

OBJECTS AND REASONS

This Bill would amend the *Criminal Records (Rehabilitation of Offenders) Act*, Cap. 127A to

- (a) exclude certain serious offences from the application of the Act;
- (b) exclude offenders who had their records expunged from obtaining further expungement;
- (c) clarify the law as it relates to suspended custodial sentences;
- (d) change the rehabilitation periods; and
- (e) provide for related matters.

Arrangement of Sections

1. Short title
2. Amendment of section 3 of Cap. 127A
3. Amendment of section 5 of Cap. 127A
4. Amendment of section 7 of Cap. 127A
5. Insertion of new section into Cap. 127A
6. Amendment of section 21 of Cap. 127A
7. Amendment of First Schedule to Cap. 127A

SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Criminal Records (Rehabilitation of Offenders) Act*,
Cap. 127A.

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Criminal Records (Rehabilitation of Offenders) (Amendment) Act, 2025*.

Amendment of section 3 of Cap. 127A

2. *Section 3(4A) of the Criminal Records (Rehabilitation of Offenders) Act, Cap. 127A, in this Act referred to as the principal Act, is amended in paragraph (a) by deleting the word “3” wherever it appears and substituting the word “7”.*

Amendment of section 5 of Cap. 127A

3. *Section 5(2) of the principal Act is deleted and the following substituted:*

“(2) Subject to subsection (3), a rehabilitation period referred to in subsection (1) shall commence, in the case of

(a) a custodial sentence,

(i) from the date of the release from custody; or

(ii) where the sentence was suspended, from the day following that in which the sentence was completed, provided that there has been no breach of the suspended sentence; and

(b) a non-custodial sentence, from the date of the conviction.”.

Amendment of section 7 of Cap. 127A

4. *Section 7 of the principal Act is amended*

(a) *in subsection (2), by deleting the words “Governor-General’s” and substituting the word “Court’s”; and*

(b) by inserting after subsection (2), the following:

“(2A) A person shall be excluded from rehabilitation under this Act where, after the commencement of the *Criminal Records (Rehabilitation of Offenders) (Amendment) Act, 2025* (Act 2025-), the person is convicted of any of the following criminal offences:

- (a) treason;
- (b) an offence under section 3, 3A, 4 or 12A of the *Anti-Terrorism and Counter-Proliferation of Weapons of Mass Destruction Act*, Cap. 158;
- (c) murder;
- (d) rape;
- (e) an offence relating to the care and protection of children and vulnerable persons;
- (f) an offence relating to pornography in which a child is a victim; and
- (g) an offence under section 3(9), 7(3) or 29(1) of the *Firearms Act*, Cap. 179. ”.

Insertion of new section into Cap. 127A

5. Part II of the principal Act is amended by inserting after section 20, the following:

“Limitation on expungement

20A. Notwithstanding any other provision of this Act, a person whose spent conviction is expunged from the records shall not be eligible for further expungement in relation to other convictions.”.

Amendment of section 21 of Cap. 127A

- 6.** *Section 21 of the principal Act is amended by deleting the words “Governor-General” wherever they appear and substituting the word “President”.*

Amendment of First Schedule to Cap. 127A

- 7.** *Part I of the First Schedule to the principal Act is deleted and the Part contained in the Schedule to this Act is substituted.*

SCHEDULE*(Section 7)***“PART I***REHABILITATION PERIODS*

Column 1 Sentence	Column 2 Rehabilitation Period
A sentence of imprisonment for a term not exceeding one year	3 years
A sentence of imprisonment for a term exceeding one year but not exceeding 3 years	5 years
A sentence of imprisonment for a term exceeding 3 years but not exceeding 7 years	10 years
A sentence of imprisonment for a term exceeding 7 years	15 years
A non-custodial sentence	1 year

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