



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

5 Persons convicted of a recordable offence

After section 63H of the Police and Criminal Evidence Act 1984 (for which see section 4) insert—

“63I Retention of material: persons convicted of a recordable offence

- (1) This section applies, subject to subsection (3), to—
- (a) section 63D material which—
 - (i) relates to a person who is convicted of a recordable offence, and
 - (ii) was taken (or, in the case of a DNA profile, derived from a sample taken) in connection with the investigation of the offence, or
 - (b) material taken under section 61(6) or 63(3B) which relates to a person who is convicted of a recordable offence.
- (2) The material may be retained indefinitely.
- (3) This section does not apply to section 63D material to which section 63K applies.”