



THE OFFICE OF THE **DATA PROTECTION COMMISSIONER**

The Data Protection (Bailiwick of Guernsey) Law, 2017 ("the **Law**")

Notification and Registration

Previous and new notification and registration requirements

The Data Protection (Bailiwick of Guernsey) Law, 2001 (the 2001 Law) which was in force until 25 May 2018, required controllers in the Bailiwick to notify their processing to the Office of the Data Protection Commissioner. This notification took the form of an application which is renewed each year as required together with an annual fee. There were a number of exemptions which may have applied.

The Law maintains a similar reporting requirement with some important differences –

- Processors are required to register
- The exemptions for registration are reduced
- There are late payment penalties

The information required to be submitted at the time of registration is very similar to the information required under the 2001 Law with a small number of additional areas such as contact details for the data protection officers (where applicable). You will be prompted to provide this information during the registration process.

The Law provides for certain transitional provisions to allow for sufficient time to put the necessary reporting systems and procedures in place.

The transitional period extends to 25 May 2019. During this time, the aim is to ensure as smooth a transition as possible for this administrative element of the Law. For controllers currently notified, there should be no significant difference to the process that you are familiar with.

What do you need to do now?

If you are currently notified with the Office of the Data Protection Commissioner, your notification will continue until its normal expiry date. At that time you will be contacted to apply for registration which will be similar to the renewal process you have been required to do previously. The fee is currently £50. We will provide you with any assistance you may require during that process.

If you were not required to be notified under the 2001 Law, the transitional provisions will extend this exemption until 25 May 2019. At that point you may be required to register under the Law.

The new registration system

The new registration system will be in place by 25 May 2019 when the transition period ends. The system will capture the new reporting requirements and associated statutory levy.

Controllers and processors will be provided with full details about the new registration system in advance of May 2019 and the Office of the Data Protection Commissioner will ensure that appropriate resources are allocated to providing support and assistance during this time.