



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART V

#### QUESTIONING AND TREATMENT OF PERSONS BY POLICE

#### [<sup>F1</sup>][<sup>F2</sup>63P Retention of 63D material in connection with different offence

- (1) Subsection (2) applies if—
- (a) section 63D material is taken (or, in the case of a DNA profile, derived from a sample taken) from a person in connection with the investigation of an offence, and
  - (b) the person is subsequently arrested for or charged with a different offence, or convicted of or given a penalty notice for a different offence.
- (2) Sections 63E to 63O and sections 63Q and 63T have effect in relation to the material as if the material were also taken (or, in the case of a DNA profile, derived from a sample taken)—
- (a) in connection with the investigation of the offence mentioned in subsection (1) (b),
  - (b) on the date on which the person was arrested for that offence (or charged with it or given a penalty notice for it, if the person was not arrested).]]

#### Textual Amendments

- F1** S. 63P inserted (31.10.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 12**, 120 (with s. 97); S.I. 2013/1814, art. 2(a)
- F2** S. 63P substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), **ss. 145(1)**, 185(1) (with **ss. 21, 33, 42, 58, 75, 93, 145(2)**); S.I. 2014/949, art. 3, Sch. para. 13

#### Modifications etc. (not altering text)

- C1** S. 63P applied (with modifications) (4.11.2015) by [The Police and Criminal Evidence Act 1984 \(Application to Revenue and Customs\) Order 2015 \(S.I. 2015/1783\)](#), arts. 1, 3(1), **Sch. 1** (with art. 3(2), (3), 4-19, Sch. 2)

**Changes to legislation:**

Police and Criminal Evidence Act 1984, Section 63P is up to date with all changes known to be in force on or before 28 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.

[View outstanding changes](#)

**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. 17(1)(cza) inserted by [2021 c. 17 s. 26\(9\)](#)
- s. 47A(3A) substituted by [2022 c. 35 Sch. 2 para. 7](#)
- s. 61(6BA) inserted by [2008 c. 28 s. 10\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by [2008 c. 28 s. 10\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by [2008 c. 28 s. 10\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by [2022 c. 32 Sch. 11 para. 18\(a\)](#)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by [2006 c. 12 Sch. 3 para. 13](#)