

GUERNSEY STATUTORY INSTRUMENT

2010 No. 8

**The Data Protection (References to Committees of the
States) (Miscellaneous Amendments)
Order, 2010**

<i>Made</i>	1 st February, 2010
<i>Coming into operation</i>	1st March, 2010
<i>Laid before the States</i>	, 2010

THE HOME DEPARTMENT, in exercise of the powers conferred on it by sections 4(3), 30, 38(2) and 66(1) and (2) and paragraph 4(2) of Schedule 4 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:-

Amendment to references to Committees of the States.

1. (1) In the orders set out in paragraph (2), for each reference to "a Committee of the States" substitute "a department of the States or a committee of the States of Alderney or the Chief Pleas of Sark".

^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.

(2) The orders referred to in paragraph (1) are the Data Protection (Subject Access Modification) (Education) Order, 2002^b, the Data Protection (Subject Access Modification) (Health) Order, 2002^c and the Data Protection (Subject Access Modification) (Social Work) Order, 2002^d.

(3) In the definition of "**relevant body**" in article 2(3) of the Data Protection (Non-disclosure Exemption) Order, 2002^e for the words "a committee of the States" substitute "a department of the States, a committee of the States of Alderney or the Chief Pleas of Sark".

(4) In article 2(3) of the Data Protection (Transfer in the Substantial Public Interest) Order, 2002^f -

(a) for paragraph (a)(ii) of the definition of "**the Commission**" substitute -

"(ii) a department of the States or a committee of the States of Alderney or the Chief Pleas of Sark; and", and

(b) the definition of "**committee of the States**" is revoked.

^b G.S.I. No. 14 of 2002.
^c G.S.I. No. 15 of 2002.
^d G.S.I. No. 16 of 2002.
^e G.S.I. No. 19 of 2002.
^f G.S.I. No. 28 of 2002.

Interpretation.

2. (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^g 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),
extended or applied.

Citation and commencement.

3. This Order may be cited as the Data Protection (References to
Committees of the States) (Miscellaneous Amendments) Order, 2010 and shall come
into force on the 1st March, 2010.

Dated this *1st* day of February, 2010



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)

This Order amends various Data Protection orders to substitute references to "committees of the States" for references to "departments of the States and committees of the States of Alderney and the Chief Pleas of Sark" to reflect a similar amendment to the Data Protection (Bailiwick of Guernsey) Law, 2001 under which the orders are made.