



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 4

OTHER CRIMINAL JUSTICE PROVISIONS

Alternatives to prosecution

50 Criminal conviction certificates and criminal record certificates

- (1) Part 5 of the Police Act 1997 (c. 50) (certificates of criminal records) is amended as follows.
- (2) In section 112 (criminal conviction certificates)—
 - (a) in the definition of “central records”, after “convictions” insert “ and conditional cautions ”;
 - (b) after that definition insert—

““conditional caution” means a caution given under section 22 of the Criminal Justice Act 2003 (c. 44) or section 66A of the Crime and Disorder Act 1998, other than one that is spent for the purposes of Schedule 2 to the Rehabilitation of Offenders Act 1974.”
- (3) In section 113A(6) (criminal record certificates)—
 - (a) in the definition of “exempted question”, after “a question” insert “which—
 - (“) so far as it applies to convictions, is a question”;
 - (b) in that definition, at the end insert “; and—
 - (“) so far as it applies to cautions, is a question to which paragraph 3(3) or (4) of Schedule 2 to that Act has been excluded by an order of the Secretary of State under paragraph 4 of that Schedule;”;

Changes to legislation: Criminal Justice and Immigration Act 2008, Section 50 is up to date with all changes known to be in force on or before 28 June 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](#)

(c) in the definition of “relevant matter”, after “caution” insert “, including a caution that is spent for the purposes of Schedule 2 to that Act”.

(4) This section extends to England and Wales only.

Commencement Information

II [S. 50](#) in force at 19.12.2008 by [S.I. 2008/3260](#), [art. 2\(1\)\(b\)](#)

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

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

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)