

*These notes relate to the Scottish Biometrics Commissioner Act
2020 (asp 8) which received Royal Assent on 20 April 2020*

SCOTTISH BIOMETRICS COMMISSIONER ACT 2020

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Reporting

Section 22: Publication of responses to reports

38. This section requires the Commissioner to publish any response to a recommendation contained in a report, and to lay the published response before the Parliament, unless there is a reason it would be inappropriate to do so. In particular, in publishing a response, the Commissioner is (so far as reasonably practicable) to have regard to the same considerations as set out in section 20(6) – namely, the need to withhold information where the Commissioner considers that to include it would or might be unlawful, would or might prejudice the administration of justice, or would not be in the public interest. The Commissioner is also permitted to publicise any failure to respond in a way which the Commissioner considers appropriate.