



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

11 Material retained with consent

After section 63N of the Police and Criminal Evidence Act 1984 (for which see section 10) insert—

“63O Retention of section 63D material with consent

- (1) This section applies to the following material—
 - (a) fingerprints (other than fingerprints taken under section 61(6A)) to which section 63D applies, and
 - (b) a DNA profile to which section 63D applies.
- (2) If the person to whom the material relates consents to material to which this section applies being retained, the material may be retained for as long as that person consents to it being retained.
- (3) Consent given under this section—
 - (a) must be in writing, and
 - (b) can be withdrawn at any time.”