



# Counter-Terrorism Act 2008

## 2008 CHAPTER 28

### PART 1

#### POWERS TO GATHER AND SHARE INFORMATION

##### *Retention and use of fingerprints and samples*

#### **[<sup>F1</sup>18B Retention for purposes of national security**

- (1) Section 18 material which is not a DNA sample may be retained for as long as a national security determination made by the responsible officer [<sup>F2</sup>, or by a chief officer of police,] has effect in relation to it.
- (2) A national security determination is made if the responsible officer [<sup>F3</sup>, or a chief officer of police,] determines that it is necessary for any such section 18 material to be retained for the purposes of national security.
- (3) A national security determination—
  - (a) must be made in writing,
  - (b) has effect for a maximum of [<sup>F4</sup>5 years] beginning with the date on which the determination is made, and
  - (c) may be renewed.
- [<sup>F5</sup>(4) In this section “chief officer of police” means a person other than the responsible officer who is—
  - (a) the chief officer of police of a police force in England and Wales, or
  - (b) the Chief Constable of the Police Service of Northern Ireland.]]

#### **Textual Amendments**

- F1** Ss. 18-18E substituted for s. 18 (31.10.2013) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 1 para. 4](#) (with s. 97); [S.I. 2013/1814, art. 2\(k\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 18B. (See end of Document for details)*

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- F2** Words in s. 18B(1) inserted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(b), **Sch. 2 para. 13(2)**; S.I. 2020/792, reg. 2(e)
- F3** Words in s. 18B(2) inserted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(b), **Sch. 2 para. 13(3)**; S.I. 2020/792, reg. 2(e)
- F4** Words in s. 18B(3)(b) substituted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(b), **Sch. 2 para. 13(4)** (with s. 25(7)(8)); S.I. 2020/792, reg. 2(e)
- F5** S. 18B(4) inserted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(b), **Sch. 2 para. 13(5)**; S.I. 2020/792, reg. 2(e)

**Changes to legislation:**

There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 18B.