
STATUTORY INSTRUMENTS

2013 No. 1198

**The Rehabilitation of Offenders Act 1974 (Exceptions)
Order 1975 (Amendment) (England and Wales) Order 2013**

Amendments of article 2

3.—(1) Article 2(1) is amended as follows.

(2) In paragraph (1), after the definition of “payment services” insert—

““protected caution” means a caution of the kind described in article 2A(1);

“protected conviction” means a conviction of the kind described in article 2A(2);”.

(3) Omit paragraph (2).

(4) Before paragraph (3) insert—

“(2A) Nothing in this Order applies in relation to a conviction for a service offence which is not a recordable service offence; and for this purpose—

(a) “service offence” means an offence which is a service offence within the meaning of the Armed Forces Act 2006(2) or an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009(3);

(b) “recordable service offence” means an offence which is a recordable service offence within the meaning of the Police and Criminal Evidence Act 1984 (Armed Forces) Order 2009(4).”.

(1) Article 2(1) and (2) were substituted by [S.I. 1986/2268](#). The definition of “payment services” was inserted in article 2(1) by [S.I. 2011/1800](#) and the definition of “relevant collective investment scheme” was so inserted by [S.I. 2001/3816](#). Article 2(2) was amended by [S.I. 2007/2149](#). There have been other amendments of article 2 but none are material.

(2) [2006 c. 52](#). See section 50(2) which has been amended by the Armed Forces Act 2011 ([c. 18](#)), Schedule 4, paragraph 3.

(3) [S.I. 2009/1059](#). See article 2(4).

(4) [S.I. 2009/1922](#). See article 2(1) and Schedule 2, paragraph 4.