

PROTECTION OF FREEDOMS ACT 2012

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 1: Regulation of biometric data

Chapter 1: Destruction, retention and use of fingerprints etc.

Section 25: Material taken before commencement

139. [Section 25](#) requires the Secretary of State to make an order (subject to the negative resolution procedure) prescribing the manner, timing and other procedures in respect of destroying relevant biometric material already in existence at the point this legislation comes into force. This will enable the Secretary of State to ensure that the retention and destruction regime set out in Chapter 1 of Part 1 of the Act is applied to existing material, while recognising that this exercise may take some time to complete; for example, there are just over one million profiles of unconvicted persons on the National DNA Database.