

# **STATES OF JERSEY**



## **DRAFT REGULATION OF INVESTIGATORY POWERS (JERSEY) REGULATIONS 200-**

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**Lodged au Greffe on 5th December 2006  
by the Minister for Home Affairs**

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**STATES GREFFE**





Jersey

## **DRAFT REGULATION OF INVESTIGATORY POWERS (JERSEY) REGULATIONS 200-**

### **REPORT**

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Following the States debate on the Regulation of Investigatory Powers (Jersey) Law in March 2005, it was agreed that the Employment and Social Security Committee could request the Home Affairs Committee to bring an amendment to Schedule 1 of the Law, so as to include the Employment and Social Security Department as a relevant public authority in Schedule 1 of the Law for the purposes of Chapter 2 of Part 2 of the Law.

The primary reason for designating the Social Security Department as a relevant public authority is that in respect of investigations in connection with social security, employment, and health and safety legislation, its officers are on occasion involved with individuals whose only contact is through a mobile telephone. In such circumstances, they sometimes find it necessary to obtain full name and address details from the relevant service provider.

There are no financial or manpower implications arising from these Regulations.

## **Explanatory Note**

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These Regulations amend Schedule 1 to the Regulation of Investigatory Powers (Jersey) Law 2005 so as to make the Social Security Department a relevant public authority for the purposes of Chapter 2 of Part 2 of the Law. The Attorney General is the designated person in relation to the Department for the purposes of that Chapter.

Chapter 2 of Part 2 of the Law empowers the designated person to authorize persons within the relevant public authority to obtain and disclose communications data. The designated person may also require a postal or telecommunications operator to obtain and disclose communications data. Communications data comprises information about senders, recipients and equipment. It does not include the content of communications. Obtaining and disclosing the content of communications by their interception is regulated under Chapter 1 of Part 2 of the Law.





Jersey

## **DRAFT REGULATION OF INVESTIGATORY POWERS (JERSEY) REGULATIONS 200-**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES**, in pursuance of Article 29(2) of the Regulation of Investigatory Powers (Jersey) Law 2005<sup>[1]</sup>, have made the following Regulations –

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### **1 Schedule 1 amended**

In Schedule 1 to the Regulation of Investigatory Powers (Jersey) Law 2005, after the relevant public authority “Income Tax Department” and the designated person for that authority, there shall be inserted the following relevant public authority and designated person –

“Social Security Department                      Attorney General”.

### **2 Citation and commencement**

These Regulations may be cited as the Regulation of Investigatory Powers (Jersey) Regulations 200- and shall come into force 7 days after they are made.

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[1]

L.17/2005