
STATUTORY INSTRUMENTS

2006 No. 2143

**The Rehabilitation of Offenders Act 1974 (Exceptions)
(Amendment) (England and Wales) Order 2006**

Amendment of Schedule 1

7. Part II of Schedule 1 is amended as follows—

- (a) omit paragraph 3;
- (b) the following paragraphs are amended as follows—
 - (i) in paragraph 4(1) for the words “and their assistants” substitute “and assistants to justices’ clerks”;
 - (ii) in paragraph 7 after the words “remand centre”, insert “removal centre, short-term holding facility.”;
 - (iii) in paragraph 15 after the words “carry out the” insert “humane”;
- (c) for paragraph 12 substitute—

“12. Any office or employment which is concerned with:

 - (a) the provision of care services to vulnerable adults; or
 - (b) the representation of, or advocacy services for, vulnerable adults by a service that has been approved by the Secretary of State or created under any enactment;

and which is of such a kind as to enable a person, in the course of his normal duties, to have access to vulnerable adults in receipt of such services.”;
- (d) for paragraph 18 substitute—

“18. The Commissioners for Her Majesty’s Revenue and Customs and any office or employment in their service.

18A. The Director and any office or employment in the Revenue and Customs Prosecutions Office.”;
- (e) after paragraph 21 add—

“22. An individual designated under section 2 of the Traffic Management Act 2004(2).

23. Judges’ clerks, secretaries and legal secretaries within the meaning of section 98 of the Supreme Court Act 1981(3).

24. Court officers and court contractors, who in the course of their work, have face to face contact with judges of the Supreme Court, or access to such judges’ lodgings.

25. Persons who in the course of their work have regular access to personal information relating to an identified or identifiable member of the judiciary.

(1) Paragraph 4 was substituted in relation to England and Wales by articles 2 and 6(3) of [S.I. 2001/1192](#).

(2) [2004 c.18](#).

(3) [1981 c.54](#). Section 98 was amended by section 71(2), 74(1) of, and paragraph 47 of Schedule 10 to, the Courts and Legal Services Act [1990 \(c.41\)](#). It was further amended by the Constitutional Reform Act [2005 \(c.4\)](#).

26. Court officers and court contractors, who, in the course of their work, attend either the Royal Courts of Justice or the Central Criminal Court.

27. Court security officers, and tribunal security officers.

28. Court contractors, who, in the course of their work, have unsupervised access to court-houses, offices and other accommodation used in relation to the courts.

29. Contractors, sub-contractors, and any person acting under the authority of such a contractor or sub-contractor, who, in the course of their work, have unsupervised access to tribunal buildings, offices and other accommodation used in relation to tribunals.

30. The following persons—

- (a) Court officers who execute county court warrants;
- (b) High Court enforcement officers;
- (c) sheriffs and under-sheriffs;
- (d) tipstaffs;
- (e) any other persons who execute High Court writs or warrants who act under the authority of a person listed at (a) to (d);
- (f) persons who execute writs of sequestration;
- (g) civilian enforcement officers as defined in section 125A of the Magistrates' Courts Act 1980⁽⁴⁾ ;
- (h) persons who are authorised to execute warrants under section 125B(1) of the Magistrates' Courts Act 1980⁽⁵⁾ , and any other person, (other than a constable), who is authorised to execute a warrant under section 125(2) of the 1980 Act⁽⁶⁾;
- (i) persons who execute clamping orders, as defined in paragraph 38(2) of Schedule 5 to the Courts Act 2003⁽⁷⁾.

31. The Official Solicitor and his deputy.

32. Persons appointed to the office of Public Trustee or deputy Public Trustee, and officers of the Public Trustee.

33. Court officers and court contractors who exercise functions in connection with the administration and management of funds in court including the deposit, payment, delivery and transfer in, into and out of any court of funds in court and regulating the evidence of such deposit, payment, delivery or transfer and court officers and court contractors, who receive payments in pursuance of a conviction or order of a magistrates' court.”.

(4) 1980 c.43. Section 125A was inserted by section 92 of the Access to Justice Act 1999 (c.22).

(5) Section 125B(1) was inserted by section 92 of the Access to Justice Act 1999.

(6) Section 125(2) was amended by the Access to Justice Act 1999. It was further amended by section 65(1) of the Criminal Justice Act 1988 (c.33).

(7) 2003 c.39.