

South Australia

# Spent Convictions Regulations 2011

under the *Spent Convictions Act 2009*

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## Legislative history

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### 1—Short title

These regulations may be cited as the *Spent Convictions Regulations 2011*.

### 3—Interpretation

In these regulations—

*Act* means the *Spent Convictions Act 2009*.

### 4—Declaration of corresponding laws (section 3 of Act)

For the purposes of the definition of *corresponding law* in section 3(1) of the Act, the following laws are declared to be corresponding laws:

*Annulled Convictions Act 2003* of Tasmania

*Crimes Act 1914* of the Commonwealth

*Criminal Law (Rehabilitation of Offenders) Act 1986* of Queensland

*Criminal Records Act 1991* of New South Wales

*Criminal Records (Spent Convictions) Act* of the Northern Territory

*Spent Convictions Act 1988* of Western Australia

*Spent Convictions Act 2000* of the Australian Capital Territory.

### 4A—Definition of justice agency (section 3 of Act)

In accordance with paragraph (p) of the definition of *justice agency* in section 3(1) of the Act, the Registrar of Firearms is brought within the ambit of that definition.

## **5—Definition of sex offence (section 3 of Act)**

For the purposes of the definition of *sex offence* in section 3(1) of the Act, the following are prescribed as sex offences:

- (a) an offence against—
  - (i) Part 3 Division 11 (rape and other sexual offences); or
  - (ii) Part 3 Division 11A (child pornography and related offences); or
  - (iii) Part 3 Division 12 (commercial sexual offences and related offences); or
  - (iv) Part 3 Division 13 (miscellaneous sexual offences),  
of the *Criminal Law Consolidation Act 1935*;
- (b) an offence against section 23(2) (gross indecency) of the *Summary Offences Act 1953*;
- (c) an offence that is substantially similar to an offence referred to in paragraph (a) or (b), being an offence against a corresponding previous enactment;
- (d) an offence constituted of aiding, abetting, counselling or procuring an offence referred to in a preceding paragraph.

## **6—Prescribed exclusions (Schedule 1 clause 14 of Act)**

Sections 10, 11 and 12 of the Act do not apply in relation to a person employed, or seeking employment, as a protective security officer under the *Protective Security Act 2007*.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2011	14	<i>Gazette 10.2.2011 p463</i>	13.2.2011: r 2
<b>2011</b>	<b>30</b>	<b><i>Gazette 29.4.2011 p1290</i></b>	<b>29.4.2011: r 2</b>

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>29.4.2011</i>
r 4A	inserted by 30/2011 r 4	29.4.2011