Changes to legislation: *Police and Criminal Evidence Act 1984, Cross Heading: Persons convicted etc of an offence in England and Wales is up to date with all changes known to be in force on or before 28 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. (See end of Document for details) View outstanding changes*

SCHEDULES

[F1SCHEDULE 2A

FINGERPRINTING [F1, SAMPLES AND PHOTOGRAPHS]: POWER TO REQUIRE ATTENDANCE AT POLICE STATION

Textual Amendments

F1 Words in Sch. 2A heading substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 52(4)**, 208(5)(e)

F1 Sch. 2A inserted (E.W.) (7.3.2011 except for the insertion of Sch. 2A paras. 4, 12) by Crime and Security Act 2010 (c. 17), **ss. 6(2)**, 59(1); S.I. 2011/414, art. 2(d)

[F2PART 3

NON-INTIMATE SAMPLES

Textual Amendments

F2 Sch. 2A inserted (prosp.) by Crime and Security Act 2010 (c. 17), **ss. 6(2)**, 59

Persons convicted etc of an offence in England and Wales

11 (1) A constable may require a person to attend a police station for the purpose of taking a non-intimate sample from him under section 63(3B).

(2) Where the condition in section 63(3BA)(a) is satisfied (sample not taken previously), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—

(a) the day on which the person was convicted [F3 or cautioned] , or

(b) if later, the day on which this Schedule comes into force.

(3) Where the condition in section 63(3BA)(b) is satisfied (sample taken on a previous occasion not suitable etc), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—

(a) the day on which an appropriate officer was informed of the matters specified in section 63(3BA)(b)(i) or (ii), or

(b) if later, the day on which this Schedule comes into force.

(4) In sub-paragraph (3)(a) above " appropriate officer " means an officer of the police force which investigated the offence in question.

(5) Sub-paragraphs (2) and (3) above do not apply where—

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(a) the offence is a qualifying offence (whether or not it was such an offence at the time of the conviction **[**[F4] or caution **]**), or

(b) he was convicted before 10th April 1995 and is a person to whom section 1 of the Criminal Evidence (Amendment) Act 1997 applies.**]]**

Textual Amendments

F3 Words in Sch. 2A para. 11(2)(a) substituted (8.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 24 para. 11(3)(a)** (with s. 135(4)); S.I. 2013/453, art. 4(f)

F4 Words in Sch. 2A para. 11(5)(a) substituted (8.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 24 para. 11(3)(b)** (with s. 135(4)); S.I. 2013/453, art. 4(f)

Changes to legislation:
Police and Criminal Evidence Act 1984, Cross Heading: Persons convicted etc of an offence in England and Wales is up to date with all changes known to be in force on or before 28 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.
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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):

- s. 17(1)(cza) inserted by 2021 c. 17 s. 26(9)
- s. 47A(3A) substituted by 2022 c. 35 Sch. 2 para. 7
- s. 61(6BA) inserted by 2008 c. 28 s. 10(1) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by 2008 c. 28 s. 10(2) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by 2008 c. 28 s. 10(4) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by 2022 c. 32 Sch. 11 para. 18(a)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by 2006 c. 12 Sch. 3 para. 13