



Scottish Biometrics Commissioner Act 2020

2020 asp 8

SCOTTISH BIOMETRICS COMMISSIONER ACT 2020

Establishment

- 1 Scottish Biometrics Commissioner

Functions

- 2 Functions
- 3 Power to work with others
- 4 General powers
- 5 Duty to comply with directions
- 6 Report on the Commissioner's functions

Code of practice

- 7 Code of practice
- 8 Key considerations in preparing the code
- 9 Effect of the code
- 10 Consultation on the code
- 11 Further procedure in relation to the first code
- 12 Approval of the code
- 13 Bringing the code into effect
- 14 Report on the code
- 15 Complaints about failures to comply with the code

Information-gathering

- 16 Power to gather information
- 17 Failure to comply with an information notice
- 18 Admissibility of statements in criminal proceedings
- 19 Offence of Commissioner's office disclosing confidential information

Changes to legislation: There are currently no known outstanding effects for the Scottish Biometrics Commissioner Act 2020. (See end of Document for details)

Reporting

- 20 Reports and recommendations
- 21 Requirement to respond to reports
- 22 Publication of responses to reports

Compliance notices

- 23 Compliance notices
- 24 Content of a compliance notice
- 25 Variation of a compliance notice
- 26 Revocation of a compliance notice
- 27 Failure to comply with a compliance notice

Accountability

- 28 Strategic plans
- 29 Budgets
- 30 Accountable officer
- 31 Accounts and audit
- 32 Annual report

Advisory group

- 33 Advisory group

Meaning of key terms

- 34 Meaning of “biometric data”
- 35 Power to change meaning of “biometric data”
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SCHEDULE 1 — The office of Scottish Biometrics Commissioner

Status

- 1 (1) The Commissioner— (a) is not a servant or agent...

Appointment

- 2 (1) The office of Commissioner is to be held by...

Disqualification from appointment

- 3 An individual is disqualified from holding the office of Commissioner...

Changes to legislation: There are currently no known outstanding effects for the Scottish Biometrics Commissioner Act 2020. (See end of Document for details)

Tenure

4 Subject to paragraph 5, the Commissioner holds office for such...

Early termination

5 (1) The Commissioner's appointment ends if— (a) the Commissioner is...

Validity of things done

6 The validity of anything done by the Commissioner is not...

Remuneration and pensions, etc.

7 (1) The Parliamentary corporation may pay the Commissioner such remuneration...

Subsequent appointments etc.

8 (1) A person who has ceased to be the Commissioner...

Other terms and conditions

9 (1) The Parliamentary corporation may, subject to any provision made...

Temporary appointments

10 (1) This paragraph applies during any period when—

Appointment of staff

11 The Commissioner may, with the consent of the Parliamentary corporation...

Staff terms and conditions

12 Staff appointed by the Commissioner are appointed on such terms...

Staff pensions

13 (1) The Commissioner may, with the approval of the Parliamentary...

Authority to perform functions

14 (1) The Commissioner may authorise any person to perform such...

SCHEDULE 2 — Application of public authorities legislation

Scottish Public Services Ombudsman Act 2002

1 In Part 2 of schedule 2 of the Scottish Public...

Freedom of Information (Scotland) Act 2002

2 In Part 7 of schedule 1 of the Freedom of...

Public Services Reform (Scotland) Act 2010

3 In the Public Services Reform (Scotland) Act 2010—

Changes to legislation: There are currently no known outstanding effects for the
Scottish Biometrics Commissioner Act 2020. (See end of Document for details)

Public Records (Scotland) Act 2011

- 4 In the schedule of the Public Records (Scotland) Act 2011...

Procurement Reform (Scotland) Act 2014

- 5 In Part 3 of the schedule of the Procurement Reform...

Changes to legislation:

There are currently no known outstanding effects for the Scottish Biometrics Commissioner Act 2020.