



**AN BILLE UM AN DLÍ COIRIÚIL (LEASÚ) (LORGAIREACHT
GHÉINITEACH), 1988
CRIMINAL LAW (AMENDMENT) (GENETIC
FINGERPRINTING) BILL, 1988**

Mar a tionscnaíodh

As initiated

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
 2. Amendment of section 7 (1) of Act of 1976.
 3. Amendment of section 6 of Act of 1984.
 4. Regulations.
 5. Amendment of section 8 of Act of 1984.
 6. Amendment of section 8 of Act of 1891.
 7. Commencement.
 8. Short title.
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ACTS REFERRED TO

Penal Servitude Act, 1891	1891, c. 69
Criminal Law Act, 1976	1976, No. 32
Criminal Justice Act, 1984	1984, No. 22



AN BILLE UM AN DLÍ COIRIÚIL (LEASÚ) (LORGAIREACHT
GHÉINITEACH), 1988
CRIMINAL LAW (AMENDMENT) (GENETIC
FINGERPRINTING) BILL, 1988

BILL

entitled

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AN ACT TO AMEND CRIMINAL LAW AND PROCEDURE
AND TO PROVIDE FOR GENETIC FINGERPRINTING.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definitions.

1.—In this Act, except where the context otherwise requires— 10

“the Act of 1891” means the Penal Servitude Act, 1891;

“the Act of 1976” means the Criminal Law Act, 1976;

“the Act of 1984” means the Criminal Justice Act, 1984.

Amendment of
section 7 (1) of Act
of 1976.

2.—The Act of 1976 is hereby amended by the insertion in section 7 (1) of the following paragraph after paragraph (f): 15

“(g) take or cause to be taken a sample of blood, hair or other bodily tissue or fluid for the carrying out of scientific tests with the object of ascertaining inheritable characteristics and determining a person’s genetic fingerprint.”.

Amendment of
section 6 of Act of
1984.

3.—(1) The Act of 1984 is hereby amended by the insertion in section 6 (1) of the following paragraph after paragraph (f): 20

“(g) take or cause to be taken a sample of blood, hair or other bodily tissue or fluid for the carrying out of scientific tests with the object of ascertaining inheritable characteristics and determining a person’s genetic fingerprint.”. 25

(2) The Act of 1984 is hereby amended by the substitution of the following subsection for subsection (2) of section 6:

“(2) The powers conferred by subsections (1), (c), (1) (d) and (1) (f) shall not be exercised except on the authority of a member of the Garda Síochána not below the rank of Superintendent.”. 30

Regulations.

4.—(1) The Act of 1984 is hereby amended by the insertion in section 6 of the following subsection after subsection (5):

"(6) Regulations shall be made by the Minister under section 7 of this Act to provide for the genetic fingerprinting of persons held in custody in Garda Síochána stations."

- 5 (2) A draft of the regulations the Minister is obliged to make with regard to genetic fingerprinting under section 7 of the Act of 1984 shall be laid before each House of the Oireachtas by the Minister within three months of the coming into force of this Act and the regulations shall not be made until a resolution approving the draft has been passed by each such House.

- 10 5.—The Act of 1984 is hereby amended by the substitution of the following subsection for subsection (1) of section 8: Amendment of section 8 of Act of 1984.

- 15 " (1) Every photograph (including a negative), fingerprint (including a genetic fingerprint) and palm print of a person taken in pursuance of the powers conferred by section 6 and every copy and record thereof shall, if not previously destroyed, be destroyed as this section directs."

- 20 6.—The Act of 1891 is hereby amended by the insertion in section 8, line 2, of "and the taking of a sample of blood, hair or bodily tissue or fluid for the carrying out of scientific tests with the object of ascertaining inheritable characteristics and determining a person's genetic fingerprint" after "measuring". Amendment of section 8 of Act of 1891.

- 7.—This Act shall not come into operation until one month after the regulations provided for in section 4 of this Act have been made. Commencement.

- 25 8.—This Act may be cited as the Criminal Law (Amendment) (Genetic Fingerprinting) Act, 1988. Short title.

AN BILLE UM AN DLÍ COIRIÚIL (LEASÚ)
(LORGAIREACHT GHÉINITEACH), 1988

BILLE

*(mar a tionscnaíodh)
dá ngairtear*

Acht do leasú an dlí agus an nós imeachta choir-
iúil agus do dhéanamh socrú le haghaidh lorg-
aireacht ghéiniteach.

An Teachta Alan Shatter a thug isteach

*Ordaíodh ag Dáil Éireann a chlóbhualadh,
25 Deireadh Fómhair, 1988*

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath
2, nó trí aon díoltóir leabhar.

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CRIMINAL LAW (AMENDMENT)
(GENETIC FINGERPRINTING) BILL,
1988

BILL

*(as initiated)
entitled*

An Act to amend criminal law and procedure and
to provide for genetic fingerprinting.

Introduced by Deputy Alan Shatter

*Ordered by Dáil Éireann to be printed,
25th October, 1988*

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