
JUSTICE

JU301*

Spent Convictions Act 1988

**Spent Convictions (Act Amendment)
Regulations 2004**

Made by the Governor in Executive Council.

1. Citation

These are the *Spent Convictions (Act Amendment) Regulations 2004*.

2. *Spent Convictions Act 1988* Schedule 3 amended

The amendments in these regulations are to the *Spent Convictions Act 1988** Schedule 3.

[* Reprinted as at 1 September 2000.

For amendments to 2 November 2004 see *Western Australian Legislation Information Tables for 2003, Table 1, p. 358 and Acts Nos. 78 of 2003 and 34 of 2004.*]

3. Clause 1 amended

(1) Clause 1 is amended as follows:

- (a) by inserting before “The” the subclause designation “(1)”;
- (b) by deleting “clause” and inserting instead —
“ subclause ”.

(2) At the end of the table to clause 1 the following subclause is inserted —

“

- (2) In the case of a person referred to in item 2 to 9, 10B or 12 of the table to subclause (1), the exception in that subclause extends to any other person who —
 - (a) is considering the person for appointment, employment, secondment or engagement or has appointed, employed, seconded or engaged the person; or

- (b) is considering issuing, granting or giving a licence, permit or authorisation to the person or has issued, granted or given a licence, permit or authorisation to the person,

whichever is relevant for the purposes of the item.

”.

4. Clause 2 amended

After clause 2(3) the following subclause is inserted —

“

- (4) In the case of a person referred to in an item of the table to subclause (1), the exception in that subclause extends to any other person who —
 - (a) is considering the person for appointment or employment or has employed the person;
 - (b) is considering issuing or granting a licence or permit to the person;
 - (c) is considering the person for participation in a scheme; or
 - (d) is assessing the suitability of the person,

whichever is relevant for the purposes of the item.

”.

5. Clause 3 amended

After clause 3(2) the following subclause is inserted —

“

- (3) The exception in subclause (1) extends to any person who is considering another person for employment as referred to in that subclause.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
