



ST. CHRISTOPHER AND NEVIS

CHAPTER 3.25

CRIMINAL RECORDS (REHABILITATION OF OFFENDERS) ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2020

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CHAPTER 3.25
CRIMINAL RECORDS (REHABILITATION OF OFFENDERS) ACT

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CHAPTER 3.25

CRIMINAL RECORDS (REHABILITATION OF OFFENDERS) ACT

AN ACT TO PROVIDE FOR CERTAIN CRIMINAL CONVICTIONS OF OFFENDERS TO BECOME SPENT, TO BE EXPUNGED FROM THE RECORDS IF THE PERSON BECOMES A REHABILITATED PERSON WITHIN THE MEANING OF THIS ACT; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Criminal Records (Rehabilitation of Offenders) Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“Committee” means the Criminal Records (Rehabilitation of Offenders) Committee established pursuant to the provisions of section 11 of this Act;

“conviction” includes any finding in any criminal proceedings that an offence was committed by a person in Saint Christopher and Nevis;

“court” includes a tribunal;

“Minister” means the Minister responsible for Legal Affairs;

“Police Force” means the Royal Police Force of Saint Christopher and Nevis;

“public authority” means a public or local authority constituted by or under any Act, a government department or a statutory body representing the Crown, and includes a person exercising functions on behalf of the authority, department or body;

“records” mean the records kept and maintained by the Criminal Records Office of the Police Force in relation to the criminal convictions of offenders;

“Register” means a Register containing the record of all spent convictions referred to in section 23;

“rehabilitation period” has the meaning assigned to it by section 5;

“sentence” includes any order made by a court dealing with a person in respect of his or her conviction of any offence, other than an order for committal or any other order made in default of payment of any fine or other sum adjudged to be paid by or imposed on a conviction or for want of sufficient distress to satisfy any such fine or other sum;

“spent conviction” has the meaning assigned to it by section 4.

Purposes of the Act.

3. (1) The purposes of this Act are to provide for certain criminal offences to be spent and be expunged from the police criminal records if the person becomes a rehabilitated person within the meaning of this Act.

(2) When a person becomes a rehabilitated person as provided by this Act, then the conviction shall be regarded as spent and, subject to some exceptions, shall not form part of the person’s criminal history.

PART II

SPENT CONVICTIONS

Spent convictions.

4. (1) Subject to the provisions of this Act, where a person is convicted of a criminal offence, whether before or after the coming into force of this Act, and that person has not, since his or her conviction, been convicted of any other offence during the relevant rehabilitation period, that person shall be treated as a rehabilitated person in respect of the offence of which he or she was convicted, and the offence shall be treated as spent.

(Amended by Act 7 of 2020)

(2) Notwithstanding the provisions of subsection (1), a person referred to in that subsection shall not be treated as a rehabilitated person unless that—

- (a) was the first conviction of that person; and
- (b) person has served or otherwise undergone or complied with any sentence imposed on him or her in respect of that conviction.

(3) If a person was convicted of an offence before the coming into force of this Act, the provisions of this Act shall be deemed to have been in force at the time of his or her conviction and continued in force.

(4) Notwithstanding the provisions of subsection (1), where a person was under the age of eighteen years at the time of conviction of—

- (a) a summary offence, and has not been convicted of any other offence between the time of his or her eighteenth and twenty-first year; or
- (b) an indictable offence and has not been convicted of any other offence between the time of his or her eighteenth and twenty-third year,

then, for the purposes of this Act, that person shall be treated as a rehabilitated person, and the conviction or convictions shall in either case be treated as spent.

(5) Notwithstanding the provisions of subsection (1), where a person has been convicted of one or more offences for which—

- (a) the combined sentences imposed was imprisonment for a sum total term not exceeding three years; or

(Substituted by Act 7 of 2020)

- (b) no custodial sentence was imposed, and has not since the last conviction been convicted of any other offence during the relevant rehabilitation period referred to in section 5,

that person shall be treated as a rehabilitated person in respect of those offences, and the convictions shall be treated as spent.

(6) Notwithstanding the provisions of the Probation of Offenders Act, Cap. 4.27, a conviction in respect of which an order is made placing a convicted person on probation or discharging him or her absolutely or conditionally shall, for purposes of this Act, be treated as a conviction, and the person may become a rehabilitated person in respect of the conviction within the meaning of this Act.

(7) Notwithstanding subsection (1), this Act shall not apply to a person convicted of an offence set out in the Fifth Schedule and the Minister may amend that Schedule by an Order subject to negative resolution of the National Assembly.

(8) The offence shall be treated as spent and the criminal record shall, with immediate effect, be expunged for a person—

- (a) who is convicted under section 8 of the Drugs (Prevention & Abatement of the Misuse and Abuse of Drugs) Act, Cap. 9:08; or
- (b) who is convicted of an offence or offences involving 56 grams of cannabis or 15 grams of cannabis resin or less.

(Inserted by Act 7 of 2020)

Rehabilitation periods.

5. (1) For the purposes of this Act, the rehabilitation period applicable to a sentence specified in column 1 of the First Schedule to this Act is the period specified in column 2 of that Schedule in relation to that sentence.

(2) Subject to the provisions of subsection (3), a rehabilitation period referred to in subsection (1) shall commence, in the case of—

- (a) a custodial sentence, from the date of release of the person from custody; and
- (b) a non-custodial sentence, from the date of the conviction.

(3) Notwithstanding the provisions of subsection (2), where an order was made, in respect of a conviction, imposing on the convicted person any disqualification, disability, prohibition, or other penalty, the rehabilitation period applicable to such sentence shall be a period beginning on the date on which the disqualification, disability, prohibition, or other penalty, as the case may be, ceases or ceased to have effect.

(4) Where more than one sentence is imposed in respect of a conviction in separate proceedings, and the convicted person is not excluded from rehabilitation under the provisions of this Act, then, if the periods applicable to those sentences in accordance with the provisions of the First Schedule differ, the rehabilitation period to the conviction shall be the longer or the longest, as the case may be, of those periods.

(5) The Minister may, by Order, amend the First Schedule, except that such an Order shall be subject to affirmative resolution of the National Assembly.

Effect of Rehabilitation.

6. (1) Subject to the provisions of this Act, a person who is a rehabilitated person within the meaning of this Act shall be treated, for all purposes in law, as a person who has not committed, been charged with, prosecuted for, convicted of or been sentenced for an offence which was the subject of a conviction.

(2) Notwithstanding the provisions of any other enactment to the contrary—

- (a) no evidence shall be admissible in any proceedings before a judicial authority to prove that any such person has committed, been charged with, prosecuted for, convicted of or sentenced for any offence which was the subject of a spent conviction; and
- (b) a person shall not, in any such proceedings, be asked, and, if asked, shall not be required to answer, any questions relating to his or her past which cannot be answered without acknowledging or referring to a spent conviction or spent convictions or any circumstances ancillary thereto.

(3) Subject to the provisions of this Act, where a question seeking information with respect to a person's previous convictions, offences, conduct or circumstances is put to him or her or to any other person otherwise than in proceedings before a court—

- (a) the question shall be treated as not relating to spent convictions or to any circumstances ancillary to spent convictions, and the answer to that question may be framed accordingly; and
- (b) the person questioned shall not be subjected to any liability or otherwise prejudiced in law by reason of any failure to acknowledge or disclose a spent conviction in his or her answer to the question.

(4) Subject to the provisions of this Act—

- (a) any obligation imposed on any person by any rule of law or by the provisions of any agreement or arrangement to disclose any matter to any other person shall not extend to requiring him or her to disclose a spent conviction whether or not the conviction is his or her own; and
- (b) a conviction which has become spent, or any failure to disclose a spent conviction, shall not be a proper ground for dismissing or excluding a person from any office, profession, occupation or employment, or for prejudicing him or her in any way in any occupation or employment.

(5) The Minister may, by Order, make such provisions as seem to him or her appropriate for excluding or modifying the application of any of the provisions of this section as may be specified in the Order, except that such Order shall be subject to affirmative resolution of the National Assembly.

(6) For the purposes of this section, any of the following are circumstances ancillary to a conviction—

- (a) any offence which was the subject of that conviction;
- (b) any conduct constituting the offence;
- (c) any process or proceedings preliminary to that conviction;
- (d) any sentence imposed in respect of that conviction and anything done in pursuance of or undergone in compliance with any such sentence; and
- (e) any proceedings, whether by way of appeal or otherwise for reviewing that conviction.

Limitation on rehabilitation under the Act.

7. (1) Nothing in section 6(1) shall affect any of the following, that is to say—

- (a) the enforcement by any process or proceedings of any fine or other sum adjudged to be paid by or imposed on a spent conviction;
- (b) the issue of any process for the purpose of proceedings in respect of any breach of a condition or requirement applicable to a sentence imposed in respect of a spent conviction;
- (c) the operation of any enactment by virtue of which, in consequence of any conviction, a person is subject otherwise than by way of sentence, to any disqualification, disability, prohibition or other penalty the period of which extends beyond the rehabilitation period applicable in accordance with the provisions of section 5 to the conviction;

- (d) any civil or criminal proceedings where justice cannot be done without admitting or requiring evidence relating to a person's spent convictions; and
- (e) the disclosure of previous convictions where the person is informed by a person duly authorized to do so that spent convictions are to be disclosed for the purpose of safeguarding national security.

(2) Nothing in section 6 shall affect the determination of any issue, or prevent the admission or requirement of any evidence, relating to a person's previous convictions or to circumstances ancillary thereto in any—

- (a) criminal proceedings before a court including any appeal or reference in a criminal matter;
- (b) service disciplinary proceedings or in any proceedings on appeal from any service disciplinary proceedings;
- (c) proceedings or enquiries relating to adoption or to the guardianship, wardship, marriage, custody, care and control of, access to, any minor, or to the provision by any person of accommodation, care or schooling for minors;
- (d) proceedings in which he or she is a party or witness, if, on the occasion when the issue or the admission or requirement of the evidence falls to be determined, he or she consents to the determination of the issue or, as the case may be, the admission or requirement of the evidence notwithstanding the provisions of section 7.

Disclosure of spent convictions.

8. (1) A person who is duly authorised by a professional body, office or employment or business listed in the Second, Third and Fourth Schedules to this Act, respectively, to make inquiries about a potential employee, may apply to the Minister for the disclosure of a spent conviction of the potential employee.

(2) The Minister may, upon receiving an application made pursuant to the provisions of subsection (1), grant or refuse such disclosure, after considering all relevant factors regarding the person who is a potential employee and the nature of the position of employment.

(3) The Minister may, by Order, amend any of the Schedules referred to in subsection (1), except that such an Order shall be subject to negative resolution of the National Assembly.

(4) For the purposes of this section, a "potential employee" is a person who is being considered for a position of employment by a professional body, office of employment or business as listed in the Schedules referred to in subsection (1).

Defamation actions.

9. (1) This section applies to any action for defamation begun after the date of the coming into force of this Act by a rehabilitated person and founded upon the publication of any matter imputing that the rehabilitated person has committed or has been charged with or prosecuted for or convicted of or sentenced for an offence which was the subject of a spent conviction.

(2) A defendant shall not be entitled to rely on any defence of justification or fair comment or of absolute or qualified privilege if it is proved that the publication was made with malice.

(3) This section shall not apply to any action where the publication complained of took place before the conviction in question became spent.

PART III

ESTABLISHMENT OF COMMITTEE AND EXPUNGEMENT OF SPENT CONVICTIONS

Application for expungement of spent convictions.

10. A person who does not qualify to have his or her conviction deemed as spent pursuant to the provisions of section 4 and expunged under the provisions of this Act, may apply to the Attorney-General to have his or her application considered by the Committee, for such expungement.

Establishment of Criminal Records (Rehabilitation of Offenders) Committee and Functions.

11. (1) For the purposes specified in this Part there is established a Committee to be called the Criminal Records (Rehabilitation of Offenders) Committee.

(2) Subject to the provisions of this Act, the functions of the Committee are to—

- (a) receive applications from the Attorney-General pursuant to the provisions of section 10;
- (b) consider applications for the expungement from the records of spent convictions;
- (c) grant or reject such applications; and
- (d) consider any representation made to it by or on behalf of a person who has applied to the Committee for the expungement from the records of a spent conviction.

Composition and procedure of the Committee.

12. (1) The Committee shall consist of the following—

- (a) an attorney-at-law with at least ten years of experience who has held judicial office as a Judge or Magistrate;
- (b) the Commissioner of Police or his or her nominee who may act in his or her absence;
- (c) the Labour Commissioner or his or her nominee who may act in his or her absence;
- (d) the Chief Probation Officer or his or her nominee who may act in his or her absence;
- (e) the Attorney-General or his or her nominee who may act in his or her absence.

(2) The Committee shall elect its own Chairperson, and regulate its own procedures subject to the provisions of this Act.

(3) The Committee shall be convened by the Attorney-General for meetings when deemed necessary.

(4) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Committee in respect of any action done in good faith in pursuance or execution or intended execution of the functions of the Committee.

Spent convictions to be expunged from criminal records.

13. (1) Subject to the provisions of this Part, a spent conviction of a rehabilitated person referred to in section 4 of this Act shall be expunged from the records.

(2) Before a spent conviction may be expunged from the records pursuant to the provisions of section 10, a rehabilitated person shall be required, upon the expiration of the relevant rehabilitation period, to make application to the Committee for the expungement from the records of the conviction.

(3) Every application made under subsection (2) shall be in writing and shall state the following—

- (a) the full name and age of the applicant;
- (b) the offence of which the applicant was convicted and the sentence imposed by the court in respect of that conviction;
- (c) the date and place of the conviction;
- (d) the court before which the applicant was convicted;
- (e) the date on which, where applicable, the applicant completed the serving of his or her sentence, and shall include the date on which any period of disqualification, disability or prohibition ceased and the extent to which any condition attaching to such sentence has been complied with;
- (f) the date from which the conviction was treated as a spent conviction and the date from which, by virtue of the expiry of the additional rehabilitation period, he or she became eligible to make the aforesaid application;
- (g) any other written representation on which the applicant relies in support of his or her application; and
- (h) any other relevant information as may be prescribed under the provisions of this Act.

Committee to make enquiries.

14. The Committee shall, in such manner as may be prescribed by regulations made under this Act—

- (a) cause proper investigations to be made to ascertain the facts stated in every application made pursuant to the provisions of section 10; and
- (b) cause proper investigations to be made to ascertain the behaviour of the applicant since the date of his or her conviction.

Directions for expunging spent convictions by the Committee.

15. Where the Committee, upon completion of its investigations, is satisfied, having regard to the—

- (a) facts and representations on which the applicant relies in support of his or her application;
- (b) behaviour of the applicant since his or her conviction; and
- (c) results of any enquiries made by the Committee into any matter relating to the application,

that the applicant has been rehabilitated, then, if the Committee is also satisfied that no interest of justice or of national security would be prejudiced by expunging the spent conviction in respect of which the application was made from the records, the Committee shall issue a direction that the spent conviction be expunged.

Effect of direction of the Committee.

16. A direction issued pursuant to the provisions of section 15, in respect of a spent conviction, shall be in writing addressed to any person having custody or control of the records and on such direction being delivered to that person he or she shall forthwith expunge the spent conviction from the records.

Legal status of person whose conviction has been expunged from the records.

17. A rehabilitated person shall, in relation to any expunged conviction, for all purposes in law, be deemed to be a person who has never been charged with, prosecuted for, convicted of or sentenced for, the offence to which that conviction relates.

Committee to inform applicant in writing.

18. (1) The Committee shall, in writing, inform every person making an application pursuant to the provisions of section 10 or section 19, as the case may be, of the outcome of the application.

(2) Pursuant to subsection (1), where an application is rejected the reason for the rejection shall be given in writing.

Applicant may reapply where application is rejected.

19. A person whose application for the expungement of a spent conviction has been rejected may reapply to the Committee after the expiration of two years from the date of such rejection or such lesser period as may be determined by the Committee.

PART IV

MISCELLANEOUS PROVISIONS

Act not to affect Governor-General's rights.

20. Nothing contained in this Act shall be construed as affecting any right vested in the Governor-General by virtue of section 66 of the Constitution of Saint Christopher and Nevis, Cap. 1.01 or by prerogative or otherwise.

Unauthorised disclosure.

21. (1) Subject to the provisions of this Act, any person who, in the course of his or her duties, has or had at any time custody of or access to any official record or the information contained in that record commits an offence if he or she—

- (a) knows or has reasonable cause to suspect that any information he or she obtained in the course of his or her duties, is specified information; and
- (b) discloses the information, otherwise than in the course of those duties, to another person.

(2) In any proceeding for an offence under subsection (1) it shall be a defence for the defendant to show that the disclosure was made to—

- (a) a rehabilitated person to whom the information relates or to another person at the express request of the rehabilitated person;
- (b) a person whom he or she reasonably believed to be the rehabilitated person or to another person at the express request of a person whom he or she reasonably believed to be the rehabilitated person.

(3) No proceedings for an offence brought pursuant to the provisions of subsection (1) shall be instituted except by or with the consent of the Director of Public Prosecutions.

(4) Nothing in subsection (3) shall prevent the arrest, the issue of a warrant for the arrest of any person in respect of an offence against subsection (1) or the remand in custody or bail of any person charged with such offence.

(5) A person who—

- (a) obtains any specified information from any official record by fraud, dishonesty, bribery or by any other unlawful means; or
- (b) falsifies any specified information on any official record,

commits an offence and shall be liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding one year or to both.

(6) For the purposes of this section—

“official record” means any record kept for the purposes of its functions by a Court, the Police Force, department of Government, local or public authority or any record kept for the purposes of the Defence Force, being in either case a record containing information about persons convicted of offences; and

“specified information” means information to the effect that a named or otherwise identifiable rehabilitated living person committed or has been charged with, prosecuted for, convicted of or sentenced for, an offence which is the subject of a spent or expunged conviction.

Exclusion from employment.

22. (1) Subject to the provisions of this Act, a person commits an offence where he or she—

- (a) dismisses or excludes another person from any office, profession, occupation or employment because of a spent or expunged conviction which he or she knows or has reasonable cause to suspect is a spent or

expunged conviction and which is not required to be disclosed under any law; or

- (b) with malice, discloses any spent or expunged conviction or the existence of a record or fact of the conviction.

(2) Any person who offers a bribe to a member of the Police Force or to another person having custody or control of the criminal records to falsify a criminal record so as to show a conviction as a spent or expunged conviction commits an offence.

(3) Any insurance company registered in Saint Christopher and Nevis which knowingly attempts to avoid a policy of insurance made by a person with the company because of non-disclosure of a spent or expunged conviction of that person commits an offence.

(4) A person who commits an offence under this section shall be liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding one year or to both.

Register and custody of records.

23. The Criminal Records Office shall be responsible for maintaining a Register containing a record of all spent convictions, keeping such convictions separate and apart from other criminal records and ensuring that there is a clear indication on the criminal record of any person, that a conviction has become a spent conviction for the purposes of this Act.

Regulations.

24. The Minister may generally make Regulations to give effect to the provisions of this Act, and without prejudice to the generality of the foregoing the Minister may make Regulations prescribing anything required by this Act to be prescribed.

FIRST SCHEDULE

(Section 5)

REHABILITATION PERIODS

Column 1 Sentence	Column 2 Rehabilitation Period
A non-custodial sentence	3 years
A sentence of imprisonment not exceeding 6 months	5 years
A sentence of imprisonment exceeding 6 months but not exceeding 18 months	8 years
A sentence of imprisonment exceeding 18 months but not exceeding 3 years	10 years

(Amended by Act 7 of 2020)

SECOND SCHEDULE

(Section 8(1))

PROFESSIONS

1. Attorney-at-Law
 2. Certified or Chartered Accountant
 3. Dentist
 4. Medical Practitioner
 5. Midwife
 6. Optician
 7. Pharmacist
 8. State Registered Nurse
 9. Teacher
 10. Veterinary Surgeon
-

THIRD SCHEDULE*(Section 8(1))*

OFFICES OF EMPLOYMENT

Office Of Employment	Categories of Employment
Banks (Commercial)	All
Civil Service	All
Education Institutions (Including Independent Schools)	All
Healthcare Institutions	All
Hotels	All
Insurance Companies	Director, Manager, Secretary, Salesman
Judicial Service	All
Juvenile Correctional Centres	All
Military Service	All
Probation Department	All
Security Service Organisations	Director, Manager Security Guards
Police Force	All
Unit Trust Schemes	Manager, Trustee

FOURTH SCHEDULE*(Section 8(1))*

BUSINESSES

1. Dealers in Bonds and other Securities
 2. Firearms Dealers
 3. Stockbrokers
 4. Real Estate Agents
-

FIFTH SCHEDULE*(Section 4)*

EXCLUDED OFFENCES

1. Murder or manslaughter under the Offences Against the Person Act, Cap. 4.21 ;
2. Treason under any law in force in Saint Christopher and Nevis;

3. Sexual offences under the Offences Against the Person Act, Cap. 4:21 or any other law in force in Saint Christopher and Nevis;
4. Offences under the Firearms Act, Cap. 19:05.

SIXTH SCHEDULE

(Section 24)

CRIMINAL RECORDS (REHABILITATION OF OFFENDERS) REGULATIONS

Citation.

1. These Regulations may be cited as the Criminal Records (Rehabilitation of Offenders) Regulations.

Interpretation.

2. In these Regulations—

“Act” means the Criminal Records (Rehabilitation of Offenders) Act;

“applicant” means a person who applies for the expungement of his or her criminal record pursuant to sections 4 or 10 of the Act.

Expunging a spent record under section 4.

3. (1) A person whose record is spent in accordance with section 4 of the Act shall have his or her record expunged automatically pursuant to section 13(1) of the Act.

(2) A person referred to in sub-regulation (1), shall use the form set out as Form I in Schedule 1 when first applying for a copy of his or her police record after the record is deemed spent.

- (3) A copy of Form I shall be at no cost to the applicant as set out in Schedule 2.

(4) Notwithstanding sub-regulations (1), (2) and (3), any costs or procedures which may be associated with the issuance of a police record shall apply.

Application Form under section 10.

4. An application for the consideration of the Committee, in accordance with section 10 of the Act, shall be made in Form II of Schedule 1.

Application Fees.

5. The application fees associated with an application in accordance with section 10 of the Act are set out in Schedule 2.

Investigation by Committee.

6. Pursuant to section 14 of the Act, the Committee may request further information from an applicant if the information provided in a form is inadequate or not clear.
-

SCHEDULE 1*(Regulation 3)***FORM I****EXPUNGEMENT OF A SPENT CRIMINAL RECORD****PLEASE COMPLETE BY PRINTING CLEARLY IN BLOCK CAPITALS**

USE OF FORM & WARNING:				
To be completed by an applicant whose conviction is deemed spent pursuant to section 4 of the Criminal Records (Rehabilitation of Offenders) Act, 3.25. The giving of a false statement, false declaration or incorrect information in this form is an offence under the Perjury Act, Cap. 4.23.				
1 GENERAL INFORMATION				
Full Name (First, Middle and Last Name) [] Mr [] Mrs [] Ms [] Miss		Age last birthday:	DD	MM YYYY
Other Names if different from Above: Documented Evidence of Other Name: YES [] NO [] (A copy must be appended to this form) Gender: [] Male [] Female		Valid Identification Presented (A copy must be appended to this form): a) Drivers Licence [] b) Passport [] c) Social Security Card [] d) National/Voters ID Card [] Other (please specify):.....		
Present Address: Street: City: Country: Postal Zone/ZIP Code:		Contact numbers: Cell: Home:..... Work:		
2 SENTENCE AND CONVICTION				
Offence of which the applicant was convicted		Sentence imposed by the court in respect of that conviction (s)		
Court before which applicant was convicted: Place of Conviction: Date of conviction: Date conviction was spent:		Date applicant completed serving sentence: (Include the date on which any period of disqualification, disability or prohibition ceased and the extent to which any condition attaching to such sentence has been completed)		
3 DECLARATION				
I declare that the above information is true to the best of my knowledge, information and belief: Signature..... Date...../...../.....(D/M/Y)				
4 FOR OFFICIAL USE ONLY				
Date of receipt by the Criminal Records Office:				
Name and Signature of Officer (Please print name and Sign):				

FORM II

(Regulation 4)

APPLICATION FOR EXPUNGEMENT OF CRIMINAL RECORDS
UNDER SECTION 10 OF THE ACT

PLEASE COMPLETE BY PRINTING CLEARLY IN BLOCK CAPITALS

USE OF FORM & WARNING:				
To be completed by an applicant whose conviction is deemed spent pursuant to section 4 of the Criminal Records (Rehabilitation of Offenders) Act, 3.25. The giving of a false statement, false declaration or incorrect information in this form is an offence under the Perjury Act, Cap. 4:23.				
1	GENERAL INFORMATION			
Full Name (First, Middle and Last Name) [] Mr [] Mrs [] Ms [] Miss		Age last birthday:	DD	MM YYYY
Other Names if different from Above: Documented Evidence of Other Name:[] YES [] NO [] (A copy must be appended to this form) Gender: [] Male [] Female		Valid Identification Presented (A copy must be appended to this form): a) Drivers Licence [] b) Passport [] c) Social Security Card [] d) National/Voters ID Card [] Other (please specify):.....		
Present Address: Street: City: Country: Postal Zone/ZIP Code:		Contact numbers: Cell: Home:..... Work:		
2	SENTENCE AND CONVICTION			
Offence of which the applicant was convicted		Sentence imposed by the court in respect of that conviction (s)		
Court before which applicant was convicted: Place of Conviction: Date of conviction: Date conviction was spent:		Date applicant completed serving sentence: (Include the date on which any period of disqualification, disability or prohibition ceased and the extent to which any condition attaching to such sentence has been completed)		
3	REHABILITATION AND NUMBER OF TIMES APPLIED			
Any other written representation on which the applicant relies in support of his or her application (attached): [] YES [] NO 1 st application: [] 2 nd or subsequent application: []				
4	DECLARATION			
I declare that the above information is true to the best of my knowledge, information and belief: Signature..... Date...../...../.....(D/M/Y)				
5	FOR OFFICIAL USE ONLY			
Application form reviewed and in order: [] YES [] NO Expungement of spent record approved pursuant to section 13(1) of the Act: [] YES [] NO		Direction to expunge record prepared: [] YES [] NO Copy of application and direction transmitted to Criminal Records Office: [] YES [] NO		
Date of transmission of application and direction to the Criminal Records Office:				
Name and Signature of Officer (Please print name and Sign):				

SCHEDULE 2

(Regulation 5)

FEES

Form	Fee in EC dollars
Form I	\$ 0.00
Form II (first application)	\$ 50.00
Form II (second or subsequent application)	\$100.00

