



Rehabilitation of Offenders Act 1974

1974 CHAPTER 53

An Act to rehabilitate offenders who have not been reconvicted of any serious offence for periods of years, to penalise the unauthorised disclosure of their previous convictions, to amend the law of defamation, and for purposes connected therewith. [31st July 1974]

Modifications etc. (not altering text)

- C1** Act modified (1.7.1992) by Road Traffic Offenders Act 1988 (c. 53, SIF 107:1), **ss. 58, 77(7)**, as substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 34**; S.I. 1992/1286, **art. 2, Sch.** Act modified (1.4.2009) by Road Traffic Offenders Act 1988 (c. 53), s. 58A(1) (as inserted by Road Safety Act 2006 (c. 49), ss. 9(2), 61(1), **Sch. 2 para. 17**; S.I. 2008/3164, **art. 4(b)**) Act modified (1.4.2009) by Road Traffic Offenders Act 1988 (c. 53), s. 77A(9) (as inserted by Road Safety Act 2006 (c. 49), ss. 9(2), 61(1), **Sch. 2 para. 27**; S.I. 2008/3164, **art. 4(b)**)
- C2** Act (except section 1(2)) modified by Repatriation of Prisoners Act 1984 (c. 47, SIF 39:1), s. 3, **Sch. para. 6(a)**
- C3** Act excluded by Financial Services Act 1986 (c. 60, SIF 69), **s. 189(1)** Act excluded (15.12.2011) by Terrorism Prevention and Investigation Measures Act 2011 (c. 23), ss. 25, 31(2), **Sch. 6 para. 10(2)** (with Sch. 8)
- C4** By Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(1), **Sch. 12 para. 23**; S.I. 1991/2208, **art. 2(1), Sch. 1** it is provided (14.10.1991) that in relation to any time before the commencement of s. 70 of that 1991 Act (which came into force on 1.10.1992 by S.I. 1992/333, **art. 2(2), Sch. 2**) references in any enactment amended by that 1991 Act, to youth courts shall be construed as references to juvenile courts.
- C5** Act amended (1.10.1996) by 1996 c. 46, **s. 13(5)(6)**; S.I. 1996/2474, **art. 2**
- C6** Act modified (S.) (14.5.2013) by The Children's Hearings (Scotland) Act 2011 (Rehabilitation of Offenders) (Transitory Provisions) Order 2013 (S.S.I. 2013/146), **arts. 1(1), 2(1)**
- C7** Act excluded by 2000 c. 11, **Sch. 8 para. 20D** (as inserted (31.10.2013) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 1 para. 1(4)** (with s. 97); S.I. 2013/1814, **art. 2(i)**)
- C8** Act excluded by S.I. 2009/1922, **art. 2(6)** (as inserted (31.10.2013) by The Police and Criminal Evidence Act 1984 (Armed Forces) (Amendment) Order 2013 (S.I. 2013/2554), **arts. 1(1), 2(3)**)
- C9** Act excluded by 2008 c. 28, **s. 18E(4)** (as substituted (31.10.2013) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 1 para. 4** (with s. 97); S.I. 2013/1814, **art. 2(k)**)
- C10** Act excluded by 1984 c. 60, **s. 65B(2)** (as inserted (E.W.) (31.10.2013) by Protection of Freedoms Act 2012 (c. 9), **ss. 18(5), 120** (with s. 97); S.I. 2013/1814, **art. 2(d)**)

Changes to legislation: Rehabilitation of Offenders Act 1974, Introductory Text is up to date with all changes known to be in force on or before 27 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

- C11** Act excluded (13.8.2020 except in relation to N.I., 1.6.2021 for N.I.) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(1)(g), **Sch. 3 para. 45(2)** (with s. 25(9)); S.I. 2020/792, reg. 2(g); S.I. 2021/622, reg. 2(b)
- C12** Act: power to modify conferred (S.) (30.11.2020) by Management of Offenders (Scotland) Act 2019 (asp 14), **ss. 36(1)(a), 63(2)** (with s. 37); S.S.I. 2020/245, reg. 2, sch. (with reg. 3)
- C13** Act applied (E.W.) (28.10.2023) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 193(17)(18), 208(1)**; S.I. 2023/1128, reg. 2
- C14** Act excluded (20.12.2023) by National Security Act 2023 (c. 32), s. 100(1), **Sch. 6 para. 21(2)** (with s. 97); S.I. 2023/1272, reg. 2(a)
- C15** Act excluded (20.12.2023) by National Security Act 2023 (c. 32), s. 100(1), **Sch. 12 para. 10(2)** (with s. 97); S.I. 2023/1272, reg. 2(b)

Commencement Information

- I1** Act wholly in force at 1.7.1975 see s. 11(2)

Changes to legislation:

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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\(3\)](#)