

 OFFICE OF THE  
INFORMATION  
COMMISSIONER

 THE OFFICE OF THE  
Data Protection Commissioner



# Annual Report

## 2012 - 2013

# Data Protection

# A Quick Guide

## What is the Data Protection Law (DPL)?

The Data Protection (Jersey) Law 2005 and Data Protection (Bailiwick of Guernsey) Law 2001 seek to strike a balance between the rights of individuals and the sometimes competing interests of those with legitimate reasons for using personal information.

The two Laws give individuals certain rights regarding information held about them. It places obligations on those who process information (data controllers) while giving rights to those who are the subject of that data (data subjects). Personal information covers both facts and opinions about the individual.

Anyone processing personal information must notify the Data Protection Commissioner's Office that they are doing so, unless their processing is exempt.

### The eight principles of good practice

Anyone processing personal information must comply with eight enforceable principles of good information handling practice.

These say that data must be:

1. fairly and lawfully processed;
2. processed for one or more specified and lawful purposes;
3. adequate, relevant and not excessive;
4. accurate and up to date;
5. not kept longer than necessary;
6. processed in accordance with the individual's rights;
7. kept safe and secure;
8. not transferred to countries outside European Economic area unless country has adequate protection for the individual.

### Individuals can exercise a number of rights under data protection law.

#### Rights of access

Allows you to find out what information is held about you;

#### Rights to prevent processing

Information relating to you that causes substantial unwarranted damage or distress;

#### Rights to prevent processing for direct marketing

You can ask a data controller not to process information for direct marketing purposes;

#### Rights in relation to automated decision-taking

You can object to decisions made only by automatic means e.g. there is no human involvement;

#### Right to seek compensation

You can claim compensation from a data controller for damage or distress caused by any breach of the Law;

#### Rights to have inaccurate information corrected

You can demand that an organisation corrects or destroys inaccurate information held about you;

#### Right to complain to the Commissioner

If you believe your information has not been handled in accordance with the Law, you can ask the Commissioner to make an assessment.

## What is data protection?

Data protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal information. The Data Protection (Jersey) Law 2005 and the Data Protection (Bailiwick of Guernsey) Law 2001 place responsibilities on those persons processing personal information, and confers rights upon the individuals who are the subject of that information.



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*"Privacy is like freedom; the less you have of it, the easier it is to recognise."*

*Anon*

# Foreword



This is my second report as Data Protection Commissioner for the Channel Islands. Jersey and Guernsey made the decision to allocate responsibility for the Data Protection (Jersey) Law 2005 and the Data Protection (Bailiwick of Guernsey) Law 2001 to a single position holder in 2011. It is an approach that we have seen in a number of other areas across the Islands and indicates an increasing willingness for the Islands to co-operate and ensure the best use of pressured resources.

The first full year of pan-Island data protection oversight has shown that the two offices have much in common and by joining forces they have been able to work very well together. There is still much work to be done to ensure best use is made of IT and other resources across the two Islands and efforts continue to streamline the policies and procedures. Consistency in oversight is going to be most beneficial for the business community who can now have a consistent platform of regulation.

The small teams at both Data Protection Offices continue to respond to complex and diverse enquiries against a backdrop of fast moving technological and social change. The manner in which increasing numbers of us are pushing out vast amounts of personal data online continues to be a source of much discussion and deliberation in all walks of life. Certainly the shift has been dramatic in recent years. The introduction of legal frameworks of data protection was, broadly, in response to concerns about the potential power and reach of governments. Recent years have seen unprecedented growth in the ability of commercial organisations to collect such information and the latest outcry over the information held by the big internet search engines having been used and disclosed is one example of that. If we feel we have had problems trusting our governments, how do we feel when such power is in the hands of commercial organisations located thousands of miles away?

Certainly the question of 'who is responsible for looking after my personal information?' is an interesting one. Geographical boundaries no longer act, in a legal sense, as safety mechanisms for citizens. Individuals now interact, mostly online, with companies based all over the globe so the question of oversight is more pertinent now than ever before. There have been recent political murmurings about the possibility of restricting the availability, online, of certain types of offensive images.

It is a debate that is well overdue and I firmly believe we have to look forward to sensible regulation of the internet in a broader sense based on democratically agreed rules. Failing to do so will result in the space being completely controlled by unelected and largely unaccountable companies. I do not subscribe to the notion that once we start to regulate our online space, as we do every other part of our lives, that we immediately turn into the equivalent of a malevolent state that oppresses its citizens. There is room for a more intelligent conversation in this area and I hope democratic governments across the globe continue the dialogue.

In recognition of these challenges, the European Commission is planning the biggest upheaval in data protection regulation since those laws came into force. The European Justice Commissioner is well known to feel passionately about the negative impact that permanent digital data online has, especially on the younger generation. Certainly we have seen our fair share of such cases in the Channel Islands. The new regulation aims to empower individuals in respect of their own information as well as seeking to ensure their rights are upheld, regardless of the location of the company they are interacting with. Clearly the enforcement of such legal rights is not without very real challenges and Jersey and Guernsey, with the assistance of the Channel Islands Brussels office, are keeping a close eye on developments. Both Islands currently have a high quality, robust legal framework of protection for personal data which ensures individual's rights are protected and businesses have a clear and workable set of rules to which they must abide.

I believe we remain at the juncture of significant social and cultural change in respect of privacy and personal autonomy.

Technology continues to force the debate and we need to engage intelligently with both sides of the argument. Too many legal barriers will restrict free speech but on the other hand, if the law is held at bay, there will be little to prevent people from seriously harming others. The right to the protection of personal data is not an absolute right. It must be considered in balance with other rights. Privacy remains, however, a fundamental right and its value for us as individuals, as a society and as a globalised world should not be underestimated. The next few years will mark a watershed both at a European as well as international level and my team and I look forward to playing our part in those developments to ensure the Channel Islands continue to provide the highest standards of protection for personal data.

***Emma Martins***

Data Protection Commissioner  
for Jersey and Guernsey





## Part 1 – Activities

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# Introduction

The Data Protection Laws in Jersey and Guernsey create a framework for the handling of personal information across all areas of society. But what is personal data? It is information about us as individual people, which can sometimes be of a sensitive nature. The real issue is how this information about us is handled by the people to whom we entrust it.

Organisations across the Islands are tasked with protecting the information they hold about individuals and are legally obliged to apply certain standards which enable them to handle that information in the correct manner. Those organisations which choose to act outside that framework do so at the risk of legal action being taken against them by the individual affected, as well as the possibility of enforcement action by the Commissioner or the Courts.

The Jersey and Guernsey Laws provide a legal basis upon which the Commissioner can exercise her powers of enforcement. As with previous years, the Commissioner was called upon more regularly to exercise those enforcement powers, however it is pleasing that the percentage of cases requiring formal enforcement action is still very low.

As awareness of data protection has increased over the years, the Commissioner's Office in both Islands has experienced a steady rise in the number of complaints received. This can be largely attributed to the work of the office in education of data controllers and improving awareness of information rights, as well as increased confidence of individuals in asserting those rights.

2012 saw the first full year of a pan-Island Data Protection Commissioner for Jersey and Guernsey. Emma Martins, already on her second term as Commissioner for Jersey was the natural successor to the retiring Dr Peter Harris in Guernsey. The move came as the Islands' respective Governments sought to work together in greater harmony, thus reducing unnecessary spending and increasing the effectiveness of regulatory bodies.

Whilst the Data Protection Offices in Jersey and Guernsey remain as two separate legal entities, there is now scope for greater harmonisation between the two Islands in respect of Data Protection regulation and oversight, and much of the work undertaken during 2012 was to standardise the practices of both offices to achieve greater consistency and efficiency. This continued during 2013 with work starting on a pan-Island IT project to ensure consistency across the Islands in terms of the customer experience and back office administration.

Due to the operational commitments and continuing work to bring the Islands closer together, no annual report for the Islands was published during 2012. This report is therefore the first detailing the activities of both Offices for the year 2012 and 2013.

## Promoting Public Awareness

Of the many functions the Offices undertake on a daily basis, promoting the general awareness of data protection both to the public and to organisations, forms the largest and arguably one of the most important aspects of our work.

During 2012 and 2013, the Offices continued to respond to a large volume of general enquiries via telephone, e-mail and post from the business sector and individuals alike. The nature of the calls varied considerably, but included enquiries such as:

- ☞ How to make, and how to deal with a subject access request;
- ☞ Sharing data between public sector organisations;
- ☞ Human resources issues, including the provision of employment references and data retention;
- ☞ Issues arising about social networking sites and internet blogs;
- ☞ The inclusion of fair processing statements on data collection forms;
- ☞ Notification queries;
- ☞ Internet security and safety, particularly in respect of protecting children's privacy;
- ☞ The impact of emerging technologies on data processing, such as cloud computing;



- ☞ Publication of photographs and personal information on the internet;
- ☞ The use of CCTV equipment in both business and home environments.

The above list is not exhaustive and is merely an indication of the variation in the enquiries received.

As with 2011, some of the queries, such as those in relation to notification and internet issues, have prompted the review of existing guidance or the development of new guidance and good practice notes. These are ongoing and completed guidance is made available on the Commissioner's websites.

Once again, Data Protection Day was celebrated on 28<sup>th</sup> January 2012, with a number of local initiatives arranged to highlight topical areas of data protection.

*"The link between democracy and privacy is not at all accidental. Without a private zone, public life is impossible."*

*Charles J Sykes*

## Customer Service and Advice Given

The Office of the Data Protection Commissioner is a public office serving the Islands' communities. It is therefore vital that it maintains a high standard of customer service and is in a position to provide the best service possible to the general public.

To many, the 'front face' of the Office is through the Commissioner's websites:

- [www.dataprotection.gov.je](http://www.dataprotection.gov.je)
- [www.gov.gg/dataprotection](http://www.gov.gg/dataprotection)

which detail all the latest information and guidance published. The websites are an important communication and information tool which are reviewed on a regular basis to ensure that the public has access to accurate and up to date information. At the end of 2012 a program of consolidation commenced, starting with a scoping project to integrate the two Islands' websites into one single point of access. Work on this continued throughout 2013 and is due for completion by the 3<sup>rd</sup> quarter of 2014.

Another valuable method of increasing awareness of data protection has been through presentations given by the Commissioner and her Deputy. The Office receives many requests for speaking engagements however it would be impossible to accept all invitations due to the other commitments and activities of the staff involved. That said, the Commissioner and her staff delivered a total of 34 presentations across the two Islands in 2012, and 37 in 2013 to a wide variety of organisations, with the subject matter ranging from a general overview of the Law and Principles to more focused topics such as data security and internet data processing issues.

## Complaints and Investigations undertaken

Complaints received by the Commissioner are extremely varied in their nature and the Commissioner can exercise a number of powers including the issuing of an Information Notice, Special Information Notice, Enforcement Notice, or an Undertaking as well as seeking a criminal prosecution.

The vast majority of complaints are resolved before the need to invoke any enforcement measures such as those described. However, work on a number of significant investigations undertaken during the previous years with regard to allegations of criminal offences under the Law continued into 2012 and 2013.

In a significant number of cases investigated, complaints found to be substantiated were resolved by the respective data controller updating and improving their policies and procedures, or improving the controls over their data handling.

In Jersey, 2012 saw a big decrease in the number of complaints received on the previous year, although many of the complaints received were of a more complex nature. 2013 saw a slight increase of 13% on the previous year with a total of 54 complaints received.

Guernsey saw a slight decrease in complaints, totalling 32 compared with 33 in 2011. This figure rose to 34 in 2013.

One enforcement notice and one undertaking were served on Guernsey data controllers during 2013. No Jersey data controllers were subject of enforcement notices in 2012 and one in 2013.

*"Processes of control, regulation and surveillance are further intensified by the rapid speed of new technologies."*

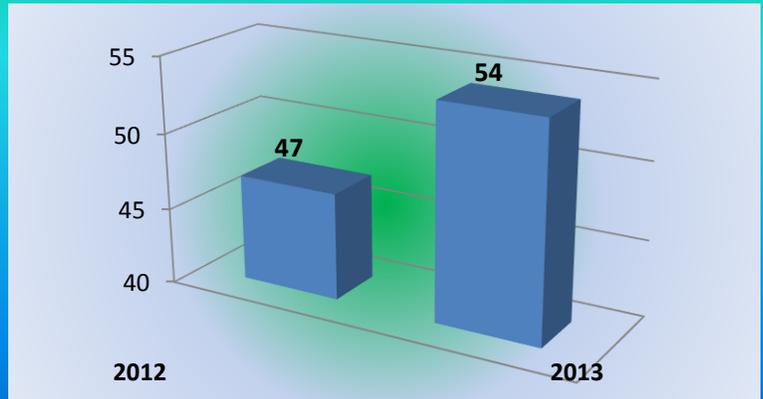
*Paul Lewis*

## Complaints in Jersey

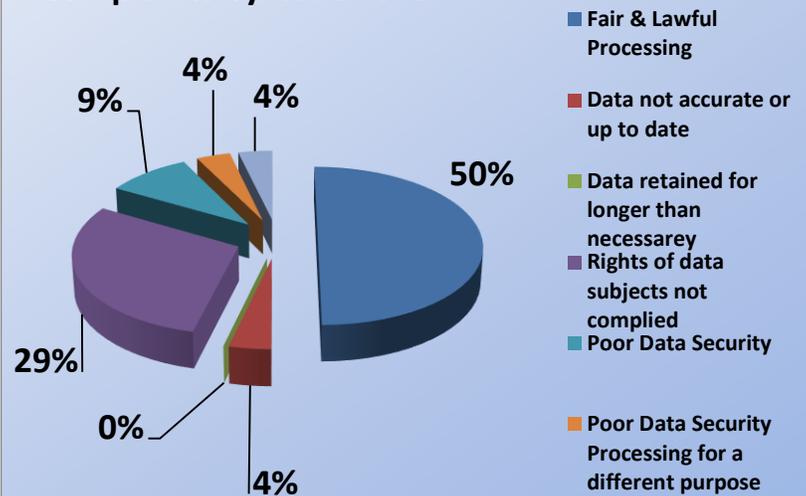
After a significant peak in complaints received in 2011, 2012 saw that figure reduce almost by half, although the complexity of those cases was far greater than the previous year. 2013 saw yet another increase and again, the majority of those saw a more complex nature with majority of complaints received were in relation to alleged breaches by financial services businesses.

2013 saw half of the received complaints relating to allegations of unfair processing, and a slight increase in the number of complaints where individuals' rights under the Law had not been complied with. The biggest drop was in relation to complaints about poor data security which has halved since 2011 and would indicate that data controllers are implementing more robust measures to protect the information of their customers.

### Complaints Comparison 12/13

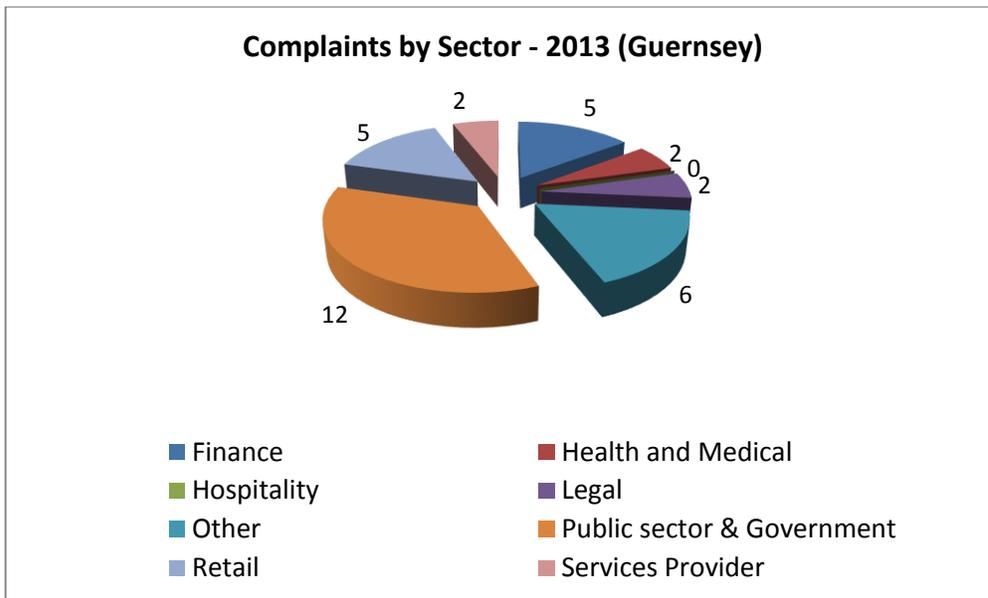


### Complaints by Issue 2013



## Complaints in Guernsey

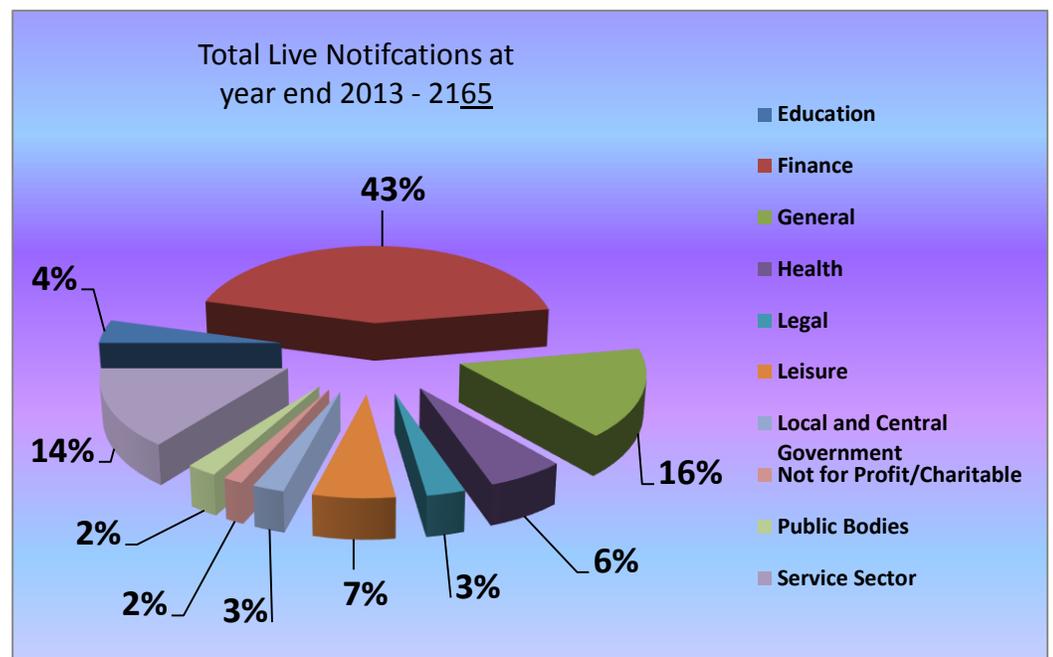
There were a total of 32 complaints during 2012 representing a slight decrease from 2011. However the total number of complaints for 2013 rose to 34. As the chart below indicates, the majority of these complaints were directed against the public sector, whilst the remainder were spread amongst the health, service provider, legal, retail and finance sectors.

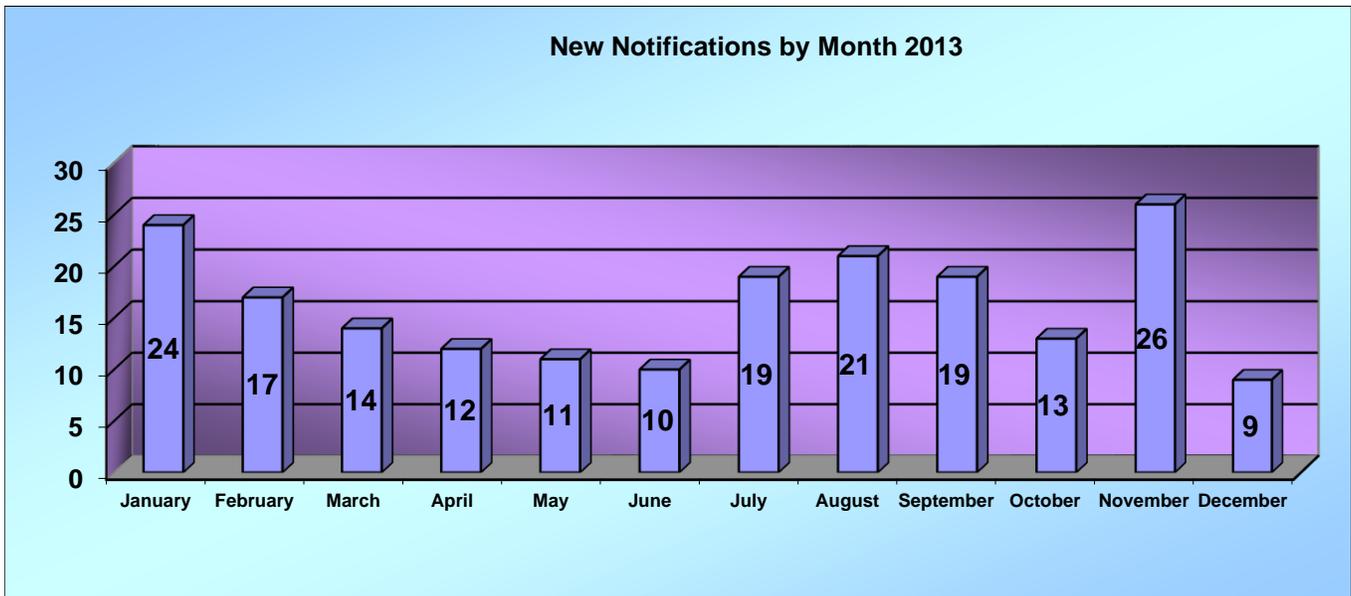


## The Public Register (Jersey)

2013 saw the broad spread of notifications remain much the same as it had been for the previous two years, with only a slight rise shown for the finance sector.

Whilst the number of new notifications has decreased significantly since the 310 recorded in 2011, the total number of live notifications has steadily increased to a total of 2165. It is anticipated that this figure will increase further for 2014.



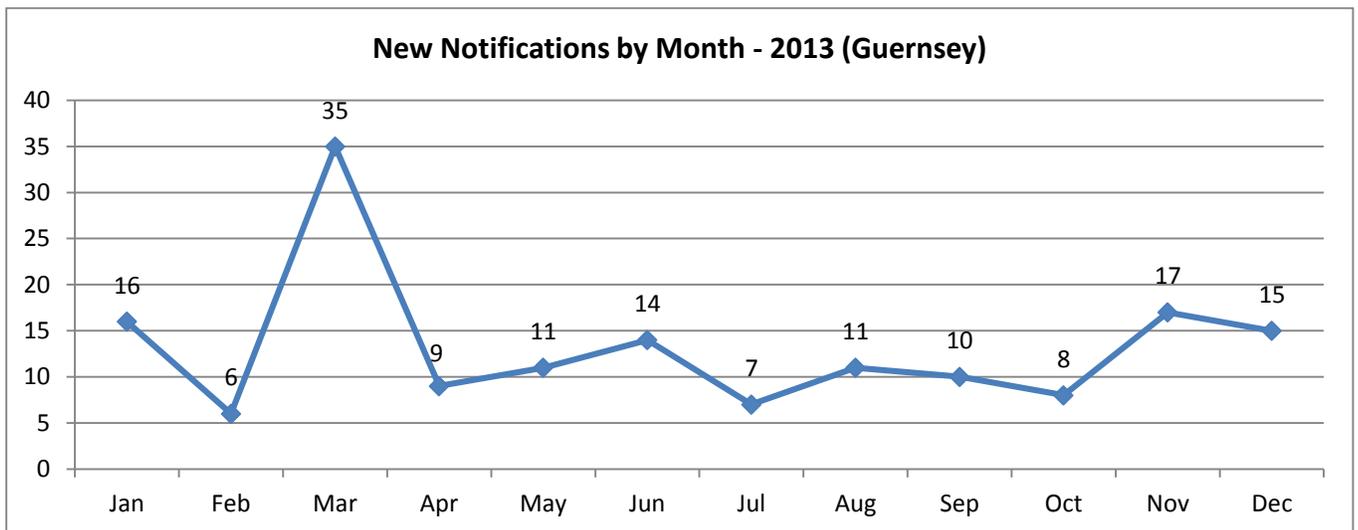


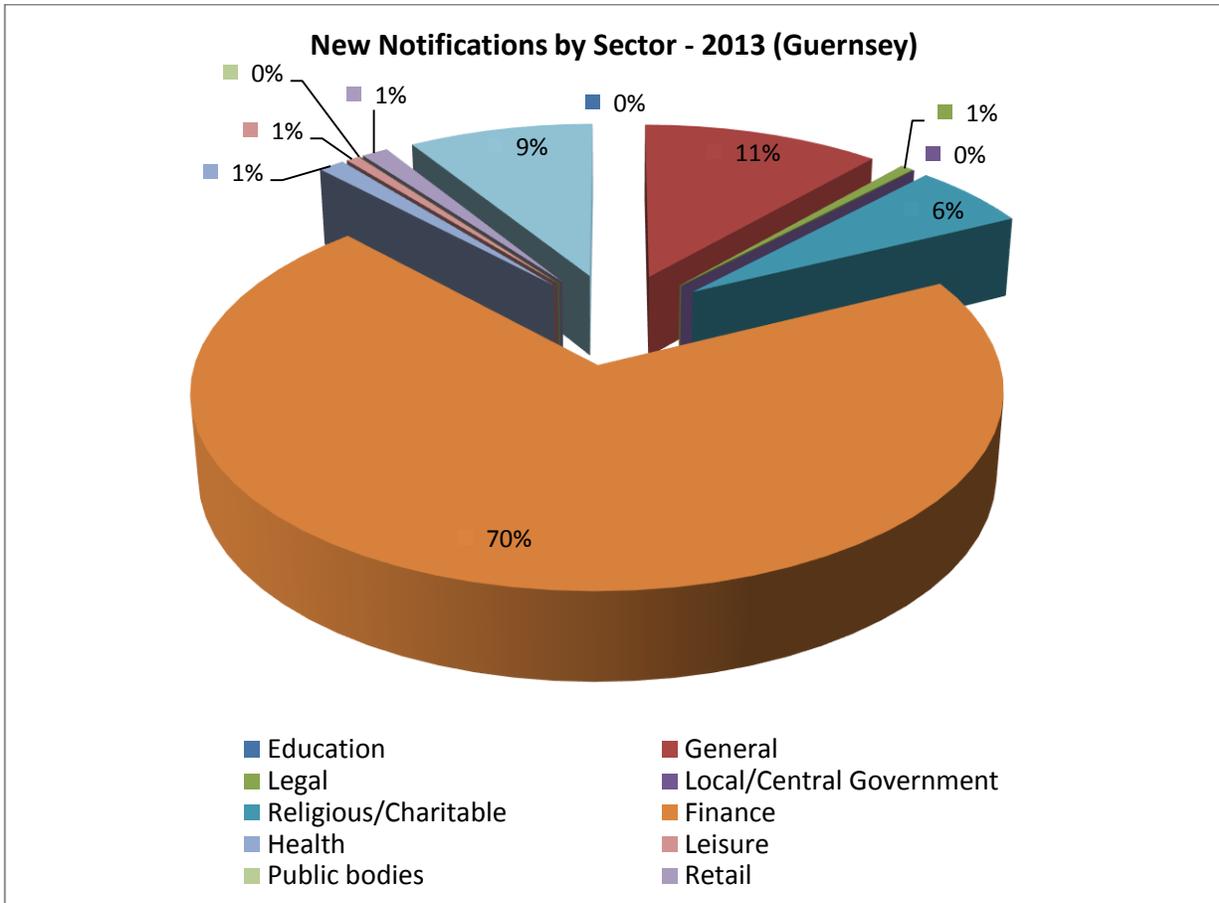
## The Public Register (Guernsey)

A total of 153 new notifications were received by the Guernsey Data Protection Office, representing a slight drop from the figure recorded in 2011. The majority of these were for the finance sector which continues to remain strong in Guernsey, despite the economic downturn.

The Commissioner also received an increased number of voluntary notifications from charities and religious organisations.

With the exception of a significant spike in March, new notifications were spread very evenly across the year.





## International Activities

2012 again saw a reduction in international travel, with no European Data Protection Conference taking place.

The 34<sup>th</sup> International Conference of Data Protection and Privacy Commissioners was held in Uruguay, however operational commitments and the high cost of travel to this conference resulted in no representatives attending from the Channel Islands.

In 2013, one representative of the Data Protection Commissioner attended the European Spring Conference in Lisbon, Portugal and also the 35<sup>th</sup> International Conference of Data Protection and Privacy Commissioners which was held in Warsaw, Poland.



*Myriad Conference Centre, Lisbon, Portugal*



*Warsaw Hilton Hotel & Conference Centre, Poland*

*"Privacy-related problems are as much political and public policy issues as they are legal and technological ones."*

*Raab & Bennett*



## Case Study: Subject Access and Employment References

# 1

A woman made a subject access request to her former employer for a copy of a reference he had written about her. He refused to provide her with a copy, saying the reference was 'confidential'.

Schedule 7 of the Data Protection (Jersey) Law 2005 provides a data controller giving a reference with an exemption from having to comply with such a request provided the reference was written in confidence. However, this does not prevent the referee from providing a copy of the reference if its content was either factual in nature, or the individual would be aware of the content in any case.

The exemption does not apply to the receiver of a reference, however all the facts must be considered before releasing the information to the individual. For example: Does a duty of confidentiality exist to the referee? What is the potential effect upon the individual? Is the reference accurate in its content? Is there any risk to the referee by disclosing it? Further guidance can be found on the Data Protection Commissioner's website.

## Case Study: Keeping your plastic safe

# 2

Most people know to keep their credit and debit cards safe. But how many people discard the printed receipts following a purchase without giving it a second thought? One woman was very surprised to see her full account number, card number and name printed on her receipt having that day made a purchase at a well-known High Street store.

Most retail outlets now have chip and pin facilities for customers in their stores. The receipts generated should, as a matter of course, now disguise the card number with asterisks or similar, with the exception of the last 4 digits. Should a data controller operate a system that fails to disguise the number, on

customer receipts, they may find themselves in breach of the 7<sup>th</sup> Data Protection Principle, having not taken sufficient steps to safeguard against unauthorised access or accidental loss of personal data.

## Case Study: Client databases

3

An employee decided to copy the company's client database and start a rival business by using the database to contact the clients and sell his new company's services to them.

The 1<sup>st</sup> and 7<sup>th</sup> Data Protection Principles would apply with regards the use of, and the security of that data. The employee did not have permission from the company to use the database for his own gain and he did not have consent from the clients to use their data for his own marketing purposes. The company had taken sufficient steps to safeguard client data through their own security policies and procedures, which the employee had chosen

to ignore. The employee was required to return all the data to the data controller and sign an undertaking not to contact any clients on the data controller's database. It is also possible in these circumstances that there may be evidence of a criminal offence of unlawful obtaining of personal data under Article 55 of the Law, in addition to the two Principle breaches highlighted.

## Case Study: Purpose 'jumping'

4

A company organised a prize draw as part of a publicity campaign, by posting flyers through household letter boxes and handing them out in the street. The application form collected names, addresses and email addresses of entrants.

The form did not however make it clear to the entrants exactly what the information would be used for. The reasonable expectation of the entrant was that the information would be used to contact them in the event that they won the competition. However, the intention of the company was to use the information to compile a marketing database.

After the draw took place, entrants began to receive marketing emails from the company. None of the entrants had consented for their information to be used for this purpose.

Information collected for one purpose and used for something different is known as purpose 'jumping' and could amount to a breach of the 2<sup>nd</sup> data protection Principle. However this can be easily avoided if data controllers make it clear to consumers from the outset what they are collecting the data for. A good fair processing notice on the form will identify who is collecting the data, what it is to be used for, and who it might be disclosed to. If the data is to be used for marketing activity, then the opportunity to opt out should also be included.

## Part 3 – Guidance

### 18 Guidance notes



# Guidance

## Guidance notes

One of the important functions of the Commissioner is to produce guidance for the general public and business community as to how the Law and Principles should be applied. This is often achieved by way of Guidance Notes published on the Commissioner's website.

The vast majority of the Commissioner's guidance was published upon implementation of the 2005 Law in December 2005. Since then, a number of further documents have been added to the already comprehensive list of guidance.

Codes of Practice and guidance on the processing of personal data for credit purposes were also drafted and consulted upon during the course of 2010 and published in the early part of 2011. These Codes were supplemented by a general overarching Code of Practice for Debt Collection and Credit Reference Agencies in 2012, published by the Trading Standards Department and Jersey Consumer Council.

As a result of the Jersey and Guernsey offices working closer together, work commenced on a large-scale project to consolidate the guidance for both islands into one document where the application of the law is identical. In all other areas where slight differences in the laws are identified, for example the statutory response times for subject access requests, each island will retain its own guidance, however all guidance documents are in the process of review and updating where deemed necessary.

In Jersey, work also commenced on guidance to support the implementation of the Freedom of Information Law due to come into force on 1 January 2015.





## Appendices

**21** Appendix 1 - Financial Statements 2012/2013 Jersey & Guernsey

# Appendix 1

## Financial Statements (Jersey)

### Income and Expenditure Account for the year ended 31 December 2012

|   | Note     | £             | 2012<br>£      | £             | 2011<br>£      |
|---|----------|---------------|----------------|---------------|----------------|
| <b>Income:</b>  |          |               |                |               |                |
| Registry fees   |          |               | <u>75,650</u>  |               | <u>107,700</u> |
| Total income  |          |               | 75,650         |               | 107,700        |
| Contribution from the States of Jersey                    |          |               | <u>222,400</u> |               | <u>222,400</u> |
| Net income  |          |               | 298,050        |               | 330,100        |
| <b>Operating expenses:</b>                                |          |               |                |               |                |
| <b>Manpower costs:</b>                                    |          |               |                |               |                |
| Staff salaries, social security and pension contributions | <b>1</b> | 139,872       |                | 296,389       |                |
| <b>Supplies and services:</b>                             |          |               |                |               |                |
| Computer system and software costs                        | <b>2</b> | 3,234         |                | 7,126         |                |
| Pay Offshore admin fees                                   |          | 414           |                | 499           |                |
| <b>Administrative costs:</b>                              |          |               |                |               |                |
| Printing and stationery                                   | <b>3</b> | 414           |                | 1,198         |                |
| Books and publications                                    |          | 2,365         |                | 2,580         |                |
| Telephone charges   |          | 281           |                | 384           |                |
| Postage   |          | 203           |                | 311           |                |
| Advertising and publicity                                 |          | 78            |                | 135           |                |
| Meals and Entertainment                                   |          | 0             |                | 306           |                |
| Conference and course fees                                |          | 5,963         |                | 7,573         |                |
| Bank charges  |          | 0             |                | 0             |                |
| Other administrative costs                                | <b>4</b> | 12,308        |                | 2,298         |                |
| <b>Premises and maintenance:</b>                          |          |               |                |               |                |
| Utilities (incl. Electricity and water)                   |          | 8,649         |                | 8,471         |                |
| Rent  |          | <u>28,443</u> |                | <u>27,749</u> |                |
| Total operating expenses                                  |          |               | <u>202,218</u> |               | <u>355,019</u> |
| Excess of income over expenditure                         |          |               | 95,832         |               | -24,919        |

#### Statement of recognised gains and losses

There were no recognised gains or losses other than those detailed above.

The notes on the following page form an integral part of this income and expenditure account.

## Financial Statements (continued)

### Notes to the Financial Statements

1. Manpower costs

During 2011, one member of staff took voluntary redundancy as part of the re-structure of the Jersey and Guernsey Data Protection Offices. A one-off redundancy payment was therefore paid out to this staff member upon their leaving their employment in September 2011 which was not replicated in 2012. Further, as a result of the Commissioner being appointed to the Office of Commissioner in Guernsey, the Commissioner's salary costs are shared between the two Islands.

2. Computer systems and software

This figure had increased significantly due to the replacement of old computer equipment and photocopier in 2011, however no such expenditure was necessary in 2012.

3. Printing and stationery

Large savings were made in 2012 on the amount of stationery used as a result of higher use of electronic mail.

4. Other administrative costs

This figure was significantly higher due to the commissioning of a consultant to carry out an audit of the Island's schools.

## Income and Expenditure Account for the year ended 31 December 2013

|   | Note | £             | 2013<br>£      | £             | 2012<br>£      |
|---|------|---------------|----------------|---------------|----------------|
| <b>Income:</b>  |      |               |                |               |                |
| Registry fees   |      |               | <u>102,500</u> |               | <u>75,650</u>  |
| Total income  |      |               | 102,500        |               | 75,650         |
| Contribution from the States of Jersey                    |      |               | <u>228,125</u> |               | <u>222,400</u> |
| Net income  |      |               | 330,625        |               | 298,050        |
| <b>Operating expenses:</b>                                |      |               |                |               |                |
| <b>Manpower costs:</b>                                    |      |               |                |               |                |
| Staff salaries, social security and pension contributions | 1    | 215,029       |                | 139,872       |                |
| <b>Supplies and services:</b>                             |      |               |                |               |                |
| Computer system and software costs                        |      | 4,813         |                | 3,234         |                |
| Pay Offshore admin fees                                   |      | 465           |                | 414           |                |
| <b>Administrative costs:</b>                              |      |               |                |               |                |
| Printing and stationery                                   | 2    | 957           |                | 414           |                |
| Books and publications                                    |      | 3,324         |                | 2,365         |                |
| Telephone charges   |      | 231           |                | 281           |                |
| Postage   |      | 152           |                | 203           |                |
| Advertising and publicity                                 |      | 0             |                | 78            |                |
| Meals and Entertainment                                   |      | 92            |                | 0             |                |
| Conference and course fees                                | 3    | 18,384        |                | 5,963         |                |
| Bank charges  |      | 0             |                | 0             |                |
| Other administrative costs                                |      | 15,395        |                | 12,308        |                |
| <b>Premises and maintenance:</b>                          |      |               |                |               |                |
| Utilities (incl. Electricity and water)                   |      | 6,565         |                | 8,649         |                |
| Rent  |      | <u>29,148</u> |                | <u>28,443</u> |                |
| Total operating expenses                                  |      |               | <u>294,555</u> |               | <u>202,218</u> |
| Excess of income over expenditure                         |      |               | 36,070         |               | 95,832         |

### Statement of recognised gains and losses

There were no recognised gains or losses other than those detailed above.

The notes on the following page form an integral part of this income and expenditure account.

1. Manpower costs  
2012 saw an increase in salary expenditure resulting from salary increases across the department to recognise the additional responsibilities associated with the regulation of two jurisdictions.
2. Printing and stationery  
This figure had increased significantly due to the replacement of all office branded stationery in 2013, however no such expenditure was necessary in 2014.
3. Conference and course fees  
The Office was represented at a total of four international conferences and events during 2013.

## Financial Statements (Guernsey)

### Income and Expenditure Account for the year ended 31 December 2012

|   | Note | £             | 2012<br>£      | £             | 2011<br>£      |
|---|------|---------------|----------------|---------------|----------------|
| <b>Income:</b>  |      |               |                |               |                |
| Registry fees   |      |               | <u>86,298</u>  |               | <u>84,699</u>  |
| Total income  |      |               | 86,298         |               | 84,699         |
| Contribution from the States of Guernsey                  |      |               | <u>164,275</u> |               | <u>235,000</u> |
| Net income  |      |               | 250,573        |               | 319,699        |
| <b>Operating expenses:</b>                                |      |               |                |               |                |
| <b>Manpower costs:</b>                                    |      |               |                |               |                |
| Staff salaries, social security and pension contributions | 1    | 112,353       |                | 154,177       |                |
| <b>Supplies and services:</b>                             |      |               |                |               |                |
| Computer system and software costs                        |      | 6,128         |                | 8,111         |                |
| Furniture and office equipment                            | 2    | 1,807         |                | 94            |                |
| <b>Administrative costs:</b>                              |      |               |                |               |                |
| Post and stationery                                       |      | 1,317         |                | 2,229         |                |
| Printing and publications                                 |      | 1,866         |                | 1,765         |                |
| Telephone charges   |      | 1,183         |                | 1,626         |                |
| Advertising and publicity                                 |      | 690           |                | 690           |                |
| Meals and Entertainment                                   |      | 0             |                | 0             |                |
| Conference and course fees                                |      | 6,714         |                | 11,230        |                |
| Other administrative costs                                |      | 0             |                | 0             |                |
| <b>Premises and maintenance:</b>                          |      |               |                |               |                |
| Utilities (incl. Electricity and water)                   |      | 6,474         |                | 6,325         |                |
| Rent  |      | <u>17,118</u> |                | <u>16,918</u> |                |
| Total operating expenses                                  |      |               | <u>155,650</u> |               | <u>203,165</u> |
| Excess of income over expenditure                         | 3    |               | 94,923         |               | 116,534        |

#### Statement of recognised gains and losses

There were no recognised gains or losses other than those detailed above.

The following notes form an integral part of this income and expenditure account.

1. Manpower costs  
The figure for 2012 is significantly lower than for 2011 as a result of the Pan-Island Commissioner arrangements which came into effect towards the end of 2011. A saving in this area was expected.
2. Furniture and office equipment  
The 2012 expenditure is higher than the 2011 largely due to the installation of a secure access system. This was a one-off cost.
3. Excess income over expenditure  
The disparity between the accounts of the two Islands are largely as a result of differing accountancy practices, but are also due to the higher operating costs of the Jersey office.

# Financial Statements (Guernsey)

## Income and Expenditure Account for the year ended 31 December 2013

|   | Note     | £             | 2013<br>£      | £             | 2012<br>£      |
|---|----------|---------------|----------------|---------------|----------------|
| <b>Income:</b>  |          |               |                |               |                |
| Registry fees   |          |               | <u>88,951</u>  |               | <u>86,298</u>  |
| Total income  |          |               | 88,951         |               | 86,298         |
| Contribution from the States of Guernsey                  | <b>1</b> |               | <u>115,113</u> |               | <u>164,275</u> |
| Net income  |          |               | 204,064        |               | 250,573        |
| <b>Operating expenses:</b>                                |          |               |                |               |                |
| <b>Manpower costs:</b>                                    |          |               |                |               |                |
| Staff salaries, social security and pension contributions | <b>2</b> | 140,427       |                | 112,353       |                |
| <b>Supplies and services:</b>                             |          |               |                |               |                |
| Computer system and software costs                        |          | 6,708         |                | 6,128         |                |
| Furniture and office equipment                            |          | 436           |                | 1,807         |                |
| <b>Administrative costs:</b>                              |          |               |                |               |                |
| Post and stationery                                       |          | 1,569         |                | 1,317         |                |
| Printing and publications                                 |          | 948           |                | 1,866         |                |
| Telephone charges   |          | 1,356         |                | 1,183         |                |
| Advertising and publicity                                 |          | 690           |                | 690           |                |
| Meals and Entertainment                                   |          | 0             |                | 0             |                |
| Conference and course fees                                | <b>2</b> | 16,722        |                | 6,714         |                |
| Other administrative costs                                |          | 0             |                | 0             |                |
| <b>Premises and maintenance:</b>                          |          |               |                |               |                |
| Utilities (incl. Electricity and water)                   |          | 6,347         |                | 6,474         |                |
| Rent  |          | <u>17,118</u> |                | <u>17,118</u> |                |
| Total operating expenses                                  |          |               | <u>192,321</u> |               | <u>155,650</u> |
| Excess of income over expenditure                         |          |               | 11,743         |               | 94,923         |

### Statement of recognised gains and losses

There were no recognised gains or losses other than those detailed above.

The following notes form an integral part of this income and expenditure account.

1. Contribution from States of Guernsey  
During the year as part of savings under the Financial Transformation Programme, £50,000 was returned to the States of Guernsey as a result of savings due to the Pan-Island Commissioner arrangements.
2. Manpower costs and Conference and course fees  
Both these areas of spending include costs in relation to 2012 expenditure, not billed for and paid until 2013. There was also a duplication of payment, for which a credit was received in 2014 which will therefore show on the 2014 accounts.

Steps have been taken to resolve such issues for the future.



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