



# Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

## PART 4

### POLICE INVESTIGATORY AND OTHER POWERS

#### CHAPTER 4

##### TAKING OF PRINTS AND SAMPLES FROM CERTAIN CHILDREN

###### *Limitation on taking of prints and samples*

#### **60 Key definitions**

- (1) In this Chapter, the following expressions have the meanings given in this section.
- (2) “Relevant physical data” means any—
  - (a) fingerprint,
  - (b) palm print,
  - (c) print or impression, other than those mentioned in paragraph (a) and (b), of an external part of the body,
  - (d) record of a person’s skin on an external part of the body created by an approved device,
  - (e) dental impression,
  - (f) photograph of a person.
- (3) “Relevant sample” means—
  - (a) a sample of hair, including pubic hair, or other material from an external part of the body taken by means of cutting, combing or plucking,
  - (b) a sample of nail or other material from a fingernail or toenail or from under any such nail,
  - (c) a sample of saliva or other material taken by means of swabbing the inside of the mouth,

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*Status: This is the original version (as it was originally enacted).*

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- (d) a sample, other than those mentioned in paragraph (c), of blood or other body fluid, of urine, of body tissue or of other material taken by any means (including by swabbing a bodily orifice other than the mouth).
- (4) “Intimate sample” means—
- (a) a sample of blood, semen, or any other tissue fluid, urine or pubic hair,
  - (b) a dental impression,
  - (c) a sample of any material taken by means of swabbing any part of a person’s genitals (including pubic hair) or from a bodily orifice other than the mouth.
- (5) In subsection (2)(d), an “approved device” is a device approved by the Scottish Ministers by order under section 18(7B) of the Criminal Procedure (Scotland) Act 1995 for the purposes of section 18(7A)(d) of that Act.
- (6) The Scottish Ministers may by regulations modify the definitions of “relevant physical data”, “relevant sample” and “intimate sample”.