

GUERNSEY STATUTORY INSTRUMENT

2024 No. 116

**The Data Protection (General Provisions) (Bailiwick of
Guernsey) (Amendment) Regulations, 2024**

<i>Made</i>	<i>19th December, 2024</i>
<i>Coming into operation</i>	<i>1st January, 2025</i>
<i>Laid before the States</i>	<i>, 2024</i>

THE COMMITTEE FOR HOME AFFAIRS, in exercise of the powers conferred on it by sections 39, 40 and 109 of, and paragraph 1(2) of Schedule 4 to, the Data Protection (Bailiwick of Guernsey) Law, 2017^a, and all other powers enabling it in that behalf, following consultation with the Data Protection Authority, the Policy and Finance Committee of the States of Alderney and the Policy and Finance Committee of the Chief Pleas of Sark, hereby makes the following Regulations:-

Amendments to the 2018 Regulations.

1. The Data Protection (General Provisions) (Bailiwick of Guernsey) Regulations, 2018^b ("**the principal Regulations**") are amended as follows.

^a Order in Council No. VI of 2018; this enactment has been amended.

^b G.S.I. No. 21 of 2018; this enactment has been amended.

Amendment of regulation 2 of the principal Regulations.

2. In regulation 2 of the principal Regulations –
- (a) in paragraph (1), immediately before "The fee", insert "Subject to paragraphs (1A) to (1C)", and
 - (b) immediately after paragraph (1), insert the following paragraphs -
 - "(1A) The fee payable in respect of an application for registration in relation to a levy collection agent or a person described as "any other person" in column 1 of table 1 in Schedule 1, including the "administered entities charge", is to be automatically increased as follows –

Period for which the registration fee is payable (Column 1)	Registration fee payable (Column 2)
1 st January, 2026 to 31 st December, 2026 (inclusive of both dates)	The value of the registration fee specified in column 2 of the table in Schedule 1 effective on 1 st January, 2025, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in June 2025, as published on the States of Guernsey website.
1 st January, 2027 to 31 st December, 2027 (inclusive of both dates)	The registration fee payable for the period of 1 st January, 2026 to 31 st December, 2026, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in

	June 2026, as published on the States of Guernsey website.
1 st January, 2028 to 31 st December, 2028 (inclusive of both dates)	The registration fee payable for the period of 1 st January 2027 to 31 st December, 2027, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in June 2027, as published on the States of Guernsey website.

(1B) So far as practicable, the inflated values mentioned in column 2 of the table in paragraph (1A) are to be calculated using the inflation calculator for RPIX provided by the States of Guernsey on its website.

(1C) Where there is no increase (or where there is a decrease) in the RPIX index for Guernsey as specified in column 2 of the table in paragraph (1A) in respect of any period for which a registration fee is payable, the registration fee payable for that period is the same as the registration fee payable for the period immediately preceding that period."

Amendment of regulation 6 of the principal Regulations.

3. In regulation 6 of the principal Regulations -

- (a) in paragraph (1), for "paragraph (4)", substitute "paragraphs (1A) and (1B)", and
- (b) immediately after paragraph (1), insert the following paragraphs -

"(1A) The annual levy payable in relation to each controller or processor in column 1 of the table in Schedule 1 (other than a controller or

processor for whom the annual levy is nil) is to be automatically increased as follows -

Period in respect of which the annual levy is payable (Column 1)	Annual levy payable (Column 2)
1 st January, 2026 to 31 st December, 2026 (inclusive of both dates)	The value of the annual levy specified in column 2 of the table in Schedule 1 effective on 1 st January, 2025, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in June 2025, as published on the States of Guernsey website.
1 st January, 2027 to 31 st December, 2027 (inclusive of both dates)	The annual levy payable in respect of the period of 1 st January, 2026 to 31 st December, 2026, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in June 2026, as published on the States of Guernsey website.
1 st January, 2028 to 31 st December, 2028 (inclusive of both dates)	The annual levy payable in respect of the period of 1 st January 2027 to 31 st December, 2027, inflated by the percentage increase in the RPIX index for Guernsey over the year ending in June 2027, as published on the States of Guernsey website.

(1B) So far as practicable, the inflated values mentioned in column 2 of the table in paragraph (1A) are to be calculated using the inflation calculator for RPIX provided by the States of Guernsey on its website.

(1C) Where there is no increase (or where there is a decrease) in the RPIX index for Guernsey as specified in column 2 of the table in paragraph (1A) for any period in respect of which an annual levy is payable, the annual levy payable in respect of that period is the same as the annual levy payable in respect of the period immediately preceding that period."

Amendment of Schedule 1 to the principal Regulations.

4. (1) Schedule 1 to the principal Regulations is amended as follows.
- (2) In the table in that Schedule -
 - (a) in the row relating to the Policy & Resources Committee of the States of Guernsey, in column 3 (annual levy), for "£300, 000", substitute "£250, 000",
 - (b) in the row relating to the Policy and Finance Committee of the States of Alderney, in column 3 (annual levy), for "£2,000", substitute "£2,400",
 - (c) in the row relating to the Policy and Performance Committee of the Chief Pleas of Sark -
 - (i) in column 1 (controller or processor), for "Policy and Performance", substitute "Policy and Finance", and
 - (ii) in column 3 (annual levy), for "£2,000", substitute "£2,400",

- (d) in the row relating to a levy collection agent -
 - (i) in both column 2 (registration fee) and column 3 (annual levy), for "£2,000", substitute "£2,400", and
 - (ii) in both column 2 (registration fee) and column 3 (annual levy), for "£50", substitute "£60", and
- (e) in the row relating to the person described as "any other person" -
 - (i) in both column 2 (registration fee) and column 3 (annual levy), for "£2,000", substitute "£2,400", and
 - (ii) in both column 2 (registration fee) and column 3 (annual levy), for "£50", substitute "£60",

(3) In the definition of "the "**administered entities charge**"", for "£50", substitute "£60".

Citation.

5. These Regulations may be cited as the Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment) Regulations, 2024.

Commencement

6. These Regulations shall come into force on 1st January, 2025.

Dated this 19th day of December, 2024



Deputy Rob Prow

President of the Committee for Home Affairs

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Data Protection (General Provisions) (Bailiwick of Guernsey) Regulations, 2018 ("**the principal Regulations**").

These Regulations amend the table in Schedule 1 to the principal Regulations to: reduce the annual levy for the Policy & Resources Committee of the States of Guernsey from £300,000 to £250,000; raise the annual levy for the Policy & Finance Committee of each of the States of Alderney and the Chief Pleas of Sark from £2,000 to £2,400; effectively raise the registration fee and annual levy payable by large organisations from £2,000 to £2,400; and effectively raise the registration fee and annual levy payable by small organisations (or individuals) from £50 to £60. These new fees and levies will commence on the 1st January, 2025.

In respect of 2026, 2027 and 2028, these Regulations amend regulations 2 and 6 of the principal Regulations to automatically increase (by the annual increase in RPIX) the registration fee payable by levy collection agents and persons described as "any other person", as well as the annual levy payable by each controller and processor (other than a person subject to a nil annual levy).

These Regulations will come into force on the 1st January, 2025.