

The Office of the Information Commissioner is part of the Jersey Data Protection Authority. We are an independent regulator responsible for overseeing the Data Protection (Jersey) Law 2018\*, the Data Protection Authority (Jersey) Law 2018\* and the Freedom of Information (Jersey) Law 2011.

Our office was established with the aim of ensuring the people of Jersey are provided with a high standard of data protection. We are an independent, regulatory public authority whose mission is to promote respect for the privacy and information rights of islanders.

For further information click here to see our Regulatory Action and Enforcement Policy. →

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# How can we help you?



## WE CAN →



**CONDUCT INVESTIGATIONS** (and inquiries) to establish compliance with the law. This is a defined process that is set out within DPJL to ensure a fair and equal process for all.

Enter and search premises, inspect, test and seize information for investigation purposes.



Help you amicably resolve an issue with a controller by way of our **AMICABLE RESOLUTION PROCESS**. This is separate to our formal complaint process and can be chosen by you as an alternative to making a formal complaint.



**ISSUE INFORMATION NOTICES.** This is a formal notice from us requiring the provision of information from a recipient. This must (usually) be responded to within 28 days. We can refer the matter to the Royal Court if these notices are not complied with.

Decide that it would not be appropriate to carry out a formal investigation in certain circumstances e.g. where the matter is very minor and it would be disproportionate for us to follow a full investigation procedure.



**ISSUE ORDERS, REPRIMANDS AND WARNINGS FOLLOWING A BREACH.** Following a breach determination, we may decide to issue certain orders. These can include but are not limited to; notifying a data subject of any personal data breach and, rectifying or erasing personal data. It can also mean issuing a formal reprimand and in certain circumstances we may consider that the matter is so serious that a fine should be issued. If our orders are not complied with, we can go to the Royal Court to enforce them.



**MAKE FORMAL DETERMINATIONS** about whether there has been a breach of the DPJL 2018. This is a written document in which we set out the complaint we've received, what we've done to investigate it and whether there has/has not been a breach. This is called a "breach determination".

**ISSUE ADMINISTRATIVE FINES.** Fine amounts are dependent on many factors including the nature and severity of the breach, whether it's a first-time breach, level of cooperation with us etc.

**ISSUE PUBLIC STATEMENTS.** In certain cases, dependant on the severity of a breach, we may issue a public statement. The main objective of this is to raise awareness of the matter for both the public and organisations but we will only issue a statement where it is in the public interest to do so.



**CONDUCT DATA PROTECTION AUDITS.** To ensure Jersey businesses are compliant with the DPJL we can conduct data protection audits. We can do this on a compulsory or consensual basis.

## WE CANNOT →



**ISSUE FINES AGAINST PUBLIC AUTHORITIES** including Government departments.

**AWARD COMPENSATION.** (financial or otherwise) nor direct that compensation is paid to you by a controller/processor.



**PROVIDE LEGAL ADVICE.** If you wish to bring legal proceedings in relation to a data protection issue, you should seek independent legal advice.

**INVESTIGATE MATTERS THAT DO NOT RELATE TO LAWS WE REGULATE.** We can only deal with data protection (and freedom of information) related matters. We cannot get involved in employment or defamation matters, for example.



**BRING PROSECUTIONS FOR CRIMINAL MATTERS.** We can, however, refer criminal matters to the Attorney General, and assist the States of Jersey Police, if required.