



Scottish Biometrics Commissioner Act 2020

2020 asp 8

Reporting

21 Requirement to respond to reports

- (1) Where a report under section 20(1) or (2) includes a recommendation—
 - (a) addressed to a person in relation to whom the Commissioner has functions under section 2(1), and
 - (b) relating to the technology used or capable of being used for the purpose of acquiring, retaining, using or destroying biometric data,the Commissioner must, in the report, impose on the person a requirement to respond to the recommendation.
- (2) Where a report under section 20(1) or (2) includes a recommendation—
 - (a) addressed to a person in relation to whom the Commissioner has functions under section 2(1), and
 - (b) which is not a recommendation to which the duty in subsection (1) applies,the Commissioner may, in the report, impose on the person a requirement to respond to the recommendation.
- (3) Where a requirement to respond is imposed under subsection (1) or (2)—
 - (a) the Commissioner must give a copy of the report to the person to whom the recommendation is addressed, and
 - (b) the person must provide a written statement within such reasonable period as the Commissioner specifies.
- (4) The statement must set out—
 - (a) what the person has done or proposes to do in response to the recommendation, or
 - (b) if the person does not intend to implement the recommendation (in full or in part), the reasons for that.

Changes to legislation: There are currently no known outstanding effects for the Scottish Biometrics Commissioner Act 2020, Section 21. (See end of Document for details)

Commencement Information

II S. 21 in force at 1.12.2020 by S.S.I. 2020/250, reg. 2

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