



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

Summary of Primary and Secondary Legislation

The Data Protection (Bailiwick of Guernsey) Law, 2017

- Preliminary (sections 1-5)
- Duties and principles of processing (sections 6-11)
- Data subject rights (sections 12-29)
- Duties of data controllers and processors (sections 30-37)
- Administrative duties (sections 38-40)
- Security of personal data (sections 41-43)
- Data protection impact assessments and prior consultation (sections 44-46)
- Data protection officers (sections 47-51)
- Codes of conduct and certification mechanisms (sections 52-54)
- Transfers to unauthorised jurisdictions (sections 55-59)
- The Data Protection Authority (sections 60-66)
- Enforcement by the Authority (sections 67-77)
- Civil proceedings for breach of statutory duty (sections 78-80)
- Appeals and other proceedings (sections 81-86)
- Offences and criminal proceedings (sections 87-95)
- General and miscellaneous (sections 96-115)
- Application to the Crown, public committees and the police (Schedule 1)
- Conditions for processing to be lawful (Schedule 2)
- Information to be given to data subjects (Schedule 3)
- Registration of Bailiwick controllers and processors (Schedule 4)
- Matters to be specified in binding corporate rules (Schedule 5)
- The Data Protection Authority (Schedule 6)
- General powers of the Authority (Schedule 7)

- General exceptions and exemptions (Schedule 8)
- Expressions with special meanings (Schedule 9)
- Index of defined expressions (Schedule 10)

The Data Protection (Commencement, Amendment and Transitional) (Bailiwick of Guernsey) Ordinance, 2018

- Preliminary (section 1)
- Transition for operative provisions (sections 2-11)
- Saving of consents, proceedings and other matters (sections 12-17)
- Transition of rights, records etc (section 18)
- General (sections 19-23)
- Orders and regulations revoked (Schedule 1)
- Amendments to the Data Protection (Bailiwick of Guernsey) Law, 2017 (Schedule 2)
- Consequential amendments to e-Privacy Ordinances (Schedule 3)

The Data Protection (General Provisions) (Bailiwick of Guernsey) Regulations, 2018

- Registration and returns (regulations 1-6)
- Levies (regulation 7)
- Record-keeping (regulations 8-11)
- Authorised processing and transfers (regulations 12-13)
- Exemptions, exceptions and disapplications (regulations 14-15)
- Transitional provisions for registration (regulations 16-18)
- General and miscellaneous (regulations 19-21)
- Annual levies and late payment penalties (Schedule 1)
- Authorised processing of personal data (Schedule 2)
- Authorised transfers to person in unauthorised jurisdiction (Schedule 3)
- Amendments to Schedule 8 to the Law (Schedule 4)
- Disapplication of section 16(2), (3) and (4) of the Law (Schedule 5)
- Transitional exemptions from registration (Schedule 6)

The Data Protection (International Cooperation and Assistance) (Bailiwick of Guernsey) Regulations, 2018

- Cooperation between the Authority and other competent supervisory authorities (regulations 1-7)

The Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018

- Preliminary (sections 1-3)
- Duties and principles of processing (sections 4-11)
- Data subject rights (sections 12-24)

- Duties of controllers and processors (sections 25-31)
- Security of personal data (sections 32-35)
- Data protection impact assessments and prior consultation (sections 36-38)
- Data protection officers (sections 39-42)
- Transfers to other jurisdictions (sections 43-47)
- General and miscellaneous (sections 48-52)
- Modifications to the Law for competent authorities processing for a law enforcement purpose (Schedule 1)
- Conditions for lawful processing of special category (Schedule 2)
- General exceptions and exemptions (Schedule 3)

The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) Ordinance, 2019

- The United Kingdom to be a designated and authorised jurisdiction (section 1)
- Citation (section 2)
- Commencement & Expiry (sections 3 & 4)

The Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment) Regulations, 2019

- Instruction (regulation 1)
- Registration and returns (regulations 2-6)
- Authorised processing of personal data (regulations 7-8 & 11)
- Transitional provisions and registration (regulation 9-10)
- Registration levy (regulation 12)
- Citation (regulation 13)
- Commencement (regulation 14)
- Rows to be added to Schedule 2 of Regulations – authorised processing (Schedule)

The Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment No. 2) Regulations, 2019 – extends registration exemptions to end of 2020

- Amendments to the 2018 Regulations (regulation 1)
- Citation (regulation 2)
- Commencement (regulation 3)

The Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment) Regulations, 2020 – creates lawful processing condition for disclosures to Scrutiny Management Committee

- Amendments to the 2018 Regulations (regulations 1 - 3)

- Citation (regulation 4)
- Commencement (regulation 5)