

Remission of Sentences.



ANALYSIS.

- Title.
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| <ol style="list-style-type: none"> 1. Short Title. 2. Rules may be made for remission of sentence. | <ol style="list-style-type: none"> 3. Commutation of capital sentence. 4. Queen's prerogative saved. |
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A BILL INTITULED.

AN ACT to amend the Law relating to the Remission and Mitigation of Sentences in certain cases. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act shall be "The Remission of Sentences Act, 1873." Short Title.

2. The Governor may, as an incentive to or reward for good conduct whilst the offender shall be imprisoned or detained under sentence, make such rules as he thinks fit for the earning by any offender of a remission of a portion of the time of imprisonment or imprisonment with hard labour or of penal servitude to which such offender has been sentenced. Such rules shall provide for keeping a correct record of the daily conduct of every convict, noting his industry diligence and faithfulness in the performance of his work and the correctness with which he keeps the prison rules. The remission under such rules may be allowed by the Colonial Secretary, or any other officer or officers prescribed by the rules. Rules may be made for remission of sentence.

3. The Governor, in all cases in which he is or shall be authorized on behalf of Her Majesty to extend mercy to any offender under sentence or judgment of death, whether actually pronounced or recorded only, may extend such mercy on condition of such offender being imprisoned or imprisoned and kept to hard labour or being detained and kept to hard labour as if sentenced to penal servitude. Commutation of capital sentence

The Governor may also, if he shall think proper, direct that any offender so pardoned shall be kept to hard labour in irons for any term not exceeding in any case the first three years of the time or term of imprisonment or detention with hard labour on condition whereof such offender shall have been so pardoned, and also direct

that such offender shall be kept in solitary confinement for any portions of such time or term not exceeding one month at any one time, and not exceeding three months in any one year.

Such extension of mercy shall be signified by the Colonial Secretary to the Judge before whom such offender was convicted, or to some other Judge of the Supreme Court, who shall thereupon allow such offender the benefit of a conditional pardon, and make an order that such offender be dealt with according to the tenor and condition of such pardon, and such allowance or order shall be considered as and have the effect of a valid sentence made and passed by the Court before which such offender was convicted, and shall be entered on the records of the Court accordingly.

Queen's prerogative
saved.

4. Nothing hereinafter provided shall be construed as affecting Her Majesty's royal prerogative of mercy.
