



New South Wales

Criminal Records Amendment (Sexual Offences) Regulation 2010

under the

Criminal Records Act 1991

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

JOHN HATZISTERGOS, MLC
Attorney General

Explanatory note

The object of this Regulation is to amend the *Criminal Records Regulation 2004* to prescribe offences under sections 66EB and 91J–91M of the *Crimes Act 1900* as sexual offences for the purposes of section 7 of the *Criminal Records Act 1991*. The effect of the amendments is that convictions for such offences are not capable of becoming spent convictions and therefore will continue to form part of an offender's criminal history.

This Regulation is made under the *Criminal Records Act 1991*, including the definition of *sexual offence* in section 7 and section 25 (the general regulation-making power).

2010 No 271

Clause 1 Criminal Records Amendment (Sexual Offences) Regulation 2010

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Criminal Records Act 1991

1 Name of Regulation

This Regulation is the *Criminal Records Amendment (Sexual Offences) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Criminal Records Regulation 2004

(1) **Clause 17 Offences prescribed as sexual offences for the purposes of section 7**

Insert “66EB,” after “66EA,” in clause 17 (1) (a).

(2) **Clause 17 (1) (a)**

Insert “91J, 91K, 91L, 91M,” after “91H”.