

GUERNSEY STATUTORY INSTRUMENT

2010 No. **10**

The Data Protection (Crown Appointments) Order, 2010

Made

1st February, 2010

Coming into operation

1st March, 2010

Laid before the States

,2010

THE HOME DEPARTMENT, in exercise of the powers conferred on it by sections 37 and 66(1) and (2) and paragraph 4 of Schedule 6 to the Data Protection (Bailiwick of Guernsey) Law, 2001^a and after consultation with the Data Protection Commissioner in accordance with section 66(3) of that Law, hereby makes the following Order :-

Exemption.

1. (1) There are exempted from the subject information provisions personal data processed for the purposes of assessing any person's suitability for any of the following offices -

- (a) Lieutenant Governor,
- (b) Dean of Guernsey,
- (c) H. M. Procureur,

^a Order in Council No. V of 2002 [as amended by the Data Protection (Bailiwick of Guernsey) (Amendment) Ordinance, 2010] and as modified by Ordinance No. XXIV of 2004, the European Communities (Implementation of Council Directive on Privacy and Electronic Communications) (Sark) Ordinance, 2004, the European Communities (Implementation of Council Directive on Privacy and Electronic Communications) (Alderney) Ordinance, 2009 and G.S.I. Nos.14, 15, 16 and 24 of 2002.

(d) H. M. Comptroller, and

(e) H. M. Receiver General.

(2) In this article -

(a) "**the subject information provisions**" has the meaning given in section 27(2) of the Data Protection (Bailiwick of Guernsey) Law, 2001, and

(b) "**personal data**" has the meaning given in section 1(1) of that Law.

Interpretation.

3. (1) In this Order, unless the context otherwise requires -

"**enactment**" means any Law, Ordinance or subordinate legislation, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of this Order.

(3) Any reference in this Order to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification),

^b Ordres en Conseil Vol. XIII, p. 355.

extended or applied.

Citation and commencement.

4. This Order may be cited as the Data Protection (Crown Appointments) Order, 2010 and shall come into force on the 1st day of March, 2010.

Dated this ~~1st~~ day of February, 2010.

..... *G.H. Mahy*

G.H. MAHY
Minister of the States Home Department
For and on behalf of the Department

EXPLANATORY NOTE.

(This note is not part of the Order)

The Data Protection (Bailiwick of Guernsey) Law, 2001 imposes certain obligations on data controllers to give data subjects information about the processing of their personal data and access to those personal data. By virtue of section 27(2) of that Law, the provisions imposing these obligations are referred to as "the subject information provisions".

This Order exempts from the subject information provisions processing of personal data for the purposes of assessing any person's suitability for certain offices to which appointments are made by Her Majesty.