



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 1

POWERS TO GATHER AND SHARE INFORMATION

Retention and use of fingerprints and samples

PROSPECTIVE

15 Material subject to the Police and Criminal Evidence (Northern Ireland) Order 1989

- (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) is amended as follows.
- (2) In Article 63A(1) (fingerprints and samples: what they may be checked against), for paragraphs (a) and (b), substitute—
 - “(a) other fingerprints, impressions of footwear or samples—
 - (i) to which the person seeking to check has access and which are held by or on behalf of any one or more relevant law-enforcement authorities or are held in connection with or as a result of an investigation of an offence, or
 - (ii) which are held by or on behalf of the Security Service or the Secret Intelligence Service;
 - (b) information derived from other samples—
 - (i) which is contained in records to which the person seeking to check has access and which are held as mentioned in paragraph (a)(i) above, or
 - (ii) which is held by or on behalf of the Security Service or the Secret Intelligence Service.”.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 15. (See end of Document for details)

- (3) In Article 63A(1ZA) (fingerprints from a person whose identity is unclear: what they may be checked against), for “other fingerprints” to the end, substitute “other fingerprints—
- (a) to which the person seeking to check has access and which are held by or on behalf of any one or more relevant law-enforcement authorities or which are held in connection with or as a result of an investigation of an offence, or
 - (b) which are held by or on behalf of the Security Service or the Secret Intelligence Service.”.
- (4) In Article 64(1A) (purposes for which fingerprints or samples may be retained and used), for the words from “except for purposes” to the end substitute “ except as described in paragraph (1AB) ”.
- (5) After paragraph (1AA) of that Article (inserted by section 12) insert—
- “(1AB) The fingerprints, impressions of footwear or samples may be used—
- (a) in the interests of national security,
 - (b) for purposes related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution, or
 - (c) for purposes related to the identification of a deceased person or of the person from whom the material came.”.
- (6) In paragraph (1B) of that Article, after “(1AA)” (inserted by section 12) insert “ or (1AB) ”.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 15.