

Fair Processing Notice

The Committee *for* Economic Development has responsibility for Sea Fisheries and carries out duties in accordance with its mandate as provided by the States of Guernsey. Its core mandate includes the management and enforcement of commercial fishing, the administration and processing of fishing vessel licences as well as the enforcement of quota controls on Bailiwick licensed vessels. Sea Fisheries is required to process personal data in order to perform its mandated responsibilities.

1. The Data Protection Law

The controller acknowledges its obligations as per the data protection law, which provides a number of requirements in terms of processing activities involving personal data. The controller further acknowledges the general principles of processing as well as the rights of a data subject and more information in relation to these provisions are provided within this fair processing notice.

2. The Principles of Processing

a. Lawfulness, fairness and transparency

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

Sea Fisheries processes personal data in order to:

- Enforce Bailiwick, UK and EU fishing regulations;
- Enforce UK quota controls throughout Bailiwick waters;
- Administer and enforce the Bailiwick's fishing vessel licence scheme;
- Contact licenced individuals in relation to upcoming meetings and consultations; and
- Inform licenced individuals in relation to Local Notice to Mariners and general legislative updates.

No personal data is collected from any third party or publically available source. None of the personal data collected for this purpose is classified as "Special Category Data" (the most sensitive data as defined by data protection law). The personal data that is collected for this purpose includes:

- The name of the data subject;
- The data subject's date of birth;
- The data subject's email address; and
- The data subject's contact details including their address and telephone number.

In terms of the lawful basis for processing, the above information is considered necessary for the exercise of any function of the Crown, a Law Officer of the Crown, the States or a public committee in order to manage and enforce commercial fishing regulations, administer and process fishing licences and enforce quota controls on Bailiwick licensed vessels.

The controller shares personal data with the Marine Management Organization (MMO) in order to facilitate enforcement of licensing and quotas in line with the arrangements set out in the Fisheries management agreement and memorandum of understanding between the Committee *for* Economic Development and DEFRA. The lawful basis for the sharing of this personal data would also be that processing is considered necessary for the exercise of any function of the Crown, a Law Officer of the Crown, the States or a public committee.

The controller also shares personal data with the Committee *for* Environment & Infrastructure (more specifically Environmental Health and Pollution Regulation) this includes the name, GU number and contact details for the vessels operating commercially on island; the details of those taking their catch to the UK or EU, and an understanding of their fishing activities. This information is required by Environmental Health and Pollution Regulation in order to ensure that local fishing vessels operate in compliance with the EU Regulation (EC) No 854/2004 (and after the repeal of this Regulation in 2019, the Regulation (EU) 2017/625). This Regulation determines that all vessels selling products in the UK or EU possess an approval number which is issued by the department of Environmental Health and Pollution Regulation.

Anonymous data may also be used:

- To develop fisheries management policies;
- To review and plan Sea Fisheries services; and
- For audit and statistical purposes.

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 controller acknowledges its responsibility with regards to this data protection principle and therefore the controller 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 section 2a, unless the controller is required to do so by law. The personal data will not be transferred to a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection 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 controller maintains that it will only process the personal data which is detailed in section 2a, and will not process any further personal data that is not necessary in relation to the original reason for processing personal data as specified in section 2a, unless the 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 controller will ensure that all personal data that it holds 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.

In some instances, Sea Fisheries legislation dictates the length of time that information will be retained for, but in all other cases the Committee will ensure that personal data is not kept outside of business requirements.

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.

The controller maintains to process all personal data with appropriate levels of security. Personal data provided by data subjects is stored online and, in order to prevent unauthorised or unlawful processing, the controller has put in place suitable physical, electronic and managerial procedures to safeguard and secure the information that is collected.

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 Committee *for* Economic Development

Tel: 01481 234567

Email: economicdevelopment@gov.gg

The contact details for the Data Protection Officer of Economic Development are as follows:

Data Protection Officer, the Committee *for* Economic Development

Tel: 01481 717000

Email: data.protection@gov.gg

4. Data Subject Rights

For information about your rights as a data subject, please visit www.gov.gg/dp