

---

## 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 of the 1975 Order provides exceptions to section 4(2) of the Rehabilitation of Offenders Act 1974 (“the Act”) (questions which relate to spent convictions). This Order provides new exceptions for questions asked in order to determine whether or not a person should be registered under Part IV of the Care Standards Act 2000 (article 5), questions asked in order to assess a person’s suitability to work in certain bail hostels and probation hostels and in hospitals used only for the provision of high security psychiatric services (article 8) and questions asked in order to assess the suitability of a person to hold a licence under section 8 of the Private Security Industry Act 2001 (article 11).

Article 4 of the 1975 Order provides exceptions to section 4(3)(b) of the Act (spent convictions not to be a proper ground for dismissal or for prejudicing a person in any occupation or employment). This Order provides new exceptions relating to registration under Part IV of the Care Standards Act 2000 and licences under section 8 of the Private Security Industry Act 2001 (article 7).

Article 5 of the 1975 Order provides exceptions to section 4(1) of the Act (evidence of spent convictions inadmissible in proceedings). This Order provides new exceptions for proceedings relating to registration under Part IV of the Care Standards Act 2000 and for proceedings under section 11 of the Private Security Industry Act 2001 (article 13).

This Order re-enacts, subject to amendments, the existing provisions in the 1975 Order relating to taxi driver licences. The principal amendment is that the new provisions, in contrast to the existing ones, cover licences granted under section 13 of the Private Hire Vehicles (London) Act 1998.