

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY T.M. PITMAN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 19th FEBRUARY 2013**

Question

Will H.M Attorney General outline the criteria for individual members of the public to request and be afforded financial assistance from public funds to pursue actions under the Data Protection (Jersey) Law 2005 relating to the internet and will he further indicate whether this criteria is written down and available for perusal and, if so, where?

Answer

The relevant criteria are defined in Article 53 the Data Protection (Jersey) Law 2005 which is freely available on the internet.

The Data Protection Commissioner can provide assistance to a person who is an actual or prospective party to proceedings that concern data that has been processed for journalism, artistic or literary purposes. Such proceedings include actions to stop publication of material that causes distress or damage. The Data Protection Commissioner may only provide assistance if the Commissioner is of the opinion that the case in question involves a matter of substantial public importance.

The decision as to whether to provide assistance is a matter for the Data Protection Commissioner to determine in accordance with the relevant provisions of the Law.