



Rehabilitation of Offenders Act 1974

1974 CHAPTER 53

[^{F1}
F2]8C

Modification of section 8B and schedule 3: Scotland

- (1) The Scottish Ministers may by regulations modify the list of circumstances in section 8B(1) in which a person is given an alternative to prosecution by—
 - (a) amending an entry,
 - (b) removing an entry,
 - (c) adding an entry.
- (2) The Scottish Ministers may by regulations modify paragraph 1 of schedule 3 by—
 - (a) amending provision specifying when an alternative to prosecution becomes spent,
 - (b) removing provision specifying when an alternative to prosecution becomes spent,
 - (c) adding provision specifying when an alternative to prosecution becomes spent.
- (3) Regulations under this section—
 - (a) may make different provision for different purposes,
 - (b) are subject to the affirmative procedure.]]

Textual Amendments

- F1** Words substituted by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 7 para. 24\(a\)\(ii\)](#)
- F2** S. 8C inserted (S.) (30.11.2020) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), [ss. 31\(2\), 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 8C is up to date with all changes known to be in force on or before 08 May 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\(3\)](#)