

Prisons Act, 1894

Section 47 - Plurality of Punishments, Under Section 46

¹[(1)] Any two of the punishments enumerated in the last foregoing section may be awarded for any such offence in combination, subject to the following exceptions, namely:—

(1) formal warning shall not be combined with any other punishment except loss of privileges under clause (4) of that section;

(2) penal diet shall not be combined with change of labour under clause (2) of that section, nor shall any additional period of

penal diet awarded singly be combined with any period of penal diet awarded in combination with²[cellular] confinement;

³[(3) cellular confinement shall not be combined with separate confinement, so as to prolong the total period of seclusion to which the prisoner shall be liable;]

(4) whipping shall not be combined with any other form of punishment except cellular or separate confinement⁴[and] loss of privileges admissible under the remission system;

⁵[(5) no punishment will be combined with any other punishment in contravention of rules made by the⁶[State Government.]]

⁵[(2) No punishment shall be awarded for any such offence so as to combine, with the punishment awarded for any other such offence, two of the punishments which may not be awarded in combination for any such offence.]

1. Section 47 renumbered as sub-section (1) of that section by Act 17 of 1925, Section 3.

2. Substituted by Act 17 of 1925, Section 3, for "solitary"

3. Substituted by Act 17 of 1925, Section 3, for exception (3).

4. Substituted by Act 10 of 1914, Section 2 and Sch.I, for "or".

5. Inserted by Act 17 of 1925, Section 3.

6. Substituted by the A. O.1937 for "Governor General in Council" and again by the A. O.1950, for "Provincial Government".
