



Penal Servitude Act 1891

1891 CHAPTER 69 54 and 55 Vict

An Act to amend the Law relating to Penal Servitude and the Prevention of Crime. [5th August 1891]

Modifications etc. (not altering text)

C1 This Act is not necessarily in the form in which it has effect in Northern Ireland

1 Amendment of law as to term of penal servitude and as to sentences of imprisonment.

- (1) Where under any enactment in force when this section comes into operation a court has power to award a sentence of penal servitude, the sentence may, at the discretion of the court, be for any period not less than three years, and not exceeding either five years, or any greater period authorised by the enactment.
- (2) Where under any Act now in force or under any future Act a court is empowered or required to award a sentence of penal servitude, the court may in its discretion, unless such future Act otherwise provides, award imprisonment for any term not exceeding two years . . . ^{F1}
- (3) ^{F2}

Textual Amendments

- F1 Words omitted (E.W.) by virtue of [Criminal Justice Act 1948 \(c. 58\)](#), [s. 1\(2\)](#) and repealed (S.) by [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), [Sch. 12](#)
- F2 [S. 1\(3\)](#) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

2—6. ^{F3}

Changes to legislation: There are currently no known outstanding effects for the Penal Servitude Act 1891. (See end of Document for details)

Textual Amendments

F3 Ss. 2–6 repealed by (E.W.) [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#) and (S.) [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), [Sch. 12](#)

[^{F47} **Amendment of 5 Geo. 4. c. 83. and 34 & 35 Vict. c. 112. s. 15 as to rogues and vagabonds.**

Section four of the Vagrancy Act 1824, as amended by section fifteen of the Prevention of Crimes Act 1871, shall be read and construed as if the provisions applying to suspected persons and reputed thieves frequenting the places and with the intent therein described, applied also to every suspected person or reputed thief loitering about or in any of the said places and with the said intent.]

Textual Amendments

F4 S. 7 repealed (E.W.) by [Criminal Attempts Act 1981 \(c. 47, SIF 39:1\)](#), [Sch. 1 Pt. II](#)

8 ^{F5}

Textual Amendments

F5 S. 8 repealed by [Prison Act 1952 \(c. 52\)](#), [Sch. 4 Pt. I](#) and [Prisons \(Scotland\) Act 1952 \(c. 61\)](#), [Sch. 4](#)

9 ^{F6}

Textual Amendments

F6 S. 9 repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. IX](#)

10 ^{F7}

Textual Amendments

F7 S. 10 repealed by (E.W.) [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#) and (S.) [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), [Sch. 12](#)

11 Short title.

This Act may be cited as the Penal Servitude Act 1891 . . . ^{F8}

Textual Amendments

F8 Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. IX](#)

Changes to legislation:

There are currently no known outstanding effects for the Penal Servitude Act 1891.