

SCHEDULES

SCHEDULE 3

BORDER SECURITY

PART 2

DETENTION

Destruction and retention of fingerprints and samples etc: United Kingdom

- 50 (1) Any material to which paragraph 43 or 49 applies must not be used other than—
- (a) in the interests of national security,
 - (b) for the purposes of a terrorist investigation, as defined by section 32 of the Terrorism Act 2000,
 - (c) for purposes related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution, or
 - (d) for purposes related to the identification of a deceased person or of the person to whom the material relates.
- (2) Subject to sub-paragraph (1), a relevant search (within the meaning given by paragraph 43(6)) may be carried out in relation to material to which paragraph 43 or 49 applies if the responsible chief officer of police considers the search to be desirable.
- (3) Material which is required by paragraph 43 or 49 to be destroyed must not at any time after it is required to be destroyed be used—
- (a) in evidence against the person to whom the material relates, or
 - (b) for the purposes of the investigation of any offence.
- (4) In this paragraph—
- (a) the reference to using material includes a reference to allowing any check to be made against it and to disclosing it to any person;
 - (b) the references to an investigation and to a prosecution include references, respectively, to any investigation outside the United Kingdom of any crime or suspected crime and to a prosecution brought in respect of any crime in a country or territory outside the United Kingdom.
- (5) Sub-paragraphs (1), (2) and (4) do not form part of the law of Scotland.