

**Changes to legislation:** Rehabilitation of Offenders Act 1974, Schedule 1 is up to date with all changes known to be in force on or before 20 April 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. (See end of Document for details) View outstanding changes

[<sup>F1</sup>][<sup>F2</sup>][<sup>F3</sup>SCHEDULE 1]

SECTION 6(4): SERVICE DISCIPLINARY CONVICTIONS

Textual Amendments

- F1** Sch. 1 omitted (E.W.) (10.3.2014) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 25 para. 11** (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)
- F2** Sch. inserted (1.10.1996) by 1996 c. 46, s. 13(4)(5)(6), **Sch. 4**; S.I. 1996/2474, art. 2
- F3** Sch. renumbered as Sch. 1 (E.W.) (19.12.2008) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 49, 153(7), **Sch. 10 para. 5** (with Sch. 27 para. 19); S.I. 2008/3260, **art. 2(1)(d)**; and Sch. so renumbered (S.) (1.11.20011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. 203, 206(1), **Sch. 7 para. 10**; S.S.I. 2011/354, **art. 2**, Sch.

- 1 Any conviction for an offence mentioned in this Schedule is a conviction referred to in section 6(6)(bb) of this Act (convictions to be disregarded for the purposes of extending a [<sup>F4</sup>disclosure period] following subsequent conviction).

Textual Amendments

- F4** Words in Sch. 1 para. 1 substituted (S.) (30.11.2020) by Management of Offenders (Scotland) Act 2019 (asp 14), s. 63(2), **sch. 2 para. 1(16)**; S.S.I. 2020/245, reg. 2, sch. (with reg. 3)

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

- 2 Any offence under any of the provisions of the <sup>M1</sup> Army Act 1955 or the <sup>M2</sup> Air Force Act 1955 listed in the first column of the following table:—

<i>Provision</i>	<i>Subject-matter</i>
Section 29	Offences by or in relation to sentries, persons on watch etc.
Section 29A	Failure to attend for duty, neglect of duty etc.
Section 33	Insubordinate behaviour.
Section 34	Disobedience to lawful commands.
Section 34A	Failure to provide a sample for drug testing.
Section 35	Obstruction of provost officers.
Section 36	Disobedience to standing orders.
Section 38	Absence without leave.
Section 39	Failure to report or apprehend deserters or absentees.
Section 42	Malingering.
Section 43	Drunkenness.
Section 43A	Fighting, threatening words etc.

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Section 44	Damage to, and loss of, public or service property etc.
Section 44A	Damage to, and loss of, Her Majesty’s aircraft or aircraft material.
Section 44B	Interference etc. with equipment, messages or signals.
Section 45	Misapplication and waste of public or service property.
Section 46	Offences relating to issues and decorations.
Section 47	Billeting offences.
Section 48	Offences in relation to requisitioning of vehicles.
Section 50	Inaccurate certification.
Section 51	Low flying.
Section 52	Annoyance by flying.
Section 54	Permitting escape, and unlawful release of prisoners.
Section 55	Resistance to arrest.
Section 56	Escape from confinement.
Section 57	Offences in relation to courts-martial.
Section 61	Making of false statements on enlistment.
Section 62	Making of false documents.
Section 63	Offences against civilian population.
Section 69	Conduct to prejudice of military discipline or air-force discipline.

**Marginal Citations**

M1 1955 c. 18.

M2 1955 c. 19.

3 Any offence under section 68 (attempt to commit military offence) or 68A (aiding and abetting etc. , and inciting, military offence) of the <sup>M3</sup> Army Act 1955 in relation to an offence under any of the provisions of that Act listed in paragraph 2.

**Marginal Citations**

M3 1955 c. 18.

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4 Any offence under section 68 (attempt to commit air-force offence) or 68A (aiding and abetting etc. , and inciting, air-force offence) of the <sup>M4</sup> Air Force Act 1955 in relation to an offence under any of the provisions of that Act listed in paragraph 2.

**Marginal Citations**

**M4** 1955 c. 19.

Provisions of the Naval Discipline Act 1957

5 Any offence under any of the provisions of the <sup>M5</sup> Naval Discipline Act 1957 listed in the first column of the following table:—

Provision	Subject-matter
Section 6	Offences by or in relation to sentries, persons on watch etc.
Section 7	Failure to attend for duty, neglect of duty etc.
Section 11	Insubordinate behaviour.
Section 12	Disobedience to lawful commands.
Section 12A	Failure to provide a sample for drug testing.
Section 13	Fighting, threatening words etc.
Section 14	Obstruction of provost officers.
Section 14A	Disobedience to standing orders.
Section 17	Absence without leave etc.
Section 18	Failure to report deserters and absentees.
Section 21	Low flying.
Section 22	Annoyance by flying.
Section 25	Inaccurate certification.
Section 27	Malingering.
Section 28	Drunkenness.
Section 29	Damage to, and loss of, public or service property etc.
Section 29A	Damage to, and loss of, Her Majesty's aircraft or aircraft material.
Section 29B	Interference etc. with equipment, messages or signals.
Section 30	Misapplication and waste of public or service property.

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Section 31	Offences relating to issues and decorations.
Section 32	Billeting offences.
Section 33	Offences in relation to the requisitioning of vehicles etc.
Section 33A	Permitting escape, and unlawful release of prisoners.
Section 33B	Resistance to arrest.
Section 33C	Escape from confinement.
Section 34A	False statements on entry.
Section 35	Falsification of documents.
Section 35A	Offences against civilian population.
Section 38	Offences in relation to courts-martial.
Section 39	Conduct to the prejudice of naval discipline.

**Marginal Citations**

**M5** 1957 c. 53.

6 Any offence under section 40 (attempt to commit naval offence) or 41 (aiding and abetting etc. , and inciting, naval offence) of the <sup>M6</sup> Naval Discipline Act 1957 in relation to an offence under any of the provisions of that Act listed in paragraph 5.

**Marginal Citations**

**M6** 1957 c. 53.

*<sup>F5</sup>Provisions of the Armed Forces Act 2006*

**Textual Amendments**

**F5** Sch. 1 para. 7 and cross-heading inserted (28.3.2009 for certain purposes and 31.10.2009 otherwise) by virtue of [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 66](#); [S.I. 2009/812](#), [art. 3](#); [S.I. 2009/1167](#), [art. 4](#) (and see savings (having effect from 24.4.2009 for specified purposes and 31.10.2009 otherwise) in [S.I. 2009/1059](#), [arts 1\(2\)\(3\)](#), 205, [Sch. 1 para. 14](#))

7 Any service offence within the meaning of the Armed Forces Act 2006 except one punishable in the case of an offender aged 18 or over with imprisonment for more than two years.]]]

**Changes to legislation:**

Rehabilitation of Offenders Act 1974, Schedule 1 is up to date with all changes known to be in force on or before 20 April 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.

[View outstanding changes](#)

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

- Act applied by [2017 anaw 2 s. 66\(10\)](#)

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

- s. 5(2AA) inserted by [2020 asp 13 sch. 5 para. 2\(2\)](#)
- s. 5J(1)(ba) inserted by [2020 asp 13 sch. 5 para. 2\(8\)\(a\)](#)
- s. 5J(1A)(1B) inserted by [2020 asp 13 sch. 5 para. 2\(8\)\(b\)](#)
- s. 8A(2)(aa)-(ad) substituted for s. 8A(2)(a) by [2022 c. 32 Sch. 11 para. 2\(a\)](#)
- s. 8B(1A)-(1E) inserted by [2011 asp 1 s. 187\(2\)\(a\)](#)
- Sch. 3 para. 1(1)(aa)(ab) inserted by [2011 asp 1 s. 187\(3\)](#)