



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.