



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,

Changes to legislation: *Age of Criminal Responsibility (Scotland) Act 2019, Section 60 is up to date with all changes known to be in force on or before 19 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*

- (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”.

Modifications etc. (not altering text)

- C1** Pt. 4 applied (with modifications) (17.12.2021) by 2004 c. 20, s. 56B (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **19**)
- C2** Pt. 4 applied (with modifications) (17.12.2021) by 1987 c. 4, s. 2E (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **17**)
- C3** Pt. 4 applied (with modifications) (17.12.2021) by 2003 c. 20, s. 31B (as inserted by [The Age of Criminal Responsibility \(Scotland\) Act 2019 \(Consequential Provisions and Modifications\) Order 2021 \(S.I. 2021/1458\)](#), arts. 1(1), **18**)

Commencement Information

- I1** S. 60(1)-(5) in force at 17.12.2021 by S.S.I. 2021/449, **reg. 2**
- I2** S. 60(6) in force at 31.3.2020 by S.S.I. 2020/74, **reg. 2, sch.**

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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. 18(1A) inserted by [2020 asp 13 sch. 5 para. 7\(8\)\(b\)](#)
- s. 20A inserted by [2020 asp 13 sch. 5 para. 7\(9\)](#)