



New South Wales

Criminal Records Amendment (Spent Convictions) Regulation 2001

under the

Criminal Records Act 1991

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Records Act 1991*.

BOB DEBUS, M.P.,

Attorney General

Explanatory note

Section 84 of the *Casino Control Act 1992* was amended by the *Casino Control Amendment Act 2000* to provide that a person the subject of an exclusion order given on the voluntary application of the person under section 79 (3) of that Act (a *self-excluded person*) who breaches the order is no longer subject to a criminal penalty. Section 8 (5) of the *Criminal Records Act 1991* provides that a conviction in respect of an offence which has ceased by operation of law to be an offence is spent immediately it ceased to be an offence if it is prescribed as an offence to which that subsection applies.

The object of this Regulation is to prescribe the former offence of a self-excluded person entering or remaining in a casino to which the exclusion order relates as an offence to which section 8 (5) of the *Criminal Records Act 1991* applies.

This Regulation is made under the *Criminal Records Act 1991*, including sections 8 (5) and 25 (the general regulation-making power).

2001 No 117

Clause 1 Criminal Records Amendment (Spent Convictions) Regulation 2001

Criminal Records Amendment (Spent Convictions) Regulation 2001

1 Name of Regulation

This Regulation is the *Criminal Records Amendment (Spent Convictions) Regulation 2001*.

2 Notes

The explanatory note does not form part of this Regulation.

3 Amendment of Criminal Records Regulation 1999

The *Criminal Records Regulation 1999* is amended by inserting the following clause after clause 3:

3A Spent convictions

- (1) The former offence of a self-excluded person entering or remaining in a casino to which an exclusion order in respect of the person relates is prescribed as an offence to which section 8 (5) of the Act applies.
- (2) In this clause, *self-excluded person* has the same meaning as it has in section 84 of the *Casino Control Act 1992*.

BY AUTHORITY
