



Armed Forces Act 1996

1996 CHAPTER 46

Fingerprints and samples

12 Taking of samples from certain offenders.

- (1) A service policeman may, for the purpose of recording information, take a sample to which this section applies from a person without his consent if that person has been convicted of an offence in service disciplinary proceedings.
- (2) This section applies to a sample of hair (other than pubic hair) or to a swab taken from a person's mouth.
- (3) The power under subsection (1) above may be exercised in relation to a person convicted of an offence only if—
 - (a) he has not had a sample to which this section applies taken from him since his conviction; or
 - (b) where he has had such a sample taken from him, the sample has proved insufficient.
- (4) The power under subsection (1) above may not be exercised after the end of the period of three months beginning—
 - (a) in a case falling within subsection (3)(a) above, with the date of the conviction;
 - (b) in a case falling within subsection (3)(b) above, with the date on which a service policeman is informed of the fact that the sample has proved insufficient.
- (5) A service policeman may use reasonable force, if necessary, in exercising the power under subsection (1) above.
- (6) A sample of hair may be taken either by cutting hairs or by plucking hairs with their roots so long as no more are plucked than are reasonably considered to be necessary for a sufficient sample.
- (7) In this section—

“service disciplinary proceedings” and “service policeman” have the same meanings as in section 11 above; and

Status: *Point in time view as at 01/10/1996. This version of this provision has been superseded.*

Changes to legislation: *There are currently no known outstanding effects for the Armed Forces Act 1996, Section 12. (See end of Document for details)*

“sufficient” and “insufficient”, in relation to a sample, means sufficient or insufficient (in point of quantity or quality) for the purpose of enabling information to be produced by the means of analysis used or to be used in relation to the sample.

- (8) This section is without prejudice to any power to take samples under any other enactment or under any rule of law.

Status:

Point in time view as at 01/10/1996. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 1996, Section 12.