



Rehabilitation of Offenders Act 1974

CHAPTER 53

REHABILITATION OF OFFENDERS ACT 1974

- 1 Rehabilitated persons and spent convictions.
- 2 Rehabilitation of persons dealt with in service disciplinary proceedings.
- 3 Special provision with respect to certain disposals by children's hearings under the Social Work (Scotland) Act 1968.
- 4 Effect of rehabilitation.
- 6 The rehabilitation period applicable to a conviction.
- 8 Defamation actions.
- 8A Protection afforded to spent cautions
- 8AA Protection afforded to spent alternatives to prosecution
- 8B Protection afforded to spent alternatives to prosecution: Scotland
- 9 Unauthorised disclosure of spent convictions.
- 9A Unauthorised disclosure of spent cautions
- 9B Unauthorised disclosure of spent alternatives to prosecution: Scotland
- 10 Orders.
- 10A Order-making powers: Scottish Ministers
- 11 Citation, commencement and extent.

Schedule 1 — Section 6(4): service disciplinary convictions

- 1 Any conviction for an offence mentioned in this Schedule is...

Provisions of the Army Act 1955 and the Air Force Act 1955

- 2 Any offence under any of the provisions of the Army...
- 3 Any offence under section 68 (attempt to commit military offence)...
- 4 Any offence under section 68 (attempt to commit air-force offence)...

Changes to legislation: Rehabilitation of Offenders Act 1974 is up to date with all changes known to be in force on or before 04 February 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Provisions of the Naval Discipline Act 1957

- 5 Any offence under any of the provisions of the Naval...
- 6 Any offence under section 40 (attempt to commit naval offence)...

Provisions of the Armed Forces Act 2006

- 7 Any service offence within the meaning of the Armed Forces...

SCHEDULE 2 — Protection for spent cautions

Preliminary

- 1 (1) For the purposes of this Schedule a caution shall...
- 2 (1) In this Schedule “ ancillary circumstances ”, in relation...

Protection relating to spent cautions and ancillary circumstances

- 3 (1) A person who is given a caution for an...
- 4 The Secretary of State may by order—
- 5 Nothing in paragraph 3 affects— (a) the operation of the...
- 6 (1) Section 7(2), (3) and (4) apply for the purposes...

SCHEDULE 3 — PROTECTION FOR SPENT ALTERNATIVES TO PROSECUTION: SCOTLAND

Preliminary

- 1 (1) For the purposes of this Act, an alternative to...
- 2 (1) In this Schedule, “ ancillary circumstances ”, in relation...

Protection for spent alternatives to prosecution and ancillary circumstances

- 3 (1) A person who is given an alternative to prosecution...
- 4 (1) This paragraph applies where a person (“A”) is asked...
- 5 (1) An obligation imposed on a person (“A”) by a...
- 6 The Scottish Ministers may by order— (a) exclude or modify...
- 7 Paragraphs 3 to 5 do not affect—
- 8 (1) Section 7(2), (3) and (4) apply for the purpose...
- 9 (1) The powers conferred on the Scottish Ministers by—

Changes to legislation:

Rehabilitation of Offenders Act 1974 is up to date with all changes known to be in force on or before 04 February 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 1 Title word substituted by 2019 asp 14 Sch. 2 para. 1(3)
- s. 1(2) words substituted by 2019 asp 14 Sch. 2 para. 1(2)(a)
- s. 1(4) word substituted by 2019 asp 14 Sch. 2 para. 1(2)(c)
- s. 2 Title words repealed by 2019 asp 14 Sch. 2 para. 1(4)
- s. 3 omitted by 2012 c. 10 Sch. 25 para. 4
- s. 3 repealed by 2011 asp 1 sch. 6
- s. 3 Title words repealed by 2019 asp 14 Sch. 2 para. 1(5)
- s. 4 Title words substituted by 2019 asp 14 Sch. 2 para. 1(7)
- s. 4(1) word substituted by 2019 asp 14 Sch. 2 para. 1(6)
- s. 5 Title word substituted by 2019 asp 14 Sch. 2 para. 1(9)
- s. 5(1) words substituted by 2019 asp 14 Sch. 2 para. 1(8)(a)(i)
- s. 5(1) words substituted by 2019 asp 14 Sch. 2 para. 1(8)(a)(ii)
- s. 5(1)(b) word substituted by 2019 asp 14 s. 18(2)(a)(ii)
- s. 5(1)(b) words repealed by 2019 asp 14 s. 18(2)(a)(i)
- s. 5(1)(d) word substituted by 2019 asp 14 s. 18(2)(b)(ii)
- s. 5(1)(d) words repealed by 2019 asp 14 s. 18(2)(b)(i)
- s. 5(1)(d) words repealed by 2019 asp 14 s. 18(2)(b)(iii)
- s. 5(1)(d) words repealed by 2019 asp 14 s. 18(2)(b)(iv)
- s. 5(3)(b) and word repealed by 2011 asp 1 sch. 6
- s. 5(5)(f) repealed by 2011 asp 1 sch. 6
- s. 5(10) words repealed by 2011 asp 1 sch. 6
- s. 5(11)(a) words substituted by 2019 asp 14 s. 19(3)(a)
- s. 5(11)(b) word substituted by 2019 asp 14 s. 19(3)(b)
- s. 6 Title word substituted by 2019 asp 14 Sch. 2 para. 1(11)
- s. 6(1) word substituted by 2019 asp 14 Sch. 2 para. 1(10)(a)(ii)
- s. 6(1) words repealed by 2019 asp 14 Sch. 2 para. 1(10)(a)(i)
- s. 6(1) words substituted by 2019 asp 14 s. 30(2)
- s. 6(2) word substituted by 2019 asp 14 Sch. 2 para. 1(10)(b)(ii)
- s. 6(2) words repealed by 2019 asp 14 Sch. 2 para. 1(10)(b)(i)
- s. 6(2) words substituted by 2019 asp 14 s. 30(2)
- s. 6(3) repealed by 2019 asp 14 s. 30(3)
- s. 6(3A) word substituted by 2019 asp 14 Sch. 2 para. 1(10)(d)(i)
- s. 6(3A) word substituted by 2019 asp 14 Sch. 2 para. 1(10)(d)(ii)
- s. 6(4) substituted by 2019 asp 14 s. 30(5)
- s. 6(6) words substituted by 2019 asp 14 s. 30(8)(a)
- s. 6(6)(b) substituted by 2019 asp 14 s. 30(8)(b)
- s. 6(6)(c) word substituted by 2019 asp 14 s. 30(8)(c)(i)
- s. 6(6)(c) word substituted by 2019 asp 14 s. 30(8)(c)(ii)
- s. 6(6)(c) word substituted by 2019 asp 14 s. 30(8)(c)(iii)
- s. 7 Title words substituted by 2019 asp 14 Sch. 2 para. 1(13)
- s. 7(1)(d) word substituted by 2019 asp 14 Sch. 2 para. 1(12)(b)
- s. 7(1)(d) words substituted by 2019 asp 14 Sch. 2 para. 1(12)(a)
- s. 8(1) word substituted by 2019 asp 14 Sch. 2 para. 1(14)
- s. 8B(2) words substituted by 2011 asp 1 s. 187(2)(b)
- s. 9(1) words substituted by 2019 asp 14 Sch. 2 para. 1(15)(a)
- s. 9(3)(a) word substituted by 2019 asp 14 Sch. 2 para. 1(15)(b)(i)
- s. 9(3)(b) word substituted by 2019 asp 14 Sch. 2 para. 1(15)(b)(ii)
- Sch. 1 para. 1 words substituted by 2019 asp 14 Sch. 2 para. 1(16)
- Sch. 2 para. 1(3)(a)(b) word substituted by 2019 asp 14 Sch. 2 para. 1(17)(a)
- Sch. 2 para. 5(b) word substituted by 2019 asp 14 Sch. 2 para. 1(17)(b)

- Sch. 3 para. 1(5) word substituted by 2019 asp 14 Sch. 2 para. 1(18)(a)
- Sch. 3 para. 1(6) word substituted by 2019 asp 14 Sch. 2 para. 1(18)(b)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by 2017 anaw 2 s. 66(10)
- Act power to modify conferred by 2019 asp 14 s. 36(1)(a)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1)-(1C) substituted for s. 1(1) by 2019 asp 14 s. 17(2)
- s. 1(1C) words substituted by 2019 asp 7 s. 4(2)(a)
- s. 1(3)(zb)(zc) inserted by 2019 asp 14 Sch. 2 para. 1(2)(b)
- s. 1(4A) inserted by 2019 asp 14 Sch. 2 para. 1(2)(d)
- s. 1(7)(8) inserted by 2019 asp 7 s. 4(2)(b)
- s. 3(3) inserted by 2019 asp 7 s. 4(3)
- s. 5(1)(da) inserted by 2019 asp 14 s. 18(2)(c)
- s. 5(1B) inserted by 2019 asp 14 Sch. 2 para. 1(8)(b)
- s. 5(2A)-(2G) substituted for s. 5(2)-(10) by 2019 asp 14 s. 19(2)
- s. 5(12) inserted by 2019 asp 14 s. 19(4)
- s. 5A inserted by 2019 asp 14 s. 20(2)
- s. 5B inserted by 2019 asp 14 s. 21(2)
- s. 5C inserted by 2019 asp 14 s. 22(2)
- s. 5D inserted by 2019 asp 14 s. 23(2)
- s. 5E inserted by 2019 asp 14 s. 24(2)
- s. 5F inserted by 2019 asp 14 s. 25(2)
- s. 5G inserted by 2019 asp 14 s. 26(2)
- s. 5H inserted by 2019 asp 14 s. 27(2)
- s. 5I inserted by 2019 asp 14 s. 28(2)
- s. 5J inserted by 2019 asp 14 s. 29(2)
- s. 6(2A) inserted by 2019 asp 14 Sch. 2 para. 1(10)(c)
- s. 6(3ZA)-(3ZE) inserted by 2019 asp 14 s. 30(4)
- s. 6(4A)-(4C) inserted by 2019 asp 14 s. 30(6)
- s. 6(5)-(5B) substituted for s. 6(5) by 2019 asp 14 s. 30(7)
- s. 8B(1A)-(1E) inserted by 2011 asp 1 s. 187(2)(a)
- s. 8B(2A) inserted by 2019 asp 7 s. 4(4)
- s. 8C inserted by 2019 asp 14 s. 31(2)
- s. 9B(10) inserted by 2019 asp 7 s. 4(5)
- Sch. 3 para. 1(1)(aa)(ab) inserted by 2011 asp 1 s. 187(3)