

*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**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### *Compliance notices*

#### *Section 23: Compliance notices*

39. Subsection (1) of section 23 enables the Commissioner to issue a compliance notice to a person who the Commissioner considers has failed, or is failing, to comply with the code of practice. Subsection (2) defines what is meant by a ‘compliance notice’: this is a notice requiring the person to whom it is addressed to take specified steps to address the failure to comply. This may be a case of taking steps to remedy the breach or, where the breach is not one that is capable of being remedied, it may be a case of taking steps to avoid a similar future breach.