
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (“the 1975 Order”).

Article 3 amends article 3 of the 1975 Order, which provides exceptions to section 4(2) of the Rehabilitation of Offenders Act 1974 (“the Act”) (questions that relate to spent convictions). It adds certain classes of air traffic workers and National Lottery Commission personnel to that exception.

Article 5 amends Schedule 1 of the 1975 Order by adding to the list of professions, offices, employments, work and occupations in relation to which exceptions from the rehabilitative provisions of the Act apply.

Added to the list in Part I of Schedule 1 are the professions of chartered psychologist, actuary, registered foreign lawyer, legal executive, and receiver appointed by the Court of Protection.

Added to the list of excepted offices, employments and work in Part II of Schedule 1 are the Crown Prosecution Service, work for the Royal Society for the Prevention of Cruelty to Animals that involves the killing of animals, the Serious Fraud Office, the National Crime Squad, the National Criminal Intelligence Service and Her Majesty’s Customs and Excise. In addition, article 5 excepts work that is concerned with the provision of care services to vulnerable adults and that is of such a kind as to enable the holder to have access to vulnerable adults in the course of his normal duties. It also excepts work that is concerned with the monitoring of internet communications for the purposes of child protection.

Taxi drivers are added to the excepted occupations contained in Part III of Schedule 1.

Article 6 amends Schedule 3 of the Order (excepted proceedings) by adding certain proceedings concerning the licencing of taxi drivers and certain proceedings relating to National Lottery licences.

This Order extends to England and Wales only.