
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.

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By Command of the Governor,

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