

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 16<sup>th</sup> DAY OF MAY, 2018**

**The States resolved as follows concerning Billet d'État No XIV  
dated 1<sup>st</sup> May, 2018**

**COMMITTEE *for* ECONOMIC DEVELOPMENT**

APPOINTMENT OF THE PUBLIC TRUSTEE  
P.2018/46

I: After consideration of the Policy Letter entitled "Appointment of the Public Trustee", dated 1<sup>st</sup> May, 2018:

1. In accordance with paragraph 1(2) of the Public Trustee (Bailiwick of Guernsey) Law, 2002, to agree to appoint Mr Luis Gonzalez as Public Trustee for a period of five years, with immediate effect.

**The States resolved as follows concerning Billet d'État No XII  
dated 20<sup>th</sup> April, 2018**

**COMMITTEE *FOR* HOME AFFAIRS**

APPOINTMENT OF THE DATA PROTECTION AUTHORITY  
P.2018/35

I: After consideration of the Policy Letter dated 9<sup>th</sup> April 2018, of the Committee *for* Home Affairs:

To appoint with effect on and from 25th May 2018 the following persons, as nominated by the Committee, to be voting members of the Data Protection Authority under paragraph 1 of Schedule 6 to the Data Protection (Bailiwick of Guernsey) Law, 2017:

- (a) Mr Richard Thomas CBE as Chairman of the Data Protection Authority for a period of five years,
- (b) Mr Simon Entwisle as a voting member of the Data Protection Authority for a period of five years,
- (c) Mr John Curran as a voting member of the Data Protection Authority for a period of five years,
- (d) Mr Christopher Docksey as a voting member of the Data Protection Authority for a period of four years,

- (e) Mr Mark Lempriere as a voting member of the Data Protection Authority for a period of four years,
- (f) Ms Jennifer Strachan as a voting member of the Data Protection Authority for a period of four years.

**ELECTION OF MEMBERS OF THE  
LADIES' COLLEGE BOARD OF GOVERNORS  
P.2018/36**

- II: (1) To elect Ms Cathryn Llywella Perkins as a member of the Ladies' College Board of Governors who has been nominated in that behalf by the Chairman, the two States-appointed Governors and the two Governors appointed by the States on the nomination of the Committee *for* Education, Sport & Culture, and whose term of office will expire on the 31<sup>st</sup> May 2018.
- (2) To elect Mr Peter Miller as a member of the Ladies' College Board of Governors, who has been nominated in that behalf by the Committee *for* Education, Sport & Culture, to replace Mr John Marren whose term of office will expire on 31<sup>st</sup> May 2018.

***ORDINANCE LAID BEFORE THE STATES***

**THE POST OFFICE (BAILIWICK OF GUERNSEY) LAW, 2001 (AMENDMENT)  
ORDINANCE, 2018**

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Post Office (Bailiwick of Guernsey) Law, 2001 (Amendment) Ordinance, 2018", made by the Policy & Resources Committee on the 27<sup>th</sup> March, 2018, was laid before the States.

***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

No. 9 of 2018

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT)  
(AMENDMENT NO.2) REGULATIONS, 2018**

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.2) Regulations, 2018 made by the Committee *for* Employment & Social Security on 6<sup>th</sup> March, 2018, were laid before the States.

No. 10 of 2018

**THE MISUSE OF DRUGS (MODIFICATION NO. 2) ORDER, 2018**

In pursuance of section 30(3) of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended, "The Misuse of Drugs (Modification No. 2) Order, 2018" made by the Committee for Health & Social Care on the 7th March 2018 was laid before the States.

**THE DATA PROTECTION (COMMENCEMENT, AMENDMENT AND TRANSITIONAL)  
(BAILIWICK OF GUERNSEY) ORDINANCE, 2018**

P.2018/32

III: To approve the draft Ordinance entitled "The Data Protection (Commencement, Amendment and Transitional) (Bailiwick of Guernsey) Ordinance, 2018", subject to the amendments indicated below, and to direct that the same shall have effect as an Ordinance of the States.

**Amendments**

In Schedule 2 (pp. 28 – 39) to the Ordinance –

- (a) immediately after the row (p. 29) setting out amendments to be made to section 24(2)(b) and (4)(b) of the Data Protection (Bailiwick of Guernsey) Law, 2017, insert the following row –

"Section 27(2)	For subparagraph (c), substitute – "(c) the right to bring an action under section 79.".
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- (b) in the row (pp. 30 – 33) setting out the amendments to be made to section 111(1) of the Data Protection (Bailiwick of Guernsey) Law, 2017 –
- (i) for the amendment to the definition of "**law enforcement purpose**" (p.p. 31 – 32), substitute the following –

"In the definition of "**law enforcement purpose**" –

- (a) at the end of paragraph (b), omit "or",
- (b) in paragraph (c), for "the security of the British Islands", substitute "national security", and
- (c) immediately after paragraph (c), insert –  
"or
- (d) exercising or performing any power or duty conferred or imposed on a public authority by a criminal proceeds enactment," and

- (ii) in the amendment inserting new definitions in section 111(1) of the

Data Protection (Bailiwick of Guernsey) Law, 2017 –

- (A) at the end of the definition of "**employee**", delete the word "and", and
- (b) immediately after the definition of "employee", insert –
- " "**national security**", for the avoidance of doubt, includes the security of the British Islands and the British Overseas Territories, and" "
- (c) immediately after the row (pp. 33 – 34) setting out amendments to be made to paragraphs 3 and 19 of Schedule 2 to the Data Protection (Bailiwick of Guernsey) Law, 2017, insert the following rows –

"Paragraph 8 of Schedule 3	Immediately after "than", insert "the Bailiwick or".
Paragraph 13 of Schedule 3	Delete ", and the rights of appeal under sections 82 and 83".
Paragraph 6 of Schedule 5	Delete "the rights of appeal under sections 82 and 83;".",

and

- (d) immediately before the row (pp. 38 – 39) setting out amendments to be made to paragraph 19 of Schedule 8 to the Data Protection (Bailiwick of Guernsey) Law, 2017, insert the following rows –

"Paragraph 1(7) of Schedule 7	Immediately after "give", insert "or disclose to".
Paragraph 18(1) of Schedule 8	For "the security of the British Islands", substitute "national security".

**THE DATA PROTECTION (LAW ENFORCEMENT AND RELATED MATTERS) (BAILIWICK OF GUERNSEY) ORDINANCE, 2018**

P.2018/33

IV: To approve the draft Ordinance entitled "The Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018", subject to the amendments indicated below, and to direct that the same shall have effect as an Ordinance of the States.

**Amendments**

1. In each of clauses 12(2)(e) (p. 17), 13(1)(b)(viii) (p. 21) and 21(2)(b) (p. 32) of the Ordinance, delete "and appeals".

2. In clauses 24(1)(d) (p. 35) and 42(4)(d) (p. 65) and paragraph (c) (p. 83) of the definition of "**law enforcement purpose**" in clause 50(1) of the Ordinance, and paragraph 18(1) (p. 107) of Schedule 3 to the Ordinance, for "the security of the British Islands", substitute "national security".
3. In clause 24(2)(a) (pp. 35 - 36) of the Ordinance –
  - (a) in subparagraph (iii), delete "and appeals", and
  - (b) for subparagraph (iv), substitute –

"(iv) the possibility of bringing an action under section 79 of the Law, and".
4. In clause 50(1) (pp. 77 - 86) –
  - (a) for the definition of "**the complaints and appeals information**" (p. 79), substitute –

**"the complaints information"** means –

    - (a) information as to the existence of the right to complain to the Authority under section 67 of the Law, and
    - (b) the contact details of the Authority," , and
  - (b) insert, in the appropriate alphabetical order, the following definition –

" "**national security**", for the avoidance of doubt, includes the security of the British Islands and the British Overseas Territories,".

C. FOSTER

HER MAJESTY'S DEPUTY GREFFIER