



NATIONAL POLICE CERTIFICATE

FREQUENTLY ASKED QUESTIONS



1. What is a National Police Certificate (NPC)?

An NPC provides a national summary of an individual's disclosable offender history.

2. I require a clearance to work and/or volunteer with children. Can I apply through South Australia Police?

The *Child Safety (Prohibited Persons) Act 2016* requires anyone working or volunteering with children to apply for a Working With Children Check (WWCC) through the Department of Human Services (DHS) www.dhs.sa.gov.au, telephone 1300 321 592.

3. I have undergone a DHS screening and have a WWCC, but my employer/volunteer agency also requires an NPC. Can I apply through South Australia Police?

Yes. If your employer requires an NPC in conjunction to a DHS WWCC, you may apply for an NPC. However, an NPC is strictly supplementary to the DHS WWCC, and will be treated as a general probity check.

4. I am applying for permanent residency/citizenship or for visa(s) renewal/extension in Australia. Can I apply through South Australia Police?

No. Any individual applying for Australian residency or an immigration visa, or any other visa for use within Australia must apply through the Australian Federal Police, www.afp.gov.au, telephone (02) 6140 6502.

5. I am an Australia citizen and wish to apply for an overseas visa. Can I apply through South Australia Police?

Yes. Embassies will accept NPCs from Australian citizens seeking residency or travel visas. However, fingerprints may also be required. It is recommended that you make enquiries with the pertinent embassy before applying for an NPC.

6. I currently reside overseas. Can I apply through South Australia Police?

No. Individuals residing overseas should apply through the Australian Federal Police, www.afp.gov.au.

7. How do I apply for an NPC?

Download an online PD267 - *National Police Check Application* from the South Australia Police website, www.police.sa.gov.au.

Applicants can attend a police station in person with the completed application form, original identification (ID) documents, and payment (refer questions 29 & 30). A South Australia Police employee will witness your signature, certify a photocopy of your ID, authorise the PD267 form, and despatch your application to the Information Release Unit (IRU) for processing.

Applicants who are unable to complete the application form online can attend a police station to request a hard copy form. Please print clearly in BLOCK letters with black or blue ink.

Applicants who qualify for a free police check under the VOAN (Volunteer Organisation Authority Number) scheme must return the completed form and certified ID to the approved organisation's Authorised Officer for endorsement. (Refer questions 18 to 20).

8. How do I meet the 100 Point Identification Proof of Identity requirement?

Applicants must meet the Proof of Identity requirement by having **originals** of the following documents **sighted**, and then **photocopied, certified and attached to this Application form**:

- Two 'Category A' documents, or
- One 'Category A' document and one or more 'Category B' documents, until the minimum total of 100 points is established.

Applicants under 16 years of age must provide two forms of ID, including at least one 'Category A' document. The parent/guardian must also produce one form of 'Category A' identification.

All documents must:

- Be originals, and not extracts or uncertified photocopies
- Be current (where applicable)
- Incorporate a signature and/or photograph that can be positively matched to the applicant, and
- Include one document that contains a current residential address.

9. Who is authorised to certify my 100 Points of Identification?

A member of South Australia Police, a Justice of the Peace, or a Commissioner for Taking Affidavits is authorised to certify an individual's 100 Points of Identification.

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10. Why do I have to sign the consent section?

South Australia Police cannot undertake a national police check without the expressed, written consent of an individual. If the consent section is not signed, the application form will be returned to the applicant for completion.

11. Why do I have to state the reason for the police check?

The reason for check is required for South Australia Police to meet legislative obligations. It determines the level of disclosure required, in line with the *Spent Convictions Act 2009* (SA), and is displayed on an applicant's NPC.

The reason for check must be as specific as possible, and include answers to all of the mandatory fields.

12. What will show on my NPC?

Information displayed on an NPC includes the following:

Personal Information	Offender History Information	Other Information
<ul style="list-style-type: none"> ▪ Name ▪ Date of Birth ▪ Residential Address ▪ Postal address 	<ul style="list-style-type: none"> ▪ Proven court outcomes, including the offence titles, relevant court name, hearing date, and the penalty and/or sentence imposed ▪ Pending matters, including the offence titles, relevant court name, and the next hearing date ▪ Adjourned matters, including the offence titles, relevant court name, and the last hearing date ▪ Active Warrants 	<ul style="list-style-type: none"> ▪ Reason for check ▪ Category of check ▪ Organisational Reference Number

13. Can I apply to have my offender history record deleted?

There is no legislation in South Australia that permits, or requires the deletion of an individual's offender history. The *State Records Act 1997* (SA) prohibits the inappropriate destruction of information unless instructed by a specific retention/disposal ruling. All offender history details are classified for permanent retention.

Under the *Spent Convictions Act 2009* (SA), you may be eligible to apply to a Qualified Magistrate to have your offence exempt from being released on an NPC for certain purposes. For further information, contact the Adelaide Magistrates' Court on telephone (08) 8204 2444.

14. How does South Australia Police determine what information to release?

South Australia Police is bound by the *Spent Convictions Act 2009* (SA) when determining what information to disclose on an NPC. Under the Act, information pertinent to the convictions of a person cannot be released if those convictions are deemed to be 'spent'.

A spent conviction is one that cannot be disclosed or taken into consideration for any purpose, excluding those detailed under **Schedule 1 – Exclusions** of the Act. Eligible convictions become spent following a ten year conviction and proven offence-free period for adults, and a five year conviction and proven offence-free period for juveniles.

The Act defines a conviction as:

- A formal finding of guilt by a Court, and
- A finding by a Court that an offence has been proved.

'Without Conviction' Offences

Amendments were made to the *Spent Convictions Act 2009* (SA) in May 2013, which stipulate that outcomes where no conviction is recorded against the person will be taken to be immediately spent. These outcomes are no longer released on an NPC, but may be disclosed to Justice Agencies or Screening Units, as detailed in the Act.

There are certain convictions which can never be spent. These include, but are not limited to:

- Convictions for sex offences, unless the offence is an eligible sex offence, and
- Convictions where a sentence is imposed of more than 12 months imprisonment for an adult, or 24 months imprisonment for a juvenile.

Schedule 1 of the Act sets out a number of exemptions, where spent convictions can be released. Some examples of this include:

- The care of children
- The care of vulnerable people (including the aged and persons with a disability, illness or impairment), and
- Activities associated with statutory character tests for licensing.

Interstate offences are released in accordance with that State or Territory's spent conviction/rehabilitation legislation and/or policies. Intelligence-type information is not released.

The *Spent Convictions Act 2009* (SA) can be viewed online at www.legislation.sa.gov.au.

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Expanded Offender History Information Release Practices

The following organisations are authorised/legislated to receive all convictions and non-convictions (including, but not limited to, withdrawn, acquitted and dismissed court outcomes):

- Screening Units authorised under the National Exchange of Criminal History Information for Persons Working with Children Intergovernmental Agreement (ECHIPWC IGA).
- The Australian Health Practitioners Regulation Agency (AHPRA) for the screening of health practitioners under the *Health Practitioner Regulation National Law (South Australia) Act 2010*.
- SA Teachers Registration Board for the screening of teachers under the *Teachers Registration and Standards Act 2004*.
- Department of Human Services.

15. What is an eligible sex offence?

An eligible sex offence is an offence where a sentence of imprisonment has not been imposed.

16. How do I have an eligible sex offence spent?

Contact the Adelaide Magistrates Court on telephone (08) 8204 2444.

17. How do I apply to have court outcomes removed from my NPC?

Contact the Adelaide Magistrates Court on telephone (08) 8204 2444.

18. Who is eligible for a free police check?

Fee waivers only apply to unpaid South Australian volunteers working with approved Volunteer Organisation Authorisation Number (VOAN) organisations. The cost of VOAN police checks is funded by the South Australian Government. VOAN organisations qualify for volunteer fee waivers because they provide services to vulnerable groups within the community. The VOAN is a secure number and must remain confidential within an organisation to prevent fraudulent usage.

19. What is the VOAN endorsement procedure?

South Australia Police requires the Volunteer Authority section on the NPC application form to be endorsed by a VOAN organisation representative **after** the applicant has had their application and a photocopy of their identification certified.

The organisation then forwards the completed application to the Information Release Unit on behalf of the applicant. Further information and VOAN application forms can be obtained from the SAPOL website: www.police.sa.gov.au or by contacting the Information Release Unit on telephone (08) 7322 3347.

20. How do I qualify for a volunteer reduced fee?

Individuals who volunteer for an organisation that does not qualify for a VOAN (free police check) are eligible to apply for an NPC and pay the Volunteer Reduced Fee. The Volunteer Reduced Fee section of the NPC application form needs to be filled out by an authorised person from the volunteer organisation, declaring that the applicant named on the form is an unpaid volunteer and is eligible to pay the reduced fee. The applicant can then take the application form to a police station to have their ID verified and pay the Volunteer Reduced Fee.

21. Is there an age limit to obtain a NPC?

Applicants must be over 10 years old. If an applicant is under 16 years of age, their parent/guardian must countersign the application.

22. How long will it take to process my request?

The standard timeframe to process an NPC is between 10 to 15 working days.

23. How long is my NPC valid?

This depends on the policy of the organisation requiring the NPC. A certificate only reflects the completeness and accuracy of criminal history information on the date of issue.

24. Can I apply for an NPC on behalf of someone else who lives in SA?

Individuals can only apply on behalf of someone if they hold Enduring Power of Attorney. Original documentation to verify this must be produced and sighted by a South Australia Police employee, a Justice of the Peace, or a Commissioner for Taking Affidavits. A certified copy must be attached to the PD267 form.

25. How will my NPC be despatched?

Applicants may request that their NPC be mailed to a residential or postal address. Having an NPC posted is undertaken at an applicant's own risk. South Australia Police holds no responsibility for any loss or unauthorised access which may occur.

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26. What if the information on my NPC is incorrect?

In the first instance, contact the Information Release Unit by telephone (08) 7322 3347, to discuss the issue and seek a resolution. Please note that a dispute must be lodged within three months of receiving your certificate.

27. Who owns the NPC?

The NPC is the property of the applicant, regardless of who paid for it. It is your responsibility to ensure it is safely stored. An organisation can retain a copy of an NPC with the expressed, written consent of the individual.

28. Are all employers required to request a NPC from employees or volunteers?

Not all employers are required by law to request an NPC from employees or volunteers; however, many employers are bound by legislation or policy to conduct a national police check as part of their recruitment process.

Employing bodies apply their own assessment for employment purposes, depending on their specific requirements. It is the responsibility of the employing organisation to identify a person's suitability for employment.

29. What is the cost of an NPC?

The fees (refer www.police.sa.gov.au) are adjusted annually in accordance with the Consumer Price Index. Concession eligibility requires proof of a current concession card, benefit or financial assistance payment.

30. How do I pay for my NPC?

We accept payment by cash, credit or debit card. Payment and lodgement can be made at your local police station.

31. How do I apply for an NPC and Fingerprints?

NPC applicants requiring Fingerprints must attend a South Australia Police location with Livescan Fingerprint capabilities. (Refer to the table below for your nearest location).

- Both the NPC and Fingerprints must be paid for at the time of lodgement.
- When fingerprints are taken, the Livescan Reference Number is recorded on the NPC application form. This enables efficient tracking of Fingerprints and ensures the completed certificate displays the required caveat, confirming the applicant's fingerprints have been checked against national fingerprint records.
- The completed NPC and fingerprints are despatched from the Information Release Unit.

SAPOL LIVESCAN FINGERPRINT LOCATIONS			
Adelaide CBD	Suburban Stations	Regional Stations	
Adelaide Police Station – Grenfell Street (by appointment)	Christies Beach	Berri	Murray Bridge
	Elizabeth	Ceduna	Pt Augusta
	Holden Hill	Cooper Pedy	Pt Lincoln
	Port Adelaide	Kadina	Pt Pirie
	Sturt	Mt Barker	Victor Harbor
		Mt Gambier	Whyalla

32. How can I obtain further information?

Email: sapol.informationrelease@police.sa.gov.au

Telephone: (08) 7322 3347

Postal Address: Information Release Unit, South Australia Police, GPO Box 1539, Adelaide SA 5001

Website: www.police.sa.gov.au

Office Hours: 9:00am to 5.00pm, Monday to Friday