

## New Application

### Criminal Record Checks from a country outside Australia

From 1 July 2015, all applicants who have resided as an adult in a country other than Australia for a cumulative<sup>1</sup> period of 12 months or more during the previous 10 years are required to provide an overseas criminal record check from that country as part of the application for registration.

Have you resided in any country other than Australia for a cumulative <sup>1</sup> period of 12 months or more during the past 10 years, when 18 years of age or over?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

**If you have answered 'No', please skip to the Registration Obligations section**

It is a requirement that as part of your application, you:

- provide a [correctly certified](#) copy of an overseas criminal record check from each country you have resided in as an adult for a cumulative<sup>1</sup> period of 12 months or more, during the 10 years prior to making your application for registration
- ensure that the criminal record check includes all names by which you have been known in that country and it covers the entire time you spent in each country when age 18 or over.
- ensure that the criminal record check has been issued within the last 12 months prior to application
- provide a [correctly certified](#) English translation with the criminal record check, should it be in a language other than English

You need to take all reasonable steps to obtain an overseas criminal record check. Some countries require an applicant for a criminal record check to provide a letter of support from a requesting organisation. In these circumstances, you will need to initially submit a Request for [Letter of Support form](#) to the Teacher Registration Board of Western Australia to issue you with a letter of support for each country as required.

The [TRBWA website](#) provides information on how to obtain a criminal record check for each country.

However, there may be certain circumstances where it is not possible to obtain an overseas criminal record check, for example:

- the country in which you resided does not provide criminal record checks; or
- the country in which you resided will only issue criminal record checks where they can be obtained in person.

In these situations, the TRBWA may accept a statutory declaration which:

- details the reasons you are not able to obtain the overseas criminal record check;
- details what reasonable steps you took to obtain an overseas criminal record check and evidence of this; and
- confirms you have or do not have a criminal history in that country.

<sup>1</sup> \*Cumulative – the total time spent in each individual country in the past 10 years.

Example - This means that if you spent 6 months in the UK in 2007 and another 6 months in 2012, the total time spent in the UK would be 12 months within the past 10 years and you would need to obtain a criminal record check from the UK.

In the table below, please list each country other than Australia you have resided in as an adult for a cumulative<sup>1</sup> period of 12 months or more during the 10 years prior to making this application. For each country, please identify whether you are: a) supplying an overseas criminal record check with your application; b) are currently in the process of obtaining a criminal record check; or c) providing a statutory declaration:

Name of Country	(a) I am attaching a criminal record check for this country, in English (correctly certified by an officially recognised translator, if applicable).		(b) I am currently in the process of obtaining a criminal record check for this country and will provide this to the TRBWA when obtained.	(c) I have tried to obtain a criminal record check but have been unsuccessful I am therefore completing a statutory declaration with respect to my residence in this country (to be completed at the end of this form <sup>2</sup> ) and providing evidence that I have tried to obtain a criminal record check.
	If Yes tick below	Date of overseas criminal record check issued (DD/MM/YYYY)	If Yes tick below	If Yes, tick below
	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

If you have answered (b) that you are currently in the process of obtaining a criminal record check, please answer the following question:

I declare that I will provide evidence to the TRBWA of criminal record checks from countries I have identified as having spent a cumulative <sup>1</sup> period of 12 months or more during the last 10 years. I understand that failure to supply the necessary documentation within 60 days may mean that my application will be refused	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

## Applicant's declaration

I, \_\_\_\_\_  
Full name

of \_\_\_\_\_  
Address

I sincerely declare that the information I have provided in this application is complete, true and correct.

Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

It is an offence under the Act to provide a false or misleading statement.



<sup>2</sup> If you are providing a Statutory Declaration for more than one country, please photocopy and complete the *WESTERN AUSTRALIA, OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005 STATUTORY DECLARATION* at the end of this application form.

WESTERN AUSTRALIA  
*OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005*  
**STATUTORY DECLARATION**

I,.....  
.....  
(name, address and occupation of person making declaration)

sincerely declare as follows:

1. I have been unable to obtain a criminal record check from \_\_\_\_\_ {country} for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. I confirm I took reasonable actions to obtain the criminal record check. The actions I took and responses to my actions were: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please complete only one of the two following statements:

3. I confirm there are no criminal charges outstanding against me and I have never been convicted or found guilty of any criminal offence in \_\_\_\_\_ {country}

**OR**

4. I confirm that I have provided full details<sup>3</sup> of the outstanding charges and/or convictions which are related to me in \_\_\_\_\_ {country}

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

at.....  
(place)

.....  
(date)

In the presence of –

.....  
(signature of authorised witness)

.....

.....  
(name of authorised witness and qualification as such witness)

By.....  
(signature of person making the declaration)

<sup>3</sup> Full details must include:

- a) For outstanding charges – for each charge: the charge including section and Act, the date(s) of the alleged actions, details of the allegations, the next Court date and whether you are pleading guilty or not guilty to the charges.
- b) For convictions – for each conviction: the date(s) of offence, details of the offence and penalty imposed.

### Important information – declaration of charges and convictions

When submitting information of any pending charges or convictions please provide the full details in a sealed envelope addressed to the Director TRBWA and marked Private and Confidential.

Information regarding charges may include the police charge sheet or statement of material facts. For convictions you should provide Court document(s) outlining the outcome(s) and penalty/penalties.

### Important information – authorised witness

An authorised witness for the statutory declaration is —

(a) for a statutory declaration that is made at a place in Western Australia —

- (i) any person described in the second column of Schedule 2; or
- (ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;

(b) for a statutory declaration that is made at a place outside Western Australia but within Australia —

- (i) any person who, under the law of that place, has authority to take or receive a statutory, solemn or other declaration; or
- (ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;

(c) for a statutory declaration that is made at any other place —

- (i) a prescribed consular official who is performing official functions at that place;
- (ii) a person who is a justice or notary public under the law of that place;
- (iii) a person who has authority under the law of that place to administer an oath to another person or to take, receive or witness a statutory, solemn or other declaration.