

Statutory Document No. 2019/0328

*Rehabilitation of Offenders Act 2001*

## REHABILITATION OF OFFENDERS ACT 2001 (AMENDMENT) ORDER 2019

*Approved by Tynwald:* 17 October 2019  
*Coming into Operation:* 1 November 2019

The Department of Home Affairs makes the following Order under section 7(2) of the Rehabilitation of Offenders Act 2001.

### 1 Title

This Order is the Rehabilitation of Offenders Act 2001 (Amendment) Order 2019.

### 2 Commencement

If approved by Tynwald, this Order comes into operation on 1 November 2019.<sup>1</sup>

### 3 Interpretation

In this Order “**the Act**” means the Rehabilitation of Offenders Act 2001.

### 4 Amendment of the Act

- (1) Part 2 (Rehabilitation Periods for Particular Sentences) of Schedule 1 to the Act is amended as follows.
- (2) For paragraph 7 substitute —

For the purposes of this Act the rehabilitation period for a sentence is the period beginning with the date of the conviction in which the sentence is imposed and ending at the time listed in the following Table in relation to that sentence —

- (a) the rehabilitation period applicable to a sentence specified in column 1 of the Table for a person aged 18 or over at the date of his or her conviction is the period specified in column 2 of the Table in relation to that sentence;

<sup>1</sup> Tynwald approval is required further to section 10(2) of the Rehabilitation of Offenders Act 2001.

- (b) where the sentence was imposed on a person who was under 18 years of age at the date of his or her conviction, the rehabilitation period applicable to a sentence specified in column 1 of the Table is the period specified in column 3 of the Table in relation to that sentence. **22**
- (3) For the Table in paragraph 7, substitute the Table set out in the Schedule to this Order.

**MADE 17 SEPTEMBER 2019**

**W. M. MALARKEY**  
*Minister for Home Affairs*

## SCHEDULE

## [ARTICLE 4(3)]

## TABLE

Sentence	Rehabilitation Period offenders aged 18 or over	Rehabilitation period offenders under 18 years of age
A custodial sentence of over 6 months but not exceeding 30 months	48 months from the date on which the sentence (including any licence period) is completed	24 months from the date on which the sentence (including any licence period) is completed
A custodial sentence of up to 6 months	24 months from the date on which the sentence (including any licence period) is completed	18 months from the date on which the sentence (including any licence period) is completed
Fine	12 months from the date of the conviction in respect of which the fine was imposed	6 months from the date of the conviction in respect of which the fine was imposed
Community order	12 months from the last day on which the order has effect	6 months from the last day on which the order has effect
Compensation order	On discharge of the order (i.e. when it is paid in full)	On discharge of the order (i.e. when it is paid in full)

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*EXPLANATORY NOTE**(This note is not part of the Order)*

The Rehabilitation of Offenders Act 2001 (the 2001 Act) aims to support rehabilitation of the offenders by providing specific periods - subject to sentence passed - after which convictions become “spent” and an individual is regarded as rehabilitated.

Sentences excluded from these provisions and where rehabilitation for the purposes of the 2001 Act is not possible, include custodial sentences for life and those of over 30 months. In such cases, convictions are never spent and an individual is not rehabilitated for the purposes of the 2001 Act.