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Changes to legislation: Police and Criminal Evidence Act 1984, Part 1 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 2A

FINGERPRINTING [^{F1}, SAMPLES AND PHOTOGRAPHS]: POWER TO REQUIRE ATTENDANCE AT POLICE STATION

Textual Amendments

- F1** Words in Sch. 2A heading substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 52\(4\)](#), [208\(5\)\(e\)](#)
- F1** Sch. 2A inserted (E.W.) (7.3.2011 except for the insertion of Sch. 2A paras. 4, 12) by [Crime and Security Act 2010 \(c. 17\)](#), [ss. 6\(2\)](#), [59\(1\)](#); S.I. 2011/414, art. 2(d)

PART 1

FINGERPRINTING

Persons arrested and released

- 1 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(5A).
- (2) The power under sub-paragraph (1) above may not be exercised in a case falling within [^{F2} section 61(5A)(b)(i)] (fingerprints taken on previous occasion insufficient etc) after the end of the period of six months beginning with the day on which the appropriate officer was informed that section 61(3A)(a) or (b) applied.
- (3) In sub-paragraph (2) above “ appropriate officer ” means the officer investigating the offence for which the person was arrested.
- [The power under sub-paragraph (1) above may not be exercised in a case falling ^{F3}(4) within section 61(5A)(b)(ii) (fingerprints destroyed where investigation interrupted) after the end of the period of six months beginning with the day on which the investigation was resumed.]

Textual Amendments

- F2** Words in Sch. 2A para. 1(2) substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 86\(2\)\(a\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(e)
- F3** Sch. 2A para. 1(4) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 86\(2\)\(b\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(e)

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Persons charged etc

- 2 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(5B).
- (2) The power under sub-paragraph (1) above may not be exercised after the end of the period of six months beginning with—
- in a case falling within section 61(5B)(a) (fingerprints not taken previously), the day on which the person was charged or informed that he would be reported, or
 - in a case falling within [F⁴ section 61(5B)(b)(i)] (fingerprints taken on previous occasion insufficient etc), the day on which the appropriate officer was informed that section 61(3A)(a) or (b) applied. [F⁵, or
 - in a case falling within section 61(5B)(b)(ii) (fingerprints destroyed where investigation interrupted), the day on which the investigation was resumed.]
- (3) In sub-paragraph (2)(b) above “ appropriate officer ” means the officer investigating the offence for which the person was charged or informed that he would be reported.

Textual Amendments

- F4** Words in Sch. 2A para. 2(2)(b) substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 86\(3\)\(a\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(e)
- F5** Sch. 2A para. 2(2)(c) and word inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 86\(3\)\(b\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(e)

Persons convicted etc of an offence in England and Wales

- 3 (1) A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(6).
- (2) Where the condition in section 61(6ZA)(a) is satisfied (fingerprints not taken previously), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—
- the day on which the person was convicted [F⁶ or cautioned] , or
 - if later, the day on which this Schedule comes into force.
- (3) Where the condition in section 61(6ZA)(b) is satisfied (fingerprints taken on previous occasion insufficient etc), the power under sub-paragraph (1) above may not be exercised after the end of the period of two years beginning with—
- the day on which an appropriate officer was informed that section 61(3A) (a) or (b) applied, or
 - if later, the day on which this Schedule comes into force.
- (4) In sub-paragraph (3)(a) above “ appropriate officer ” means an officer of the police force which investigated the offence in question.
- (5) Sub-paragraphs (2) and (3) above do not apply where the offence is a qualifying offence (whether or not it was such an offence at the time of the conviction [F⁷ or caution]).

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Textual Amendments

- F6** Words in Sch. 2A para. 3(2)(a) substituted (8.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 24 para. 11(2)(a) (with s. 135(4)); S.I. 2013/453, art. 4(f)
- F7** Words in Sch. 2A para. 3(5) substituted (8.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 24 para. 11(2)(b) (with s. 135(4)); S.I. 2013/453, art. 4(f)

Persons subject to a control order

^{F8}4

Textual Amendments

- F8** Sch. 2A para. 4 omitted (15.12.2011) by virtue of Terrorism Prevention and Investigation Measures Act 2011 (c. 23), s. 31(2), Sch. 7 para. 2 (with Sch. 8)

Persons convicted etc of an offence outside England and Wales

PROSPECTIVE
<p>[^{F9}5 A constable may require a person to attend a police station for the purpose of taking his fingerprints under section 61(6D).</p>

Textual Amendments

- F9** Sch. 2A inserted (prosp.) by Crime and Security Act 2010 (c. 17), ss. 6(2), 59

Multiple attendance

PROSPECTIVE
<p>6 (1) Where a person's fingerprints have been taken under section 61 on two occasions in relation to any offence, he may not under this Schedule be required to attend a police station to have his fingerprints taken under that section in relation to that offence on a subsequent occasion without the authorisation of an officer of at least the rank of inspector.</p> <p>(2) Where an authorisation is given under sub-paragraph (1) above—</p> <ul style="list-style-type: none"> (a) the fact of the authorisation, and (b) the reasons for giving it, <p>shall be recorded as soon as practicable after it has been given.]]</p>

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 17(1)(cza) inserted by [2021 c. 17 s. 26\(9\)](#)
- s. 47A(3A) substituted by [2022 c. 35 Sch. 2 para. 7](#)
- s. 61(6BA) inserted by [2008 c. 28 s. 10\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by [2008 c. 28 s. 10\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by [2008 c. 28 s. 10\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by [2022 c. 32 Sch. 11 para. 18\(a\)](#)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by [2006 c. 12 Sch. 3 para. 13](#)