

**POLICE AND CRIMINAL EVIDENCE (RECORDABLE  
OFFENCES) REGULATIONS 2008**

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**BR 62/2008**

**POLICE AND CRIMINAL EVIDENCE ACT 2006**

**2006 : 1**

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The Minister of Justice, in exercise of the powers conferred by section 26(5) of the Police and Criminal Evidence Act 2006, makes the following regulations:

**Short title**

1 These Regulations may be cited as the Police and Criminal Evidence (Recordable Offences) Regulations 2008.

**Interpretation**

2 (1) In these Regulations “conviction” includes a finding by a court (other than a finding linked to insanity) that a person has committed an offence, or done an act, or made the omission charged, other than any plea or finding of guilt in relation to which the court has exercised its powers to order an absolute or conditional discharge under section 69 of the Criminal Code Act 1907.

(2) A reference to an offence punishable with imprisonment is to be construed without regard to any prohibition or restriction imposed by or under any enactment on the punishment of young offenders.

**Making of records of convictions**

3 (1) There may be recorded in police records details of convictions of persons for any offence for which the prescribed penalty is or includes a sentence of imprisonment.

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(2) Such record may be made whether or not in the case recorded, a sentence of imprisonment was actually imposed.

(3) Where the conviction of any person is recordable in accordance with these Regulations, there may also be recorded in police records the person's conviction for any other offence of which he is convicted in the same proceedings.

Made this 8th day of September, 2008

Attorney-General and Minister of Justice