

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain odd numbered pages as the other language is printed on even numbered pages.



# Government Gazette

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**No. 14076**

## THE PRESIDENCY

No. 1769

26 June 1992

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

**No. 80 of 1992: Correctional Services Amendment Act, 1992.**



**AIDS HELPLINE: 0800-123-22 Prevention is the cure**

**GENERAL EXPLANATORY NOTE:**

Words underlined with a solid line indicate insertions in existing enactments.

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# ACT

To amend the Correctional Services Act, 1959, so as to delete the provision that a woman member of the Department of Correctional Services who marries, is deemed to retire voluntarily from service; to delete an offence in relation to the publishing of false information concerning the behaviour or experience in prison of any prisoner or ex-prisoner or concerning the administration of any prison; and to provide for leave of temporary absence from prison to persons detained in a prison if it is aimed at their successful reintegration with the community; and to provide for matters connected therewith.

*(English text signed by the State President.)  
(Assented to 18 June 1992.)*

**B**E IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 12 of Act 8 of 1959, as amended by section 4 of Act 75 of 1965, section 10 of Act 62 of 1966, section 2 of Act 9 of 1971, section 3 of Act 58 of 1978, section 5 of Act 104 of 1983 and section 4 of Act 92 of 1990**

1. Section 12 of the Correctional Services Act, 1959 (hereinafter referred to as the principal Act), is hereby amended by the deletion of subsection (5).

**Amendment of section 44 of Act 8 of 1959, as substituted by section 6 of Act 88 of 1977 and amended by section 10 of Act 104 of 1983 and section 16 of Act 92 of 1990**

2. Section 44 of the principal Act is hereby amended by the deletion of paragraph (f) of subsection (1).

**Substitution of section 92 of Act 8 of 1959**

3. The following section is hereby substituted for section 92 of the principal Act:

**“Leave of temporary absence from prison to persons detained**

**92. (1) The Commissioner may, by warrant under his hand and on such conditions and for such periods as he may determine and specify therein, permit a person confined or detained in any prison to leave such prison temporarily under escort or otherwise for the purpose of—**

(a) compassionate leave;

- 5 (b) integrating with developmental or therapeutic programmes;  
(c) consolidation of family ties;  
(d) preparation for release; or  
(e) any other reason which has to do with the correctional interven-  
tion with such person and which is aimed at his successful  
reintegration with the community.
- (2) Any permission under subsection (1) may at any time be  
cancelled by the Commissioner.
- 10 (3) On any cancellation of any permission contemplated in sub-  
section (2) the Commissioner shall notify the person accordingly  
and, if he is outside a prison, direct him in the prescribed manner to  
return to a prison.
- (4) Any person to whom any permission has been granted under  
subsection (1) and who—
- 15 (a) fails to report at a prison in accordance with the provisions of the  
warrant concerned; or  
(b) after he has been directed to return in terms of subsection (3),  
fails to return to a prison forthwith,  
shall for the purposes of section 48 be deemed to have escaped from  
20 prison.”.

**Short title**

4. This Act shall be called the Correctional Services Amendment Act, 1992.