



NO EXCLUSION

STAFF-IN-CONFIDENCE
(when completed)

Commonwealth of Australia

CONSENT TO OBTAIN PERSONAL INFORMATION

(for categories where **NO EXCLUSION** has been granted from spent convictions legislation)

I.....hereby:
(Full name - **BLOCK LETTERS** and in **BLACK INK**)

- (i) acknowledge that I have read the General Information document provided with this form and understand that I do not have to disclose old protected convictions information, which is described under the heading Spent Convictions Scheme in the General Information document;
- (ii) certify that the personal information I have provided on both the front and back of this form relates to me and is correct;

(iii) consent to.....
(Name of Organisation/Department/Employer seeking information)

and their agent.....(if applicable)
(Agent/Background checking company)

to forward this form to the Australian Federal Police and/or the Police Services of the States or Territories of the Commonwealth of Australia and providing relevant information to the above organisation.

(iv) specify position/entitlement.....
(e.g. Taxi Driver, Nurse, Overseas Employment/Adoptions, Visa, Security Clearance, Clerk etc)

(v) consent to the AFP or other relevant Australian police force(s) extracting from their records copies of traffic violations, and criminal and/or traffic records relating to me pending before a Court and/or details of convictions or findings of guilt which have been recorded against me and which are not covered by Part VIIC of the Crimes Act 1914 dealing with spent convictions;

(vi) acknowledge that any information provided by me on this form or by the police as a result of the records check may be taken into account by the organisation mentioned in (iii) above in assessing my suitability to receive the position/entitlement.

Signature..... Date / /

Note: The information you provide on this form and which the police provide to this organisation on receipt of the form, will be used only for the purpose stated above unless statutory obligations require otherwise.



NATIONAL POLICE CHECK APPLICATION FORM

| | | | |
|------------------------|-----------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------|
| CURRENT FAMILY NAME | | | |
| GIVEN NAMES | | | |
| DATE OF BIRTH | / / | | |
| GENDER | <input type="checkbox"/> MALE | | <input type="checkbox"/> FEMALE |
| OTHER NAMES | FAMILY NAME: (including all name changes and Maiden name) | GIVEN NAMES: (where different) | DATE OF BIRTH: |
| | | | / / |
| | | | / / |
| PLACE OF BIRTH | TOWN | STATE | COUNTRY |
| CONTACT PHONE NUMBER | HOME | WORK | MOBILE |
| DRIVERS LICENCE NUMBER | | DRIVERS LICENCE STATE: | <input type="checkbox"/> Copy Attached |
| ALTERNATE I.D. NUMBER | | TYPE: <i>i.e. Passport, Birth Certificate, Medicare Card</i> | <input type="checkbox"/> Copy Attached |

CURRENT ADDRESS - Must be completed in FULL.

| UNIT/ NUMBER | STREET | POST CODE | SUBURB/ CITY | STATE | COUNTRY | RESIDENCY FROM |
|-----------------|--------|--------------|-----------------|-------|---------|----------------|
| | | | | | | / / |

PERMANENT RESIDENTIAL ADDRESSES OVER THE LAST TEN YEARS

| UNIT/ NUMBER | STREET | POST CODE | SUBURB/ CITY | STATE | COUNTRY | RESIDENCY FROM | RESIDENCY TO |
|-----------------|--------|--------------|-----------------|-------|---------|-------------------|-----------------|
| | | | | | | / / | / / |
| | | | | | | / / | / / |
| | | | | | | / / | / / |
| | | | | | | / / | / / |
| | | | | | | / / | / / |

• If full details of previous addresses are unavailable details of town(s) and state(s) will suffice. *Attach a list if there is insufficient room.*

• If actual dates are unavailable, details of year of residence will suffice.

| |
|-------------------------|
| Client Code |
| ----- |
| Client Reference |
| |

Signature.....



GENERAL INFORMATION

Relating to the AFP National Police Check and Consent Forms

This form is used by applicants as part of the assessment process to determine whether a person is suitable for a position/entitlement including employment.

Unless statutory obligations require otherwise, the information provided on this form will not be used without your prior consent for any purpose other than named in your application.

POLICE RECORDS CHECK

Police records checks are an integral part of the assessment of your suitability for a position/entitlement. On this form you are asked to disclose whether you are the subject of any charges or matters still pending before a Court, or whether you have been the subject of conviction(s) or finding(s) of guilt before a Court. You are not required to reveal any conviction(s), which may be protected by Part VIIC of the Crimes Act 1914, relating to pardoned, quashed or spent convictions.

Where a police record with another Australian police jurisdiction has been obtained, any relevant legislation (and/or release policy) governing that police jurisdiction will be applied before it is released. Under various sections of Commonwealth, State and Territory legislation a person has the right, in particular circumstances or for a particular purpose, to not disclose certain convictions (i.e. Spent Convictions). Such convictions will not be released providing this is in accordance with the relevant legislation (and/or release policy). If further information is required in relation to the legislation and release policies of other police jurisdictions, please contact the individual jurisdiction directly.

This form may be forwarded by the employing organisation, their agent or by you direct to the Australian Federal Police (AFP), and you are asked to consent to:

- (a) the AFP disclosing criminal history information from its own records to the organisation with which you are employed or are seeking employment, and/or insurance company or other public or private organisation from which you are seeking an entitlement, and;
- (b) for the AFP to access the records of any State, Territory Jurisdiction and to obtain any criminal or traffic information which in turn would be disclosed to whom you are required to indicate.

PROVISION OF FALSE OR MISLEADING INFORMATION

You are asked to certify that the personal information you have provided on this form is correct. If it is subsequently discovered, for example as a result of a check of police records, that you have provided false or misleading information, it may be reported by the AFP and potentially you may be assessed as unsuitable to receive the entitlement you seek.

It should be noted that the Australian Federal Police does not assess or adjudicate your application but merely provides the tools to the prospective employer to assist them in assessing your suitability for employment.

SPENT CONVICTION INFORMATION

Commonwealth Spent Conviction Scheme

On 30 June 1990, Commonwealth legislation relating to the collection, use and disclosure of old conviction information came into effect. This law is commonly known as the Spent Conviction Scheme.

The aim of the Scheme is to prevent discrimination on the basis of certain old convictions, once a waiting period has passed and provided the individual has not re-offended. The Scheme also covers convictions where an individual's conviction has been set aside or pardoned.

An individual whose conviction is protected by Part VIIC of the Crimes Act 1914 does not have to disclose that conviction to any person, including a Commonwealth authority, unless an exclusion applies.

A spent conviction is a conviction for a Commonwealth, Territory, State or foreign offence which satisfies all of the following conditions:

- it is 10 years since the date of the conviction (or 5 years for juvenile offenders);
- the individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months;
- the individual has not re-offended during the 10 year (5 years for juvenile offenders) waiting period; and
- a statutory or regulatory exclusion does not apply. (A full list of exclusions is available from the Privacy Commissioner).

Australian Capital Territory - Spent Convictions ACT 2000.

In September 2000 legislation was introduced in the Australian Capital Territory limiting the use and disclosure of older, less serious convictions and findings of guilt recorded under ACT legislation. This legislation is the *Spent Convictions Act 2000*.

Unless an exclusion applies (for example, where an individual wishes to undertake employment in certain occupations), once the waiting period has passed, a person does not have to disclose any conviction or finding of guilt that is protected by the provisions of the *Spent Convictions Act 2000*.

A spent conviction is one that satisfies all of the following conditions:

- It is more than 10 years (5 years for offences where the person was dealt with as a juvenile) since the date of the conviction **or** that the person has not been imprisoned **or** the person has not been subject to a control order and the person has not re-offended;
- The person was not sentenced to more than six months imprisonment;
- The offence was not a sexual offence;
- The person was not unlawfully at large in relation to an offence.

Exclusions to the *Spent Convictions Act 2000* may be found at section 19 of that Act.

Disputed Record Enquiries

If you believe that the information provided on your police certificate is incorrect or inaccurate in any detail please contact Criminal Records (by email: CriminalRecords-ClientServices@afp.gov.au or telephone 02 6202 3333) to obtain a Disputed Record (CR 1200) form. Once completed this form can be posted to the following address:

AFP Criminal Records
Client Services Team
GPO Box 401
CANBERRA ACT 2601

Please note that if you have any additional information or documents supporting your enquiry they should be attached to enable the AFP to more accurately assess your application. It should also be noted that AFP may require comparison fingerprints to resolve some disputes. Applicants will be notified in such instances.

Privacy Commissioner

The Privacy Commissioner is responsible for ensuring the protection of private information relating to individuals. This includes investigating instances where information has been released improperly or incorrectly. An individual who believes the standards dealing with disclosure and use of old conviction information have been breached may apply to the Privacy Commissioner for an investigation of the matter. The phone number is 1300 363 992.

CRIMINAL RECORDS TERMS AND CONDITIONS FOR NATIONAL POLICE CHECKS

The Australian Federal Police advise all applicants that for National Police Checks, they must meet the following requirements in the application.

1. Applications to be filled out in **black pen** if not typed.
2. A photocopy of drivers licence and/or alternate I.D. with photograph included must accompany application.
3. If there has been a change of name, then previous and current names **MUST** be included on the form (e.g. maiden, de facto, deed poll, etc).
4. Applicant’s signature must not be more than three months old.
5. Please ensure that all the necessary details have been completed and that the forms are signed.
6. General Information pages 4-6 do not need to be sent to the AFP and can be retained for reference.
7. Payment of the required fee is to be in Australian Dollars.
8. Please note: Any supplied envelopes for return of certificates will not be used or returned.
9. Cheque or money order made payable to the **AUSTRALIAN FEDERAL POLICE** must be included with **all** applications and posted to:

**AUSTRALIAN FEDERAL POLICE
Criminal Records
Locked Bag No. 1
WESTON ACT 2611**

Failure to meet the required standards will result in the form being returned for amendment

| | | |
|---------------------------|--------|----------------------------------------------------------------------------------------------------------|
| Contacts: | | |
| General Enquiries | Phone: | 02 6202 3333 |
| | Email: | vetting@afp.gov.au |
| Disputed Record Enquiries | Phone: | 02 6202 3333 |
| | Email: | CriminalRecords-ClientServices@afp.gov.au |