

Status: This version of this provision is prospective.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 64ZB is up to date with all changes known to be in force on or before 18 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



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART V

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

PROSPECTIVE

[^{F1}64ZB Destruction of data given voluntarily

- (1) This section applies to—
 - (a) fingerprints or impressions of footwear taken in connection with the investigation of an offence with the consent of the person from whom they were taken, and
 - (b) a DNA profile derived from a DNA sample taken in connection with the investigation of an offence with the consent of the person from whom the sample was taken.
- (2) Material to which this section applies must be destroyed as soon as it has fulfilled the purpose for which it was taken or derived, unless it is—
 - (a) material relating to a person who is convicted of the offence,
 - (b) material relating to a person who has previously been convicted of a recordable offence, other than a person who has only one exempt conviction,
 - (c) material in relation to which any of sections 64ZC to 64ZH applies, or
 - (d) material which is not required to be destroyed by virtue of consent given under section 64ZL.
- (3) If material to which this section applies leads to the person to whom the material relates being arrested for or charged with an offence other than the offence under investigation—
 - (a) the material is not required to be destroyed by virtue of this section, and
 - (b) sections 64ZD to 64ZH have effect in relation to the material as if the material was taken (or, in the case of a DNA profile, was derived from material taken)

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in connection with the investigation of the offence in respect of which the person is arrested or charged.]

Textual Amendments

F1 Ss. 64ZA-64ZN inserted (prosp.) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 14(2)**, 59

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Changes and effects yet to be applied to :

- s. 64ZA-64ZN inserted by [2010 c. 17 s. 14\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 14 repealed (31.10.2013) without ever being in force by 2012 c. 9, Sch. 9 para. 4(2), Sch. 10 Pt. 1; S.I. 2013/2104, art. 3(c)(d))

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](#)