

**REPLY BY THE PRESIDENT OF  
THE COMMITTEE FOR HOME AFFAIRS  
TO QUESTIONS ASKED PURSUANT TO RULE 14 OF THE  
RULES OF PROCEDURE BY DEPUTY L QUERPEL**

**QUESTIONS 1, 2 and 5:**

1. *In relation to the Data Protection laws that are currently in place here in the Bailiwick: when somebody receives confidential and sensitive data, without being given prior notice of it actually being sent to them, and they then decide they don't want it and so they return it to the person who sent it to them, are there any protective measures in place to ensure the person who received the data, can't then be accused of violating the Data Protection laws by the person who sent the data to them, despite the fact the person who received it, never asked for the data in the first place?*
2. *I very much appreciate that there are protective measures in place for people who provide Data Controllers with data, but can you tell me please if there are any protective measures in place for Data Controllers?*
5. *Whilst the offending party can be reprimanded and even fined, the party whose data has been misused doesn't appear to have any avenue of recompense or compensation, so with that in mind, can you please clarify the situation for me?*

**ANSWER:**

The same answer applies to Questions 1, 2 and 5:

The Committee for Home Affairs ("the Committee") is responsible for developing policy on data protection. The Committee respectfully submits that this question is seeking technical data protection advice which it would not be appropriate for the Committee to provide. Members of the public can seek advice and guidance from the Office of the Data Protection Authority ("ODPA").

**QUESTIONS 3 AND 4:**

3. *Can you please tell me how compliance is monitored within the office of the Data Protection Authority (the ODPA), to ensure that members of staff comply with the regulations and requirements that are in place, at all times?*
4. *Can you please tell me what safeguards are currently in place to ensure that a member of staff of the ODPA doesn't become involved in a case where they have an acquaintance with, either the complainant, or the party being complained against?*

**ANSWER:**

The same answer applies to questions 3 and 4:

The Office of the Data Protection Authority ("the ODPA") is an independent regulatory service and therefore it would not be appropriate for the Committee to comment on this question.