

Statutory Document No. 2020/0102



Rehabilitation of Offenders Act 2001

REHABILITATION OF OFFENDERS ACT 2001 (EXCEPTIONS) (AMENDMENT) ORDER 2020

Approved by Tynwald: 17 March 2020
Coming into Operation: in accordance with Article 2

The Department of Home Affairs makes the following Order under section 8(7) and 10(1) of the Rehabilitation of Offenders Act 2001.

1 Title

This Order is the Rehabilitation of Offenders Act 2001 (Exceptions) (Amendment) Order 2020.

2 Commencement

If approved by Tynwald, this Order comes into operation on the 1 April 2020¹.

3 Amendment of the Rehabilitation of Offenders Act 2001 (Exceptions) Order 2018

- (1) The Rehabilitation of Offenders Act 2001 (Exceptions) Order 2018² is amended as follows.
- (2) In Part 2 of Schedule 1, after paragraph 17, insert —

18. An officer appointed by the Treasury under section 1(2) of the Customs and Excise Management Act 1986. 19

¹ Tynwald approval is required under section 10(2) of the Rehabilitation of Offenders Act 2001.

² SD 2018/0327

MADE 17 FEBRUARY 2020

ALEX ALLINSON

Signed by Authority of the Minister for Home Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the Rehabilitation of Offenders Act 2001 (Exceptions) (Amendment) Order 2020 and comes into operation on 1 April 2020.

This Order amends the Rehabilitation of Offenders Act 2001 (Exceptions) Order 2018 by including officers appointed by the Treasury under section 1(2) of the Customs and Excise Management Act 1986 within those designated as excepted.

This provides for those working, or those who have applied to work, as customs officers in the Customs and Excise Division of the Treasury to be subject to a standard check by the UK's Disclosure and Barring Service (DBS) who provide this service to the Island. This check will show any convictions including those which would otherwise be considered rehabilitated (spent).

This change means that the pre-appointment disclosures made for customs officers are aligned with those made for police constables and staff of the Financial Intelligence Unit who are in a law enforcement role in the Island. These are also aligned with officers of Her Majesty's Revenue and Customs in the United Kingdom.