
STATUTORY INSTRUMENTS

2001 No. 1192

**The Rehabilitation of Offenders Act 1974
(Exceptions) (Amendment) Order 2001**

Amendment of article 3

4.—(1) For article 3(a)(ii) there shall be substituted:

“(ii) of the person to whom the question relates for any office or employment specified in Part II of the said Schedule 1 or for any other work specified in paragraph 13 of Part II of the said Schedule 1; or”.

(2) For article 3(aa) there shall be substituted:

“(aa) any question asked by or on behalf of any person, in the course of the duties of his work, in order to assess the suitability of a person to work with children, where—

- (i) the question relates to the person whose suitability is being assessed;
- (ii) the person whose suitability is being assessed lives on the premises where his work with children would normally take place and the question relates to a person living in the same household as him;
- (iii) the person whose suitability is being assessed lives on the premises where his work with children would normally take place and the question relates to a person who regularly works on those premises at a time when the work with children usually takes place; or
- (iv) the work for which the person’s suitability is being assessed is child minding which would normally take place on premises other than premises where that person lives and the question relates to a person who lives on those other premises or to a person who regularly works on them at a time when the child minding takes place,

and where the person to whom the question relates is informed at the time the question is asked that, by virtue of this Order, spent convictions are to be disclosed;”.

(3) After article 3(d) there shall be inserted:

“(e) any question asked by or on behalf of any person in the course of his duties as a person employed by an adoption agency for the purpose of assessing the suitability of any person to adopt children in general or a child in particular where—

- (i) the question relates to the person whose suitability is being assessed; or
- (ii) the question relates to a person over the age of 18 living in the same household as the person whose suitability is being assessed,

and where the person to whom the question relates is informed at the time the question is asked that, by virtue of this Order, spent convictions are to be disclosed;

(f) any question asked by or on behalf of any person, in the course of the duties of his work, in order to assess the suitability of a person to provide day care where—

- (i) the question relates to the person whose suitability is being assessed; or
- (ii) the question relates to a person who lives on the premises which are or are proposed to be day care premises,

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and where the person to whom the question relates is informed at the time the question is asked that, by virtue of this Order, spent convictions are to be disclosed.”.