



# Rehabilitation of Offenders Act 1974

## 1974 CHAPTER 53

### [<sup>F1</sup>8A Protection afforded to spent cautions

- (1) Schedule 2 to this Act (protection for spent cautions) shall have effect.
- (2) In this Act “caution” means—
  - (a) a conditional caution, that is to say, a caution given under section 22 of the Criminal Justice Act 2003 (c. 44) (conditional cautions for adults) or under section 66A of the Crime and Disorder Act 1998 (c. 37) (conditional cautions for children and young persons);
  - (b) any other caution given to a person in England and Wales in respect of an offence which, at the time the caution is given, that person has admitted;
  - (c) a reprimand or warning given under section 65 of the Crime and Disorder Act 1998 (reprimands and warnings for persons aged under 18);
  - (d) anything corresponding to a caution, reprimand or warning falling within paragraphs (a) to (c) (however described) which is given to a person in respect of an offence under the law of a country outside England and Wales.]

#### Textual Amendments

- F1** S. 8A inserted (E.W.) (19.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 49, 153(7), [Sch. 10 para. 3](#) (with [Sch. 27 para. 19](#)); S.I. 2008/3260, [art. 2\(1\)\(d\)](#)

**Status:**

Point in time view as at 19/12/2008. This version of this provision has been superseded.

**Changes to legislation:**

Rehabilitation of Offenders Act 1974, Section 8A is up to date with all changes known to be in force on or before 21 March 2024. 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.