

*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

Final provisions

Section 37: Regulations

57. Subsection (1) of section 37 provides that regulations made under the Act may include incidental, supplementary, consequential, transitional, transitory or saving provision and may make different provision for different purposes. Under subsection (2), any regulations made by Scottish Ministers under section 2(7), section 9(4), section 13(1) and section 35 are subject to the affirmative procedure (as to which, see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010). Subsection (3) provides that the procedure for regulations making ancillary provision under section 38 depends upon whether or not the regulations modify the text of primary legislation. Subsection (4) provides that this section does not apply to commencement regulations under section 40(2).