



Rehabilitation of Offenders Act 1974

1974 CHAPTER 53

[^{F1}
F2] 5J

Sentences to which no disclosure period applies

- (1) There is no disclosure period applicable to—
- (a) an order discharging a person absolutely for an offence,
 - (b) the dismissal of a person with an admonition,
 - (c) a guardianship order—
 - (i) if arising by virtue of subsection (1)(b) of section 57 of the Criminal Procedure (Scotland) Act 1995, under subsection (2)(c) of that section, or
 - (ii) under section 58(1A) or (3) of the Criminal Procedure (Scotland) Act 1995,
 - (d) the discharge by a children's hearing under section 69(1)(b) and (12) of the Children (Scotland) Act 1995 of the referral of a child's case,
 - (e) a supervision requirement under any provision of that Act,
 - (f) the discharge by a children's hearing or, as the case may be, by the sheriff of the referral of a child's case to a children's hearing under section 91(3)(b), 93(2)(b) or 119(3)(b) of the Children's Hearings (Scotland) Act 2011, or
 - (g) a compulsory supervision order under any provision of that Act.
- (2) In relation to any of the cases mentioned in subsection (1), references in this Act to any disclosure period are to be read as if the period of time were nil.]]

Textual Amendments

- F1** Words substituted by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 7 para. 24\(a\)\(ii\)](#)
- F2** S. 5J inserted (S.) (30.11.2020) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), [ss. 29\(2\), 63\(2\)](#) (with [s. 37](#)); [S.S.I. 2020/245](#), [reg. 2](#), [sch.](#) (with [reg. 3](#))

Changes to legislation:

Rehabilitation of Offenders Act 1974, Section 5J is up to date with all changes known to be in force on or before 14 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\(3\)](#)