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STATUTORY INSTRUMENTS

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**2011 No. 414 (C. 16)**

**POLICE, ENGLAND AND WALES**

**The Crime and Security Act 2010  
(Commencement No.3) Order 2011**

*Made - - - - 14th February 2011*

The Secretary of State makes the following Order in exercise of the powers conferred by section 59(1) of the Crime and Security Act 2010(1):

**Citation**

1. This Order may be cited as the Crime and Security Act 2010 (Commencement No.3) Order 2011.

**Commencement**

2. The day appointed for the coming into force of the following provisions in the Crime and Security Act 2010 is 7th March 2011—

- (a) section 1 (records of searches);
- (b) sections 2 to 5 (taking of fingerprints and samples: England and Wales);
- (c) section 6(1) (power to require attendance at a police station);
- (d) section 6(2), insofar as it inserts Schedule 2A, other than paragraphs 4 and 12, into the Police and Criminal Evidence Act 1984(2);
- (e) section 6(3) and (4); and
- (f) section 7 (definition of “qualifying offence”).

Home Office  
14th February 2011

*Nick Herbert*  
Minister of State

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(1) 2010 c.17.  
(2) 1984 c.60.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 7th March 2011 section 1 of the Crime and Security Act 2010. Section 1 amends section 3 of the Police and Criminal Evidence Act 1984 (c.60). The amendment reduces the amount of information that must be recorded following a stop and search encounter.

On the same date, this Order brings into force sections 2 to 7 of the Act. These provisions amend Part 5 of the Police and Criminal Evidence Act 1984 (questioning and treatment of persons by police).

Section 2 confers enhanced powers to take fingerprints and DNA samples. Section 3 creates similar powers in relation to qualifying offences committed outside England and Wales. Section 4 specifies the information that must be given on the taking of the material. Section 5 enables the police to use these fingerprints or samples to conduct speculative searches. Section 6 (which is commenced in part only) confers a power to require attendance at a police station for the purpose of taking fingerprints or samples. Section 7 sets out which offences fall within the definition of “qualifying offence.”

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 37	31st January 2011	<a href="#">2010/2989</a>
Section 38	31st January 2011	<a href="#">2010/2989</a>
Section 46	10th February 2011	<a href="#">2011/144</a>