

WESTERN AUSTRALIA

ACTS AMENDMENT (SPENT CONVICTIONS) ACT

No. 56 of 1988

AN ACT to amend the *Child Welfare Act 1947*, the *Juries Act 1957* and the *Offenders Probation and Parole Act 1963*.

[Assented to 8 December 1988]

The Parliament of Western Australia enacts as follows:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Acts Amendment (Spent Convictions) Act 1988*.

Commencement

2. This Act shall come into operation on the day on which the *Spent Convictions Act 1988* comes into operation.

PART 2—CHILD WELFARE ACT 1947

Section 40 amended

3. Section 40 of the *Child Welfare Act 1947** is amended—

- (a) in subsection (2) by deleting “including the purposes of any enactment imposing or authorizing or requiring the imposition of any disqualification or disability on a convicted person”; and
- (b) by inserting after subsection (2) the following subsection—

“ (2a) Part 3 of the *Spent Convictions Act 1988* has effect in relation to a conviction referred to in subsection (2) as if the conviction were a spent conviction under that Act. ”.

[*Reprinted as approved 30 August 1984 and amended by Acts Nos. 52, 61 and 121 of 1984, 74 and 98 of 1985, 89 of 1986 and 127 of 1987.]

PART 3—JURIES ACT 1957

Section 5 amended

4. Section 5 of the *Juries Act 1957** is amended in paragraph (b) by inserting after “free pardon” the following—

“ or, where sub-subparagraph (IV) applies, the conviction in respect of which the sentence of imprisonment was imposed is a spent conviction within the meaning in section 3 of the *Spent Convictions Act 1988* ”.

[*Reprinted as at 2 December 1987 and amended by Act No. 13 of 1988.]

PART 4—OFFENDERS PROBATION AND PAROLE ACT 1963

Section 20 amended

5. Section 20 of the *Offenders Probation and Parole Act 1963** is amended—

- (a) in subsection (1) by deleting “including without limiting the generality of the foregoing, the purposes of any enactment imposing or authorizing or requiring the imposition of any disqualification or disability on convicted persons,”; and

(b) by inserting after subsection (1) the following subsection—

“ (1a) Part 3 of the *Spent Convictions Act 1988* has effect in relation to a conviction to which subsection (1) applies as if the conviction were a spent conviction under that Act. ”.

[*Reprinted as approved 11 June 1984 and amended by Acts Nos. 52 of 1984, 24 and 118 of 1985 and 47, 113 and 129 of 1987.]
