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STATUTORY INSTRUMENTS

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**2020 No. 391**

**The Coronavirus (Retention of Fingerprints and DNA Profiles  
in the Interests of National Security) Regulations 2020**

**Retention in advance of a requirement to destroy**

4.—(1) Paragraph (4) applies in respect of fingerprints or DNA profiles that satisfy the conditions in paragraphs (2) and (3).

(2) The first condition is that the fingerprints or DNA profiles satisfy the national security retention condition (see regulation 5).

(3) The second condition is that the fingerprints or DNA profiles must (ignoring the effect of these Regulations) be destroyed under any of the following provisions during the period of 6 months starting with the date on which these Regulations come into force—

- (a) section 18(3) of the Criminal Procedure (Scotland) Act 1995 (destruction of relevant physical data)(1);
- (b) Article 64(3), 64ZB(2), 64ZC(3), 64ZD(3), 64ZE(3), 64ZF(3), 64ZG(3) or 64ZH(3) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (destruction of fingerprints and samples)(2).

(4) The fingerprints or DNA profiles may be retained for a further period of 6 months starting with the date on which the requirement to destroy the fingerprints or DNA profiles would otherwise have arisen.

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(1) 1995. c.46. Section 18(3) was subject to relevant amendment by section 19 of, and paragraph 6 of Schedule 1 to, the Protection of Freedoms Act 2012.

(2) S.I. 1341/1989 (N.I. 12). Articles 64ZB-64ZH were inserted by section 15(2) of the Crime and Security Act 2010 (c.17).