



# PERSONAL DATA GUIDANCE NOTE

## **General Information under the GDPR**

### **Business Names**

July 2018

#### **Personal Data Information Sheet: Business Names**

This Information Sheet sets out the standards you can expect from Companies House Gibraltar when we request or hold information, including but not limited to personal data in relation to Business Names and the Business Name Register.

In the course of maintaining and administering the Register of Business Names the Registrar of Business Names, in connection with his obligations under the Business Names Registration Act 1918 and related pieces of legislation, will be obliged to collect and hold personal information about individuals that will fall into the categories of public and non-public data.

Information is held on a variety of databases, information stores and systems. We have security measures in place to protect the confidentiality, integrity and availability of our systems and data.

Companies House Gibraltar stores information relating to Business Name applications on the public register.

This will include information about:

- The applicant
- The general nature of the business
- The principal place of business
- The date of commencement of the business

When a Business Names is applied for by an individual, the Business Names Registration Act 1918 requires certain information to be included as part of their appointment, including:

- name
- address
- occupation
- nationality

This doesn't conflict with the Data Protection Act 2004. Section 19 and Schedule 2 of the Data Protection Act 2004 make provision for certain exemptions and adapt the application of some rules of the GDPR. These relate to personal data consisting of information that Companies House Gibraltar is required by

certain enactments to make available to the public. As per section 19 and Schedule 2, if the application of those GDPR provisions would prevent Companies House Gibraltar from complying with its legal obligations, the GDPR provisions are not to apply.

Furthermore, whoever is presenting the Business Name Application will be required to provide their proof of identity and proof of address as part of the application. Companies House Gibraltar requests this information in order to prevent Business Names from being registered to addresses that do not permit commercial activity to be conducted from those premises. 'Commercial activity' would include companies or business names being registered to those addresses.

We keep statutory information for all Business Names indefinitely. Basic information on live Business Names is available online at all times; further information on live Business Names or information on ceased / expired Business Names can be made available on request.

## **Public data**

Under the Business Names Registration Act 1918 and related legislation, we will:

- only ask for relevant information
- put this information on the public record
- make it available to the public

As the Business Names Registration Act 1918 requires us to keep the public register, we have no control over the actions of anyone who obtains or uses data from it. This includes people using internet search engines.

## **Non-public data**

When we request personal information, we will:

- make sure you know why we need it
- collect only relevant information
- protect it and make sure nobody has access to it who shouldn't
- only keep it for as long as necessary

In return, we ask you to:

- give us accurate information
- tell us as soon as possible if there are any changes

## Contact

Contact Companies House Gibraltar at [mail@companieshouse.gi](mailto:mail@companieshouse.gi) for further information about:

- how to find out what information we hold about you (requests for information may take up to one month)
- when we pass on your personal information without telling you - for example, to prevent crime or to assist any Government Departments with exercising their functions

For information and advice about data protection, privacy and data-sharing issues, visit the website of the Gibraltar Regulatory Authority: [www.gra.gi](http://www.gra.gi)

For further information, or to make a request for information, contact [mail@companieshouse.gi](mailto:mail@companieshouse.gi)

### **Registry Contact Details**

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