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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 178**

**The Criminal Justice and Licensing (Scotland)  
Act 2010 (Commencement No. 8, Transitional  
and Savings Provisions) Order 2011**

**Section 81 (extension of section 19A of 1995 Act)**

**8.—(1)** The amendment to section 19A of the 1995 Act made by section 81(a) of the Act only has application in respect of section 18A of the 1995 Act—

(a) where—

- (i) relevant physical data taken from or provided by a person under section 18(2) of the 1995 Act; or
- (ii) any sample, or information deriving from a sample, taken from that person under section 18(6) or (6A) of the 1995 Act,

was taken or provided in connection with an offence committed on or after 28th March 2011; and

- (b) criminal proceedings in respect of a relevant sexual offence specified in section 19A(6)(g) of the 1995 Act, as modified by section 18A(12) of the 1995 Act, are instituted against that person on or after 28th March 2011.

**(2)** The amendment to section 19A of the 1995 Act made by section 81(b) of the Act only has application in respect of section 18A of the 1995 Act—

(a) where—

- (i) relevant physical data taken or provided by that person under section 18(2) of the 1995 Act; or
- (ii) any sample, or information deriving from a sample, taken from that person under section 18(6) or (6A) of the 1995 Act,

was taken or provided in connection with an offence committed on or after 28th March 2011; and

- (b) criminal proceedings in respect of a relevant violent offence specified in section 19A(6)(h)(v) of the 1995 Act are instituted against that person on or after 28th March 2011.