



Guernsey Registry

Fair Processing Notice

www.guernseyregistry.com

Contents

1. The Data Protection Law.....	3
2. The Principles of Processing.....	3
3. Contact Details.....	5
Appendix A – Beneficial Owners.....	6
Appendix B – Company Register.....	7
Appendix C – Charities & NPOs.....	8
Appendix D – Disqualified Directors.....	9
Appendix E – Foundations.....	10
Appendix F – Guernsey Finance Funding.....	11
Appendix G – Image Rights.....	12
Appendix H – Limited Liability Partnerships (LLP) Register.....	13
Appendix I – Limited Partnership (LP) Register.....	14
Appendix J – Normalised Persons Database.....	15
Appendix K – Patents Register.....	16
Appendix L – Prescribed Business – Estate Agents.....	17
Appendix M – Registered Designs.....	18
Appendix N – Trademarks Register.....	19

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

Appendix B – Company Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly from the data subject, Corporate Service Provider or authorised agent.</p>	<p>Name and residential address maybe available to the public if they form part of the Public Record.</p> <p>Guernsey Financial Services Commission, Director of Revenue Service and Law Enforcement have the power to inspect the Register.</p>	<p>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.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>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.</p> <p>The Companies (Guernsey) Law, 2008 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your circumstances</p>

Appendix C – Charities & NPOs

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by The Policy and Resources Committee</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly from the data subject, Corporate Service Provider or authorised agent.</p>	<p>Full name is available to the public as part of the public record.</p> <p>Director of Revenue Service and Law Enforcement have the power to inspect the Register.</p>	<p>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.</p>	<p>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.</p> <p>Charities and Non-Profit Organisations (Guernsey) Law 2008 and as amended.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix D – Disqualified Directors

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and publication of personal data.</p>	<p>Full name, full name of proxy (if used), date of birth, and residential address.</p> <p>Personal data is collected directly from Royal Court records.</p>	<p>Full name and period of disqualification will be shared with the public.</p>	<p>The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.</p>	<p>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.</p> <p>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.</p>	<p>Public notification of the data is withdrawn at the end of the disqualification period and the data deleted.</p>

Appendix E – Foundations

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly from the data subject, Corporate Service Provider or authorised agent.</p>	<p>Full name and address is available to the public as part of the public record.</p> <p>Guernsey Financial Services Commission, Director of Revenue Service and Law Enforcement have the power to inspect the Register</p>	<p>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.</p>	<p>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.</p> <p>The Foundations (Guernsey) Law, 2012 and as amended.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix F – Guernsey Finance Funding

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

Appendix G – Image Rights

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application, change of details or renewal form</p>	<p>Name and representative image(s).</p> <p>Personal data is collected directly or from the data subject or authorised agent.</p>	Data is publicly available on the Image Register.	The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.	<p>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.</p> <p>Image Rights(Bailiwick of Guernsey) Ordinance, 2012 and as amended.</p>	Data will be securely deleted 12 months after the expiry of the renewal date.

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
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly from the data subject, Corporate Service Provider or authorised agent.</p>	<p>Name and service address will be available to the Public.</p> <p>Director of Revenue Service and Law Enforcement have the power to inspect the Register.</p>	<p>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.</p>	<p>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.</p> <p>The Limited Liability Partnerships (Guernsey) Law, 2013 and as amended.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix I – Limited Partnership (LP) Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: H.M. Greffier, acting on behalf of The Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly or from the data subject or Corporate Service Provider.</p>	<p>Name, and address is available to the public,</p> <p>Director of Revenue Service and Law Enforcement have the power to inspect the Register</p>	<p>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.</p>	<p>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.</p> <p>The Limited Partnership (Guernsey) Law, 1995 and as amended.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix J – Normalised Persons Database

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of a registration or change of details form.</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address and contact telephone number.</p> <p>Personal data is collected directly from the data subject, Corporate Service Provider or authorised agent.</p>	<p>Personal Data is not shared with the Public.</p> <p>Director of Revenue Service and Law Enforcement have the power to inspect the Register.</p>	<p>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.</p>	<p>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.</p> <p>See individual registers for relevant legislation</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix K – Patents Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application from</p>	<p>Proprietor’s name and address.</p> <p>Inventor’s name.</p> <p>Personal data is collected directly from the data subject and authorised agent.</p>	<p>The Patents Register shall be open for public inspection.</p>	<p>The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.</p>	<p>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.</p> <p>Registered Patents and Biological Inventions (Bailiwick of Guernsey) Ordinance.</p>	<p>Data is held for two years after the expiry of the renewal date. After that it will securely destroyed.</p>

Appendix L – Prescribed Business – Estate Agents

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Policy and Resources Committee</p> <p>Processing Activity: Collection and processing of an application, annual validation or change of details form</p>	<p>Full name, previous name(s) (if any), date of birth, nationalities, residential address, email address, contact telephone number & criminal convictions.</p> <p>Beneficial ownership and shareholder status will also be collected if applicable under the legislation.</p> <p>Personal data is collected directly from the data subject or via an authorised representative.</p>	<p>There is no public access to the data.</p> <p>Director of Revenue Service and Law Enforcement have the power to inspect the Register</p>	<p>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.</p>	<p>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.</p> <p>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.</p> <p>Disclosure (Bailiwick of Guernsey) Law, 2007 and as amended.</p>	<p>A review of records will be undertaken every 5 years and data no longer required will be securely deleted.</p>

Appendix M – Registered Designs

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Policy and Resources Committee</p> <p>Processing Activity: Collection and processing of an application or renewal form</p>	<p>Proprietor’s name, address and date of registration</p> <p>Personal data is collected directly from the data subject or via an authorised representative.</p>	<p>The Register of Designs shall be open for public inspection.</p>	<p>The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.</p>	<p>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.</p> <p>Registered Designs (Bailiwick of Guernsey) Ordinance 2005</p>	<p>Please contact the Office of the Registrar for details on how the data retention policy affects your individual circumstances</p>

Appendix N – Trademarks Register

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing	Data Retention Policy
<p>Controller: The Registrar, the Office of the Registrar – as appointed by the Committee <i>for</i> Economic Development</p> <p>Processing Activity: Collection and processing of an application or renewal form.</p>	<p>Proprietor’s name and address.</p> <p>Personal data is collected directly from the data subject or authorised agent.</p>	<p>Proprietor’s name and address is available on the Public record.</p>	<p>The processing of personal data is necessary for the purpose of meeting the statutory requirements of the Office of the Registrar.</p>	<p>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.</p> <p>The Trade Marks (Bailiwick of Guernsey) (Amendment) Ordinance, 2006</p>	<p>Data is held for two years after the expiry of the renewal date. After that it will securely destroyed.</p>