

To be inserted by Court

Case Number:

Date Filed:

FDN:

## ORDER – SPENT CONVICTION OR EXEMPTION ORDER

Spent Convictions Act 2009

[MAGISTRATES/YOUTH] Select one COURT OF SOUTH AUSTRALIA  
SPECIAL STATUTORY JURISDICTION

[FULL NAME]  
Applicant

[FULL NAME]  
Respondent

### Preliminary

#### Hearing

Hearing Location: [suburb]

[Hearing date] [

[Presiding Officer]

#### Appearances

[Applicant Appearance Information]

[Respondent Appearance Information]

#### Introduction

The Magistrate:

- (a) mandatory for an Application for an eligible sex offence to be spent has considered all of the factors as outlined in section 8A(5) of the *Spent Convictions Act 2009*.
- (b) mandatory for an Application for a designated sex-related offence to be spent has considered all of the factors as outlined in section 8B(6) of the *Spent Convictions Act 2009*.
- (c) mandatory for an Application for a prescribed public decency offence to be spent has considered all of the factors as outlined in section 8C(8) of the *Spent Convictions Act 2009*.
- (d) mandatory for an Application for a conviction to be exempt has considered all of the factors as outlined in section 13A(5) of the *Spent Convictions Act 2009*.
- (e) is satisfied that the Application is not vexatious, misconceived or lacking in substance.

**Order**

**Date of Order:** [date]

**Terms of Order**

It is ordered that:

Orders in separately numbered paragraphs.

- 1. Pursuant to section 8A of the *Spent Convictions Act 2009*, the Magistrate declares that the following conviction[s] of the Applicant are spent:  
provision for multiple  
(a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date].
- 2. Pursuant to section 8B of the *Spent Convictions Act 2009*, the Magistrate declares that the following conviction[s] are spent:  
(a) [name of the offence or description of the common law offence] [under section [number] of the Act/Regulation/Other] as recorded by [Court] on [date].
- 3. Pursuant to section 8C of the *Spent Convictions Act 2009*, the Magistrate declares that the following conviction[s] are spent:  
(a) [name of the offence or description of the common law offence] [under section [number] of the Act/Regulation/Other] as recorded by [Court] on [date].
- 4. Pursuant to section 13A of the *Spent Convictions Act 2009*, the following conviction[s] of the Applicant are subject to the exemptions set out in relation to each offence:  
provision for multiple  
(a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date] for the purposes of the following screening[s]:
  - working with, or caring for, vulnerable people
  - activities associated with a character test
- 5. The Magistrate dismisses the application in respect of the following conviction[s] of the Applicant:  
provision for multiple  
(a) [name of the offence] under section [number] of the [Act/Regulation/Other] as recorded by [Court] on [date].
- 6. Pursuant to Schedule 2 clause 5(4), the Application pursuant to section[s] [13A/8A] of the *Spent Convictions Act 2009* is [dismissed without holding a hearing/refused].

**Authentication**

.....  
Signature of Court Officer  
[title and name]