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**Changes to legislation:** There are currently no known outstanding effects for the Scottish Biometrics Commissioner Act 2020, Paragraph 5. (See end of Document for details)

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SCHEDULE 1  
THE OFFICE OF SCOTTISH BIOMETRICS COMMISSIONER

*Early termination*

- 5 (1) The Commissioner's appointment ends if—
- (a) the Commissioner is relieved of office by Her Majesty at the Commissioner's request,
  - (b) the Commissioner becomes disqualified from holding office (see paragraph 3), or
  - (c) the Commissioner is removed from office in accordance with sub-paragraph (2).
- (2) The Commissioner may be removed from office by Her Majesty if—
- (a) either of the conditions in sub-paragraph (3) is met, and
  - (b) the number of members voting in favour of the resolution referred to in the condition in question is at least two thirds of the total number of seats for members of the Scottish Parliament.
- (3) The conditions are—
- (a) that—
    - (i) the Parliamentary corporation is satisfied that the Commissioner has breached the Commissioner's terms and conditions of appointment, and
    - (ii) the Parliament resolves that the Commissioner should be removed from office for that breach,
  - (b) the Parliament resolves that it has lost confidence in the Commissioner's willingness, suitability or ability to perform the Commissioner's functions.

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**Commencement Information**

**II** Sch. 1 para. 5 in force at 1.12.2020 by S.S.I. 2020/250, reg. 2

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