

South Australia

Spent Convictions Regulations 2011

under the *Spent Convictions Act 2009*

Contents

- 1 Short title
- 3 Interpretation
- 4 Declaration of corresponding laws (section 3 of Act)
- 4A Definition of justice agency (section 3 of Act)
- 5 Definition of sex offence (section 3 of Act)
- 6 Prescribed exclusions (Schedule 1 clause 14 of Act)

Legislative history

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

- Variations of this version that are uncommenced are not incorporated into the text.
- 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.

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
2011	30	<i>Gazette 29.4.2011 p1290</i>	29.4.2011: r 2
2013	32	<i>Gazette 2.5.2013 p1395</i>	5.5.2013: r 2

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