



# Anti-social Behaviour, Crime and Policing Act 2014

## 2014 CHAPTER 12

### PART 11

#### POLICING ETC

##### *Personal samples and DNA profiles*

#### **146 Retention of personal samples that are or may be disclosable**

- (1) In section 63U of the Police and Criminal Evidence Act 1984 (fingerprints and samples etc: exclusions from destruction rules)—
- (a) in subsection (5) (material that is or may become disclosable to the defence), for “Sections 63D to 63Q, 63S and 63T” there is substituted “ Sections 63D to 63T ”;
  - (b) after that subsection there is inserted—
    - “(5A) A sample that—
      - (a) falls within subsection (5), and
      - (b) but for that subsection would be required to be destroyed under section 63R,must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.
    - (5B) A sample that once fell within subsection (5) but no longer does, and so becomes a sample to which section 63R applies, must be destroyed immediately if the time specified for its destruction under that section has already passed.”
- (2) In Schedule 8 to the Terrorism Act 2000 (detention of terrorist suspects etc), in paragraph 20I (substituted by paragraph 1 of Schedule 1 to the Protection of Freedoms

*Status: Point in time view as at 13/05/2014.*

**Changes to legislation:** *Anti-social Behaviour, Crime and Policing Act 2014, Section 146 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Act 2012) (fingerprints and samples etc: exclusion from destruction rules of material that is or may become disclosable to the defence)—

- (a) for “Paragraphs 20A to 20F and 20H do not apply to paragraph 20A material” there is substituted “ Paragraphs 20A to 20H do not apply to material ”;
- (b) at the end of that paragraph (which becomes sub-paragraph (1)) there is inserted—

“(2) A sample that—

- (a) falls within sub-paragraph (1), and
- (b) but for that sub-paragraph would be required to be destroyed under paragraph 20G,

must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.

- (3) A sample that once fell within sub-paragraph (1) but no longer does, and so becomes a sample to which paragraph 20G applies, must be destroyed immediately if the time specified for its destruction under that paragraph has already passed.”

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**Commencement Information**

**II** S. 146 in force at 13.5.2014 by S.I. 2014/949, art. 3, **Sch. para. 13**

**Status:**

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