



Scottish Biometrics Commissioner Act 2020

2020 asp 8

Code of practice

9 Effect of the code

- (1) The following persons must comply with the code of practice when exercising functions to which the code relates—
 - (a) constables and police staff of the Police Service of Scotland,
 - (b) the Scottish Police Authority,
 - (c) the Police Investigations and Review Commissioner.
- (2) A court or tribunal in civil or criminal proceedings must take the code of practice into account when determining any question to which the code is relevant.
- (3) Failure to comply with the code of practice does not of itself give rise to grounds for any legal action.
- (4) The Scottish Ministers may by regulations amend subsection (1) so as to add a person or description of person, vary an entry listed in it, or remove an entry.
- (5) In this section, “constable” and “police staff” have the same meanings as in section 99(1) of the Police and Fire Reform (Scotland) Act 2012.