



# Scottish Biometrics Commissioner Act 2020

2020 asp 8

## *Final provisions*

### **37 Regulations**

- (1) Any power of the Scottish Ministers to make regulations under this Act includes the power to make—
  - (a) incidental, supplementary, consequential, transitional, transitory or saving provision,
  - (b) different provision for different purposes.
- (2) Regulations under sections 2(7), 9(4), 13(1) and 35 are subject to the affirmative procedure.
- (3) Regulations under section 38—
  - (a) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure,
  - (b) otherwise, are subject to the negative procedure.
- (4) This section does not apply to regulations under section 40(2).

### **38 Ancillary provision**

- (1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider appropriate for the purposes of, in connection with or for giving full effect to this Act or any provision made under it.
- (2) Regulations under subsection (1) may modify any enactment (including this Act).

### **39 Application of public authorities legislation**

Schedule 2 amends other Acts so that their provisions apply to the office of Commissioner.

**40 Commencement**

- (1) This section and sections 37, 38 and 41 come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under subsection (2) may—
  - (a) make different provision for different purposes,
  - (b) include transitional, transitory or saving provision.
- (4) Regulations under this section bringing section 28 into force may amend subsection (6) (a) of that section so that, instead of referring to the period of 4 years beginning with 1 April next following the coming into force of that section, it specifies the date on which the period actually begins.

**41 Short title**

The short title of this Act is the Scottish Biometrics Commissioner Act 2020.