

Unannotated Statutes of Malaysia - Subsidiary Legislations/ARMED FORCES (IMPRISONMENT AND DETENTION) RULES 1976 (P.U.(A) 162/1976)

**ARMED FORCES (IMPRISONMENT AND DETENTION) RULES 1976
[P.U.(A) 162/1976]**

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IN exercise of the powers conferred by section 137 of the Armed Forces Act 1972, the Minister of Defence makes the following Rules:

PART I

PRELIMINARY

1. Citation and commencement

These Rules may be cited as the **Armed Forces (Imprisonment and Detention) Rules 1976**, and shall come into force on the 1st day of June, 1976.

2. Definitions

(1) In these Rules unless the context otherwise requires--

"Act"
means the Armed Forces Act 1972;

"commandant"
means--

- (a) *in* relation to a detention centre, the officer appointed as commandant thereof, and any officer from time to time acting in his place; and
- (b) in relation to unit detention rooms, the commanding officer of the unit or other officer providing the rooms in accordance with these Rules;

"court-martial"
means a court-martial convened under the Act;

"legal adviser"
means, in relation to a serviceman under sentence--

- (a) a person who is an advocate and solicitor of the High Court; and
- (b) any army, naval or air force officer representing or assisting a prisoner for the purposes of his defence or in connection with a petition;

"local commander"
means, in relation to a service establishment, any officer superior in command to the commandant;

"room"
means any cell or room or any other place of confinement within any premises and any premises comprised of huts or tents or any part of such premises;

"serviceman"
means any enlisted person, other than an officer, who is subject to service law;

"unit"
means a battalion or its equivalent, a ship or a shore establishment or an air force station or an equivalent body of troops and includes a minor unit detached independently under the command of an officer not below the rank of captain or equivalent.

(2) All words and expressions used herein and defined in the Armed Forces Act 1972 and not herein before defined shall be deemed to have the meanings attributed to them by that Act.

PART II

CONTROL AND INSPECTION OF DETENTION CENTRES

3. Appointment of Inspectors of Detention Centres

The Minister may appoint one or more Inspectors of Detention Centres.

4. Duties and responsibilities of Inspectors of Detention Centres

(1) It shall be the duty of an Inspector of Detention Centres to inspect all detention centres and to report to the Minister thereon at least once a year.

(2) Inspectors of Detention Centres shall be responsible to the Minister for the training of staff for employment in detention centres and for advising on the appointment and posting of officers for employment on the staff of detention centres.

PART III

PROVISION OF SERVICE ESTABLISHMENTS

5. Place in which persons may be required to serve service sentence of imprisonment or detention

Subject to and in accordance with the provisions of these Rules the places in which persons may be required to serve the whole or any part of the service sentence of imprisonment or detention passed upon them shall be service establishments and civil prisons: provided that, save for the purposes of temporary custody in accordance with Rule 15, no person on whom a service sentence of detention has been passed shall be required to serve and part of such sentence in a civil prison.

6. Classification of service establishment

(1) Detention barracks (in these Rules referred to as "service establishments") shall consist of establishments of the following classes--

(a) detention centres; and (b) unit detention rooms.

(2) Service establishments shall, in the Federation, only be provided in buildings or parts of buildings which are under the control of the Federation Government and which have been set apart for that purpose.

7. Provision in the Federation of detention centres

The Minister may, by notification in the *Gazette*, provide detention centres in the Federation.

8. Provision of unit detention rooms

Unit detention rooms may, in the Federation be provided by the commanding officer of any unit being an officer not below the rank of lieutenant-colonel, commander or wing commander, and shall be provided by the commanding officer of any unit, whatever his rank, or by an officer commanding part of a unit, if ordered to do so by a superior officer not below the rank of lieutenant-colonel, commander or wing commander.

9. Officers serving a service sentence of imprisonment

An officer upon whom a service sentence of imprisonment has been passed shall be required to serve that sentence in a civil prison in the Federation:

Provided that where the sentence was passed out of the Federation and--

- (a) was for a term of more than twelve months, he shall, as soon as practicable after the confirmation of the sentence is completed, be removed to the Federation, unless the confirming officer or the reviewing authority directs that he shall not be removed to the Federation until he has served such part of his sentence not exceeding (in the case of a sentence of more than two years imprisonment) two years;
- (b) was for a term not exceeding twelve months, he may, if the confirming officer or the reviewing authority so orders, be required to serve the whole or any part thereof out of the Federation.

10. Servicemen sentenced in the Federation

Save as provided in Rule 14 a serviceman upon whom a service sentence of imprisonment or detention has been passed in the Federation shall be required to serve that sentence in the Federation.

11. Servicemen sentenced outside the Federation

(1) A serviceman upon whom a service sentence of imprisonment has been passed out of the Federation shall be required to serve that sentence in the Federation provided that:

- (a) was for a term of more than twelve months, he shall, as soon as practicable after the confirmation of the sentence is completed, be removed to the Federation, unless the confirming officer or the reviewing authority directs that he shall not be removed to the Federation until he has served such part of his sentence not exceeding (in the case of a sentence of more than two years imprisonment) two years;
- (b) where the sentence was for a term of not exceeding twelve months, he may, if the confirming officer or, as the case may be, the reviewing authority so orders, be required to serve the whole or any part thereof out of the Federation.

(2) A serviceman upon whom a service sentence of detention has been passed out of the Federation shall be required to serve that sentence--

- (a) out of the Federation if the sentence is for a term of twelve months or less;
- (b) in the Federation if the sentence is for a term of more than twelve months; provided that he shall serve out of the Federation that part of his sentence which he is required so to serve in pursuance of an order given by the court-martial, or as the case may be, the confirming officer or the reviewing authority.

(3) Notwithstanding the provisions of sub-paragraph (a) of the last foregoing paragraph, where any serviceman who is undergoing a service sentence of detention of twelve months or less out of the Federation is, owing to the exigencies of the service, required to be removed in army, naval or air force custody to the Federation before the expiration of such sentence, the confirming officer or the reviewing authority may order that the serviceman shall upon his arrival in the Federation undergo the remainder of his sentence in the Federation.

12. Places in which sentence of imprisonment shall be served

(1) Subject to the proviso to paragraph (1) of Rule 11 and except as provided in the next following paragraph, a serviceman shall serve the whole of the service sentence of imprisonment in a civil prison in the Federation.

(2) Where for special reasons the confirming officer or the reviewing authority considers that it is impracticable for a serviceman sentenced to a service sentence of imprisonment to undergo his sentence in a civil prison in the Federation, the said officer or authority may order that the whole or any part of such sentence shall be served in a service establishment or in army, naval or air force custody but not in any other place or form of custody.

13. Servicemen to serve sentence of detention in service establishments

A serviceman shall serve the whole or any part of service sentence of detention in a service establishment.

14. Removal from the Federation of persons serving sentence there

A person who is serving a service sentence of imprisonment or detention in the Federation may, by order of the confirming officer or the reviewing authority, be removed out of the Federation to any place where the

corps, ship, base or formation or any part thereof to which for the time being he belongs is serving or under orders to serve, but not to any other place.

15. Temporary custody of persons under sentence

Notwithstanding anything hereinbefore contained and subject to section 138 of the Act where a person on whom a service sentence of imprisonment or detention has been passed--

- (1) is awaiting admission to any prison or service establishment or is in transit from one prison or service establishment to another; or
- (2) is being removed from one country or place to another; or
- (3) is required or entitled to be present at any civil court, court-martial or inquiry; or
- (4) is, for any other reason connected with army, naval or air force duty, required to be removed temporarily from the prison or service establishment where he is for the time being serving his sentence to some other place,

he may be detained temporarily--

- (a) on the written order of his commanding officer in civil custody for a period not exceeding seven days in accordance with section 141 of the Act; or
- (b) on the written order of his commanding officer or the commandant or other person in charge of the service establishment or prison where he is for the time being--
 - (i) in any service establishment; or
 - (ii) in such other form of army, naval or air force custody as may be determined by his commanding officer or the commandant or other person in charge of the said service establishment or prison.

16. Committal to or removal from prisons and service establishments

(1) Subject to the provisions of section 138 of the Act, no person under service sentence of imprisonment or detention shall be committed to a civil prison or to a service establishment or form of custody, or removed from one country or place to another, or from one prison or service establishment or form of custody to another, save in pursuance of an order made in that one of the forms specified in the First Schedule to these Rules which is appropriate to the circumstances of the case.

(2) Every such order as aforesaid shall be duly completed in accordance with the instructions contained in that behalf in the said Schedule and signed by an officer of such rank and appointment as are therein specified.

17. Release from service sentence of imprisonment or detention

No person under service sentence of imprisonment or detention shall be released from a service establishment or army, naval or air force form of custody otherwise than--

- (a) in accordance with an order made in the form specified in the Second Schedule to these Rules and signed by an officer of such rank and appointment as are therein specified; or
- (b) on the expiration of his sentence, less any remission allowed in accordance with these Rules: provided that where the sentence expires as aforesaid on a weekly, State or Federal holiday the person shall be released on the previous day and the uncompleted day of his sentence shall be deemed to be remitted.

18. Authority for release from service establishments

A serviceman under sentence shall not be released from imprisonment or detention in a service

establishment except in accordance with the provisions of Rule 17 or--

- (a) in accordance with any provisions of these Rules under which a serviceman may be removed from places, service establishments or forms of custody to any other place, service establishment or form of custody; or
- (b) for the purposes of medical examination, observation or treatment for such period and subject to such conditions as the commandant, acting on the advice of the medical officer, may determine.

19. Detention of servicemen in safe custody

On receipt by the commandant of an order in writing made by the commanding officer of the serviceman who has been remanded for trial by court-martial or has been tried and is awaiting promulgation of the finding and sentence of a court-martial, or is awaiting investigation or disposal of a charge against him, the commandant may detain him in safe custody in the service establishment if--

- (a) there is accommodation available in the service establishment in which the serviceman may be segregated from servicemen under sentence; and
- (b) the commandant can make arrangements for the serviceman to be supplied with the ordinary rations of a serviceman, not being a serviceman under sentence.

PART IV

REMISSION

20. Remission of sentence

(1) Subject to the provisions of any of these Rules which provide for or authorise the forfeiture of remission, a serviceman under sentence in a service establishment shall be entitled to have part of his sentence remitted in accordance with the following provisions--

- (a) if his sentence does not exceed twenty-four days--nil;
- (b) if his sentence exceeds twenty-four days but does not exceed twenty-eight days--a period equal to the number of days by which the sentence exceeds twenty-four days;
- (c) if his sentence exceeds twenty-eight days--one-third of the period of his sentence except in a case where this would result in the serviceman under sentence serving less than twenty-four days when the period of remission shall be such period as would reduce the period of his sentence which he is required to serve to twenty-four days.

(2) For the purpose of calculating remission in accordance with paragraph (1) of this Rule fractions of a day shall be ignored.

21. Records of remission

(1) The commandant shall maintain a record of the remission to which the serviceman is entitled according to the last foregoing Rule, and of any remission forfeited in accordance with any of these Rules.

(2) The commandant or an officer authorised by him shall verify at frequent intervals the records maintained in accordance with this Rule.

(3) The records maintained in accordance with this Rule shall be produced to a Board of Visitors, the commandant and any company commander to whom the commandant has delegated jurisdiction under these Rules, on each occasion when the serviceman under sentence has been brought before them on a

charge that the serviceman has committed an offence against the Rules, but the said record shall not be so produced until there has been a finding that the serviceman under sentence is guilty of an offence with which he has been charged, or a decision has been reached that the alleged offence shall be reported to the local commander, or the commanding officer of the serviceman under sentence disposes of the charge otherwise than in accordance with any jurisdiction conferred by these Rules.

22. Automatic forfeiture of remission

One day's remission of the sentence of a serviceman under sentence in a service establishment shall be forfeited in respect of each period of two days and in respect of each odd day on which the serviceman is unable to carry out the work or training which would otherwise be required of him by reason of--

- (a) his sickness occasioned by his own misconduct; or
- (b) his undergoing sentence of a civil court; or
- (c) his being in lawful custody of any civil authority.

23. Restoration of forfeited remission

Remission forfeited under these Rules may be restored by order of--

- (a) the Armed Forces Council;
- (b) the confirming officer or the reviewing authority;
- (c) the commandant with the approval of the confirming officer or the reviewing authority.

24. Effect of remission on subsequent sentence

(1) If, while a serviceman under sentence is serving a service sentence of imprisonment or detention in a service establishment (in this Rule referred to as "the earlier sentence"), a further sentence of imprisonment or detention has been passed on or awarded to him (in this Rule referred to as "the later sentence"), the remission to which he is entitled shall be calculated as follows--

- (a) in a case where the later sentence is to run consecutively to the earlier sentence, he shall serve the earlier sentence (less any remission to which he is entitled) and a new record of remission calculated in accordance with the foregoing Rules shall then be prepared in relation to the later sentence;
- (b) in a case where the later sentence is to run concurrently with the earlier sentence, a new record of remission calculated in accordance with the foregoing Rules shall be prepared, and the date of his release shall be the date on which he would be released on the earlier sentence or the date on which he would be released on the later sentence, whichever is the later.

(2) For the purpose of calculating the remission in respect of the earlier sentence under sub-paragraph (b) of paragraph (1) of this Rule, the date on which the serviceman under sentence would be released shall be the date on which he would be released having regard to the period of remission to which he was entitled on the date of the passing or award of the later sentence less, in the case of a sentence awarded by court-martial, a period equal to any period of remission forfeited between the date of the passing of the later sentence and the promulgation thereof.

PART V

TREATMENT, EMPLOYMENT, DISCIPLINE AND CONTROL OF SERVICEMEN UNDER SENTENCE

25. Application of Part V

This Part of these Rules shall apply except where otherwise stated or the context otherwise requires to all servicemen under sentence in service establishments.

26. Rules to be brought to the notice of servicemen under sentence

A copy of this Part of these Rules or a sufficient abstract thereof in a form approved by the Minister, shall be displayed conspicuously in every service establishment in such places that it can be seen from time to time by every serviceman under sentence.

27. Purpose of training and treatment

The purposes of the training and treatment of servicemen under sentence are to establish in them the will, and to fit them, to become better servicemen and citizens.

28. Corporal punishment and the use of force

(1) Corporal punishment shall not be inflicted on servicemen under sentence.

(2) In the treatment of a serviceman under sentence force shall not be used unnecessarily, but if the use of force is unavoidable no more force shall be used than is necessary.

29. Admission to service establishments

On admission to a service establishment the following procedure shall be observed--

- (a) the order or warrant of committal shall be examined and the attention of the commandant shall be directed to any omission or irregularity;
- (b) except for that amount of his clothing and those other articles which a serviceman under sentence is authorised to have in his possession, his equipment, and every other article or thing which accompanies the serviceman on admission (whether the same is his own property or not) shall be taken from him. Clothing, equipment and any other public or service property shall be dealt with in accordance with the regulations or instructions of the Service to which the serviceman under sentence belongs, and the remainder shall be retained by the commandant for safe custody. A record of such property shall be kept and the said record shall be signed by the serviceman under sentence and by a member of the staff of the service establishment. The said property (other than perishable articles) shall be returned to the serviceman under sentence on his release if he is willing to acknowledge its return by signing a record that it has been delivered up to him. Money shall be kept in safe custody or paid into an account at a bank and the equivalent amount paid to the serviceman on release or disposed of at the discretion of the commandant by sending it to any person at the request of the serviceman. Perishable articles shall be disposed of at the discretion of the commandant who shall, so far as is practicable, take account of the serviceman's wishes in relation to them;
- (c) at the discretion of the commandant, any property which he holds in safe custody on behalf of a serviceman under sentence may be delivered or sent to a relative or friend of the serviceman under sentence;
- (d) the serviceman under sentence shall be searched in accordance with these Rules to ensure that he has not in his possession any article or thing which is not authorised to have;
- (e) the serviceman under sentence shall be weighed and his weight recorded;
- (f) within twenty-four hours of admission (or within forty-eight hours in a case where a serviceman under sentence has been medically examined and certified as fit to undergo his sentence either on the day of admission or the previous day) the serviceman under sentence shall be medically examined by a medical officer;
- (g) the religious denomination (if any) of a serviceman under sentence shall be recorded and a religious teacher, chaplain or priest of that denomination shall be informed of his admission. If the serviceman under sentence has not declared his religious denomination, or if no religious teacher, chaplain or priest of that denomination has been appointed in respect of the service establishment, the circumstances shall be reported by the commandant to the commanding

- officer of the serviceman under sentence without delay;
- (h) within twenty-four hours of admission the commandant or a member of the staff of the service establishment shall satisfy himself that a serviceman under sentence has read, or has had explained to him, the rules governing conduct, treatment, employment and discipline, and the means whereby he may bring complaints to the notice of his commanding officer, the commandant and visiting officers, in accordance with the Act and these Rules.

30. Accommodation of servicemen under sentence

- (1) No room shall be used for the confinement of a serviceman under sentence unless it has been certified by a medical officer that its size, lighting, ventilation and fittings are adequate for health, and that it allows the serviceman under sentence to communicate at any time^S with a member of the staff of the service establishment; and any certificate so given in relation to a room in which more than one serviceman may be accommodated shall state the maximum number of servicemen under sentence who may be confined therein.
- (2) The size of rooms intended for occupation by servicemen under sentence shall be such as to provide at least 800 cubic feet capacity for each serviceman under sentence accommodated therein unless in any particular case, having regard to the exigencies of the service, the local commander authorises the temporary accommodation of servicemen under sentence in rooms of smaller capacity.
- (3) In every service establishment special rooms shall be provided for the temporary confinement of servicemen who are refractory or violent.
- (4) Every serviceman under sentence shall be provided with separate bedding, and, where circumstances are such that beds can be provided, with a separate bed.
- (5) If it is necessary to confine more than one serviceman under sentence in the same room, the number of such servicemen shall not in any case or at any time be less than three.

31. Miscellaneous accommodation in service establishments

The commandant shall set aside within a service establishment the following accommodation--

- (a) a medical detention room or rooms where servicemen under sentence may be given medical examinations, observation, treatment and attention on the occasions when, in the opinion of the medical officer, any such examination, observation, treatment or attention is required, and the serviceman under sentence is not sufficiently ill to necessitate his admission to hospital;
- (b) a room or rooms where servicemen under sentence may receive visits authorised by or under these Rules.

32. Daily routine

Subject to the provisions of these Rules with reference to the number of hours of work or training to be done by persons under sentence therein, the daily routine of a service establishment shall be determined by the commandant in accordance with any instructions which may be issued from time to time by or under the authority of the Armed Forces Council.

33. Work and training of servicemen under sentence

- (1) Subject to the provisions of paragraph (3) of this Rule and of Rule 34, during the whole of his sentence a serviceman under sentence shall be engaged in work or training for not more than nine, nor less than six, hours a day (excluding times for meals), but a serviceman shall not be engaged in work or training until he has been examined by a medical officer and certified as fit for the type of work and training which it is intended that he shall do.

(2) Training in service establishments shall be of a nature specified in and shall be carried out in accordance with any syllabus laid down by the Armed Forces Council or an officer authorised in that behalf, and shall include periods of physical training for the preservation of health.

(3) Nothing in this Rule shall require that a serviceman shall be engaged in work or training at any time when he is--

- (a) in close confinement;
- (b) undergoing restricted diet as a punishment;
- (c) excused work or training on medical grounds on the advice of a medical officer; or
- (d) excused work by the commandant or engaged in some other activity authorised by or under these Rules.

34. Weekly holidays and public holidays

On weekly holidays, Federal holidays and any days declared as State holidays in the State in which the service establishment is situated, the serviceman shall not be engaged in any work or training except work which is necessary for the service of the service establishment.

35. Work in association

(1) Subject to the following paragraphs of this Rule a serviceman under sentence who is employed in productive work shall work in association with other servicemen under sentence.

(2) If it appears to the commandant that it is desirable--

- (a) in the interests of the serviceman under sentence; or
- (b) for the maintenance of good order and discipline,

that during any period a serviceman under sentence should not work in association with others, he may arrange for that serviceman to work in a room or place apart from other servicemen under sentence: provided

that a Serviceman under sentence shall not be required to work apart from other servicemen under sentence under the provisions of this Rule for more than seven consecutive days (exclusive of holidays specified in Rule 34) or, if authorised by a Board of Visitors, fourteen consecutive days (exclusive of such holidays as aforesaid).

(3) In deciding whether a serviceman under sentence shall work apart from other servicemen under sentence and whether the serviceman ought to resume work in association with others, the commandant shall take into consideration any advice which he may be given by a medical officer.

36. Unauthorised work

A serviceman under sentence shall not be employed directly or indirectly for the private benefit or advantage of any person, nor in any way contrary to these Rules or the orders of the commandant.

37. Rations for servicemen under sentence

(1) The food provided for servicemen under sentence shall be of a nutritional value adequate for health and strength and shall be of wholesome quality, well prepared and served, and reasonably varied.

(2) The commandant and members of the staff of a service establishment shall endeavour to ensure that every serviceman under sentence (other than a serviceman undergoing restricted diet as a punishment)

receives the rations to which he is entitled.

(3) A serviceman under sentence may complain if he believes that he is not getting the rations to which he is entitled but he shall have no right to have his ration or any part of it weighed.

38. Smoking by servicemen under sentence

(1) A serviceman under sentence in a service establishment shall be asked as soon as practicable after his admission whether he is a smoker or a non-smoker, and if he states that he is a non-smoker he shall be required to sign a certificate to that effect.

(2) If a serviceman under sentence states that he is a smoker he may smoke tobacco and cigarettes to the extent authorised by this Rule.

(3) Serviceman under sentence shall be permitted to smoke any cigarettes issued to them free or obtained by them from the canteen of the service establishment.

(4) No serviceman under sentence shall smoke or have in his possession any tobacco, cigarettes, matches, lighters or any naked light for the purpose of igniting tobacco or cigarettes, except at such times as are authorised in accordance with the standing or other orders of the commandant.

(5) No serviceman under sentence who has signed a certificate that he is a non-smoker shall be entitled either to a free issue of cigarettes, or to purchase tobacco or cigarettes with his earnings.

(6) No serviceman shall be permitted to smoke cigarettes issued free on any day other than the day of issue.

(7) Forfeiture of tobacco or cigarettes (whether by stopping the free issue or by withdrawing the right to purchase them with earnings from the canteen) shall not be ordered as a punishment, but may be ordered on the advice of a medical officer during any period of sickness, and servicemen who are in close confinement or on restricted diet as a punishment shall not be permitted to smoke or to have in their possession any tobacco or cigarettes.

39. Letters

(1) A serviceman under sentence shall be allowed to write letters as follows--

- (a) on admission to a service establishment--one letter; and
- (b) in every week of his sentence following the week in which he is admitted--one letter.

(2) Writing paper, envelopes and other materials required to enable a serviceman to write the letters authorised by these Rules shall be provided and, subject to the provisions of Rule 41, the letters shall be posted free of expense to the serviceman under sentence.

(3) A serviceman under sentence may receive--

- (a) any number of letters; and
- (b) newspapers, journals and periodicals at the discretion of the commandant.

40. Parcels

(1) A parcel addressed to a serviceman under sentence shall be opened and examined by or under the authority of the commandant in the presence of the serviceman to whom it is addressed.

(2) Any article which the serviceman under sentence is prohibited from receiving or not authorised to receive shall be retained in safe keeping by the commandant and handed to the serviceman on release, except in the case of perishable articles, which may be disposed of in accordance with the directions of the commandant by returning them to the sender or otherwise.

(3) A serviceman under sentence is prohibited from receiving any articles except that, with the consent of and at the discretion of the commandant he may receive toilet requirements, books, newspapers and other articles.

41. Censorship

(1) The commandant or any officer deputed by him may scrutinise letters written by or addressed to servicemen under sentence.

(2) The commandant may withhold from a serviceman under sentence the whole or any part of a letter addressed to that serviceman, but he shall communicate to the serviceman any part of the letter which is unobjectionable.

(3) The commandant may withhold a letter written by a serviceman under sentence, but in that case he shall give the serviceman an opportunity of writing in its place another letter which does not contain the material to which the commandant objects.

(4) If any letter written by a serviceman under sentence contains a complaint relating to the service establishment or to the treatment of a serviceman under sentence the commandant shall draw the attention of the serviceman to his rights as to complaints.

(5) In any case where the commandant withholds a letter written by or addressed to a serviceman under sentence he shall record the fact and his reasons for so acting in a journal.

42. Visits by relatives and friends

(1) A serviceman under sentence may receive visits from his relatives and friends at the discretion of the commandant and such visits shall take place within the service establishment and at times and places determined by the commandant.

(2) Any visit authorised under this Rule shall be within the sight and hearing of the commandant or of a member of the staff of the service establishment.

43. Visits of legal advisers

(1) The commandant shall provide reasonable facilities for a serviceman under sentence who is interested in legal proceedings, or proposed legal proceedings, to be visited by his legal adviser.

(2) At the discretion of the commandant a serviceman under sentence may be visited by his legal adviser with reference to legal business other than that specified in paragraph (1) of this Rule.

(3) Any visit authorised by or pursuant to this Rule shall be within the sight, but not the hearing, of the commandant or a member of the staff of the service establishment.

44. Visits for the purpose of investigating offences

(1) The commandant may permit a serviceman under sentence to be visited by a police officer or, on the written order of a staff officer, by any officer or other person whose duty it is to investigate the commission, or suspected commission, of an offence.

(2) The commandant shall permit any person to visit a serviceman under sentence if that person is authorised to visit him by a warrant or an order of a court.

45. Medical attention

- (1) The commandant shall ensure that every serviceman under sentence who is--;
- (a) in close confinement; or
 - (b) subject to any form of mechanical restraint; or
 - (c) undergoing restricted diet as a punishment; or
 - (d) sick or complains of sickness, shall be seen by a medical officer at least once every day.

(2) The medical officer shall see daily every serviceman under sentence to whom his attention is especially directed by the commandant.

46. Functions of the medical officer

The medical officer shall have the care of the mental and physical health of serviceman under sentence, and the commandant shall act in accordance with the advice of the medical officer in relation to those matters unless to do so would be contrary to any written law or to these Rules or unless the principal medical officer of the armed forces otherwise directs.

47.

(1) Attendance of the medical officer

The Medical Officer shall attend at once, or as soon as the occasion requires, on receiving from the commandant information of the illness of a serviceman under sentence.

(2) Case Book Journal

The Medical Officer shall enter in a Case Book, to be kept in the Detention Centre and accessible to the commandant an account of the name, disease, state and treatment of every sick serviceman under sentence. He shall keep a Journal in which shall be entered day by day his comments on the state of the servicemen under sentences.

(3) Sick servicemen under sentence

The Medical Officer shall report in writing to the commandant the case of any serviceman under sentence to which he thinks it necessary on medical grounds to draw attention, and shall make such recommendation as he deems needful for the alteration of the discipline or treatment of the serviceman under sentence or for the supply of an additional articles to the serviceman under sentence.

(4) Servicemen under sentence unfit for detention, etc

Whenever the Medical Officer is of the opinion that the life of a serviceman under sentence will be endangered by his continuance in detention or that a sick serviceman under sentence will not survive his detention or is totally and permanently unfit for detention discipline, he shall state his opinion, and the grounds therefore, in writing to the commandant.

(5) Examination of food, water, clothing, bedding

The Medical Officer shall frequently examine the food of the servicemen under sentence, cooked and uncooked, and shall report in writing to the commandant as to the quality of the provisions, and also as to the sufficiency of clothing and bedding, and any deficiency in the quality, or defect in the quantity, of the water, or any other cause which may affect the health of the servicemen under sentence.

(6) Infectious or contagious diseases

- (a) The Medical Officer shall give directions in writing for separating servicemen under sentence having infectious or contagious diseases; for cleansing and disinfecting any room or cell occupied by any such serviceman under sentence; and for cleansing, disinfecting, or destroying, if necessary, any infected apparel or bedding, which the commandant shall forthwith carry into effect.
- (b) He shall in the case of the occurrence of any epidemic, or highly infectious or contagious disease, or of any other circumstances affecting the health of the servicemen under sentence requiring unusual measures, make immediate report to the commandant without waiting for the time of any periodical report

48. Facilities for servicemen under sentence who wish to petition

(1) The commandant shall bring to the notice of servicemen under sentence their rights to petition, and for this purpose, in addition to any other means chosen by the commandant, a notice shall be exhibited in every service establishment in a form prescribed by the Armed Forces Council to notify a serviceman of his right to petition, and such notices shall be exhibited in such places as to be seen by all servicemen under sentence.

(2) The commandant shall permit a serviceman under sentence who intends to petition, for the purposes of the petition--

- (a) to receive visitors;
- (b) to be provided with reasonable quantities of writing materials;
- (c) to write and receive letters; and
- (d) to hand personally or to send by post to his legal adviser confidential written communications as instructions in connection with the petition.

(3) Any such confidential written communications as aforesaid shall be exempt from censorship unless the commandant has reason to believe that it contains material unrelated to the purposes of the petition, when it may be subject to censorship in accordance with these Rules.

(4) For the purposes of a petition a serviceman under sentence may receive a visit from a medical adviser, being a registered medical practitioner selected by him or on his behalf by relatives or friends.

49. Complaints

(1) A serviceman under sentence who considers himself wronged in any matter may complain to the commandant or to a visiting officer on the occasion of a visit by him.

(2) In a case where there is a company commander of a serviceman under sentence he shall forward any complaint which he wishes to make to the commandant through his company commander.

(3) It shall be the duty of the commandant to investigate any complaint made to him in accordance with these Rules and to take any steps for redressing the matter complained of which appear to him to be necessary.

(4) A serviceman under sentence may complain to his commanding officer as provided in section 171 of the Act and it shall be the duty of his company commander, if any, to forward the said complaint to the commandant, and of the commandant to forward it to the commanding officer of the serviceman under sentence.

(5) In addition, and without prejudice to the rights of a serviceman under sentence to make a complaint in

accordance with the Act, a serviceman under sentence who has not, in his opinion, received redress for any complaint made by him to the commandant or in accordance with section 171 of the Act, may complain to the visiting officer, who shall deal with any such complaint as provided in Rule 86.

(6) Without prejudice to the duties of a commandant and a company commander under this Rule, a commandant or company commander who believes that, in making a complaint where he thinks himself wronged, a serviceman under sentence has made a statement affecting the character of an officer, warrant officer, non-commissioned officer or serviceman subject to Service law, which he knows to be false or does not believe to be true, or has wilfully suppressed any material facts, may call the attention of the serviceman under sentence to the provisions of section 78 of the Act, so that the serviceman under sentence may, if he so wishes, withdraw his complaint or any such statement as aforesaid.

50. Searching servicemen under sentence

(1) On admission to a service establishment a serviceman under sentence shall be searched in accordance with Rule 51.

(2) The commandant may order that a serviceman under sentence shall be searched at any time while he is serving his sentence.

51. Method of searching

The following provisions of this Rule shall be observed in relation to the search of any person in a service establishment pursuant to this Rule:

- (a) every search shall take place in the presence of at least two members of the staff;
- (b) no person shall be present at any search except the commandant or members of the staff of the service establishment and, in particular, no serviceman under sentence shall be present at the search of any other serviceman under sentence.

52. Persons of unsound mind

If a person serving a Service sentence of imprisonment or detention in a service establishment is a person of a description referred to in section 33 of the Act, the commandant shall notify the Armed Forces Council or an officer deputed by them, so that on discharge he may be dealt with in accordance with the provisions of the said section.

53. Escapes

(1) Any member of the staff of a service establishment who discovers that a serviceman under sentence has escaped shall immediately report the fact to the commandant.

(2) If a serviceman under sentence in a service establishment escapes, the commandant shall immediately inform the authorities and persons specified below--

- (a) the Chief Police Officer of the State in which the service establishment is situated;
- (b) the officer commanding the Federation Military Police;
- (c) the local and local commanders;
- (d) the Officer-in-Charge, Combined Records, Federation Armed Forces;
- (e) the Armed Forces Paymaster;
- (f) an Inspector of Detention Centres.

54. Deaths

(1) If a serviceman under sentence in a service establishment dies, the commandant shall immediately report the matter to the coroner having jurisdiction in the place where the service establishment is situated.

(2) Nothing in this Rule shall affect the duty of the commandant or any other Service authority to record or report the death in accordance with the requirements of any Act, or any other rules, regulations or instructions.

55. Offences against discipline

A serviceman under sentence commits an offence against these Rules if he--

- (a)* commits an offence of a nature which might be dealt with summarily by the commanding officer or a serviceman;
- (b)* treats with disrespect any member of the staff of a service establishment, any visitor thereto or any persons employed thereat;
- (c)* is idle, careless or negligent;
- (d)* uses any abusive, insolent, threatening or other improper language;
- (e)* is indecent in any act or gesture;
- (f)* communicates with any other servicemen under sentence without authority;
- (g)* leaves his room or place of work or other appointed place without permission;
- (h)* commits any nuisance;
- (i)* has in his room or possession any unauthorised article, or attempts to obtain any such article;
- (j)* gives to or receives from any person any unauthorised article;
- (k)* makes repeated and groundless complaints;
- (l)* attempts to commit any of the offences referred to in paragraphs *(b)*, *(f)*, *(g)*, *(h)* and *(j)* of this Rule.

56. Jurisdiction of commandant and company commander

(1) The commandant shall have jurisdiction to punish a serviceman under sentence who commits an offence against these Rules.

(2) A company commander under the command of the commandant may have jurisdiction delegated to him by the commandant to punish a serviceman under sentence who commits an offence against these Rules.

57. Procedure for dealing with offences

(1) A serviceman under sentence who, while serving his sentence, commits an offence against the Act, or against these Rules, shall be dealt with in accordance with the following provisions of this Rule.

(2) When any member of the staff or a service establishment reports to the commandant the commission of such an offence as is referred to in paragraph (1) of this Rule by a serviceman under sentence, the commandant shall deal with it as follows--

- (a)* if the alleged offence is one which the commandant has no jurisdiction to punish, or if, although the commandant has jurisdiction, it appears to him that the punishment which he might award would be inadequate, he shall report the alleged offence to the local commander with a request that the serviceman be dealt with either under Rule 60 or under the Act; and
- (b)* in any other case he shall observe the procedure set out in paragraph (3) of this Rule.

(3) The procedure for dealing with offences shall be as follows--

- (a) the commandant shall ensure that a serviceman under sentence who is alleged to have committed an offence against these Rules shall--
 - (i) be informed of the offence which he is alleged to have committed; and
 - (ii) then be brought before the commandant;
- (b) the evidence against the serviceman under sentence shall be heard in his presence unless he agrees that written evidence may be used;
- (c) if written evidence is used punishment shall not be awarded unless the serviceman under sentence has been given an opportunity of questioning the accuracy of any written statement;
- (d) the serviceman under sentence shall be given a proper opportunity of hearing the facts against him and of presenting his case;
- (e) the commandant shall inform the serviceman under sentence whether he finds him guilty or not guilty of committing any offence which he is alleged to have committed.

58. Punishments which may be awarded by a commandant

(1) The commandant may award any of the punishment set out in paragraph (2) of this Rule to a serviceman under sentence who has been found by him to have committed any offence against these Rules.

(2) The punishments referred to in paragraph (1) of this Rule are--

- (a) close confinement for a period not exceeding three days;
- (b) restricted diet No. 1 for a period not exceeding three days;
- (c) restricted diet No. 2 for a period not exceeding fifteen days;
- (d) deprivation of mattress for a period not exceeding three days;
- (e) forfeiture of remission of sentence for a period not exceeding fourteen days;
- (f) deprivation of library books;
- (g) forfeiture or reduction of earnings;
- (h) extra military instruction;
- (i) admonition.

(3) Awards of restricted diet No. 1 and restricted diet No. 2 shall comply with the conditions appertaining thereto contained in these Rules.

59. Punishments which may be awarded by a company commander

The commandant may delegate to a company commander under his command, being a member of the staff of a service establishment, jurisdiction to award the following maximum punishments to a serviceman under sentence who is found by a company commander to have committed an offence against these Rules--

- (a) restricted diet No. 2 for a period not exceeding seven days;
- (b) deprivation of mattress for one day;
- (c) forfeiture of remission of sentence for a period not exceeding three days;
- (d) deprivation of library books for a period not exceeding fourteen days;
- (e) extra military instruction, not exceeding three periods of forty-five minutes each;
- (f) admonition.

60. Board of Visitors

(1) The local commander may from time to time appoint Boards of Visitors to exercise disciplinary powers at any service establishment within the area of his command.

(2) A Board of Visitors shall consist of three officers of the rank of major, lieutenant commander or squadron leader or above, one of whom shall be an officer not below the rank of lieutenant-colonel, commander or wing commander.

(3) A Board of Visitors shall have the same jurisdiction as a commandant, and may award the punishments which can be awarded by a commandant, subject to the following modifications--

- (a) the maximum period of close confinement which they may award shall be fourteen days;
- (b) the maximum period which they may award on restricted diet No. 1 shall be fifteen days with the intervals prescribed by Rule 63;
- (c) the maximum period which they may award on restricted diet No. 2 shall be twenty-one days;
- (d) the maximum period of forfeiture of remission which they may award shall be the whole of the period of remission, but if they award forfeiture of remission which exceeds twenty-eight days, the commandant shall report the matter to the confirming officer or the reviewing authority who may mitigate or remit the award.

(4) A Board of Visitors shall investigate and deal with every charge brought against a serviceman under sentence which they are required and have jurisdiction to hear and determine in accordance with these Rules. When they are satisfied that the serviceman under sentence has had a charge or charges sufficiently explained to him, that oral evidence has been heard in his presence, that he has had an opportunity of reading and questioning the accuracy of any written evidence, and that he has had a proper opportunity of presenting his case and questioning any witnesses, they may--

- (a) dismiss any charge which they find not to have been proved;
- (b) record a finding of guilty and award any punishment which they are authorised by these Rules to award in respect of any charge which they find to have been proved.

61. Corporal punishment prohibited

The commandant and members of the staff of a service establishment shall not inflict or cause or permit to be inflicted corporal punishment on any serviceman under sentence.

62. Restricted diet No. 1 and No. 2

(1) Restricted diet No. 1 shall consist of 10 ozs. of rice and 1 pint of soup (containing 8 ozs. of mixed vegetables) a day with unrestricted water.

(2) Restricted diet No. 2 shall consist of--

- (a) Breakfast:
Bread 4 ozs.
Margarine \ oz.
Coffee, 1 pint containing \ oz. coffee \ fluid ozs. of milk
(or 4/5 oz. tinned milk) and \ oz. sugar.

- (b) Lunch:
Rice 8 ozs.
Soup, 1J pints containing 2 ozs. potatoes, 2 ozs. peas, 2 ozs. carrots, salt, and on Wednesdays and Saturdays only, 4 ozs. meat (bone in).
- (c) Dinner:
Rice 4 ozs.
Eggs 2.
Soup, 1 pint containing 2 ozs. potatoes and 2 ozs. peas.
Coffee, 1 pint containing \ oz. coffee, 1£ fluid ozs. of milk
(or 4/5 oz. tinned milk) and \ oz. sugar.

63. Conditions appertaining to the award of restricted diet No. 1.

(1) A serviceman under sentence shall not undergo restricted diet No. 1 for any consecutive period exceeding three days at a time, and if he is awarded restricted diet No. 1 for a period exceeding three days his diet shall consist for alternate and equal periods not exceeding three days of--

- (a) 10 ozs. of rice and 1 pint of soup (containing 8 ozs. of mixed vegetables) a day and unrestricted water; and
(b) the ordinary rations for serviceman under sentence.

(2) On the days on which a serviceman is undergoing restricted diet No. 1 he shall not attend parades, nor shall he be required to undertake any task of labour, but he may be permitted to carry out very light work in his room.

(3) A serviceman under sentence who has undergone restricted diet No. 1 shall not be required to undergo any further period on that diet in respect of any other offence until an interval has lapsed equal to the period of restricted diet No. 1 already undergone.

(4) Every serviceman under sentence undergoing restricted diet No. 1 shall be visited every day by the commandant or his deputy and by the medical officer.

64. Conditions appertaining to the award of restricted diet No. 2

(1) A serviceman under sentence undergoing restricted diet No. 2 shall attend parades and carry out work and training at the discretion of the commandant, but he shall not be required to do any heavy work.

(2) If a serviceman under sentence who is undergoing restricted diet No. 2 is found guilty of an offence against these Rules, he may/notwithstanding the provisions of Rule 63, be required to undergo restricted diet No. 1 for a period not exceeding three days, and on the expiration of that period he may be required to undergo the remainder of the period on restricted diet No. 2; provided that the period spent on restricted diet No. 1 shall count as part of the period originally ordered on restricted diet No. 2.

65. Conditions affecting restricted diet No. 1 and restricted diet No. 2

(1) A serviceman under sentence who has undergone restricted diet for a consecutive period of twenty-one days shall resume the ordinary ration for servicemen under sentence for a period of at least

seven days before any further period of restricted diet may commence.

(2) A serviceman under sentence undergoing restricted diet shall not be issued with or permitted to have in his possession tobacco or cigarettes.

(3) No serviceman under sentence shall be required to undergo restricted diet No. 1 or restricted diet No. 2 unless the medical officer has certified that he is fit to do so.

66. Close confinement

(1) No serviceman under sentence shall be placed in close confinement unless the medical officer has certified that he is fit to undergo that punishment.

(2) A serviceman in close confinement shall not, except on the recommendation of the medical officer, be permitted any exercise.

(3) A serviceman in close confinement shall not be deprived of his room furniture or books, nor shall he be subjected to any form of discipline which has not been lawfully ordered in accordance with these Rules.

(4) A serviceman undergoing close confinement shall be visited at least once every day by the commandant or Ms deputy, by the medical officer and, in addition, at least once every three hours by a member of the staff of the service establishment who shall be detailed to do so.

(5) In the case of close confinement in a ship, the temperature of the room shall be taken and recorded once in every four hours.

67. Mechanical restraint

(1) No serviceman under sentence shall be subjected to any form of mechanical restraint as a punishment.

(2) Mechanical restraint of servicemen under sentence may be used for the purposes of safe custody during the removal of a serviceman under sentence from one place or service establishment to another and in the circumstances and under the conditions authorised by these Rules.

68. Authorisation of mechanical restraint

(1) If it appears to the commandant of a service establishment that ¹¹ a serviceman under sentence ought to be placed under mechanical restraint to prevent him from injuring himself or others, or damaging property or creating a disturbance, he may issue a written order that mechanical restraint shall be applied to a serviceman under sentence, specifying the date and hour when restraint is to be applied, and the period, not exceeding twenty-four hours, during which it shall be applied. Immediately thereafter he shall notify the local commander and the medical officer that he has made the said order and shall inform the said officers of the terms thereof.

(2) On receiving the said notification the medical officer shall examine the serviceman under sentence and shall inform the commandant if, in his opinion, there is any objection on medical grounds to application of the mechanical restraint ordered; and if any such objection is made the commandant shall revoke or modify his order in accordance with the recommendation of the medical officer.

(3) The commandant shall ensure that no serviceman is kept under mechanical restraint for any period longer than is necessary, nor for any period exceeding twenty-four hours unless the local commander orders in writing that the mechanical restraint shall continue for a longer period not exceeding forty-eight hours.

(4) No type of mechanical restraint shall be used except a type authorised by these Rules..

(5) Whenever mechanical restraint is applied or removed an officer or senior member of the staff of the service establishment shall be present, and the name of the officer and any other member of the staff present on every such occasion shall be recorded.

69. Types of mechanical restraint

(1) The articles referred to in sub-paragraphs (a), (b) and (c) of this paragraph, which shall conform with patterns approved by the Minister, may be used as instruments of restraint--

- (a) handcuffs--figure of eight, swivel or curb chain, not exceeding for the pair twenty-two ounces in weight;
- (b) strait waistcoat--stout white duck lined with swansdown, fastened at the back by lacing with strong webbing tapes through eleven eyelets on each side, the sleeves covering the entire arms and hands, and being secured by strong webbing tapes laced through the three eyelets on each side of the cuffs, the upper parts of the arms being tied round with three sets of strong webbing tapes sewn to the back of the sleeves;
- (c) body belt--double leather sewn together, fastened by a lock at the waist, with steel wristlets at equal distances at the sides in which the waists may be locked, the whole not exceeding four pounds in weight.

(2) Nothing in this rule shall preclude the use of a canvas suit in those cases where its use is authorised by Rule 73.

70. Use of handcuffs

The commandant who orders the use of handcuffs on a serviceman under sentence shall state in his written order authorising their use whether they are to be placed with the hands in front of or to the rear of the body. When they are placed to the rear of the body they shall be moved to the front during meals and for sleeping.

71. Use of strait waistcoat

(1) The strait waistcoat shall not be used except under the direction of a medical officer.

(2) The strait waistcoat may only be used when restraint is necessary to prevent a serviceman under sentence from injuring himself or others, or to prevent him from destroying clothing or other articles.

(3) The medical officer shall visit every serviceman restrained in a strait waistcoat at least once in every twenty-four hours, and more often if he thinks it necessary. He shall record in his journal all such visits, the periods of restraint and the reasons for its application.

(4) A strait waistcoat shall never be applied for more than twenty-four hours consecutively. If at the end of that period the medical officer is of the opinion that it is necessary to continue its application he shall so order, but the restraint shall not be applied until the serviceman under sentence has been free of any form of mechanical restraint for at least one hour.

(5) The medical officer shall inform the commandant in writing when the restraint has discontinued.

72. Use of the body belt

(1) The body belt may be used only for restraining a serviceman under sentence who is of violent conduct and for whom no other means of restraint is appropriate.

(2) Subject to paragraph (1) of this Rule, the provisions of Rule 71 as to the use of the strait waistcoat shall apply in relation to the use of a body belt.

73. Use of the canvas suit

- (1)** The commandant may order a serviceman under sentence to wear a canvas suit, consisting of frock and trousers made of canvas sail cloth, not exceeding twelve pounds in weight.
- (2)** Such order as aforesaid shall only be made where a serviceman under sentence destroys or attempts to destroy his clothing or refuse to wear uniform.
- (3)** The commandant shall report to the Visiting Officer on the occasion of every visit any subsisting orders made by him under paragraph (1) of this Rule, and shall arrange for the Visiting Officer to see every serviceman under sentence who is wearing a canvas suit.
- (4)** The commandant shall record every order made under this rule, the date from which any serviceman under sentence is required to wear a canvas suit and the date on which he authorises its removal.

PART VI

RELIGION, EDUCATION AND WELFARE

74. Religious Services and instruction

Provisions shall, as far as practicable, be made for religious services, for the visits of Ministers of religion and for moral and religious instruction to servicemen under sentence.

75. Visits by Ministers of Religion

Ministers of religion may be admitted at reasonable and proper times to service establishments to visit servicemen under sentence who may desire their services.

76. Religious books

There shall so far as practicable be available for the personal use of every serviceman under sentence such of the scriptures and books of religious observance and instruction recognised for his denomination as are accepted by the commandant for use in service establishment.

77-81. (Reserved).

PART VII

UNIT DETENTION ROOMS

82. Application of these rules to unit detention rooms

- (1)** This Part of these Rules shall apply in relation to unit detention rooms and subject to the provisions of paragraphs (2) and (3) of this Rule, all the -provisions of these Rules shall apply in relation to unit detention rooms.
- (2)** The following provisions of these Rules shall not apply in relation to unit detention rooms--
 - Rule 31--(which relates to the provision of miscellaneous accommodation in service establishments);
 - Rules 46 and 47--(which relate to the functions of a medical officer, his attendance and consultation);
 - Rule 56, paragraph (2) and Rule 59--(which relate to the jurisdiction and powers of punishment of a company commander);
 - Rule 60--(which relates to Boards of Visitors);

Rules 85-88 inclusive--(which relate to Visiting Officers); Rules 89-91 inclusive--(which relate to the commandant and members of the staff of service establishments).

(3) The provisions of the Rules specified below shall apply in relation to unit detention rooms subject to the modifications specified with reference thereto, namely--

Rule 49--so much of this Rule (which relates to complaints) as refers to a company commander and a Visiting Officer shall not apply in relation to unit detention rooms;

Rules 67-73 inclusive--(which relate to mechanical restraint) shall apply in relation to unit detention rooms only in so far as they relate to mechanical restraint by means of handcuffs.

83. Setting up unit detention rooms

Unit detention rooms shall be under the control of the Commanding Officer or other officer by whom they are provided in accordance with these Rules, or of the commanding officer of another unit, or officer commanding part of another unit, to which they are appropriated by order of an officer not below the rank of colonel, naval captain or group captain commanding any command, ship, base, formation, area, garrison or place, or any body of troops.

84. Segregation in unit detention rooms

Servicemen under sentence in unit detention rooms shall be segregated from any serviceman confined therein awaiting trial by court-martial, or disposal by a commanding officer or authority having power to deal summarily with the case, or awaiting promulgation of sentence.

PART VIII

VISITING OFFICERS

85. Appointment of Visiting Officers

(1) The local commander shall ensure that an officer (not below the rank of major, lieutenant commander or squadron leader), in these Rifles referred to as "a Visiting Officer", visits each service establishment within his command once each week.

(2) A written order appointing him shall be given to each Visiting Officer.

86. Duties of Visiting Officers

(1) A Visiting Officer ordered to visit a service establishment shall duly attend in accordance with the instructions contained in the order appointing him.

(2) On arrival at a service establishment a Visiting Officer shall, if so required, produce the order appointing him to the commandant or any officer or other person acting on the commandant's behalf.

(3) The- Visiting Officer shall not inspect the staff, buildings or premises of a service establishment.

(4) Subject to the provisions of paragraph (6) of this Rule, a Visiting Officer shall on the occasion of every visit see all the servicemen under sentence in the service establishment either on parade or in their rooms; and he shall see any servicemen under close confinement or in a medical detention room in their rooms or in the medical detention room as the case may be.

(5) Subject to the provisions of paragraph (6) of this Rule, a Visiting Officer shall ask all servicemen under sentence if they have any complaints to bring to the notice of the Visiting Officer. This question shall be asked by him and not by any member of the staff on his behalf, and the question shall not be qualified in any way, nor shall a serviceman's right to complain be made subject to any condition. A serviceman under

sentence who wishes to complain shall be asked by the Visiting Officer if he wishes to make his complaint there and then or whether he wishes to see him privately. If the serviceman under sentence wishes to make his complaint privately the commandant shall arrange that a room is placed at the disposal of the Visiting Officer in which he may hear any complaint made by the serviceman under sentence. If the commandant thinks fit a member of the staff may be present to ensure that there is no breach of discipline by the serviceman under sentence, but, at the discretion of the Visiting Officer, that member of the staff shall remain within sight but out of hearing.

(6) A Visiting Officer shall satisfy himself that he has seen all servicemen under sentence in the service establishment, except any whom he is requested by or on the advice of the medical officer not to see on medical grounds.

87. Investigation of complaints by a Visiting Officer

(1) A Visiting Officer shall inquire fully into every complaint made to him, and the commandant shall place at his disposal any witness or evidence which he required.

(2) A Visiting Officer shall ascertain if any complaint made to him had previously been made to the commandant or other officer on the staff of the service establishment and of the nature of any action taken in relation thereto.

(3) On completion of the investigation of any complaint made to him a Visiting Officer shall deal with it in the following manner:

- (a) if, in his opinion, the complaint was not justified, he shall so inform the serviceman under sentence who made the complaint;
- (b) if, in his opinion, the complaint was justified, he shall inform the serviceman under sentence who made the complaint that he will report the matter to the local commander.

(4) A Visiting Officer shall not in any circumstances offer any redress to a serviceman under sentence.

(5) On completion of each visit a Visiting Officer shall make a report to the local commander, including a full report of every complaint made to him and of the result of his investigation thereof.

88. Redress of complaints made to a Visiting Officer

On receipt of a complaint reported to him by a Visiting Officer the local commander shall investigate and take any steps for redressing the matter complained of which appear to him to be necessary.

PART IX

STAFF OF SERVICE ESTABLISHMENTS

89. Appointment of commandant and staff

The commandant, officers and other members of the staff of a service establishment shall be appointed by or in accordance with the directions of the Minister.

90. Duties of commandant

The commandant shall:

- (a) exercise a close and constant supervision of the service establishment and shall, if practicable, visit and inspect daily all parts of the service establishment in which servicemen under sentence are working or training;

- (b) visit the service establishment at night on at least one occasion each week;
- (c) make frequent inspections of rooms occupied or used by servicemen under sentence and shall satisfy himself that food intended for their consumption is properly stored, cooked and served;
- (d) supervise and control the duties of the officers and other members of the staff of the service establishment, and satisfy himself that the details and rosters of duties are prepared and maintained in accordance with any directions of the Minister and in a manner to ensure the efficiency of the service establishment;
- (e) maintain discipline amongst the officers and servicemen who are appointed to serve under his command as members of the staff of the service establishment;
- (f) issue from time to time standing orders for the staff and for particular sections and members of the staff, and examine any orders so issued from time to time so that they may be revised and maintained in accordance with current requirements;
- (g) from time to time call the attention of all members of the staff to the provisions of the Official Secrets Ordinance 1972;
- (h) instruct the officers and staff of the service establishment to maintain discipline with firmness, but without more repression or restriction than is required for the safe custody of the servicemen under sentence in a well-ordered community life;
- (i) encourage members of the staff to enlist the willing co-operation of servicemen under sentence by their own example and leadership;
- (j) interview every servicemen under sentence as soon as possible after his admission to the service establishment and shortly before his release therefrom;
- (k) arrange for any serviceman under sentence who is to be discharged from the Armed Forces to be interviewed by the Armed Forces Resettlement Officer with reference to his future civil employment.

91. Duties of members of the staff of a service establishment

Members of the staff of a service establishment shall:

- (a) carry out their duties in accordance with these Rules, the standing orders of the service establishment, and the orders of the commandant;
- (b) in relation to the servicemen under sentence, preserve an attitude of firmness tempered with understanding, and avoid any form of harsh treatment; set an example of integrity and fairness; endeavour to create a feeling of respect and confidence among the servicemen in their charge by studying the characteristics of the servicemen under sentence and endeavouring to bring out the best in them;
- (c) direct the attention of the commandant to any serviceman under sentence who may appear not to be in good health, or whose state of mind appears to be deserving of special notice or care, so that arrangements may be made for the serviceman under sentence to be seen by the medical officer;
- (d) watch the servicemen under sentence in their various movements and employments throughout the day, and use vigilance to prevent unauthorised communications between servicemen under sentence;
- (e) prevent prohibited articles from being secreted for the purpose of being conveyed to servicemen under sentence, and report immediately any such occurrence to the commandant;
- (f) ensure that no ladders, planks, wheelbarrows, ropes, chains, implements, clothing or materials of any kind likely to facilitate escape, are left in any place where they might be accessible to servicemen under sentence;
- (g) take the utmost care to guard against accidents by fire, report any apparent danger of such accident and at no time whatsoever carry any naked light about within the service establishment;
- (h) call the attention of the commandant to any defect in sanitation or ventilation which may come to their notice;
- (i) satisfy themselves, when on night duty, as to the correctness of the number of servicemen in their charge, and that their rooms are securely locked for the night;

- (j) examine the state of the rooms, bedding, locks and bolts in their charge from time to time and report thereon as may be necessary;
- (k) seize all prohibited articles and deliver them forthwith to the commandant;
- (l) when on night-watch, patrol the service establishment during their period of duty and record their patrols in the manner required.
- (m) when on gate duty, record the name of every person passing through the gate and keep a record of all stores and vehicles that pass through the gate; examine all articles brought into or taken out of the service establishment and stop any person suspected or bringing in or attempting to bring in any prohibited article, or of carrying out or attempting to carry out any property intended to remain in the service establishment for the purposes thereof.

92. Revocation and saving

The Army and Air Force (Imprisonment and Detention) Rules 1964 [*L.N. 413/1964*] are revoked:

Provided that any act done under the revoked Rules shall continue in force until revoked, suspended or otherwise terminated as if such act has been done under these Rules.

FIRST SCHEDULE

(Rule 16)

FORM 1

ORDER FOR THE COMMITTAL OF A SERVICEMAN TO A SERVICE ESTABLISHMENT ON AN AWARD OF DETENTION BY HIS COMMANDING OFFICER

To the Commandant of.....(a)
 Whereas No.....Rank.....Name.....
 of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
 Air Force was on the.....day of..... 19..... awarded
 detention for a period of..... days by his Commanding Officer for
 the offence(s) of.....

(b)

Now, therefore, I order you to receive the said person into your custody and to retain him to undergo his sentence according to law and for so doing this shall be your warrant.

Signed at.....this.....day of..... ,
19.....

(Signature).....(c)
 Rank and appointment.....
Commanding Officer of the person sentenced to detention

(a) Insert the name of the service establishment.

(b) Set out the statement (not the particulars) of the offence and the relevant sections of the Armed Forces Act. Where there is more than one offence, the statement of each must be set out.

(c) This form must be signed by the Commanding Officer of the person concerned.

FORM 2

ORDER FOR THE COMMITTAL OF A PERSON SENTENCED TO IMPRISONMENT OR DETENTION BY A COURT-MARTIAL TO A CIVIL PRISON OR SERVICE ESTABLISHMENT

To the Superintendent, Commandant or other person in charge of.....
.....(a).

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
Air Force was by a Court-Martial held at.....convicted
of the offence(s) of.....

.....(b)
and, by a sentence passed on the.....day of....., 19.....,
sentenced to (imprisonment/detention for a term of.....

.....(e) commencing on the said day, which
sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act
1972.....(c); (d).

And Whereas on the.....day of....., 19..... the said
sentence was suspended under section 135 of the Armed Forces Act 1972 (after a
period of.....years and.....days of the sentence had been un-
dergone.) (f) and the suspension of the sentence was determined under the said sec-
tion .135 on the.....day of....., 19....., by an order committing the said
person to imprisonment/detention (and it was ordered that the sentence should run
concurrently/consecutively with a sentence
of.....passed on the.....day
of....., 19.....) (g).

} (e)

Now, therefore, I order you to receive the said person into your custody and to retain him to undergo his sentence according to law and for so doing this shall be your warrant.

Signed at.....this.....day of..
19.....

(Signature)..(h)

Rank and appointment.....

(a) Insert the name and address of the prison or service establishment. A person sentenced to detention must not be committed to a prison.

(b) Here set out the statement (not the particulars) of the offence and the relevant sections of the Armed Forces Act 1972. Where there is more than one offence the statement of each must be set out.

(c) If any part of the sentence has been remitted on confirmation insert "with a remission of.....".

(d) Where the original sentence was death and has been commuted to imprisonment or detention for the words in brackets substitute the words "to suffer death which sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act 1972, but has been commuted into imprisonment/detention for a term of.....", or where the original sentence was imprisonment and it has been commuted to one of detention substitute "to imprisonment for a term of, which sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act 1972; but has been commuted into a sentence of detention for.....".

(e) Omit this recital if the sentence has not been suspended.

(f) Omit these words where the person has not been committed prior to suspension of sentence. If he has been committed and the sentence has been subsequently suspended, insert the period of imprisonment or detention undergone from the date of sentence to the date of suspension.

(g) Omit these words where not applicable. A separate committal order is required for each sentence.

(h) The committal form must be signed by the Commanding Officer of the person concerned, any officer under whose command that person is for the time being or by an administrative staff officer not below the rank of lieutenant-colonel, commander or wing commander.

FORM 3

ORDER FOR THE COMMITTAL OF A PERSON SENTENCED TO IMPRISONMENT OR DETENTION BY A COURT-MARTIAL HELD OUT OF THE FEDERATION WHERE ALL OR PART OF THE SENTENCE IS TO BE SERVED IN A CIVIL PRISON OR A SERVICE ESTABLISHMENT IN THE FEDERATION

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
Air Force was by a Court-Martial held at.....
convicted of the offence(s) of.....

.....
.....
.....(a)

and by a sentence passed on the.....day of....., 19.....,
sentenced to (imprisonment/detention ^(b) for a term of.....
.....commencing on the said day, which
sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act 1972 ^(c);
^(d).

And Whereas on the.....day of....., 19..... the said sen-
tence was suspended under section 135 of the Armed Forces Act 1972 (after a period
of.....years and.....days of the sentence had been undergone.)
^(f) and the suspension of the sentence was determined under the said section 135 on
the.....day of....., 19....., by an order committing the said person to im-
prisonment/detention ^(b) (and it was ordered that the sentence should run concur-
rently/consecutively ^(b) with a sentence
of.....passed on the.....day
of....., 19.....) ^(g).

(e)

And Whereas the court-martial/confirming/reviewing authority ^(b) has, under the proviso to sub-section
^(iv) of section 140 of the Armed Forces Act 1972, directed that the said person shall not be removed to

the Federation until he has served.....years and.....days of his sentence;

Now, therefore, I do order the Commandant or other person in charge of.....(i) to receive the said person into his custody and to retain him to undergo.....years and.....days of his sentence according to law;

And I do further order that the said person shall after completion of the said part of his sentence or at such earlier date as may be ordered be transferred to the Federation to undergo the remainder of his sentence according to law in such civil prison or service establishment as may be appointed on his arrival in the Federation.

And Whereas in accordance with the provisions of sub-section (2) of section 140 of the Armed Forces Act 1972, the said person is required to be removed to the Federation as soon as practicable after the confirmation of the sentence.

Now, therefore, I do order that the said person shall be transferred to the Federation in army, naval, air force custody to undergo his sentence according to law in such civil prison or service establishment as may be appointed on his arrival in the Federation.

And I do further order that the Superintendent, Commandant or other person in charge of any civil prison or service establishment to which the said person may be brought in the Federation shall receive him into his custody and retain him to undergo his sentence according to law and for so doing this shall be sufficient warrant;

And I do further order that the said person shall be conveyed in army/naval/ air force custody and detained in army /naval/air force or civil custody so far as appears necessary or proper for effecting his transfer to the said civil prison or service establishment in the Federation.

Signed at.....this.....day of....., 19.....

(Signature)..... (i)

Rank and appointment.....

In the case of a Committal to any Intermediate Prison or Service Establishment being necessary.

For the purpose of carrying the above order into effect, I do hereby order the Superintendent, Commandant or other person in charge of.....

.....(m) at..... (m) to receive the above-named person into his custody and to detain him until he can be transferred in pursuance of the above order and to produce him when required for the purposes of transfer, and for so doing this shall be sufficient warrant.

Signed at.....this.....day of....., 19.....

(Signature)..... (i)

Rank and appointment.....

Order on Arrival in the Federation.

I do order the above-named person to be transferred to..... (n) to undergo (the remainder of) (o) his sentence according to law;

And I do further order the Superintendent, Commandant or other person in charge of the said..... to receive the said person into his custody and to retain him accordingly and for

so doing this shall be sufficient warrant.

Signed at.....this.....day of....., 19.....

(Signature).....(0

Rank and appointment.....

(a) Here set out the statement (not the particulars) of the offence and the relevant sections of the Armed Forces Act 1972. Where there is more than one offence the Statement of each must be set out.

(b) Delete as necessary.

(c) If any part of the sentence has been remitted on confirmation insert "with a remission of.....".

(d) Where the original sentence was for death and has been commuted to imprisonment or detention, for the words in brackets substitute the words "to suffer death which sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act 1972, but has been commuted into imprisonment/detention for a term of....."; or, where the original sentence was imprisonment and it has been commuted to one of detention substitute "to imprisonment for a term of..... which sentence has been duly confirmed in accordance with the provisions of the Armed Forces Act 1972, but has been commuted into a sentence of detention for.....".

(e) Omit this recital if the sentence has not been suspended.

(f) Omit these words where the person has not been committed prior to suspension of sentence. If he has been committed and the sentence has been subsequently suspended, insert the period of imprisonment or detention undergone from the date of sentence to the date of suspension.

(g) Omit these words where not applicable. A separate committal order is required for each sentence.

(h) These paragraphs must be used only where a part of the sentence is to be served overseas before return to this Federation.

(i) Insert the name and location of the service establishment where part of the sentence is to be served overseas.

(j) This paragraph must be used where the sentence exceeds twelve months and no direction has been given for any part of it to be served out of the Federation.

(k) This paragraph is to be used in conjunction with the preceding paragraph, where the sentence is to be served wholly in the Federation.

(l) This form must be signed by the Commanding Officer of the person concerned, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of lieutenant-colonel, commander or wing commander.

(m) Insert the name and location of the prison or service establishment where the person concerned is to be detained temporarily while awaiting transfer to the Federation.

(n) Insert the name and location of the prison or service establishment where the person concerned is to serve his sentence on arrival in the Federation.

(o) Omit these words where the whole sentence is to be served in the Federation.

FORM 4

ORDER FOR THE REMOVAL OUT OF THE FEDERATION OF A PERSON SERVING A SERVICE SENTENCE OF IMPRISONMENT OR DETENTION IN THE FEDERATION

To the Superintendent, Commandant or other person in charge of.....
.....(a)

Whereas No.....Rank.....

Name.....of the.....

Regiment/Corps/Royal Malaysian Navy/Royal Malaysian Air Force is now in your custody undergoing a Service sentence of imprisonment/detention (b);

And whereas the confirming officer/reviewing authority has ordered that the said person be removed out of the Federation to.....(c) being the place where the (part of the) (d) corps/ship/base/formation (b) to which he for the time being belongs is serving /under orders to serve (b);

Now, therefore, I order you to deliver up the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order that the said person shall be transferred to.....
.....(c) in army /naval /air force custody and detained in army/naval/air force or civil custody so far as appears necessary or proper for effecting his transfer, and for so doing this shall be sufficient warrant.

Signed at.....this.....day of....., 19.....

(Signature).....(e)

Rank and appointment.....

(a) Insert the name and address of the prison or service establishment.

(b) Delete as necessary.

(c) Insert the name of the place to which the person is to be removed.

(d) Delete if not applicable.

(e) This form must be signed by the Commanding Officer of the person concerned, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of lieutenant-colonel or corresponding rank.

FORM 5

ORDER FOR THE TRANSFER OF A PERSON UNDERGOING A

SERVICE SENTENCE OF IMPRISONMENT OR DETENTION FROM ONE PRISON OR SERVICE ESTABLISHMENT TO ANOTHER

To the Superintendent, Commandant or other person in charge of.....
.....^(a)

Whereas No.....Rank.....
.. Name.....of the.....
Regiment/Corps/Royal Malaysian Navy/Royal Malaysian Air Force is now in your custody undergoing a Service sentence of imprisonment/detention ^(b);

Now, therefore, I order you to deliver up the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order that the said person shall be transferred in army/ naval/air force custody to.....^(c) and that the Superintendent, Commandant or other person in charge thereof shall receive him into his custody and retain him to undergo his sentence according to law, and for so doing this shall be sufficient warrant;

And I do further order that the said person shall be conveyed in army/ naval/air force custody and detained in army/naval/air force or civil custody so far as appears necessary or proper for effecting his transfer.

Signed at.....this.....day of.....,
19.....

(Signature).....^(d)

Rank and appointment.....

(a) Insert the name and address of the prison or service establishment where the person concerned is undergoing sentence.

(b) Delete as necessary.

(c) Insert the name and address of the prison or service establishment to which the person is to be transferred.

(d) This form must be signed by the Commanding Officer of the person concerned, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of lieutenant-colonel or corresponding rank.

FORM 6

ORDER FOR THE TEMPORARY REMOVAL IN CUSTODY OF A PERSON UNDERGOING A SERVICE SENTENCE OF IMPRISONMENT OR DETENTION

To the Superintendent, Commandant or other person in charge of.....
.....^(a)

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
Air Force who is now in your custody undergoing a Service sentence of imprisonment/detention ^(b) is
required to be present at.....^(c)
on.....^(d) for the purpose of.....^(e);

Now, therefore, I order you to deliver the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order the said officer, warrant officer or non-commissioned officer and all other officers, warrant officers or non-commissioned officers into whose custody the said person may be delivered to keep him in army/naval/air force custody and bring him to.....(c) on....., (d) for the said purpose, and thereafter, unless he is released in due course of law, to return him to the above-named establishment or to such other establishment as may be appointed by proper army/naval/air force authority and for so doing this shall be sufficient warrant.

Signed at.....this.....day of....., 19.....

(Signature).....(f)

Rank and appointment.....

If the establishment to which the person is to be returned is altered.

I order that the above-named person shall be returned in army/naval/ air force custody to.....(g) there to undergo the remainder of his sentence according to law;

And I do further order the Superintendent, Commandant or other person in charge of the said.....(h) to receive the said person into his custody and to retain him accordingly and for so doing this shall be sufficient warrant

Signed at.....this.....day of....., 19.....

(Signature).....(0)

Rank and appointment.....

(a) Insert the name and address of the prison or service establishment where the person concerned is serving his sentence.

(b) Delete as necessary.

(c) Insert the place where the person is required to attend.

(d) Insert the date or dates when attendance is required.

(e) Insert the purpose for which the person concerned is required to attend-- e.g. "to give evidence before a Board of Inquiry into.....," or "to be present at the hearing of a court-martial", or as the case may require.

(f) This form must be signed by the Commanding Officer of the person concerned, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of lieutenant-colonel or corresponding rank. This form must not be used by the Superintendent, Commandant or other person in charge of the establishment where the person concerned is serving his sentence.

(g) Insert the name and address of the prison or service establishment to which the person is to be sent.

(h) Insert the name of the prison or service establishment.

(i) This form must be signed by the Commanding Officer of the person concerned, any officer in or under whose command he is for the time being serving, or by a administrative staff officer not below the rank of lieutenant-colonel or corresponding rank.

FORM 7

ORDER FOR THE TEMPORARY COMMITTAL TO CIVIL CUSTODY OF A PERSON UNDER SERVICE SENTENCE OF IMPRISONMENT OR DETENTION

To.....(a)

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
Air Force is a person in army/naval/air force custody in pursuance of a service sentence of
.imprisonment/detention (b);

Now, therefore, in pursuance of sub-section (2) of section 142 of the Armed Forces Act 1972, I order you
to keep the said person in custody for a period not exceeding seven days unless the said person is
earlier discharged or delivered over in due course of law, and for so doing this shall be sufficient warrant.

Signed at.....this.....day of....., 19.....

(Signature).....(c)

Rank and appointment.....

(a) Insert "the Superintendent.....Prison", "the Officer in Charge of.....Police
Station", or as the case may require.

(b) Delete as necessary.

(c) This form must be signed by the Commanding Officer of the person concerned.

FORM 8

ORDER FOR THE RETURN TO ARMY/NAVAL/ AIR FORCE CUSTODY OF A PERSON UNDER SERVICE SENTENCE OF IMPRISONMENT OR DETENTION WHO IS TEMPORARILY DETAINED IN CIVIL CUSTODY

To.....(a)

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian Air Force is now in your
custody in pursuance of subsection (2) of section 142 of the Armed Forces Act 1972;

Now, therefore, in pursuance of the said Act, I order you to deliver over the said person into
army/naval/air force custody to the officer, warrant officer or non-commissioned officer producing this
Order.

Signed at.....this.....day of....., 19.....

(Signature).....(b)

Rank and appointment.....

(a) Insert "the Superintendent.....Prison", "the Officer in Charge of..... Police Station*", or as the case may require.

(b) This form must be signed by the Commanding Officer of the person concerned.

FORM 9

ORDER FOR THE COMMITMENT OF A PERSON ORDERED TO UNDERGO DETENTION UNDER SECTION 75 OF THE ARMED FORCES ACT 1972 FOR CONTEMPT OF A COURT-MARTIAL

To the Commandant or other person in charge of.....
.....(a)

Whereas a Court-Martial for the trial of.....(b)
of which I am the President, was on this day sitting at....."
.....(c);

And Whereas No.....Rank.....
Name.....of the.....
Regiment/Corps/Royal Malaysian Navy/Royal Malaysian Air Force was guilty
of.....(d);

And Whereas the said Court-Martial did order the said person to undergo detention for a period
of.....days;

Now, therefore, in pursuance of section 75 of the Armed Forces Act 1972, the Court order you to receive
the said person into your custody to undergo detention accordingly and for so doing this shall be your
warrant.

Signed at.....this.....day of.....,19.....

(Signature).....(e)

Rank and appointment.....

(a) Insert the name of the service establishment.

(b) Insert the rank and name of the person being tried.

(c) Insert the place where the Court-Martial was sitting.

(d) Insert the statement of the offence under section 75 of the Armed Forces Act 1972.

(e) This form must be signed by the President of the Court-Martial.

SECOND SCHEDULE

(Rule 17)

FORM A

ORDER FOR THE RELEASE OF A PERSON UNDERGOING A SERVICE SENTENCE OF IMPRISONMENT OR DETENTION

To the Superintendent, Commandant or other person in charge of.....
.....(a)

Whereas No.....Rank.....Name.....
of the.....Regiment/Corps/Royal Malaysian Navy/Royal Malaysian
Air Force is now in your custody undergoing a Service sentence of imprisonment/
detention (b) passed by court-martial/ awarded by his Commanding Officer (b);

Now, therefore, I do order you to release the said person from custody.

Signed at.....this.....day of....., 19.....

(Signature).....(c)

Rank and appointment.....

(a) Insert the name of the person or service establishment.

(b) Delete as necessary.

(c) This form must be signed by the confirming officer/ reviewing authority or by an officer authorised to do so by the Armed Forces Council. In the case of a serviceman, serving a sentence of detention awarded by his Commanding Officer, it must be signed only by the Commanding Officer.

Made this 10th day of May, 1976.

[KP:2759 Jil. 3/(10); P.N.(PU²) 140.]

DATUK HUSSEIN ONN,
Minister of Defence