

**PRISONS
(AMENDMENT NO. 2)
REGULATIONS 2026**

S.L. 402 of 2026

**Presented to Parliament pursuant to section 84(3) of the
Prisons Act 1933.**

Ordered by Parliament to lie upon the Table:

12 August 2026

*(Vide Notification No. S 516 in the Gazette Subsidiary
Legislation Supplement No. 31 of 31 July 2026).*

PRISONS ACT 1933

PRISONS (AMENDMENT NO. 2) REGULATIONS 2026

In exercise of the powers conferred by section 84 of the Prisons Act 1933, the Minister for Home Affairs makes the following Regulations:

Citation and commencement

1. These Regulations are the Prisons (Amendment No. 2) Regulations 2026 and come into operation on 31 July 2026.

New regulation 62A

2. In the Prisons Regulations (Rg 2), after regulation 62, insert —

**“Maximum period of postponement of date on which
prisoner subject to SPP or SEPP may be released on
licence**

62A. The maximum period of postponement of the date on which a prisoner subject to an SPP or SEPP may be released on a release order is —

- (a) in respect of section 70(1)(f) of the Act — 14 days;
- (b) in respect of section 71(1)(e) of the Act — 30 days;
and
- (c) in respect of section 74(2)(d) of the Act — 90 days.”.

New Part 8A

3. In the Prisons Regulations, after regulation 89, insert —

“PART 8A

RELEASE OF PRISONER SUBJECT TO SPP OR SEPP

Referral to Release on Licence Review Board

89A.—(1) There is to be a Release on Licence Review Board for one or more prisons, or more than one Release on Licence Review Board for one prison, to consider, in respect of a prisoner of the prison or any one of the prisons for which the Release on Licence Review Board is established, any of the matters mentioned in paragraphs (2), (5) and (6).

(2) A Release on Licence Review Board must consider any of the following matters referred to it by the Commissioner under paragraph (3), and must make a recommendation in relation to that matter for the decision of the Minister or a designated office-holder, as the case may be:

- (a) whether the Minister or a designated office-holder (as the case may be) should make a release order under section 50ZG(1) or (3) of the Act in respect of a prisoner who is subject to an SPP;
- (b) whether the Minister should make a release order under section 50ZG(2) or (4) of the Act in respect of a prisoner who is subject to an SEPP;
- (c) whether the Minister should release a prisoner subject to an SEPP unconditionally under section 50ZG(7)(a) of the Act.

(3) The Commissioner must refer the prisoner’s case to a Release on Licence Review Board before —

- (a) the date on which the Minister or a designated officer-holder (as the case may be) is required to consider whether to release a prisoner on licence under section 50ZG(1) or (3) of the Act; or

- (b) the date on which the Minister is required to consider whether to release a prisoner on licence under section 50ZG(2) or (4) of the Act, or to release a prisoner unconditionally under section 50ZG(7)(a) of the Act.

(4) The Release on Licence Review Board must make its recommendation on any matter referred to it by the Commissioner under paragraph (3) before the date mentioned in paragraph (3)(a) or (b), whichever is applicable.

(5) A Release on Licence Review Board must consider any of the following matters, if such a matter is referred to it by the Commissioner, and must make a recommendation in relation to that matter for the decision of the Minister or a designated office-holder, as the case may be:

- (a) whether the Minister or a designated office-holder (as the case may be) should revoke a release order under section 50ZL(1) of the Act in respect of a prisoner subject to an SPP;
- (b) whether the Minister should revoke a release order under section 50ZL(1) of the Act in respect of a prisoner subject to an SEPP.

(6) A Release on Licence Review Board must consider any of the following matters, if such a matter is referred to it by the Commissioner, and must make a recommendation in relation to the matter for the Commissioner's decision:

- (a) whether the Commissioner should vary, cancel or add to any condition, or waive any of the conditions, imposed upon a prisoner subject to a release order, under section 50ZI(4) of the Act;
- (b) any other matter relating to the release of a person on licence under Part 5C of the Act.

(7) In this regulation and regulation 89B, "designated office-holder" means an office-holder designated by the Minister under section 50ZG(9) of the Act.

Factors to be considered by Minister or designated office-holder in deciding whether to release prisoner on licence

89B.—(1) In determining whether to exercise his or her power under section 50ZG(1), (2), (3) or (4) of the Act to make a release order in respect of a prisoner who is subject to an SPP or SEPP, the Minister or designated office-holder (as the case may be) is to consider whether making such an order would be in the interests of the protection of the public.

(2) In considering whether an order mentioned in paragraph (1) would be in the interests of the protection of the public, the Minister or designated office-holder (as the case may be) must consider the following factors:

- (a) the prisoner's conduct in prison, including the prisoner's progress and response to rehabilitation;
- (b) the prisoner's post-release plans;
- (c) the prisoner's risk of recidivism;
- (d) the results of any psychological or psychiatric assessment conducted in respect of the prisoner.

Minister's decision to be recorded and conveyed

89C.—(1) Where the Minister has made a decision on whether or not to exercise his or her power under section 50ZG(2) or (4) of the Act to make a release order in respect of a prisoner who is subject to an SEPP, the Minister is to record the reasons for his or her decision.

(2) The Minister's decision mentioned in paragraph (1) must be conveyed to the prisoner in respect of whom the decision is made by way of a written notice.

(3) Where the Minister's decision mentioned in paragraph (1) is that a release order is not to be made in respect of a prisoner, the written notice mentioned in paragraph (2) must be accompanied by the Minister's reasons for the decision, subject to paragraph (4).

(4) Where the Minister is of the opinion that disclosure of all or any of the reasons mentioned in paragraph (3) would be likely to affect security or good order in prison or the safety of any person (whether in or outside of a prison) or would otherwise not be in the public interest, the Minister may in his or her discretion decide not to disclose the reason or reasons to the prisoner.

Service of notices of variation of conditions of licence, etc.

89D.—(1) For the purpose of sections 50ZI(5)(b), 50ZK(5)(a)(ii) and 50ZL(3)(a)(ii) of the Act, a notice mentioned in section 50ZI(4), 50ZK(4) or 50ZL(2) of the Act (as the case may be) may be served on a prisoner —

- (a) by addressing it to the prisoner and delivering it at his or her last known residential address to an adult person who is a member of his or her family;
- (b) by sending it by prepaid registered post addressed to the prisoner at his or her last known residential address;
- (c) by addressing it to the prisoner and transmitting it by fax to his or her last known fax number;
- (d) by addressing it to the prisoner, and transmitting it to an email address or a digital mobile telephone number specified by that prisoner in accordance with paragraph (2); or
- (e) by leaving it at the prisoner's last known residential address if service cannot be effected under sub-paragraph (a), (b), (c) or (d).

(2) The notice may be served in a manner specified in paragraph (1)(d) only if both of the following conditions are satisfied:

- (a) the prisoner to whom the notice is to be served gives his or her prior written consent for the notice to be served in that manner;

- (b) that prisoner specifies, in that written consent, the email address or digital mobile telephone number to which the notice is to be sent.

Prisoner to bear costs of prescribed expenses incurred when released on licence

89E. A prisoner in respect of whom a release order is made under section 50ZG(1), (2), (3) or (4) of the Act is to bear the costs of the following expenses that he or she incurs when released on such order:

- (a) the costs of the prisoner's meals incurred outside the limits of any prison for the duration of the release order;
- (b) the costs of the prisoner's medical expenses incurred outside the limits of any prison for the duration of the release order;
- (c) the costs of any counselling, therapy, test, assessment or other activity for the purpose of facilitating the prisoner's rehabilitation and reintegration into society (each called in this regulation the specified activity) that the prisoner is required to attend as specified in the release order;
- (d) the costs of the prisoner's transport between any of the following places:
 - (i) the prison from which the prisoner is released on licence;
 - (ii) the place (as specified in the release order) where the prisoner is required to attend the specified activity;
 - (iii) the prisoner's place of residence;
 - (iv) any other place specified in the prisoner's release order;

- (e) any other costs of the prisoner's daily living expenses incurred outside the limits of any prison for the duration of the release order.”.

*[G.N. Nos. S 408/2003; S 7/2004; S 609/2004; S 455/2008;
S 447/2014; S 533/2018; S 1065/2020; S 35/2022;
S 720/2022; S 198/2025; S 332/2025; S 369/2026]*

Made on 21 July 2026.

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[112/2/044; AG/LEGIS/SL/247/2020/1]

(To be presented to Parliament under section 84(3) of the Prisons Act 1933).

