

**Changes to legislation:** Rehabilitation of Offenders Act 1974, Paragraph 5 is up to date with all changes known to be in force on or before 21 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>SCHEDULE 2

### PROTECTION FOR SPENT CAUTIONS

#### Textual Amendments

- F1** Sch. 2 inserted (E.W.) (19.12.2008) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 49, 153(7), Sch. 10 para. 6 (with Sch. 27 para. 19); S.I. 2008/3260, art. 2(1)(d)

#### *Protection relating to spent cautions and ancillary circumstances*

- 5 Nothing in paragraph 3 affects—
- (a) the operation of the caution in question; or
  - <sup>F2</sup>(b) the operation of any enactment by virtue of which, in consequence of any caution, a person is subject to any disqualification, disability, prohibition [<sup>F3</sup>, requirement] or other restriction or effect, the period of which extends beyond the rehabilitation period applicable to the caution.]

#### Textual Amendments

- F2** By Management of Offenders (Scotland) Act 2019 (asp 14), s. 63(2), sch. 2 para. 1(17)(b); S.S.I. 2020/245, reg. 2, sch. (with reg. 3) it is provided that (S.) (30.11.2020) in Sch. 2 para. 5(b) the word “disclosure” is substituted for “rehabilitation” [Editorial note: The purported substitution cannot be applied because the affected provision does not extend to Scotland.]
- F3** Word in Sch. 2 para. 5(b) inserted (with application in accordance with s. 193(16)-(18) of the amending Act) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), ss. 193(15), 208(1); S.I. 2023/1128, reg. 2

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**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\(3\)](#)