



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 1

#### REGULATION OF BIOMETRIC DATA

### CHAPTER 1

#### DESTRUCTION, RETENTION AND USE OF FINGERPRINTS ETC.

##### *Modification of rule for particular circumstances*

#### **6 Persons convicted of an offence outside England and Wales**

After section 63I of the Police and Criminal Evidence Act 1984 (for which see section 5) insert—

##### **“63J Retention of material: persons convicted of an offence outside England and Wales**

- (1) This section applies to material falling within subsection (2) relating to a person who is convicted of an offence under the law of any country or territory outside England and Wales.
- (2) Material falls within this subsection if it is—
  - (a) fingerprints taken from the person under section 61(6D) (power to take fingerprints without consent in relation to offences outside England and Wales), or
  - (b) a DNA profile derived from a DNA sample taken from the person under section 62(2A) or 63(3E) (powers to take intimate and non-intimate samples in relation to offences outside England and Wales).
- (3) The material may be retained indefinitely.”