b) if detained in a maximum security institution he may every three months write one letter and receive one letter and may receive one visit of 30 minutes from one person;

(c) if detained in a medium security institution he may each month write two letters and receive two letters and may receive one visit of 30 minutes from two persons coming together; and

(d) if detained in an open institution he may each month write three letters and receive three letters and may receive two visits of 30 minutes each from two persons coming together.

[regulation 450 substituted by GN 1687/1913, amended by GN 1824/1945 and substituted by 2020/1957]

451. Notwithstanding the provisions of regulations 449 and 450 the superintendent may, in his discretion in exceptional cases where special circumstances exist, permit a convict one additional visit, of not beyond 30 minutes duration, once monthly.

[regulation 451 amended by 1824/1945 and substituted by GN 2020/1957]

452. [regulation 452 amended by 1824/1945 and deleted by GN 2020/1957]

452 bis. [regulation 452bis inserted by 1824/1945 and deleted by GN 2020/1957]

453. [regulation 453 deleted by GN 2020/1957]

454. The Superintendent or Assistant Superintendent shall read or cause to be read every letter to or from a convict, and shall decide in his discretion whether or not to forward it or whether any part shall be erased, and shall act accordingly, notifying the convict of any stoppage of an outgoing letter. He may also stop any letter not written in one of the official languages, or in a non-official language not understood by an Officer.

455. Where several letters have been received on behalf of a convict he shall have the option of choosing which one he will read.

456. Convicts shall not be permitted to write to or receive letters from any convict or ex-convict unless the relationship of parent, child, or spouse exists between the correspondents, or otherwise unless the Superintendent grants special permission.
457. (1) A convict will not be allowed to communicate with his friends when not entitled to do so by the Regulations, except by special permission.

(2) The Superintendent may allow any convict who is entitled to a visit to write a letter and receive a reply in lieu of such visit should his friends be unable to visit him, and also allow any convict to write a special letter and to receive a reply under any of the following circumstances -

(a) The death of a near relative;

[b]The word “the” should not be capitalised.[/b]

(b) to give instructions as to family affairs of an urgent nature;

(c) to make arrangements for obtaining employment or assistance from friends on release;

(d) to make arrangements prior to his deportation or to his leaving the country.

(3) The Superintendent may at any time communicate to a convict or to his friends any matter of importance to such convict in case he should not be entitled to write or receive a letter.

(4) [regulation 457(4) deleted by GN 2020/1957]

458. No other visits or communications shall be permitted without an order in writing from the Director or Superintendent. Such order shall only be given under very special circumstances.

459. An Officer of the Prison shall be present within earshot during the whole interview, which shall be conducted in an official language or language known to the officer on duty, and every visitor shall sign his name and write his address in the Visitors’ Book. If he cannot write his name and address shall be entered by the Officer in charge of the book.

460. (1) Any advocate, attorney, or law agent conducting any legal proceedings, civil or criminal, in which a convict is a party or has been subpoenaed as a witness, or bona fide acting as legal adviser to the convict in any legal business, shall, if such convict consent or request it, and subject to paragraph (2) hereof, be allowed to see him with reference to such business in the sight but not in the hearing of an Officer, after a pledge has been given that all communications shall be confined to such legal business.

(2) Any advocate, attorney, or law agent may be required to state the nature of the legal business upon which he desires to see a convict, and on his declining to state it, permission to see the convict may be refused.

(3) If any person granted permission under this section to visit a convict abuse the privilege or in any way contravene or attempt to contravene any Rule of the Prison, he may be debarred from making any further visits to such Prison for such period as the Director may think fit.
461. A person, other than a permanent Prison Official, visiting any prisoner, shall make no communication to the prisoner on any matter not directly relating to the object with which the visit is ostensibly made. Neither shall he divulge any communication made to him at such interview by the prisoner which does not directly concern the subject matter of his visit except through the Director. No Chaplain or minister of religion shall divulge any statement made to him by a prisoner at any such interview to any one except the Director.

462. Male convicts shall be visited in the presence of a Male Officer; female convicts in the presence of a Female Officer.

463. Permits to enter a Prison may be granted by the Minister, and in special circumstances, and subject to any limitations prescribed in instructions, the Superintendent. Journalists to be admitted require a permit from the Minister. No other Officer may grant permits to visit a Prison, provided that an Inspector or Deputy-Inspector of Prisons shall have the power to introduce any person accompanying him for official purposes.

464. (1) Unless provided with a special order no discharged convict or prisoner will be permitted to visit any convict.

(2) No female visitor, except specially authorized workers, shall be permitted to enter a male Prison except for the purpose of visiting specific convicts under the ordinary Rules, or on a special Director’s order.

465. Communications between visitors and convicts shall not relate to any occurrence in the Prison, or any matter of Prison administration or to any unlawful matter or thing.

466. (1) No convict shall be allowed to conduct business or initiate legal proceedings from prison without the express sanction of the Director, and no convict is entitled to claim any rights or privileges not specifically granted by law or regulation.

(2) No privileges or indulgences shall be granted to a convict who has been convicted of any breach of prison discipline and sentenced to any punishment other than a caution or reprimand or deprivation of meals, and no such convict may write any letters or receive any letters or visits until one month shall have elapsed from the last conviction. For the purpose of this regulation a gratuity shall not be regarded as a privilege or indulgence.

467. (1) All convicts may be permitted to have the use of literature for instruction or moral reform, according to Rules laid down from time to time.

(2) A library may be provided in each Prison consisting of books sanctioned by the Director, and no books other than those supplied to the Prison library shall be permitted for the use of convicts except in pursuance of special authority.
(3) A convict may be specially authorized to receive books of instruction, religious and secular, and approved fiction from outside the prison. Subject to such exceptions specific or general as the Director may approve all books so received shall, immediately upon their receipt, become the property of the Government and part of the Prison library. The convict for whom they were sent in shall have the first claim to their use in accordance with his privileges.

The Director may authorise the purchase from public funds of Bibles to be given to convicts on discharge from custody.

[regulation 467(3) substituted by GN 1687/1913]

(4) The exchange of library books shall be allowed according to the convict’s conduct and industry. Not more than one substantive library book in addition to books used for schooling shall be retained by a convict at one time.

468. (1) Provision may be made in every Convict Prison for the elementary education of illiterate convicts, the subjects and hours of instruction being prescribed by the Director. In exceptional cases instruction may in like manner be provided for any convicts or classes of convicts in particular subjects.

(2) Convicts who do not use their best endeavours to profit by the instruction afforded them may be deprived of any privileges in the same way as if they had been idle or negligent at labour.

(iii) Gratuities

469. The following gratuities are payable -

(i) to European male convicts who perform skilled labour in the Departmental workshops or with the artisan group a gratuity varying from 1d. per diem to 6d. per diem, provided that the work performed complies with the standard required by the Department, and on the understanding that any gratuity exceeding 3d. per diem, is only payable if approved by the Director;

(ii) to European convicts, male and female, who perform skilled labour other than that mentioned in (i) above, a gratuity varying from 1d. per diem to 3d. per diem;

(iii) to European convicts, male and female, who are diligent and employed on work which cannot be classified as skilled labour, a gratuity varying from 1d. per diem to 2d. per diem;

(iv) to Coloured and Indian male convicts who perform skilled labour in the Departmental workshops or with the artisan group, a gratuity varying from 1d. per diem to 4d. per diem, provided that the work performed complies with the standard required by the Department and on the understanding that any gratuity exceeding 2d. per diem is only payable if approved by the Director;

(v) to Native male convicts who perform skilled labour in the Department workshops or with the artisan group a gratuity varying from 1d. per diem to 3d. per diem, provided that the work performed complies with the standard required by the Department and on the understanding that any gratuity exceeding 2d. per diem is only payable if approved by the Director;
(vi) to all non-European convicts, male and female, who perform skilled labour other that that mentioned in (iv) and (v) above, a gratuity varying from 1d. per diem to 2d. per diem;

[The phrase “other that that mentioned” should read “other than that mentioned”, reproduced above as per SA Government Gazette.]

(vii) to non-European convicts male and female, who have served a period of not less than 2 years in respect of any sentence of imprisonment and have not qualified for a gratuity under any of the above-mentioned groups, a gratuity not exceeding 10s. on discharge;

[regulation 469(vii) substituted by GN 2002/1953]

(viii) to a convict who invents a satisfactory manufacturing process in connection with prison industries or who increases its productivity or in other special circumstances, a special gratuity of an amount to be fixed by the Minister in consultation with the Treasury.

[regulation 469 substituted by GN 399/1953]

470.

[regulation 470 deleted by GN 399/1953]

471.

[regulation 471 deleted by GN 399/1953]

472. The amount earned as gratuity will be regarded as the property of the convict to a limited extent only. It will not be executable by a creditor or in any manner assignable. In the case of death the amounts standing to his/her credit may be paid out to his or her direct heirs, viz. husband, wife and dependent children or parents, but in the absence of such heirs it will revert to the Treasury; in the case of release it may be handed to the South African Prisoners’ Aid Association or any similar institution to be administered or expended for the benefit of the convict. The convict is liable to have deducted from his gratuity earned or to be earned such amount as the Superintendent may determine for any damage or loss to materials or tools through his wilful act or negligence as also for dentistry or special appliances supplied.

[regulation 472 amended by GN 399/1953]

473. Subject to the provisions of regulation 472, any such gratuities as are referred to in regulation 469, shall be retained for and on behalf of the prisoner to whom they have become payable, and be paid out to such prisoner on their discharge provided that with the approval of the Director, prisoners promoted to the good conduct class or star class, or prisoner’s admitted to a particular institution or performing duties of a specific nature, may be permitted to utilise in such manner as the Director may approve one half of such gratuity.

[regulation 473 substituted by GN 399/1953]

474. A gratuity may be paid on release to a convict (or to the Prisoners’ Aid Association for his benefit) who would not otherwise have been eligible for the same under the above Rules, with a view to aiding him in searching for work, provided that his conduct and industry have been satisfactory. In no case shall such gratuity exceed the maximum which
would have been paid if he had been eligible as aforesaid. When, as the result of an accident or injury received in prison, a convict’s earning capacity is affected, the Minister, with the concurrence of the Treasury, may on his discharge pay such convict such monetary compensation as may be considered reasonable.

(I) Health and Cleanliness

475. (1) A convict shall be required to keep himself clean and decent in his person, and to conform to such Regulations as may be laid down for that purpose.

(2) Convicts shall wash their hands and face on rising in the morning and in the evening before supper. They shall take a complete bath at least once a week, unless exempted by medical order. Soap will be issued for these purposes.

(3) Toothbrushes and tooth powder will be issued to European convicts with sentences of one month and over. Those with shorter sentences will be given a toothbrush on satisfying the officer in charge that they are accustomed to use one.

476. (1) Convicts shall obey such directions as regards washing, bathing, and haircutting as may from time to time be issued, with a view to the maintenance of health and cleanliness.

(2) With a view to facilitate identification native convicts in the Penal Class may have one side of the head shaved.

477. (1) Subject to the exemptions contained in Regulations Nos. 383 and 385, every convict shall have his hair and beard shorn until two months preceding his discharge, when he may, subject to such cutting and trimming as may be necessary to ensure cleanliness, be permitted to allow his hair and beard to grow.

(2) Convicts will have their hair and beard clipped once a week. This should be done as far as possible on Saturday afternoon or Sunday morning.

(3) Convicts sentenced to pay a fine with the alternative of imprisonment with or without hard labour, shall not be clipped or trimmed until forty-eight hours have elapsed from date of sentence, except on medical order.

(4) Convicts sentenced to imprisonment without hard labour for any period or to imprisonment with hard labour not exceeding two months, shall have their hair cut and beard trimmed sufficiently close to ensure cleanliness.

478. If any convict is found to have any cutaneous disease or to be infested with vermin, means shall be taken effectively to eradicate and destroy the same.

479. Convicts are required to report to the Medical Officer if they are suffering from any disease or affliction. Any convict who conceals the fact that he is so suffering and thereby
exposes his fellow-convicts to the risk of contracting any such disease or affliction shall be deemed to have committed an offence against these Regulations.

480. Each convict shall keep his cell, utensils, books, and other articles issued for his use, and his clothing and bedding, clean and neatly arranged, and shall clean and sweep the yards, passages, and other parts of the Prison as may be directed.

[regulation 480(1) and number (2) deleted by GN 286/1936]

(m) Diet

481. No convict shall, save as is herein provided, receive anything beyond the authorized ration, except by order in writing of the Medical Officer in relation to special cases, or by the authority of the Director.

482. No spirituous liquors of any kind shall be admitted for the use of any convict under any pretence whatever, except on a written order of the Superintendent or on the requisition of the Medical Officer, specifying the quantity to be admitted, and the name of the convict for whose use it is intended.

483. Smoking of tobacco by convicts shall only be allowed as a supreme indulgence, under such conditions as the Director may from time to time prescribe.

484. Each convict shall be supplied with a sufficient quantity wholesome food, according to a scale or scales of diet, in framing which regard shall be had to the sex and employment of the convict, and other circumstances which require consideration. Diet scales shall be posted in the Prison.

485. A convict who has any complaint to make regarding the diet furnished to him, or who wishes his diet to be weighed or measured for the purpose of ascertaining whether he is supplied with the proper quantity, shall make his request immediately after the diet is handed to him, and before any portion of it is consumed, and it shall be weighed or measured in his presence, and in that of the Officer deputed for the purpose. Repeated complaints of a groundless nature made by any convict under colour of this Rule, with the evident purpose of giving annoyance or trouble, shall be treated as a breach of Prison discipline, and the offender shall be liable to punishment accordingly.

486. All food shall be consumed at the proper meal times, and uneaten food shall be returned to the kitchen. No convict shall be permitted to remove food or eating utensils from the place appointed for meals. No convict, except cooks and their assistants, shall be permitted to enter the kitchen.

(n) Clothing

487. Every convict shall be provided with a complete Prison dress, properly numbered and marked, and shall wear it at all times during the day and keep it in good order.

[regulation 487 inserted by GN 286/1936]

488. Every convict shall be supplied with such additional clothing during severe weather or in special cases as the Medical Officer may deem requisite.
489. Every convict shall change his underwear once a week, and at such times as may be directed by the Superintendent.

(o) Bedding

490. No bedding in addition to what is prescribed by the Director shall be supplied save on the written order of the Medical Officer in relation to special cases.

491. No convict shall be allowed to use bedding in the daytime except in the case of sickness, or at the discretion of the Superintendent.

(p) Mark System

492. [regulation 492 deleted by GN 2021/1957]

493. [regulation 493 deleted by GN 2021/1957]

494. [regulation 494 deleted by GN 2021/1957]

495. [regulation 495 deleted by GN 2021/1957]

496. [regulation 496 deleted by GN 2021/1957]

497. [regulation 497 deleted by GN 2021/1957]

498. [regulation 498 deleted by GN 2021/1957]

499. When in the opinion of the Director a convict has rendered highly meritorious service, the Director may bring the circumstances of the case to the notice of the Minister, who, if he deems fit, may submit the case to the Governor-General with a recommendation for special remission of sentence.

[regulation 499 substituted by GN 1687/1913, amended by GN 981/1939 and substituted by GN 2021/1957]

500. [regulation 500 deleted by GN 2021/1957]

501.
505.  (1) No remission of sentence will be granted to a convict serving a total sentence of not more than four months.

(2) A convict serving a total sentence of more than four months up to and including four years may be granted remission of sentence by the Director on that portion of his sentence over and above four months on the following basis -

(a) One-fourth remission in respect of first offenders; and

(b) One-eighth remission in respect of recidivists.

[regulation 505 substituted by GN 1278/1956 and GN 2022/1957]

506.  (1) Remission of sentence on the basis set out in the preceding regulation shall be granted only after one-half of the sentence has been served and is subject to good behaviour on the part of the convict.

(2) The Director shall decide what constitutes good behaviour.

(3) Subject to the provisions of subregulation (4) remission of sentence shall be decreased in respect of each conviction on a formal charge for a prison offence, on the following basis -

(a) Three days when the sentence is a caution, or reprimand or the deprivation of meals; and

(b) Six days in respect of a conviction for which any other sentence is imposed.

(4) No remission of sentence will be granted in respect of a sentence of imprisonment imposed for an offence committed under the Act and these regulations, the Common Law or any other statutory provisions while the prisoner is in custody.

[regulation 506 substituted by GN 1369/1945, GN 1278/1956 and GN 2022/1957]

507.  (1) A convict with a sentence of over four years will not ordinarily receive any remission of sentence until the board of visitors has made a recommendation to that effect.
(2) In recommending remission of sentence in respect of convicts referred to in the preceding subparagraph, the board of visitors shall have regard to the provisions of subregulation (2) of regulation 505, but may in special circumstances recommend a departure therefrom.

(3) Should the board of visitors make a favourable recommendation the Director may, if he grants remission, deduct from such remission in respect of each conviction on a formal charge for a prison offence committed subsequent to the board’s recommendation on the same basis as laid down in prison regulation 506(3), or the Director may, if he regards the convict’s behaviour subsequent to the board’s recommendation as unsatisfactory, refer the case back to the board for such further recommendation as it deems fit.

[regulation 507 substituted by GN 1278/1956 and GN 2022/1957]

508. At least once in every year the superintendent shall submit to the board of visitors the case of every convict with a total sentence of over four years, accompanied by his description register, his marks register, and his remarks and suggestions. Except where an indeterminate sentence has been imposed each case shall be submitted to the board for the first time on completion of one year of sentence.

[regulation 508 substituted by GN 1278/1956]

509. Mitigation in respect of the same convict shall not be granted in instalments, or on different occasions, and no convict can claim mitigation as a right.

[regulation 509 substituted by GN 1278/1956]

510. [regulation 510 deleted by GN 1278/1956]

511. [regulation 511 deleted by GN 1278/1956]

512. [regulation 512 deleted by GN 1278/1956]

(r) Petitions for Mitigation

513. The sending in of petitions for mitigation is not encouraged. Every convict’s case will be considered when the time comes round in accordance with the foregoing Rules. Any convict who has special facts or substantive representations to make which he has had no opportunity of personally preferring, or which are not on record, may on his satisfying the Superintendent as aforesaid, be allowed to send a petition to the Director, addressed to the Governor-General, written by the convict himself if he can write in either the English, Dutch, French, German, or Portuguese languages, or in Zulu, Sesuto, or Sixosa, or if he cannot write such, then by some approved person by his dictation, who shall state the fact on the petition.

[The words “Sesotho” and “IxiXhosa” are misspelt in the SA Government Gazette, as reproduced above.]
514. Before transmitting the petition to the Director the Superintendent shall carefully scrutinize the allegations therein and, if possible, verify, and in every case give his comments on the same. The Superintendent shall specially draw attention to any misstatements therein. Statements as to health shall be accompanied by the comments of the Medical Officer. In every case the petition shall be transmitted as soon as possible with the covering Prison Schedule containing the brief essential facts with regard to the convict, and his Description Register.

515. The Superintendent shall in each case forthwith acquaint the convict with the result of his petition when ascertained.

516. No convict shall be allowed to make a fresh petition within one year of the refusal of his previous petition, except upon entirely fresh and substantive grounds, and the Superintendent shall have discretion to refuse to forward any petition not complying with these provisions.

(s) Discharge

517. When two or more sentences are imposed on the same person, in the absence of other direction the order of the warrants shall be followed.

518. A term of imprisonment will be regarded for purposes of discharge as commencing from the first moment of the day on which the sentence commenced to run, and terminating at the last moment of the day on which the sentence expires.

519. Although convicts cannot claim their release until midnight, discharges on expiration of sentence will take place not later than noon on the last day of the sentence, unless there be good reason in any special case for adopting a later hour. Discharge may take place, either at the prison gate or at such other place after leaving the prison gate, as the Director may determine in any specific case or class of cases.

520. A convict whose due date of discharge falls on a Prison Holiday will be discharged not later than noon on the first preceding day not being a Prison Holiday, unless there be good reason in any special case for adopting a later hour.

[regulation 520 substituted by GN 286/1936]

521. [regulation 521 deleted by GN 1724/1943]

522. In order to ensure the calculation of the correct dates of discharges of convicts all entries of such dates shall be cheeked with the warrants of commitment by some responsible Officer other than the Officer who made the entry, and the Superintendent will be held responsible for this being properly carried out. Before a convict is actually discharged the warrant of commitment shall be examined and the date checked.

523. Convicts on discharge will be supplied with rail warrants to the station within the Union nearest to their last known place of abode, or if they satisfy the Superintendent, or the South African Prisoners’ Aid Association represents that there are good grounds for believing they will be better enabled to make a fresh start in life at some other place, they may be supplied with rail warrants to the station within the Union nearest to such place.
524. On the occasion of a convict’s discharge the Superintendent is authorized to issue to him a sufficient ration for his necessities on the road to his destination within the Union, and if that point be distant to give him in lieu of rations a circular order for rations obtainable from any Prison on his route, or a sum not exceeding sixpence per diem for each day necessarily occupied in his journey to his destination.

525. Convicts shall either be discharged in the clothes in which they are received into Prison or in discharge suits specially provided for the purpose, which shall not, for Europeans, be of one fixed pattern. The discharge of convicts in prisoner’s uniform is strictly forbidden. At the discretion of the Superintendent an unmarked blanket may be issued as part of the discharge kit in special cases where the discharged convict is without means, and has a lengthy journey to perform before reaching his destination.

14. - Habitual Criminals

526. The special provisions of the Act, the ordinary Prison Regulations, and the Departmental Orders shall, as far as practicable, apply to habitual criminals, and the Prisons or Gaols in which they are detained, unless where specifically otherwise provided for.

527. The Superintendent or Gaoler shall keep in constant personal touch with these convicts, and specially direct the attention of the Chaplain to efforts having in view their reformation.

528. Once in every twelve months the Superintendent or Gaoler shall forward to the Visitors’ Board a detailed report on their work, industry, and conduct, and prospects of reform. The Visitors’ Board shall interview these convicts at least once in every twelve months and report on their individual cases.

[regulation 528 substituted by GN 1360/1937]

529. Once in every year the Director and Inspector of Prisons shall interview them and report to the Minister on their cases. The Minister may relax the operation of Rules and Regulations with regard to them and hold out privileges, indulgences, or gratuities other than those laid down as an inducement to good conduct, and may lay down for observance by habitual criminals special rules with a view to the reformation of such criminals.

15. - Condemned Convicts

530. Convicts under sentence of death shall be confined in special cells and be subject to the following Rules -

(a) They shall be specially guarded day and night.

(b) The diet of such convicts shall be that provided for European convicts under sentence of hard labour, provided that the Medical Officer may permit necessary stimulants to be supplied, and that the Director may permit any reasonable departure from Prison diet which he may deem fit.

(c) They shall be allowed all reasonable facilities for seeing such relatives, friends, spiritual and legal advisers as may be permitted by order of the Director or Superintendent. No member of the Press shall be allowed to see them.
(d) While exercise shall not be obligatory, when taking exercise they shall not be allowed to communicate with any other convict.

(e) In case of violence they may be kept in chains.

531. Executions shall take place at the Prisons or Gaols at the following places, viz., Bloemfontein, Capetown, Pietermaritzburg, and Pretoria only, unless the Governor-General shall in any particular case determine otherwise. As soon as possible after sentence condemned convicts shall be removed to the nearest of the above Prisons or Gaols, or in the case of a female to such Prison or Gaol as may be ordered. No Prison Officer shall take any part in the execution of a convict other than as a guard. The duty of pinioning the convict and all other duties in connection with the execution shall devolve upon the Executioner and his Assistants, who shall not be Prison Officers. In cases of necessity, however, the Superintendent must provide the Executioner with help necessary to overcome resistance.

532. (1) The Superintendent shall ascertain what religious faith a convict under sentence of death professes, and will, at the request of the convict, arrange if possible for a spiritual adviser of that faith to have access to him. This adviser, or the Chaplain, may accompany him to the Execution Chamber or place, but all services or exhortations shall conclude with his leaving the condemned cell.

(2) The body of an executed person may, in the discretion of the Director, be placed under the control of all Inspector of Anatomy to be dealt with in accordance with the Anatomy Act, 1911. If not so disposed of it shall be buried in private by the authorities of the prison where the execution takes place, provided that the Director may in his discretion permit near relatives to be present at the burial.

[regulation 532(2) substituted by GN 1419/1930]

(3) No indication before, during, or after an execution shall be given at the Prison or Gaol concerned to the public as to an execution taking place. This rule shall not, however, be regarded as preventing the Chaplain from making use of the facts as a theme for earnestly exhorting the other convicts to lead a better life.

16. - Miscellaneous

533. A convict brought before a Court of Justice not held within the precincts of a Prison for trial on any charge, or to give evidence, shall not appear in Court in specially outwardly marked Prison clothes, or wearing handcuffs or chains.

534. No convict shall unnecessarily be exposed to public view, or to annoyance by any non-official visitor.

[regulation 534 substituted by GN 1687/1943]

535. Any convict for whose production at any place an order is issued shall, while outside the Prison, be kept in the custody of the Officers who are directed to convey him to that place, and no unauthorized communication with the convict shall be allowed.

536. The Sheriff or any Deputy-Sheriff or Messenger of a Magistrate’s Court shall have free access to each Prison in the execution of his duty.
537. Except with special approval of the Director no explosives, arms, or ammunition, or other stores, not being Prison property, shall be stored on Prison premises.

538. Proper scales and weights shall be kept in each Prison.

539. The Governor-General, the Administrator, all Judges of the Supreme Court, members of the Executive Council, the Provincial Attorney-General, the Director, Assistant Director, Commissioner of Police, the Magistrate of the District in which the Prison is situate, the Inspectors and Deputy-Inspectors of Prisons, and the Secretary for Justice shall be at once admitted to any Prison. Their signature in the Visitors’ Book shall be sufficient authority for their admission.

540. Wherever no specific penalty has been provided for the breach of any regulation by an officer, convict, prisoner, or other person, the penalties provided by section eighty-eight (2) of the Act shall apply, namely, not exceeding

(a) for a contravention or non-compliance by an officer, a fine of twenty-five pounds or, in default of payment, imprisonment with or without hard labour for a period of three months, or such imprisonment without the option of a fine, or both such fine and imprisonment;

(b) for a contravention or non-compliance by a convict or prisoner, any one of the penalties enumerated in sections thirty-five and thirty-six of the Act, as set forth in section four hundred and twenty-one of these Regulations;

(c) for a contravention or non-compliance by any person other than is described in paragraph (a) or (b), a fine not exceeding fifty pounds or, in default of payment, imprisonment with or without hard labour for a period not exceeding six months.

[regulation 540 substituted by GN 1687/1913]

541. The Director may issue Prisons Service Orders from time to time in English and Afrikaans, which orders shall be obeyed by all Officers.

[regulation 541 substituted by GN 286/1936]

17. - Prisoners’ Aid Associations

542. The Minister may pay over to the Association entitled the ‘Social Services of South Africa’ or any other approved organization, under such conditions as he may think fit, any grant which may be made by Parliament towards Prison aid work in the Union, both for the purposes of the Association or approved organization and for distribution to other organizations or persons. The Director shall require detailed statements of all expenditure of Government moneys made by such Association.

[regulation 542 amended by GN 169/1936]

543. The Social Services of South Africa or any other organization subsidized by Government shall so far as may be in its power subserve the following purposes -

[regulation 543 amended by GN 169/1936]
(a) Visiting and encouraging convicts in self-reform;

*[The word “Visiting” should not be capitalised.]*

(b) aiding released convicts to live honourably;

(c) helping the innocent dependents of a convict;

(d) befriending the innocent and ignorant under accusation;

(e) supervising convicts released on probation or those whose sentence may be suspended;

(f) providing labour homes and refuges;

(g) establishing branches and representatives wherever there are large Prisons and correspondents elsewhere;

(h) carrying out all measures necessary to give effect to any of the above objects.

In furthering the above purposes, the Director may give the embers of the Council and Committee and to the Secretary of the Association or organization general permits to the Prisons within their District.

544. In consideration of the Government grant the Social Services of South Africa shall also -

*[regulation 544 amended by GN 169/1936]*

(a) through its branches and correspondents act whenever required as Government agents to see that the conditions of probation or release are fulfilled by released convicts, and to report all failures to the Director;

(b) if required keep in touch with accused persons whose sentences have been suspended, or who have been released to come up for sentence if called upon, exhort them to straight living, and report any lapses to the Director;

(c) send an annual report to the Director.

544bis. (1) The Minister may pay to any institution or society, which aims at the rehabilitation, assistance and after-care of ex-inmates of inebriate reformatories, and which is approved by the Minister for the purpose, any grant which may be made by Parliament towards the reformation, assistance, and rehabilitation of inebriates, as a subsidy to such institution or society, to be used for the aforesaid purpose.

(2) The Director shall require detailed statements of all expenditure of Government moneys made by such approved institution or society.

*[regulation 544bis inserted by GN 2749/1948]*

**ADDITIONAL REGULATIONS APPLYING TO GAOLS ONLY**

1. - Resident Magistrate
545. The Resident Magistrate of the District shall be in charge of any Gaol not specially placed in charge of a Superintendent or Assistant Superintendent, and he shall visit the Gaol at least twice a week, unless for any special reason the Minister may prescribe fewer visits. The Resident Magistrate shall muster the prisoners at least once a week and ascertain whether they have any complaints.

546. The performance of the duties herein imposed on a Resident Magistrate shall not be delegated to any other Official except in the case of absence on duty of the Resident Magistrate.

547. The Resident Magistrate in charge of a Gaol shall receive his instructions in regard to the management of the Gaol from the Director, to whom he shall forward reports and returns as required.

548. Subject to his special regulations and instructions he shall perform generally the duties imposed upon a Superintendent, except such duties which entail continued presence at the Gaol, these devolving on the Gaoler.

549. At Gaols not in charge of a Superintendent the Magistrate shall on the occasion of every escape or attempted escape from custody hold an inquiry into the circumstances connected therewith, and shall transmit the proceedings or a copy thereof, together with his finding and a report thereon, to the Director.

2. - Gaoler

550. Subject to the provisions of Regulation 548, Gaolers shall observe the following Regulations in addition to the provisions of the General Regulations which may apply.

551. The Gaoler shall reside in the quarters assigned to him and be responsible for the due observance of the Law, the Rules and Regulations in relation thereto.

552. He shall keep such books and records as may have been or may from time to time be prescribed by the Director, and shall be immediately responsible for their being punctually and carefully entered up.

553. He shall visit the whole of the Gaol and quarters and of every male prisoner at least once in every twenty-four hours, and by default of such daily visits and inspections he shall state in his journal how far he has omitted them, and the cause of such omission.

554. He shall at least twice a week go through the Gaol at an uncertain hour of the night, which visit and the hour and state of the Gaol at the time he shall record in his journal.

555. He shall daily carefully examine the rations supplied to the prisoners, and shall be present at and superintend the issue of all meals. He shall forthwith report to the Resident Magistrate if they are in any way defective, and he shall also carefully examine all cells and other portions of the Gaol and test their security and at once report to the Resident Magistrate any defects.

556. He shall see that nothing likely to be used to facilitate escape is left within reach of prisoners or kept without proper safeguards against such use.
557. He shall notify the Medical Officer, without delay, of the illness of any Officer or prisoner, and shall deliver to him daily, at convenient hours, a list of prisoners who are ill, or who complain of illness, and a list of prisoners in isolation cells.

558. He shall carry into effect all lawful directions of the Medical Officer respecting the labour, clothing, bedding, diet, or treatment of any prisoner.

559. He shall upon the death of any prisoner give immediate notice thereof to the Resident Magistrate, Medical Officer, Registrar of Deaths (where the latter Officer exists), and the body shall not be buried until all legal formalities have been complied with.

560. He shall not absent himself for a night from his quarters without permission in writing from the Resident Magistrate, and on every occasion of his absence by day or by night the occurrence shall be entered in his Journal.

561. He shall not allow any visitor to remain in his quarters after 10 p.m. without the special written permission of the Resident Magistrate.

562. He shall see that the cell doors and windows are left open every morning, if possible, for a sufficient time to ensure the proper ventilation of the cells.

563. All cells shall be closed at lock-up at the prescribed hours.

564. The particulars of all leave which is granted to a Gaol Officer shall be entered in his Journal. The authority by whom it was granted shall be stated in every case.

565. He shall generally, subject to the Resident Magistrate’s directions, be responsible for the good order and discipline of the Gaol.

566. The Gaoler shall have personal charge of the Gaol by day as well as by night, and of all prisoners therein confined.

567. He shall receive all prisoners on arrival at the Gaol, and shall be responsible for their personal cleanliness before they are assigned to their cells.

568. He shall be responsible for the proper searching of all male prisoners on admission, and also on every occasion when prisoners return from labour outside the Gaol.

569. On prisoners being consigned to the yards he shall take care that a proper guard is placed, and that in particular no prisoner shall be allowed outside the yards unless passed out by a responsible Official.

570. He shall see that the ordinary and necessary duties of the Gaol, such as cleaning quarters, airing bedding, clothing and wards, and cooking, are duly performed.

571. He shall see that the quarters of all Subordinate Officers residing at the Gaol, whether married or single, are kept in a clean and tidy condition.

572. He shall allow no stranger to remain in the Gaol during the day or night without the express permission of the Director or Resident Magistrate.

573. At morning muster he shall parade and inspect the Officers for day duty, and shall see that every man is properly armed and equipped.
574. At evening muster he shall parade and inspect the Officers for night duty, and shall post the sentries.

575. He shall inspect weekly the arms, ammunition, and clothing of the Officers at the Gaol, and shall certify in his journal as to their state.

576. On any alarm being given at night he shall sound the alarm in the prescribed manner, muster the officers, and take all necessary steps.

577. He shall prepare a statement every morning showing that all was correct or otherwise during the preceding twenty-four hours. Such statement shall be presented to the Magistrate at the latter’s next ensuring visit; provided that any unusual or untoward occurrence shall be reported to the Magistrate immediately. The statement shall contain, besides his own report, those of the various responsible Officers, and shall show specially in regard to that period -

(a) the duties performed by various subordinate officers;

(b) the hours at which the sentries were visited during the night;

(c) the hours at which any subordinate officer left the gaol and returned during the night;

(d) the name of each subordinate officer who was sick or absent, whether on leave or otherwise;

(e) the name of each subordinate officer who may have infringed the rules of the gaol or committed any offence;

(f) any unusual occurrence.

[regulation 577 substituted by GN 7/1951]

578. He shall enter or cause to be entered in the prescribed books all offences committed by any Subordinate Officer or any prisoner which shall come to his notice. These books shall be delivered to the Resident Magistrate daily, and shall be signed or initialled by that Officer.

579. He shall forthwith report specially in writing to the Resident Magistrate any act of misconduct or impropriety committed at the Gaol by a member of the family of any Subordinate Officer.

580. He shall personally attend the first lock-up, parading the officers for duty outside the yards, and shall see that the numbers of prisoners in cells and in hospital are duly recorded on the state. After receiving the keys of the cells he shall march to their posts the Warders detailed for night duty, and shall see that they are properly posted, and that correct orders have been given them.

581. Before lock-up he shall thoroughly inspect each cell, the hospital and the isolation cells where prisoners are confined, recording in his journal the result of his inspection.
582. The gates of the Gaol shall be locked at 6 p.m. for the night and thereafter no person other than those prescribed by the Act or the Regulations, officers on duty, and officers living in the Gaol shall under any pretext whatever be admitted without the written permission of the Director or the Magistrate.

[regulation 582 substituted by GN 286/1936]

583. He shall see that the cooks are roused at the appointed hour; he shall parade the Officers for day duty and, according to the season, ring the first bell. He shall attend, unlock, and see that the morning meal for prisoners is distributed in a proper manner. Half an hour after the ringing of the first bell he shall ring the second bell and parade the Warders for duties which he will detail. He shall then proceed to the isolation cells in order to release any prisoners whose term of confinement has expired.

584. He shall make a weekly inspection of the prisoners’ bedding and clothing. In any case in which a prisoners’ kit is incomplete, or in which a prisoner has more than the regulated allowance of clothing or bedding he shall report the prisoner to the Resident Magistrate.

585. He shall, on the day preceding the termination of service of any Subordinate Officer, whether by discharge or resignation, satisfy himself that the Government property in his possession is correct. He will be held responsible that no Subordinate Officer is paid off until he has accounted for all deficiencies in kit and equipment. In the case of the desertion of an officer he shall take immediate steps with a view to the collection of the kit of such officer.

586. He shall receive reports from Subordinate Officers and lay them before the Resident Magistrate.

587. He shall keep a record of the location of each prisoner.

588. He shall prepare or receive from the responsible officers requisitions for the rations required for the prisoners for the following day, and after checking the same shall present them with a summary to the Resident Magistrate for signature.

589. He shall prepare or check all requisitions made on Gaol stores, and submit them to the Resident Magistrate for signature. He shall see that all articles worn out or not in use or required for use are returned to stores.

590. He shall pay special attention to the latrines, urinals and general cleaning of the Gaol, and see that the water supply is working satisfactorily.

591. He shall be responsible that orders affecting the Prisons Service are communicated to all Subordinate Officers and duly attended to.

592. He shall see that the prisoners for whom exercise is prescribed are exercised daily, and are not allowed to sit and loiter about the exercise yards, but are kept occupied at all times.

[The word “prescribed” is misspelt in the SA Government Gazette, as reproduced above.]

593. He shall see that all sentences for the punishment of prisoners are duly carried out.
594. The Gaoler in charge of each Gaol shall be present at all inflictions of corporal punishment, and shall enter in the journal the name of the prisoner, the day and hour of his punishment, the Court by which it was imposed, the number of cuts, the name of the person by whom they were inflicted, and any written orders of the Medical Officer on the occasion.

595. He shall keep records of all persons visiting prisoners, and shall be present at such interviews.

596. He shall be present at the parade of all working parties, within or without the Gaol, when leaving for or returning from labour, and shall note the names of the Warders and the number of prisoners in their charge respectively.

597. He shall inspect the working parties daily, and shall satisfy himself that all are present and accounted for, and that proper precautions are taken for the safe custody of the prisoners.

598. He shall keep an up-to-date list of addresses of all Officers not residing within the Gaol precincts.

599. In the absence of the Gaoler the next senior Discipline Officer shall be in charge of the Gaol unless some Officer be specially appointed.

600. When the term “Gaoler” is used it shall be taken to mean and include any Acting Gaoler or Night Head Warder. When no Head Warder, Stores Issuer, or Kitchen Head Warder has been appointed the Gaoler shall carry out the duties assigned by Regulation to these Officers, and shall generally fulfil duties not otherwise provided for.

3. - Civil Debtors, Witnesses, and Unconvicted Prisoners

601. Prisoners received into Gaol upon a writ of Civil imprisonment shall receive the scale of rations prescribed for awaiting trial prisoners of their sex and race.

602. The maintenance fee to be paid weekly in advance by the execution creditor shall be at the following rates -

<table>
<thead>
<tr>
<th>Per Diem</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Europeans</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>For Asiatic and coloured (other than natives)</td>
<td>0</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>For Natives</td>
<td>0</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

[regulation 602 amended by GN 148/1921, GN 688/1924 and GN 1734/1950]

603. No personal description, marks, finger impressions, photographs, or measurements shall be taken of any Civil debtor or detained witness admitted to Gaol.

604. The hair of unconvicted prisoners, debtors, and witnesses shall not be cut or shaved, nor shall the head ring of a native unconvicted prisoner be removed unless the Medical Officer direct in writing that it shall be done as indispensable on the grounds of health and cleanliness.

605. (a) Prisoners detained under an order, writ, or judgment of any Court, made or given in Civil proceedings;
(b) Prisoners awaiting trial;

(c) Witnesses committed,

shall be allowed all reasonable opportunities of communicating with their friends or legal
advisers, either in writing or verbally.

Interviews with legal advisers shall be out of hearing but within view of the Gaol Officers.
Prisoners of the class mentioned in this Regulation may write and receive letters daily, but
friends shall not be permitted to visit them oftener than twice a week, except by order of the
Superintendent.

606. The prisoners in the last preceding Regulation mentioned shall be allowed to
receive visitors at such hours as may be prescribed by written order, which order shall be posted
in the Gaol.

607. If found guilty of a breach of Gaol discipline they will in addition to any other
penalty be debarred from writing to or receiving letters from their friends, and from receiving
visits from their friends during the period of punishment or otherwise for a week.

608. They may wear their own clothes in Gaol unless the same shall be insufficient,
unclean, or required for the purposes of justice. They may also be allowed to provide their own
bedding and receive changes of their clothing if clean and free from vermin. All clothing and
bedding shall be washed as often as may be prescribed.

609. They shall be thoroughly searched on admission and from time to time, but
nothing shall be taken from them save dangerous weapons, articles calculated to facilitate
escape, money, and generally unauthorized articles.

610. They may be permitted by the Superintendent the use of paper and writing
materials, to be provided at their own cost.

611. A similar privilege to that in the preceding section may be extended to prisoners
under sentence of imprisonment without hard labour.

612. Awaiting trial prisoners, persons imprisoned for debt, and witnesses detained as
prisoners may be permitted by the Superintendent to smoke under proper restrictions as to time
and place, provided adequate arrangements can be made.

613. (1) They will be permitted to receive, in addition to the class of literature
allowed to convicted prisoners, reputable newspapers and magazines.

(2) They may also be permitted by the Superintendent to send out money standing
to their credit and to hand out their valuables, papers, and effects to their legal advisers or
friends.

614. Unconvicted prisoners are not allowed to go out of gaol under escort to
interview or search for witnesses or evidence. The Superintendent will, however, transmit by
post their communications to the addresses of the witnesses indicated by them or communicate -
with the prosecutor with reference to their witnesses or as to evidence required, keeping a record
of these communications.
4. - Classification

615. All prisoners shall be classified and treated in such manner as may be directed from time to time by law and failing legal provision by the Director either generally or for specific cases.

616. As far as practicable sentenced prisoners shall be kept separate from unsentenced prisoners, witnesses, and debtors. A prisoner awaiting trial shall not be allowed to communicate with witnesses detained to give evidence against him and may be segregated from any other awaiting trial prisoner. Should any particular class of cell or place of exercise or work assigned to any particular class of prisoner for any sufficient reason be not available, the Superintendent or Gaoler may confine him or place him in any other cell or place, recording the fact in his journal.

617. No prisoner, being a boy under the age of fourteen, or girl under the age of sixteen, shall be left alone in a cell at night.

5. - General

618. [regulation 618 amended by GN 286/1936 and deleted by GN 2020/1957]

619. [regulation 619 deleted by GN 2021/1957]

620. Spare diet or solitary confinement shall not be imposed in the case of a boy under fourteen years of age or of a girl under sixteen years of age.

621. Convicts under transfer may be required to march by road.

6. - Paupers

622. A pauper sick person may be admitted for treatment to the Gaol Hospital on an order from the Resident Magistrate if there is no other hospital in or near the same town, provided that he is not suffering from a contagious or infectious disease, in which terms shall be included leprosy or venereal disease, and there is room in the Gaol Hospital for an individual of the race and sex of the sick person, and the person is not living with his master or employer. The expenditure incurred by the Prisons Department with regard to such pauper shall be charged against the authority or Vote concerned.