

Fair Processing Notice

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Fair Processing Notice

This Fair Processing Notice explains all of the processing of personal data that is being undertaken by the Office of the Registrar ("The Registry"). Whilst this fair processing notice aims to outline the processes undertaken by The Registry as a whole in relation to the Data Controller responsible for leading this Scheme is the States of Guernsey Committee for Economic Development ('the Controller').

1. The Data Protection Law

The States of Guernsey ("Government") acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law') which provides a number of requirements in terms of processing activities involving personal data. The Government further acknowledges the general principles of processing as well as the rights of a data subject and more information in relation to these can be found by visiting www.gov.gg/DP.

2. The Principles of Processing

a. Lawfulness, fairness and transparency

Personal data must be processed lawfully, fairly and in a transparent manner.

The Registry acknowledges that all processing must be lawful, fair and undertaken with transparency. The tables set out in Appendices A to M explain the processing that is being carried out for the purposes of the Registry. Furthermore, the table outlines all of the circumstances in which personal data is collected and processed by the Registry, the Data Controller responsible for the processing, what that Data Controller is doing with the data and explains the purpose of the processing.

b. Purpose limitation

Personal data must not be collected except for a specific, explicit and legitimate purpose and, once collected, must not be further processed in a manner incompatible with the purpose for which it was collected.

The Registry acknowledges its responsibility with regards to this data protection principle and therefore maintains that it will not further process that personal data in a way which is incompatible to its original reason for processing, as specified in Appendices A to M, unless the relevant Data Controller is required to do so by law. Personal data will not be transferred to a recipient in an unauthorised jurisdiction (as per the definition within the Law), unless required to do so by law.

c. Minimisation

Personal data processed must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.

The Registry maintains that it will only process the personal data, which is detailed in Appendices A to M, and will not process any further personal data that is not necessary in relation to the original purpose for processing personal data, as specified in the relevant Appendix, unless the relevant Data Controller is required to do so by law.

d. Accuracy

Personal data processed must be accurate, kept up to date (where applicable) and reasonable steps must be taken to ensure that personal data that is inaccurate is erased or corrected without delay.

The Registry will ensure that all personal data it holds and processes for the purposes of this notice is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay.

e. Storage limitation

Personal data must not be kept in a form that permits identification of a data subject for any longer than is necessary for the purpose for which it is processed.

All personal data will be retained by the relevant Data Controller for as long as is deemed necessary for the purpose for which the data is originally collected and processed. Furthermore, personal data will be erased or kept in a form that does not permit identification of data subjects as soon as the relevant Data Controller considers that it is no longer necessary to retain that data for those purposes or the purpose of any proceedings or potential proceedings (including any legal proceedings, or complaints to or investigations by the Data Protection Authority).

f. Integrity and confidentiality

Personal data must be processed in a manner that ensures its appropriate security, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Personal data will be held in both a hard copy and electronic format. Personal data is protected by the implementation of the Government's information access controls where access to records is tightly controlled. Employees are vetted in a manner commensurate with the role that they are expected to undertake. Protocols are followed to ensure that

employees only have access to areas and documents as required to undertake their role; access is monitored and effectively managed.

Secured Premises & Filing – the Registry have restricted access to the back-office premises to which employees only are able to access in order to safeguard information from the public. Secure filing cabinets and drawers are also provided for additional storage and security.

g. Accountability

The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.

3. Contact Details

The contact details of the controller are as follows:

The Registrar, Office of the Registrar

PO Box 451, Market Building, Fountain Street, St. Peter Port, Guernsey. GY1 3GX.

Email: enquiries@guernseyregistry.com

The contact details for the Government Data Protection Team are as follows:

The Data Protection Team

Sir Charles Frossard House, La Charroterie, St. Peter Port, Guernsey, GY1 1FH.

Email: data.protection@gov.gg

Appendix A – Beneficial Owners

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Personal data is not available	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	for public access.	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	of birth, nationalities,		purpose of meeting the	necessary for the Controller to	Registrar for details
Committee <i>for</i> Economic	residential address,	Guernsey Financial Services	statutory requirements of	exercise any right or power, or	on how the data
Development	email address,	Commission, Director of	the Office of the Registrar,	perform or comply with any	retention policy
	contact telephone	Revenue Service and	Revenue Service, GFSC and	duty, conferred or imposed on	affects your
Processing Activity:	number, Capacity of	Economic Crime Division	Law Enforcement.	the controller by an	circumstances
Collection and processing	BO, percentage of	have the power to inspect		enactment.	
of an application or	shareholding or level	the Register.			
change of details form	of control.			The Beneficial Ownership of	
		The subject of the Register		Legal Persons (Guernsey) Law	
	Personal data is	may request the Registrar to		2017 and as amended -	
	collected directly	provide details of what is		Beneficial Ownership of Legal	
	from the data	held.		Persons (Guernsey) Law, 2017	
	subject, Corporate			(guernseylegalresources.gg)	
	Service Provider or	Personal data may be shared			
	authorised agent.	with obliged entities.			

Draft Version 1 Last updated: 14/11/2022

Appendix B – Company Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Name and residential	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	address maybe available to	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	of birth, nationalities,	the public if they form part of	purpose of meeting the	necessary for the Controller to	Registrar for details
Committee for Economic	residential address,	the Public Record.	statutory requirements of	exercise any right or power, or	on how the data
Development	email address and		the Office of the Registrar	perform or comply with any	retention policy
	contact telephone	Guernsey Financial Services	or under the Disclosure	duty, conferred or imposed on	affects your
Processing Activity:	number.	Commission, Director of	Law.	the controller by an	circumstances
Collection and processing		Revenue Service and Law		enactment.	
of an application, annual	Personal data is	Enforcement have the power	Disclosure (Bailiwick of		
validation or change of	collected directly	to inspect the Register.	Guernsey) Law, 2007	The Companies (Guernsey)	
details form	from the data		and as amended.	Law, 2008 and as amended.	
	subject, Corporate				
	Service Provider or				
	authorised agent.				

Appendix C – Charities & NPOs

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Full name is available to the	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	public as part of the public	data is necessary for the	2017 – The processing is	Office of the
– as appointed by The	of birth, nationalities,	record.	purpose of meeting the	necessary for the Controller to	Registrar for details
Policy and Resources	residential address,		statutory requirements of	exercise any right or power, or	on how the data
Committee	email address and	Director of Revenue Service	the Office of the Registrar	perform or comply with any	retention policy
	contact telephone	and Law Enforcement have	or under the Disclosure	duty, conferred or imposed on	affects your
Processing Activity:	number.	the power to inspect the	Law.	the controller by an	individual
Collection and processing		Register.		enactment.	circumstances
of an application, annual	Personal data is				
validation or change of	collected directly			Charities and Non-Profit	
details form	from the data			Organisations (Guernsey) Law	
	subject, Corporate			2008 and as amended.	
	Service Provider or				
	authorised agent.			Disclosure (Bailiwick of	
				Guernsey) Law, 2007	
				and as amended.	

Appendix D – Disqualified Directors

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, full name	Full name and period of	The processing of personal	Condition 8, Schedule 2, DPL,	Public notification of
the Office of the Registrar	of proxy (if used),	disqualification will be	data is necessary for the	2017 – The processing is	the data is
– as appointed by the	date of birth, and	shared with the public.	purpose of meeting the	necessary for the Controller to	withdrawn at the
Committee for Economic	residential address.		statutory requirements of	exercise any right or power, or	end of the
Development			the Office of the Registrar.	perform or comply with any	disqualification
	Personal data is			duty, conferred or imposed on	period and the data
Processing Activity:	collected directly			the controller by an	deleted.
Collection and publication	from Royal Court			enactment.	
of personal data.	records.				
				The list of Disqualification	
				Orders is where the Guernsey	
				Financial Services Commission	
				(GFSC) has made application to	
				the Royal Court under section	
				427 (1) & (2) of the Companies	
				(Guernsey) Law, 2008.	

Appendix E – Foundations

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Full name and address is	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	available to the public as part	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	of birth, nationalities,	of the public record.	purpose of meeting the	necessary for the Controller to	Registrar for details
Committee for Economic	residential address,		statutory requirements of	exercise any right or power, or	on how the data
Development	email address and	Guernsey Financial Services	the Office of the Registrar	perform or comply with any	retention policy
	contact telephone	Commission, Director of	or under the Disclosure	duty, conferred or imposed on	affects your
Processing Activity:	number.	Revenue Service and Law	Law.	the controller by an	individual
Collection and processing		Enforcement have the power		enactment.	circumstances
of an application, annual	Personal data is	to inspect the Register			
validation or change of	collected directly			The Foundations (Guernsey)	
details form	from the data			Law, 2012 and as amended.	
	subject, Corporate				
	Service Provider or			Disclosure (Bailiwick of	
	authorised agent.			Guernsey) Law, 2007	
				and as amended.	

Appendix F – Guernsey Finance Funding

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar, the Office of the Registrar – as appointed by the Committee for Economic Development Processing Activity: Collection and processing of company data.	No personal data will be captured.	Data may be shared with the GFSC.	To allow the Guernsey Finance Funding fee to be calculated.	No personal data is processed.	Data will be securely deleted 7 years after filing.

Appendix G – Image Rights

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Name and	Data is publicly available on	The processing of personal	Condition 8, Schedule 2, DPL,	Data will be securely
the Office of the Registrar	representative	the Image Register.	data is necessary for the	2017 – The processing is	deleted 12 months
– as appointed by the	image(s).		purpose of meeting the	necessary for the Controller to	after the expiry of
Committee for Economic			statutory requirements of	exercise any right or power, or	the renewal date.
Development	Personal data is		the Office of the Registrar.	perform or comply with any	
	collected directly or			duty, conferred or imposed on	
Processing Activity:	from the data subject			the controller by an	
Collection and processing	or authorised agent.			enactment.	
of an application, change					
of details or renewal form				Image Rights(Bailiwick of	
				Guernsey) Ordinance, 2012 and	
				as amended.	

Appendix H – Limited Liability Partnerships (LLP) Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Name and service address	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	will be available to the	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	of birth, nationalities,	Public.	purpose of meeting the	necessary for the Controller to	Registrar for details
Committee for Economic	residential address,		statutory requirements of	exercise any right or power, or	on how the data
Development	email address and	Director of Revenue Service	the Office of the Registrar	perform or comply with any	retention policy
	contact telephone	and Law Enforcement have	or under the Disclosure	duty, conferred or imposed on	affects your
Processing Activity:	number.	the power to inspect the	Law.	the controller by an	individual
Collection and processing		Register.		enactment.	circumstances
of an application, annual	Personal data is				
validation or change of	collected directly			The Limited Liability	
details form	from the data			Partnerships (Guernsey) Law,	
	subject, Corporate			2013 and as amended.	
	Service Provider or				
	authorised agent.			Disclosure (Bailiwick of	
				Guernsey) Law, 2007	
				and as amended.	

Appendix I – Limited Partnership (LP) Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: H.M. Greffier,	Full name, previous	Name, and address is	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
acting on behalf of The	name(s) (if any), date	available to the public,	data is necessary for the	2017 – The processing is	Office of the
Committee for Economic	of birth, residential		purpose of meeting the	necessary for the Controller to	Registrar for details
Development	address, email	Director of Revenue Service	statutory requirements of	exercise any right or power, or	on how the data
	address and contact	and Law Enforcement have	the Office of the Registrar	perform or comply with any	retention policy
Processing Activity:	telephone number.	the power to inspect the	or under the Disclosure	duty, conferred or imposed on	affects your
Collection and processing		Register	Law.	the controller by an	individual
of an application, annual	Personal data is			enactment.	circumstances
validation or change of	collected directly or				
details form	from the data subject			The Limited Partnership	
	or Corporate Service			(Guernsey) Law, 1995 and as	
	Provider.			amended.	
				Disclosure (Bailiwick of	
				Guernsey) Law, 2007	
				and as amended.	

Appendix J – Normalised Persons Database

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Full name, previous	Personal Data is not shared	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	name(s) (if any), date	with the Public.	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	of birth, nationalities,		purpose of meeting the	necessary for the Controller to	Registrar for details
Committee for Economic	residential address,	Director of Revenue Service	statutory requirements of	exercise any right or power, or	on how the data
Development	email address and	and Law Enforcement have	the Office of the Registrar	perform or comply with any	retention policy
	contact telephone	the power to inspect the	or under the Disclosure	duty, conferred or imposed on	affects your
Processing Activity:	number.	Register.	Law.	the controller by an	individual
Collection and processing				enactment.	circumstances
of a registration or change	Personal data is			See individual registers for	
of details form.	collected directly			relevant legislation	
	from the data				
	subject, Corporate			Disclosure (Bailiwick of	
	Service Provider or			Guernsey) Law, 2007	
	authorised agent.			and as amended.	

Appendix K – Patents Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar, the Office of the Registrar – as appointed by the Committee for Economic Development Processing Activity: Collection and processing of an application from	Proprietor's name and address. Inventor's name. Personal data is collected directly from the data subject and authorised agent.	The Patents Register shall be open for public inspection.	The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.	Condition 8, Schedule 2, DPL, 2017 – The processing is necessary for the Controller to exercise any right or power, or perform or comply with any duty, conferred or imposed on the controller by an enactment. Registered Patents and Biological Inventions (Bailiwick of Guernsey) Ordinance.	Data is held for two years after the expiry of the renewal date. After that it will securely destroyed.

Appendix L – Prescribed Business – Estate Agents

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar, the Office of the Registrar – as appointed by the Policy and Resources Committee Processing Activity: Collection and processing of an application, annual validation or change of details form	Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address, contact telephone number & criminal convictions. Beneficial ownership and shareholder status will also be collected if applicable under the legislation. Personal data is collected directly from the data subject or via an authorised representative.	There is no public access to the data. Director of Revenue Service and Law Enforcement have the power to inspect the Register	The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar or under the Disclosure Law.	Condition 8, Schedule 2, DPL, 2017 – The processing is necessary for the Controller to exercise any right or power, or perform or comply with any duty, conferred or imposed on the controller by an enactment. Prescribed Businesses (Bailiwick of Guernsey) Law 2008 as amended, Section 9 of The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law and The Criminal Justice (Miscellaneous Amendments) (Bailiwick of Guernsey) Ordinance, 2022. Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.	A review of records will be undertaken every 5 years and data no longer required will be securely deleted.

Appendix M – Registered Designs

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Proprietor's name,	The Register of Designs shall	The processing of personal	Condition 8, Schedule 2, DPL,	Please contact the
the Office of the Registrar	address and date of	be open for public	data is necessary for the	2017 – The processing is	Office of the
– as appointed by the	registration	inspection.	purpose of meeting the	necessary for the Controller to	Registrar for details
Policy and Resources			statutory requirements of	exercise any right or power, or	on how the data
Committee	Personal data is		the Office of the Registrar.	perform or comply with any	retention policy
Processing Activity:	collected directly			duty, conferred or imposed on	affects your
Collection and processing	from the data subject			the controller by an enactment.	individual
of an application or	or via an authorised				circumstances
renewal form	representative.			Registered Designs (Bailiwick of	
				Guernsey) Ordinance 2005	

Appendix N – Trademarks Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
Controller: The Registrar,	Proprietor's name	Proprietor's name and	The processing of personal	Condition 8, Schedule 2, DPL,	Data is held for two
the Office of the Registrar	and address.	address is available on the	data is necessary for the	2017 – The processing is	years after the expiry
– as appointed by the		Public record.	purpose of meeting the	necessary for the Controller to	of the renewal date.
Committee for Economic	Personal data is		statutory requirements of	exercise any right or power, or	After that it will
Development	collected directly		the Office of the Registrar.	perform or comply with any	securely destroyed.
	from the data subject			duty, conferred or imposed on	
Processing Activity:	or authorised agent.			the controller by an	
Collection and processing				enactment.	
of an application or					
renewal form.				The Trade Marks (Bailiwick of	
				Guernsey) (Amendment)	
				Ordinance, 2006	