STATES OF JERSEY

DRAFT REGISTER OF NAMES AND ADDRESSES (JERSEY) AMENDMENT LAW 202- (P.109/2025): COMMENTS

Presented to the States on 13th January 2026
by the Corporate Services Scrutiny Panel

STATES GREFFE

COMMENTS

Introduction and Context

1. The proposition *Draft Register of Names and Addresses (Jersey) Amendment Law 202-* [P.109/2025] - (hereafter the "Amendment Law"), which was lodged by the Chief Minister on 2nd December 2025 proposes amendments to the Register of Names and Addresses (Jersey) Law 2012 (hereafter the "2012 Law"), to extend the purposes for which *"information supplied to credit reference agencies may be processed"*.

2. The Amendment Law proposals follow previous changes made to the 2012 Law through the *Draft Register of Names and Addresses (Amendment) (Jersey) Law 2023* [P.56/2023] (hereafter the "2023 Amendment"). The 2023 Amendment introduced changes which allowed the Chief Minister to share information with credit reference agencies (hereafter "CRAs") to "*support checks carried out by credit providers and banking institutions*".

3. Following presentation of the 2023 Amendment by the Chief Minister, the former Economic and International Affairs Scrutiny Panel (hereafter the "EIA Panel"), presented Comments [P.56 Com.] on the 2023 Amendment. The EIA Panel concluded that it was satisfied that the 2023 Amendment was a "*necessary and sensible solution*" to enable the operation of CRAs in Jersey. However, the EIA Panel highlighted that further work may be required to continue "*encouraging providers to provide full commercial services, such as credit cards*".

4. The purposes for which the Chief Minister "*may supply relevant information to credit reference agencies*" is currently set out under Article 5(A)(2) of the 2012 Law. However, the report accompanying the Amendment Law highlights that the Article 5(A)(2) provision within the 2012 Law is restrictive, and "*prevents the reasonable application of purposes*" under the Data Protection (Jersey) Law 2018.

5. In particular, the Amendment Law proposals aim to facilitate the processing of information by CRAs for "*law enforcement purposes*", and the report accompanying the Amendment Law highlights that the design of CRAs' systems and processes means that they "*automatically service law enforcement requests with access to their data*". The Panel understands that it is not feasible for CRAs to adjust their own systems and processes for Jersey, and that the Amendment Law proposals aim to further support the due diligence undertaken by credit providers and banking institutions.

6. The Panel was informed of the Government's intentions to ensure that the changes proposed within the Amendment Law are appropriate for Jersey, and that the proposals will help create the conditions necessary for additional credit services to be provided to Islanders, including the provision of credit card services.

Background and rationale

7. The Panel, jointly with the EIA Panel, received a private briefing on the Amendment Law proposals on 16th December 2025.

8. During the briefing, the Panel learned that a common trusted source of names and addresses used by CRAs to verify United Kingdom-based (hereafter "UK") credit card applicants is the UK electoral register. However, the Panel was informed that CRAs do not require specific access to the Jersey electoral register, but instead to a trusted source of names and addresses, which was the rationale for the introduction of the 2023 Amendment.

9. At present, the registration of names and addresses is administered through the 2012 Law, which requires the Chief Minister to compile names and addresses into a register. The Panel understands that people who move to Jersey are required to register under the Control of Housing and Work (Jersey) Law 2012, with the names and addresses of new arrivals then automatically added to the register administered by the 2012 Law.

10. The Panel learned that Government does not currently supply CRAs with Islanders names and addresses for the purposes of undertaking credit checks, and that the Amendment Law aims to facilitate this.

11. The Panel understands that the current arrangements for the registration of names and addresses in Jersey are likely to impact on the credit profile of Islanders, due to missing information from the UK electoral register. This may result in incorrect, lower automated credit scores generated by online banking and mobile credit applications for Islanders, which require manual, human verification to correct and update.

12. The Panel was informed that the provision of credit card services is only feasible on a large scale, and that the Amendment Law aims to address challenges preventing the delivery of such credit services to Islanders. However, the Panel has been assured that the Government will only provide names and addresses to CRAs for the purposes of undertaking credit checks, and that this information will not be supplied directly to banking institutions or other credit providers.

13. The Panel has been advised that Government has undertaken a process of engagement with CRAs during the development of the Amendment Law, including a review of Jersey's legal provisions to ensure they are appropriate and provide the mechanism required to facilitate credit checking processes and the provision of credit card services in Jersey.

14. The Panel understands that Government engaged with three major CRAs when developing the proposals and that two out of three CRAs provided feedback and are content that the Amendment Law will address obstacles to providing credit card services to Islanders.

15. The Panel has been advised that the Amendment Law is therefore a technical change, with the insertion of the word "*enable*" and a "*law enforcement purpose*" into the sub-paragraphs of the Amendment Law, designed to facilitate

legitimate and necessary data sharing with law enforcement agencies. The Panel understands that a similar position is already adopted in the UK.

16. Whilst requests for names and addresses can already be submitted by law enforcement agencies through the Data Protection (Jersey) Law 2018, the Panel understands that the Amendment Law proposes a more convenient and efficient means of collecting the required information.

Implementation of the Amendment Law

17. During its scrutiny of the Amendment Law, the Panel was informed of the Government's preparations for the implementation of the proposed changes and also sought assurances that the Amendment Law satisfied key governance and data protection considerations.

18. The Panel was advised that the Office of the Information Commissioner for Jersey had indicated that the proposals within the Amendment Law are satisfactory. Additionally, the Panel learned that Government had engaged with a Data Governance Officer within the Employment, Social Security and Housing Department and that a Data Protection Impact Assessment has been completed in relation to the proposed changes.

19. The Panel understands that the development of systems to implement the proposed changes under the Amendment Law, will include the automatic extraction of Government data, which will filter out all Islanders under the age of 18 years, and include an opt-out process for Islanders who do not wish to be included on the register of names and addresses.

20. The Panel also understands that an initial one-month notice period will be granted for Islanders to opt-out of the automatic data transfer, and that a communications plan for the opt-out process is under development. However, the Panel has been assured that Islanders will still retain the option to opt-out of the proposed changes after the one-month notice period has expired if they choose to do so.

Conclusion

21. The Panel acknowledges the challenges faced by Islanders wishing to obtain credit card services in Jersey, like those provided to UK residents, and that the Amendment Law aims to address the obstacles preventing the delivery of such services.

22. Whilst the implementation of the Amendment Law will involve the extraction of names and addresses of all Islanders aged 18 years and over and the sharing of this information with CRAs, the Panel is assured that steps have been taken to satisfy important data protection and governance considerations, and that Islanders will retain an opt-out from the proposals if they choose to exercise this. Furthermore, the Panel is assured that the opt-out process will be properly communicated to Islanders, and that a communications plan is under development in relation to this.

23. The Panel is satisfied that the Amendment Law reflects a necessary and proportionate change to the 2012 Law that better facilitates the credit checking and due diligence processes undertaken by major CRAs, and that the proposals align with similar legal mechanisms and practices adopted in the UK, whilst ensuring that the Amendment Law remains appropriate for Jersey.