
STATUTORY INSTRUMENTS

2017 No. 399

**The Policing and Crime Act 2017 (Commencement
No. 1 and Transitional Provisions) Regulations 2017**

Transitional provision in respect of retention of biometric material

6.—(1) Subject to paragraph (2), section 70 of the Act only applies to section 63D material taken or (in the case of a DNA profile) derived from a sample taken, on or after 3rd April 2017.

(2) The amendments made by section 70 of the Act to sections 63F, 63H, 63K and 63N of the 1984 Act apply for the purposes of section 63P(2) of the 1984 Act(1) where the date mentioned in section 63P(2)(b) is 3rd April 2017 or any subsequent date.

(3) In this Regulation—

“the 1984 Act” means the Police and Criminal Evidence Act 1984(2);

“Section 63D material” means fingerprints and DNA profiles to which section 63D of the 1984 Act(3) applies.

(1) Section 63P of the 1984 Act was substituted by section 145(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 c. 12.

(2) 1984 c. 60.

(3) Section 63D of the 1984 Act was inserted by section 1 of the Protection of Freedoms Act 2012 c. 9.