

**Status:** Point in time view as at 17/10/2022. This version of this part contains provisions that are prospective.

**Changes to legislation:** The Police and Criminal Evidence (Northern Ireland) Order 1989, Part 4 is up to date with all changes known to be in force on or before 06 July 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)

## SCHEDULES

PROSPECTIVE

### [<sup>F1</sup>SCHEDULE 2A

#### Fingerprinting and samples: power to require attendance at police station

- F1** Sch. 2A inserted (prosp.) by Crime and Security Act 2010 (c. 17), ss. 12(2), 59(1) (as amended (15.12.2011) by Terrorism Prevention and Investigation Measures Act 2011 (c. 23), ss. 29(3), 31(2), Sch. 7 para. 6(3) (with Sch. 8))

### Part 4

#### General and supplementary

##### *Requirement to have power to take fingerprints or sample*

**15** A power conferred by this Schedule to require a person to attend a police station for the purposes of taking fingerprints or a sample under any provision of this Order may be exercised only in a case where the fingerprints or sample may be taken from the person under that provision (and, in particular, if any necessary authorisation for taking the fingerprints or sample under that provision has been obtained).

##### *Date and time of attendance*

**16.—(1)** A requirement under this Schedule—

- (a) shall give the person a period of at least seven days within which he must attend the police station; and
- (b) may direct him so to attend at a specified time of day or between specified times of day.

(2) In specifying a period or time or times of day for the purposes of sub-paragraph (1), the constable shall consider whether the fingerprints or sample could reasonably be taken at a time when the person is for any other reason required to attend the police station.

(3) A requirement under this Schedule may specify a period shorter than seven days if—

- (a) there is an urgent need for the fingerprints or sample for the purposes of the investigation of an offence; and
- (b) the shorter period is authorised by an officer of at least the rank of inspector.

(4) Where an authorisation is given under sub-paragraph (3)(b)—

- (a) the fact of the authorisation, and
- (b) the reasons for giving it,

shall be recorded as soon as practicable after it has been given.

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(5) If the constable giving a requirement under this Schedule and the person to whom it is given so agree, it may be varied so as to specify any period within which, or date or time at which, the person must attend; but a variation shall not have effect unless confirmed by the constable in writing.

#### *Enforcement*

**17** A constable may arrest without warrant a person who has failed to comply with a requirement under this Schedule.]

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