



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 1

POWERS TO GATHER AND SHARE INFORMATION

Retention and use of fingerprints and samples

[^{F1}18D Use of retained material

- (1) Section 18 material must not be used other than—
 - (a) in the interests of national security,
 - (b) for the purposes of a terrorist investigation,
 - (c) for purposes related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution, or
 - (d) for purposes related to the identification of a deceased person or of the person to whom the material relates.
- (2) Subject to subsection (1), section 18 material may be checked against other fingerprints, DNA samples or DNA profiles held by a law enforcement authority or [^{F2}the Scottish Police Authority] if the responsible officer considers the check to be desirable.
- (3) Material which is required by section 18 to be destroyed must not at any time after it is required to be destroyed be used—
 - (a) in evidence against the person to whom the material relates, or
 - (b) for the purposes of the investigation of any offence.
- (4) In this section—
 - (a) the reference to using material includes a reference to allowing any check to be made against it and to disclosing it to any person,
 - (b) the reference to crime includes a reference to any conduct which—

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

- (i) constitutes one or more criminal offences (whether under the law of a part of the United Kingdom or of a country or territory outside the United Kingdom), or
 - (ii) is, or corresponds to, any conduct which, if it all took place in any one part of the United Kingdom, would constitute one or more criminal offences, and
- (c) the references to an investigation and to a prosecution include references, respectively, to any investigation outside the United Kingdom of any crime or suspected crime and to a prosecution brought in respect of any crime in a country or territory outside the United Kingdom.]

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)
- F2** Words in s. 18D(2) substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), s. 185\(1\), Sch. 11 para. 126\(1\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(m)

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