



Crime and Security Act 2010

2010 CHAPTER 17

Retention, destruction and use of fingerprints and samples etc

22 Destruction of material taken before commencement

- (1) The Secretary of State must by order make provision for the destruction of—
 - (a) fingerprints, samples and impressions of footwear taken prior to the commencement of each of sections 14, 15 and 17 to 21 which would have been destroyed if that section had been in force at the time they were taken, and
 - (b) any DNA profile which would be destroyed if that section had been in force at the time the profile was derived.
- (2) If an order under section 113(1) of the Police and Criminal Evidence Act 1984 (application of that Act to Armed Forces) makes provision equivalent to sections 64 to 64ZN of that Act as substituted by section 14 above, the Secretary of State must by order make provision for the destruction of—
 - (a) fingerprints, samples and impressions of footwear taken prior to the commencement of that order which would have been destroyed if that order had been in force at the time they were taken, and
 - (b) any DNA profile which would be destroyed if that order had been in force at the time the profile was derived.
- (3) In this section—
 - “DNA profile” means any information derived from a DNA sample;
 - “DNA sample” means any material that has come from a human body and consists of or includes human cells;
 - “fingerprints” means a record (in any form and produced by any method) of the skin pattern and other physical characteristics or features of a person’s fingers or either of a person’s palms.
- (4) An order under this section must be made by statutory instrument.
- (5) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of either House of Parliament.