

CRIMINAL RECORDS ACT 1991—REGULATION

(Criminal Records Regulation 1994)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Criminal Records Act 1991, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Attorney General.

Citation

1 This Regulation may be cited as the Criminal Records Regulation 1994.

Commencement

2 This Regulation commences on 4 March 1994.

Exclusion of applicants for employment in Office of DPP from the consequences of conviction being spent

3. (1) Section 12 of the Criminal Records Act 1991 does not apply in relation to an application by a person for appointment or employment as an Officer within the meaning of the Director of Public Prosecutions Act 1986.

(2) This clause does not apply to any such application made before the commencement of this Regulation.

NOTES**TABLE OF PROVISIONS**

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EXPLANATORY NOTE

The object of this Regulation is to exclude persons who apply for appointment or employment in the Office of the Director of Public Prosecutions from the provisions of section 12 of the Criminal Records Act 1991. That section sets out the consequences of a conviction becoming spent (for example, the person whose conviction is spent is not required to disclose to any other person information concerning the spent conviction). Under the Act, a conviction becomes spent on the completion of the relevant “crime-free period” (generally not less than 10 consecutive years after the date of the person’s conviction).

The Act currently provides that section 12 does not apply to applications for appointment or employment as, for example, a judge, police officer, prison officer or teacher.

This Regulation is made under section 25 (the general regulation making power) of the Criminal Records Act 1991 and section 25 (3) in particular.
