

SCHEDULE  
MODIFICATIONS

PART 1  
RETENTION AND USE OF SAMPLES

**The Criminal Procedure (Scotland) Act 1995**

1. Section 19C (sections 18 and 19 to 19AA: use of samples etc.) of the Criminal Procedure (Scotland) Act 1995<sup>(1)</sup> is amended as follows—

- (a) in subsection (1), at the end of paragraphs (a) and (b) insert “(including any taken or provided by virtue of paragraph 20 of Schedule 8 to the Terrorism Act 2000<sup>(2)</sup>)”;
- (b) in subsection (2)—
  - (i) omit the word “or” at the end of paragraph (a),
  - (ii) after paragraph (b) insert—
    - “(c) in the interests of national security, or
    - (d) for the purposes of a terrorist investigation”;
- (c) in subsection (6)—
  - (i) omit the word “and” at the end of paragraph (b),
  - (ii) after paragraph (c) insert—
    - “, and
    - (d) “terrorist investigation” has the meaning given by section 32 of the Terrorism Act 2000.”.

**The Criminal Justice (Scotland) Act 2003**

2. Section 56 (use of samples etc. voluntarily given) of the Criminal Justice (Scotland) Act 2003<sup>(3)</sup> is amended as follows—

- (a) in subsection (2)—
  - (i) omit the word “or” at the end of paragraph (a),
  - (ii) after paragraph (b) insert—
    - “(c) in the interests of national security, or
    - (d) for the purposes of a terrorist investigation”;
- (b) in subsection (8)—
  - (i) omit the word “and” at the end of the definition of “sample”,
  - (ii) after the definition of “relevant physical data” insert—
    - “, and
    - “terrorist investigation” has the meaning given by section 32 of the Terrorism Act 2000.”.

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<sup>(1)</sup> Section 19C was inserted by section 82(1) of the Criminal Justice and Licensing (Scotland) Act 2010 (“the 2010 Act”).

<sup>(2)</sup> 2000 c.11.

<sup>(3)</sup> 2003 asp 7, section 56 was amended by section 82(2) of the 2010 Act.

**Status:** This is the original version (as it was originally made).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