

# Scottish Biometrics Commissioner Act 2020 2020 asp 8

# SCOTTISH BIOMETRICS COMMISSIONER ACT 2020

#### Establishment

1 Scottish Biometrics Commissioner

#### **Functions**

- 2 Functions
- 3 Power to work with others
- 4 General powers
- 5 Duty to comply with directions
- 6 Report on the Commissioner's functions

## Code of practice

- 7 Code of practice
- 8 Key considerations in preparing the code
- 9 Effect of the code
- 10 Consultation on the code
- 11 Further procedure in relation to the first code
- 12 Approval of the code
- 13 Bringing the code into effect
- 14 Report on the code
- 15 Complaints about failures to comply with the code

#### *Information-gathering*

- 16 Power to gather information
- 17 Failure to comply with an information notice
- 18 Admissibility of statements in criminal proceedings
- 19 Offence of Commissioner's office disclosing confidential information

## Reporting

- 20 Reports and recommendations
- 21 Requirement to respond to reports
- 22 Publication of responses to reports

#### Compliance notices

- 23 Compliance notices
- 24 Content of a compliance notice
- 25 Variation of a compliance notice
- 26 Revocation of a compliance notice
- 27 Failure to comply with a compliance notice

#### Accountability

- 28 Strategic plans
- 29 Budgets
- 30 Accountable officer
- 31 Accounts and audit
- 32 Annual report

#### Advisory group

33 Advisory group

## Meaning of key terms

- 34 Meaning of "biometric data"
- 35 Power to change meaning of "biometric data"
- 36 Interpretation

#### Final provisions

- 37 Regulations
- 38 Ancillary provision
- 39 Application of public authorities legislation
- 40 Commencement
- 41 Short title

SCHEDULE 1 — The office of Scottish Biometrics Commissioner

- 1 Status
- 2 Appointment
- 3 Disqualification from appointment
- 4 Tenure
- 5 Early termination
- 6 Validity of things done
- 7 Remuneration and pensions, etc.
- 8 Subsequent appointments etc.
- 9 Other terms and conditions
- 10 Temporary appointments
- 11 Appointment of staff
- 12 Staff terms and conditions
- 13 Staff pensions

Status: This is the original version (as it was originally enacted).

# Authority to perform functions

SCHEDULE 2 — Application of public authorities legislation 1 Scottish Public Services Ombudsman Act 2002

- Freedom of Information (Scotland) Act 2002
- 3 Public Services Reform (Scotland) Act 2010
- Public Records (Scotland) Act 2011
- Procurement Reform (Scotland) Act 2014