

*These notes refer to the Criminal Justice Act (Northern Ireland)
2013 (c.7) which received Royal Assent on 25 April 2013*

Criminal Justice Act (Northern Ireland) 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedules

Schedule 3: Amendments: fingerprints, DNA profiles, etc.

Paragraph 1(2) adds definitions of ‘Article 63B material’, ‘DNA profile’ and ‘DNA sample’ to the interpretation of Part VI in Article 53(1) of PACENI.

Paragraph 1(3) inserts new paragraphs (3A) and (3B) into Article 53 of PACENI. Paragraph (3A) excludes the destruction of samples under Article 63P as grounds for police to take a fresh sample. New paragraph (3B) clarifies that the definition of persons who are ‘charged with an offence’ includes persons who are informed that they will be reported for an offence.

Paragraph 2 adds to the list of qualifying offences in Article 53A(2) of PACENI (as inserted by section 13 of the Crime and Security Act 2010) the offences of robbery and assault with intent to rob under section 8 of the Theft Act (Northern Ireland) 1969.

Paragraph 3 inserts a new Article 53B into PACENI to provide a number of interpretational provisions relevant to the application of the new retention framework.

Paragraphs 4, 6 and 7 are consequential amendments.

Paragraph 5 provides that the order to be made under Article 63D(5)(c) will be subject to the affirmative resolution procedure.