

SCHEDULE
MODIFICATIONS

PART 1
RETENTION AND USE OF SAMPLES

The Criminal Procedure (Scotland) Act 1995

1. Section 19C (sections 18 and 19 to 19AA: use of samples etc.) of the Criminal Procedure (Scotland) Act 1995(1) is amended as follows—

- (a) in subsection (1), at the end of paragraphs (a) and (b) insert “(including any taken or provided by virtue of paragraph 20 of Schedule 8 to the Terrorism Act 2000(2))”;
- (b) in subsection (2)—
 - (i) omit the word “or” at the end of paragraph (a),
 - (ii) after paragraph (b) insert—
 - “(c) in the interests of national security, or
 - (d) for the purposes of a terrorist investigation”;
- (c) in subsection (6)—
 - (i) omit the word “and” at the end of paragraph (b),
 - (ii) after paragraph (c) insert—
 - “, and
 - (d) “terrorist investigation” has the meaning given by section 32 of the Terrorism Act 2000.”.

The Criminal Justice (Scotland) Act 2003

2. Section 56 (use of samples etc. voluntarily given) of the Criminal Justice (Scotland) Act 2003(3) is amended as follows—

- (a) in subsection (2)—
 - (i) omit the word “or” at the end of paragraph (a),
 - (ii) after paragraph (b) insert—
 - “(c) in the interests of national security, or
 - (d) for the purposes of a terrorist investigation”;
- (b) in subsection (8)—
 - (i) omit the word “and” at the end of the definition of “sample”,
 - (ii) after the definition of “relevant physical data” insert—
 - “, and
 - “terrorist investigation” has the meaning given by section 32 of the Terrorism Act 2000.”.

(1) Section 19C was inserted by section 82(1) of the Criminal Justice and Licensing (Scotland) Act 2010 (“the 2010 Act”).

(2) 2000 c.11.

(3) 2003 asp 7, section 56 was amended by section 82(2) of the 2010 Act.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*