

*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

Accountability

Section 32: Annual Report

51. Section 32 requires the Commissioner to prepare and publish a report on the Commissioner's activities each financial year, which must include a review of what the Commissioner has done to fulfil each of their functions, a review of issues which have been identified by the Commissioner as being relevant to the use of biometric data in the criminal justice and policing context, and any recommendations in relation to those issues. While not a requirement, it would be open to the Commissioner to also outline work to be undertaken in the following reporting year. The SPCB could direct that the annual report is to include a forward-look, using its powers under section 5. The report is to be laid before the Parliament within seven months of the last day of the financial year to which the report relates – meaning by 31 October.