



Crime and Security Act 2010

2010 CHAPTER 17

Taking of fingerprints and samples: England and Wales

7 “Qualifying offence”

After section 65 of the Police and Criminal Evidence Act 1984 there is inserted—

“65A Qualifying offence”

- (1) In this Part, “qualifying offence” means—
- (a) an offence specified in subsection (2) below, or
 - (b) an ancillary offence relating to such an offence.
- (2) The offences referred to in subsection (1)(a) above are—
- (a) murder;
 - (b) manslaughter;
 - (c) false imprisonment;
 - (d) kidnapping;
 - (e) an offence under section 4, 16, 18, 20 to 24 or 47 of the Offences Against the Person Act 1861;
 - (f) an offence under section 2 or 3 of the Explosive Substances Act 1883;
 - (g) an offence under section 1 of the Children and Young Persons Act 1933;
 - (h) an offence under section 4(1) of the Criminal Law Act 1967 committed in relation to murder;
 - (i) an offence under sections 16 to 18 of the Firearms Act 1968;
 - (j) an offence under section 9 or 10 of the Theft Act 1968 or an offence under section 12A of that Act involving an accident which caused a person’s death;
 - (k) an offence under section 1 of the Criminal Damage Act 1971 required to be charged as arson;
 - (l) an offence under section 1 of the Protection of Children Act 1978;

Status: This is the original version (as it was originally enacted).

- (m) an offence under section 1 of the Aviation Security Act 1982;
 - (n) an offence under section 2 of the Child Abduction Act 1984;
 - (o) an offence under section 9 of the Aviation and Maritime Security Act 1990;
 - (p) an offence under any of sections 1 to 19, 25, 26, 30 to 41, 47 to 50, 52, 53, 57 to 59, 61 to 67, 69 and 70 of the Sexual Offences Act 2003;
 - (q) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004;
 - (r) an offence for the time being listed in section 41(1) of the Counter-Terrorism Act 2008.
- (3) The Secretary of State may by order made by statutory instrument amend subsection (2) above.
- (4) A statutory instrument containing an order under subsection (3) above shall not be made unless a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.
- (5) In subsection (1)(b) above “ancillary offence”, in relation to an offence, means—
- (a) aiding, abetting, counselling or procuring the commission of the offence;
 - (b) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) in relation to the offence (including, in relation to times before the commencement of that Part, an offence of incitement);
 - (c) attempting or conspiring to commit the offence.”