
Status: Point in time view as at 07/03/2011. This version of this part contains provisions that are prospective.
Changes to legislation: Police and Criminal Evidence Act 1984, Part 1 is up to date with all changes known to be in force on or before 19 May 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)

SCHEDULES

[^{F1}SCHEDULE 2A

FINGERPRINTING AND SAMPLES: POWER TO REQUIRE ATTENDANCE AT POLICE STATION

Textual Amendments

- F1** Sch. 2A inserted (E.W.) (7.3.2011 except for the insertion of Sch. 2A paras. 4, 12) by [Crime and Security Act 2010 \(c. 17\)](#), ss. **6(2)**, 59(1); S.I. 2011/414, art. 2(d)

PART 1

FINGERPRINTING

Persons arrested and released

- 1 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(5A).
- (2) The power under sub-paragraph (1) above may not be exercised in a case falling within section 61(5A)(b) (fingerprints taken on previous occasion insufficient etc) after the end of the period of six months beginning with the day on which the appropriate officer was informed that section 61(3A)(a) or (b) applied.
- (3) In sub-paragraph (2) above “ appropriate officer ” means the officer investigating the offence for which the person was arrested.

Persons charged etc

- 2 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(5B).
- (2) The power under sub-paragraph (1) above may not be exercised after the end of the period of six months beginning with—
- (a) in a case falling within section 61(5B)(a) (fingerprints not taken previously), the day on which the person was charged or informed that he would be reported, or
- (b) in a case falling within section 61(5B)(b) (fingerprints taken on previous occasion insufficient etc), the day on which the appropriate officer was informed that section 61(3A)(a) or (b) applied.
- (3) In sub-paragraph (2)(b) above “ appropriate officer ” means the officer investigating the offence for which the person was charged or informed that he would be reported.

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Persons convicted etc of an offence in England and Wales

- 3 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(6).
- (2) Where the condition in section 61(6ZA)(a) is satisfied (fingerprints not taken previously), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—
- (a) the day on which the person was convicted, cautioned or warned or reprimanded, or
 - (b) if later, the day on which this Schedule comes into force.
- (3) Where the condition in section 61(6ZA)(b) is satisfied (fingerprints taken on previous occasion insufficient etc), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—
- (a) the day on which an appropriate officer was informed that section 61(3A) (a) or (b) applied, or
 - (b) if later, the day on which this Schedule comes into force.
- (4) In sub-paragraph (3)(a) above “ appropriate officer ” means an officer of the police force which investigated the offence in question.
- (5) Sub-paragraphs (2) and (3) above do not apply where the offence is a qualifying offence (whether or not it was such an offence at the time of the conviction, caution or warning or reprimand).

Persons subject to a control order

- 4 A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(6BA).

Persons convicted etc of an offence outside England and Wales

PROSPECTIVE

[^{F25} A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(6D).

Textual Amendments

F2 Sch. 2A inserted (prosp.) by [Crime and Security Act 2010 \(c. 17\)](#), ss. 6(2), 59

Multiple attendance

PROSPECTIVE

- 6 (1) Where a person's fingerprints have been taken under section 61 on two occasions in relation to any offence, he may not under this Schedule be required to attend a police station to have his fingerprints taken under that section in relation to that offence on

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a subsequent occasion without the authorisation of an officer of at least the rank of inspector.

(2) Where an authorisation is given under sub-paragraph (1) above—

(a) the fact of the authorisation, and

(b) the reasons for giving it,

shall be recorded as soon as practicable after it has been given.]]

Textual Amendments

F2 Sch. 2A inserted (prosp.) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 6(2), 59**

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