



Privacy Commissioner

Bermuda | Quo Data Ferunt

PRE-IMPLEMENTATION ANNUAL REPORT

January 2020 - December 2024





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MESSAGE FROM THE PRIVACY COMMISSIONER

Bermuda sits at the crossroads of the Atlantic, physically, culturally, and economically. This has long been to the island's benefit, claiming the best of multiple worlds to create a prosperous and successful community.

In the privacy context, two polar ideologies are often presented as in conflict: the protection of individual rights versus business success.

Following Bermuda tradition, the Office of the Privacy Commissioner (PrivCom) proposes a philosophy of Mid-Atlantic Privacy. I created the "Mid-Atlantic Privacy Compass" to help organisations navigate towards finding win-win scenarios, towards developing privacy practices to protect rights and enable business operations, and towards embracing challenges in order to find ways to innovate while protecting privacy.

This first annual report covers my office's activity from the passage of the Personal Information Protection Act (PIPA) in 2016 until 31 December 2024, thus covering the period prior to the full implementation of the Act. Throughout that time, the Mid-Atlantic Privacy Compass has become an indispensable tool on the Island's Road to PIPA.

Administrative provisions of PIPA were brought into force December 2016, enabling the appointment of the Privacy Commissioner and the creation of the Office. Since 2020, officers have been hard at work laying the foundations for the success of PIPA to prepare the community for the Act's full implementation on 1 January 2025.



MESSAGE FROM THE PRIVACY COMMISSIONER

In response to the global pandemic, aspects of our work and personal lives moved online, highlighting the importance of privacy protections. Often, organisations already comply with similar provisions, due to global regulations such as the European Union (EU)'s General Data Protection Regulation (GDPR), which came into force 25 May 2018. Many jurisdictions similar to Bermuda already have data protection and privacy provisions, including small jurisdictions such as Gibraltar, Isle of Man, Jersey, Cayman, Barbados, and others.

Thus far, the Office of the Privacy Commissioner's outreach has been – and will continue to be – dedicated to guiding organisations in the community through the steps they need to meet the privacy rules of PIPA. Starting on Data Privacy Week in January 2024, we began providing the community with specific goals and actions for organisations to take each week as part of a phased action plan that breaks the process of privacy compliance into bite-sized proportions.

As required under section (37) of PIPA, I am pleased to present this Annual Report which details the work of our office since its inception in January 2020, as well as our future plans. All of our work is in collaboration with the community we serve, and our officers will keep service at the front of our minds.

Alexander White
Privacy Commissioner



Privacy Commissioner for Bermuda
Mid-Atlantic Privacy Compass

MISSION, VISION, AND VALUES

MISSION

To protect the rights of individuals in Bermuda in relation to their personal information in accordance with the Personal Information Protection Act (PIPA) 2016.

VISION

To function as a contemporary and efficient privacy regulator that protects the privacy rights of all Bermuda residents.

VALUES

The Office of the Privacy Commissioner for Bermuda works to raise awareness and educate the public about the privacy rights, privacy risks, and to protect individuals' rights and freedoms when their personal information is used. The Privacy Commissioner's powers and responsibilities include monitoring the processing of personal information by both private and public-sector organisations, investigating compliance with PIPA, issuing guidance and recommendations, liaising with other enforcement agencies, and advising on policies and legislation that affect privacy. The general powers of the Privacy Commissioner are outlined in section (29) of PIPA.

We are committed to demonstrating the following values in performing our mandate and fulfilling our responsibilities, and in all our interactions with the public, including individuals, organisations, as well as other regulators and stakeholders in Bermuda:

- **Fairness & Ethics**
- **Accountability & Transparency**
- **Expertise & Professionalism**
- **Cooperation & Independence**

HISTORIC OVERVIEW

The Office of the Privacy Commissioner for Bermuda (PrivCom) is an independent regulator and a public office established in accordance with the Personal Information Protection Act 2016 (PIPA).

The mandate of the Privacy Commissioner is to regulate the use of personal information by organisations in a manner which recognises both the need to protect the rights of individuals in relation to their personal information and the need for organisations to use personal information for legitimate purposes, among other duties.

Rights and responsibilities relating to data privacy are set out in the Personal Information Protection Act 2016 (PIPA). Bermuda's PIPA received Royal Assent on 27 July 2016. Sections relating to the appointment of the Privacy Commissioner were enacted on 2 December 2016, including the creation of the Office as well as those duties and powers relevant to its operation in the period leading up to the implementation of the whole Act.

Bermuda's first Privacy Commissioner, Alexander White, was appointed by H.E. the Governor of Bermuda, after consultation with the Premier and Opposition Leader, to take office on 20 January 2020.

The Privacy Commissioner's powers and responsibilities include monitoring the use of personal information by both private and public-sector organisations, investigating compliance with PIPA, issuing guidance and recommendations, liaising with other enforcement agencies, and advising on policies and legislation that affect privacy. The Office of the Privacy Commissioner also works to raise awareness and educate the public about privacy risks, and to protect people's rights and freedoms when their personal information is used. The general powers of the Privacy Commissioner are outlined in Article (29) of PIPA.

On 15 June 2023, the Government of Bermuda announced 1 January 2025 as the official date when the Personal Information Protection Act (PIPA) 2016, as amended, will be fully implemented.

Privacy is the right of an individual to be in control of information about oneself. In addition to the protections in PIPA, the right to privacy or private life is enshrined in the United Nations' Universal Declaration of Human Rights (Article 12) and the European Convention of Human Rights (Article 8).

For more information, visit <https://www.privacy.bm/press-background>¹

OFFICE MILESTONES

2016

December

The Personal Information Protection Act (PIPA) 2016 is partially enacted on 2 December 2016

2020

January

Alexander M. White is appointed as Bermuda's first Privacy Commissioner

2020

September

PrivCom joins the Global Privacy Assembly (GPA) as an accredited member

2021

May

The Operations Unit is established

2022

March

The Policy & Engagement / Communications Unit is established

2022

November

The Investigations Unit is established

2023

February

PrivCom joins GPEN and the GPA Enforcement Cooperation Agreement

2023

June

Deputy Privacy Commissioner, E. Angie Farquharson is appointed

2023

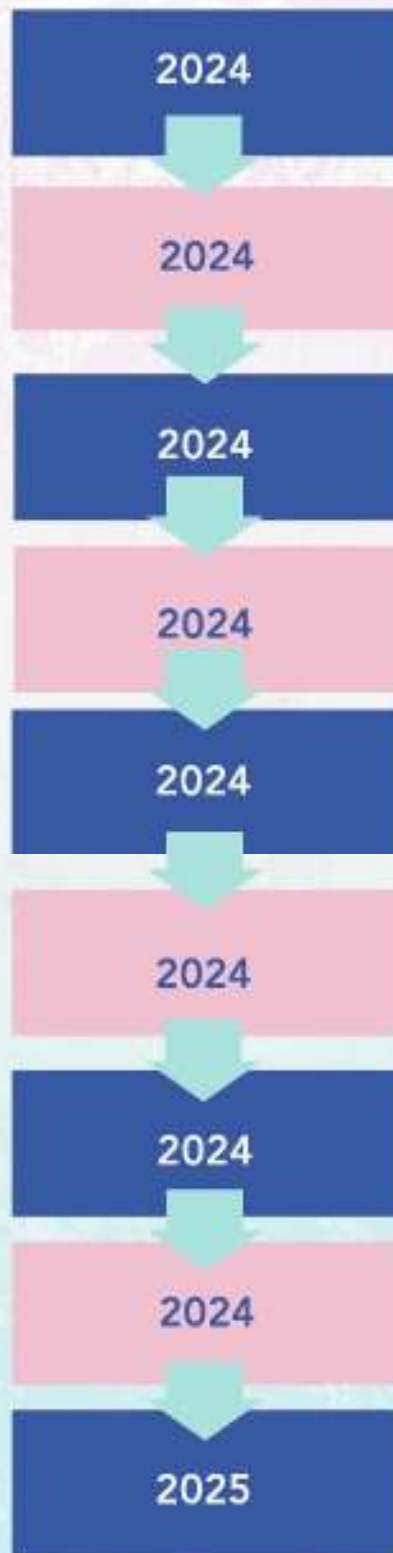
June

The Personal Information Protection Amendment Bill 2023 is tabled in the House of Assembly

2023

October

The Office of the Privacy Commissioner hosts the 45th GPA in Bermuda



January

PrivCom launches the Road to PIPA implementation plan

March

PrivCom initiates a consultation with the Bermuda Financial Services sector, led by Vivienne Artz OBE, of the Centre for Information Policy Leadership

April

PrivCom joins the Global CBPR Forum's Cooperation Arrangement for Privacy Enforcement (CAPE) as an associate member

June

The Investigations Unit releases results of participation in Bermuda's first GPEN Privacy Sweep held in February 2024

September

Assistant Commissioner, Operations, attends the British, Irish, and Islands' Data Protection Authorities' (BIIDPA) annual meeting

October

PrivCom signs a memorandum of understanding with the ADGM Office of Data Protection (ODP), Abu Dhabi and the ODPa, Guernsey

November

The Investigations Unit and the Deputy Privacy Commissioner attends ODPa Guernsey and DPC Ireland (Secondment/Training)

November

PrivCom joins the International Age Assurance working group with ICO (UK)

January

Full enforcement of PIPA 2016 and PIPA Amendment Act 2023

THE OFFICE OF THE PRIVACY COMMISSIONER

As Bermuda's community becomes more aware of information privacy best practices, the desire to hold organisations and individuals accountable for operational practices that impact personal information, complaints and/or concerns continually are directed to the Office of the Privacy Commissioner for guidance and support. A three tiered structure, designed to support public inquiry and oversee compliance with PIPA has been established.

OPERATIONS UNIT

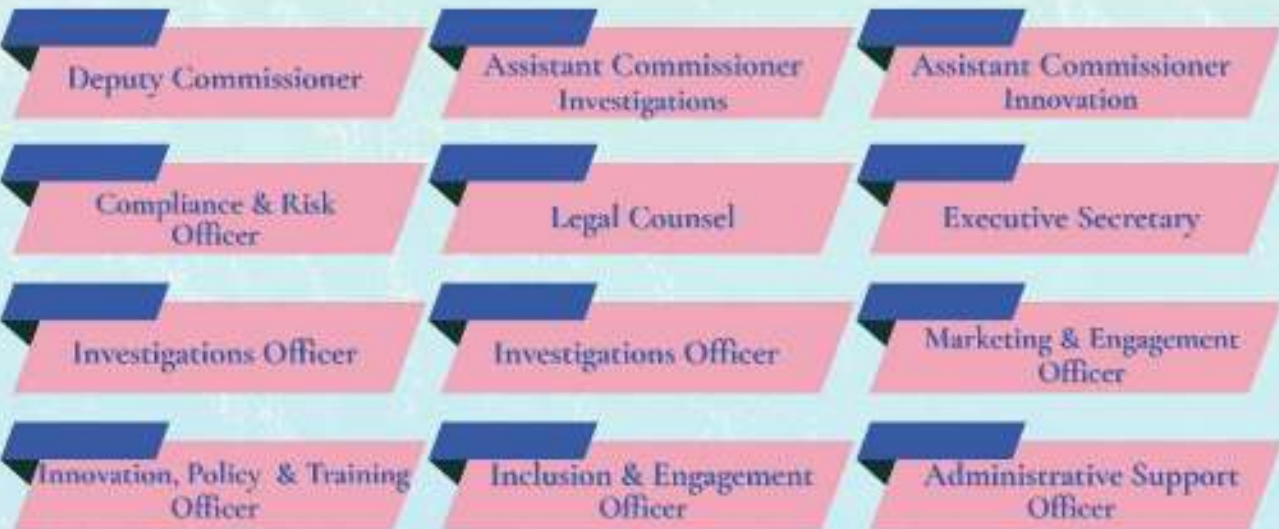
The unit is responsible for providing a range of functions including finance, human resources, compliance, and risk management. Its overall objective is to provide administrative support to internal departments, so that the office is able to meet its mandate in the regulation of the use of personal information by organisations and protect the rights of individuals under PIPA. During the period under review, the office worked on establishing its administration in order to fulfill its legislative mandate. The decision was made to develop our capabilities and resources locally which was supported largely in part by collaborating with our local non-ministerial counterparts, as well as leveraging the skills, knowledge, and experience of privacy professionals from various overseas jurisdictions. A policy and procedure framework was developed to guide the development and implementation of a suite of internal policies and procedures to support our operational, HR, finance, and compliance functions.

During the summer of 2024, auditors of the Office of the Auditor General commenced a 5-year financial audit of PrivCom. Around this same time the decision was made to restructure the Policy & Communications team. Communications functions were reassigned to the Operations Unit.

RECRUITMENT

The Privacy Commissioner commenced the hiring of staff in May 2021 beginning with the hiring of the Assistant Commissioner (Operations).

In between January 2022 and December 2024, twelve key staff were appointed, including:



HIGHLIGHTS

BUILDING AN INTERNATIONAL PROFILE

The Privacy Commissioner and his team have represented Bermuda at several conferences, forums, and workshops, including the Computers, Privacy, and Data Protection Conference (CPDP); the Global Cross Border Privacy Rules (CBPR) Forum; The Privacy Symposium; The Rise of Privacy Tech (TROPT); and the Metaverse Citizens Forum.

The Office of the Privacy Commissioner has also hosted international conferences both virtually and in person, most notably a (virtual) two-day regional meeting for the British, Irish, and Islands Data Protection Authorities (BIIDPA) in June 2021; and the 45th Global Privacy Assembly in October 2023 ([see page 16](#)). BIIDPA is an informal regional network of privacy commissioners that meets annually, with open collaboration throughout the year. Its membership includes the data protection authorities of Bermuda, Cayman, Gibraltar, Guernsey, Ireland, Isle of Man, Jersey, Malta, and the UK.

Other local and international engagement sessions include but are not limited to International Association of Privacy Professionals (IAPP) meetings; Adware for Children workshop; Future of Privacy Forum (FPF); Sedona Data Privacy and Security Working Group; Information Accountability Forum (IAF) Multi-stakeholder sessions; and the Caribbean Data Protection Roundtable. Members of staff continue to serve on local and international committees to ensure that Bermuda has a voice on global issues.

OFFICE EXPANSION

On 1 February 2020, the Government of Bermuda signed a 5-year lease to rent 2,735 square feet of the western section of the fourth floor of the Maxwell Roberts Building. This facilitated the co-location of the PrivCom and the Information Commissioner's Offices (ICO). On the 1 June 2023, that lease was modified to allow for the expansion of the offices of the Privacy Commissioner into a space that could accommodate all approved full-time employees (FTEs).

FINANCIALS

The Office of the Privacy Commissioner commenced operation in January 2020 with the appointment of the first Privacy Commissioner.

To view audited financial statements of the Office of the Privacy Commissioner visit: <https://www.privacy.bm/financial-statements>².



POLICY & INNOVATION UNIT

The Policy & Innovation Unit started as the Policy & Engagement Unit, before being restructured into “Communications” and “Innovation” teams with dedicated missions. The Policy & Innovation Unit is responsible for effective, impactful presentation and communication concerning the Office of the Privacy Commissioner’s mandate in the regulation of the use of personal information by organisations and the protection of the rights of individuals under the Personal Information Protection Act (PIPA) 2016. Through policy analysis and research, the Unit generates guidance and advice for all stakeholders in Bermuda.

COMMUNICATIONS

Since its inception, the Communications Team has responsibility for the public-facing, outreach, awareness raising and educational activities. This includes responsibility for the online presence which was redesigned (August 2023) and increased visibility on social media. The website facilitates easy access to essential information for organisations and individuals and helps them better orient themselves in Bermuda’s data privacy law, PIPA.

As part of launching the new, intuitive website in 2023, the [Guide to PIPA](#)³ was made available to the public. The Guide highlights elements of the legislation and contains helpful guidance for organisations relating to their obligations and compliance under PIPA. The organisations’ section of the website – [Organisations’ Hub](#)⁴ – also features a webpage specifically dedicated to [small businesses](#)⁵. Additional guidance made available to the public in 2024 includes guidance on the uses of personal information by organisations in Bermuda, transfer of information to overseas third parties, and an Individuals’ Guide to PIPA, among others.

INNOVATION

The Innovation Unit has played a central role in helping to launch and maintain all the activities related to the Road to PIPA (R2P) implementation plan; and starting in the first quarter of 2024, designing and delivering R2P training modules to members of the public.

Other notable activities include public relations events, such as the 45th GPA, press conferences and press releases, as well as informative blog posts relating to privacy good practice.

Renamed to Policy & Innovation, this unit was restructured in November of 2024.

In fiscal year 2023-2024

...resources were allocated to an Innovation Unit to explore emerging technologies and to develop and encourage responsible innovation. In 2024 leadership for the Communications team was reassigned to the Operations Unit.

INVESTIGATIONS UNIT

The overall objective of the Investigations Unit is to enforce the mandate of the office, which is to regulate the use of personal information by organisations and protect the rights of individuals under PIPA. The Investigations Unit aims to achieve this by defining investigative principles, policies and procedures, conducting investigations concerning compliance with PIPA, making orders to ensure compliance with PIPA, and collaborating with internal business units to assist with developing best practice procedures and training. The intent of the Investigations Unit is to facilitate, manage, and settle individual requests to exercise their privacy rights, as entitled under PIPA.

During the period under review, the Investigations Unit mainly focused on recruitment and the development of policies and procedures due to the fact that the Office of the Privacy Commissioner's investigative powers came into effect on 1 January 2025.

HIGHLIGHTS

Global Privacy Enforcement Network Privacy Sweep 2024

Based upon the OECD's Recommendation on Cross-border Cooperation in the Enforcement of Laws Protecting Privacy, that called for member countries to foster the establishment of an informal network of Privacy Enforcement Authorities, the Global Privacy Enforcement Network (GPEN) was established in March 2010.

GPEN connects privacy enforcement authorities from around the world to promote and support cooperation in cross-border enforcement of laws protecting privacy. Within the context of membership with Global Privacy Enforcement Network (GPEN) since February 2023, the Investigations Unit lead the Office of the Privacy Commissioner's participation in GPEN's 2024 Privacy Sweep in Bermuda.

Privacy sweeps are comprehensive initiatives that gather information on a particular subject across a wide area or field. These annual initiatives are aimed at increasing awareness of privacy rights and responsibilities, encouraging compliance with privacy legislation, and enhancing cooperation between international privacy enforcement authorities. The 2024 privacy sweep was chaired by the Office of the Privacy Commissioner of Canada.

The 2024 GPEN Privacy Sweep, which focused on Deceptive Design Patterns – sometimes also referred to as 'dark patterns' – took place in February 2024 and was conducted in coordination with the International Consumer Protection Enforcement Network (ICPEN).

Those involved in the privacy sweep (Sweepers) replicated the user experience by engaging with websites and apps to assess the ease with which they could make privacy choices, obtain privacy information, and log out of or delete an account.

Global Privacy Enforcement Network Privacy Sweep 2024

For each indicator, the GPEN report found:

- **Complex and Confusing Language:**

More than 89% of privacy policies were found to be long or used complex language suited for those with a university education.

89%

- **Interface Interference:**

When asking users to make privacy choices, 42% of websites and apps swept used emotionally charged language to influence user decisions, while 57% made the least privacy protective option the most obvious and easiest for users to select.

42%

57%

- **Nagging:**

35% of websites and apps repeatedly asked users to reconsider their intention to delete their account.

35%

- **Obstruction:**

In nearly 40% of cases, sweepers faced obstacles in making privacy choices or accessing privacy information, such as trying to find privacy settings or delete their account.

40%

- **Forced Action:**

9% of websites and apps forced users to disclose more personal information when trying to delete their account than they had to provide when they opened it.

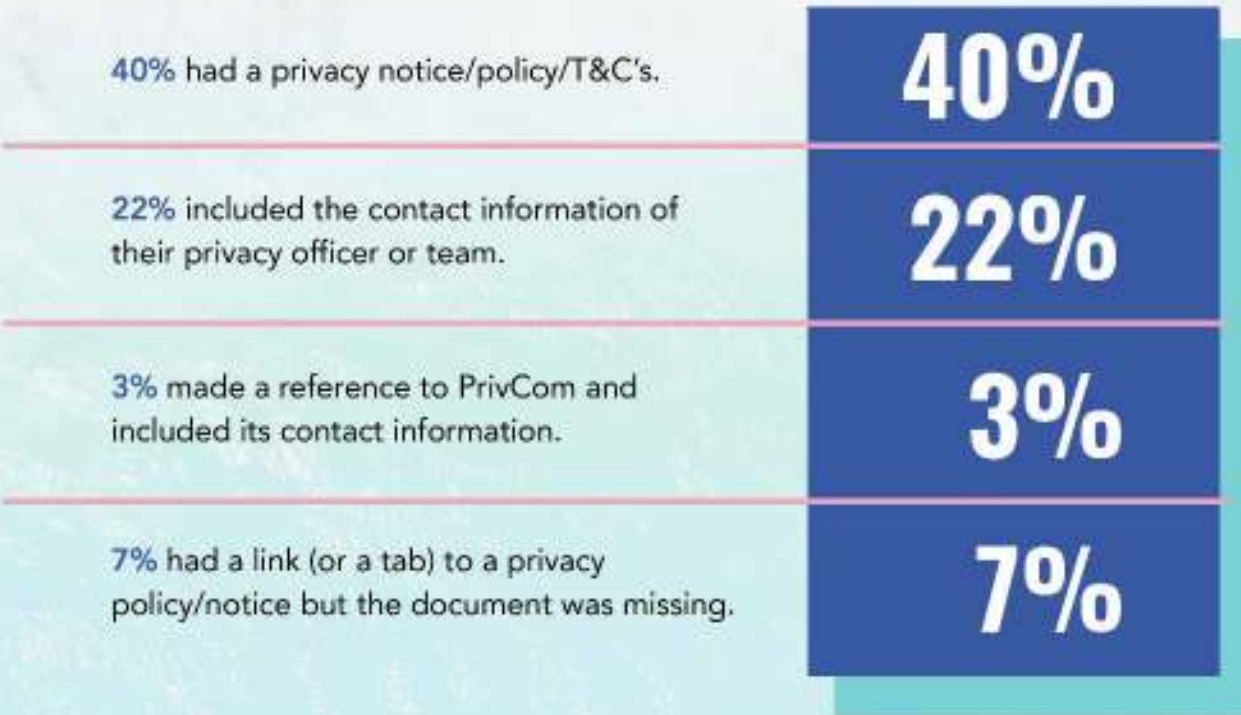
9%

Bermuda-Specific Findings:

The local sweep took place on 1 February 2024, in which a total of 196 organisation's domiciled in Bermuda were examined. All of the PrivCom staff participated in the sweep. Bearing in mind that the Personal Information Protection Act (PIPA) 2016 was not in full effect, whilst carrying out the overall sweep, PrivCom staff examined the following privacy-related aspects specific to PIPA:

- The presence of a Privacy Notice (some websites used the term Privacy Policy, although the correct term under PIPA section 9 is Privacy Notice) and/or Terms & Conditions.
- The designation of a privacy officer or team and the inclusion of their contact information.
- A reference to PrivCom as the local regulator for Bermuda and the inclusion of PrivCom's contact information.
- Whether there is a link (or tab) to a privacy policy, but the actual document is missing or the implementation of a holding page.

Prior to implementation of the Act, the Office of the Privacy Commissioner found that of the total of 196 organisations surveyed:



The above highlights that 56 organisations did not have in place any of the privacy related aspects specific to PIPA prior to the implementation date.

More can be found here, [GPEN Sweep finds majority of websites and mobile apps use deceptive design to influence privacy choices⁶](#).

PRE-IMPLEMENTATION REPORTS

Since the inception of the Office of the Privacy Commissioner, the importance of educating the public of Bermuda and regularly measuring the success of this mandate has not been overlooked. Following is a series of reports prepared by the Office and in conjunction with trusted business partners.

INFORMATION ACCOUNTABILITY

The **Bermuda Report on Information Accountability** was commissioned by the Office of the Privacy Commissioner for Bermuda in 2020. The report surveys the history of accountability and describes the evolution and formalisation of accountability as a core privacy principle that is essential to the success of private organisations as well as their regulatory environments. Personal data must be used in liberal democracies such as Bermuda to fuel all facets of human life but must be used in a manner that is respectful of all three vital interests related to data protection.

The report focused on three interests which are:

1. Individual autonomy so individuals may frame their identities and how they are framed by their data tracks;
2. Seclusion from public view where appropriate; and
3. The fair processing of data so it is used in a manner that creates value for individuals, groups of individuals, society and private interests and so harms to individuals are avoided to the extent possible and/or practical.

Parliament had these rights and interests in mind when it adopted the Personal Information Protection Act 2016 (PIPA) and recognised that PIPA was critical for Bermuda's advancement and recognition as a democratic and just society and for the protection of Bermuda's economic interests, especially in the digital age. PIPA applies to all organisations that process personal information in Bermuda where an individual can be impacted by the use of their personal information for basic, and also for more advanced data processing (i.e. using artificial intelligence, facial recognition and/or automated decisions). Although PIPA does not have an express accountability principle, it does, in Section 5, Responsibility and Compliance, set forth some of the elements of the accountability principle found in the privacy laws of other jurisdictions, namely Canadian privacy law, **Personal Information Protection and Electronic Documents Act (PIPEDA)**.

Further to this, guidance has been issued to organisations on what it means to be an accountable organisation by regulators in Canada, which was based on advice released by regulators in Hong Kong, Colombia and Australia. By setting forth in Section 5 some elements of the accountability principle and of a privacy management programme and by requiring organisations to act in a reasonable manner in meeting these requirements, PIPA does, in essence, have an accountability requirement and does require every organisation that uses personal information for basic and advanced data processing to be an accountable organisation. Therefore, the Office of the Privacy Commissioner for Bermuda has followed the recommendations made by this report to advance the guidance on accountability by issuing guidance regarding a privacy management programme that includes advanced data processing.

KPMG REPORT

In February 2021, the Office of the Privacy Commissioner for Bermuda worked with consultancy KPMG to conduct a survey of community attitudes towards privacy and PIPA. Key survey highlights include:

100%

respondents believed privacy regulation is good for Bermuda as a community

75%

respondents had little to no understanding or were neutral on their understanding of the privacy regulations

75%

respondents did not have a PIPA readiness plan

35%

respondents were unsure how much they will need to spend on a privacy programme

53%

respondents perceived a moderate to high effort to safely perform overseas transfers of personal data

20%

respondents ranked appointing a Privacy Officer as the most difficult hurdle to becoming compliant with PIPA

45th GLOBAL PRIVACY ASSEMBLY



The Global Privacy Assembly (GPA) is the premier global forum for data protection and privacy authorities. For more than four decades, the GPA has provided leadership at the international level in data protection and privacy to more than 130 data protection and privacy authorities from across the globe. The GPA has been the premier meeting place of the world's data protection and privacy regulators and enforcers. It strives to achieve the vision of an environment in which privacy and data protection authorities around the world are able to effectively act to fulfill their mandates, both individually and in concert, through the diffusion of knowledge and supportive connections.

The Office of the Privacy Commissioner for Bermuda served as host of the 45th Global Privacy Assembly (GPA) which took place in Bermuda from 15-20 October 2023. Held at the Hamilton Princess & Beach Club Resort. The event attracted approximately 330 people (exclusive of staff and local sponsors), which included over 120 member representatives of the GPA.



Delegates of the 45th GPA 2023

The Open Session was offered via livestream for virtual attendees and each individual session can be viewed on YouTube (<https://www.youtube.com/@PrivacyBermuda/>). There were 40 additional attendees registered for the virtual meeting link that was available for the closed session meetings only.

Alongside the cross-cutting theme of proactive, interdisciplinary, and multisectoral collaboration, a wide range of data protection and privacy-related topics were discussed, including the latest developments in technology and the accelerated use of a wide variety of technological tools, artificial intelligence (AI), automated decision-making, metaverse, big data analysis and cross-border data transfers. Exploration of these topical issues brought to the foreground the urgency of creating a robust, dynamic regulatory framework compatible with best practice international standards. These conversations are crucial to understanding the ethical management of data and the protection and guarantee of human rights.

The 45th GPA event provided an opportunity for regulators and policymakers to meet in person and set the agenda for global technology and data privacy issues. As host, the authority was responsible for the organisational aspects and policy decisions required to deliver the conference and associated events.

The Office of the Privacy Commissioner for Bermuda funded the 45th GPA, with sponsorship funds from PrivCom partners and participant registration fees. This allowed the office to use funds appropriation from the legislature as they were approved. At times, resources were expensed from the appropriated funds which were replenished once the sponsorship funds were received. Appropriate reclassifications were made to ensure that specific line items were charged in accordance with Financial Instructions.

45th GLOBAL PRIVACY ASSEMBLY

A total of sixteen (16) sponsors contributed:

- Apple
- ABIR (Association of Bermuda Insurers and Reinsurers)
- Bacardi
- CCS Group Limited
- CIPL (Centre for Information Policy Leadership)
- European Commission
- Evolver
- FPF (Future of Privacy Forum)
- Google
- IAPP (International Association of Privacy Professionals)
- Interpublic Group
- Johnson & Johnson
- Merck
- Meta
- The Privacy Pro
- TikTok

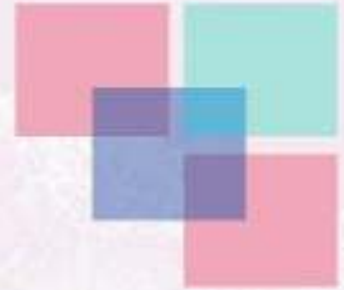
The GPA resolved to take actions to further our common goals, and these actions will create a ripple that will radiate from Bermuda outward around the world, and into the future.



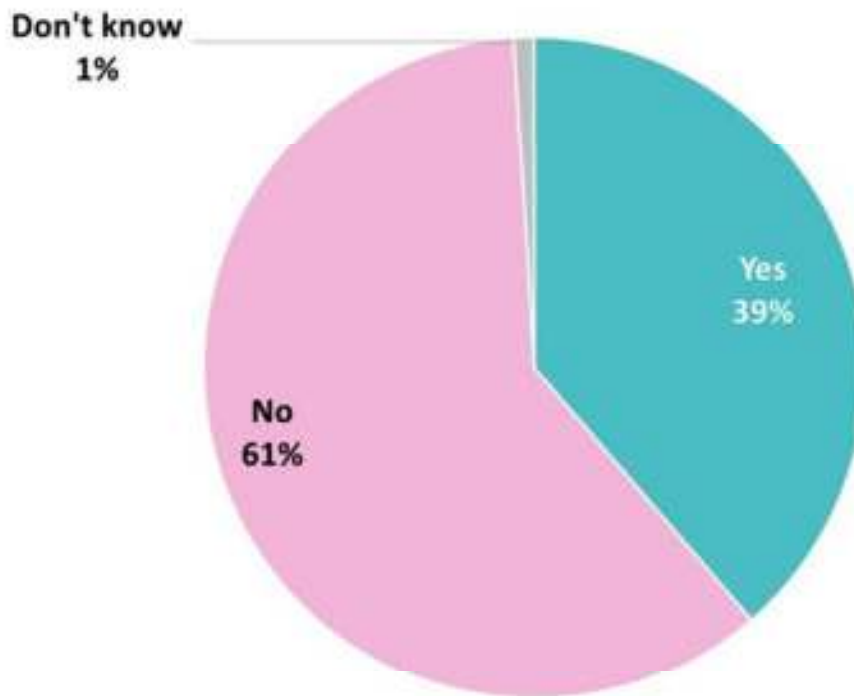
OMNIBUS SURVEY

This report presents the results for the Privacy Commissioner of Bermuda's commissioned questions from the Q4 2024 Bermuda Omnibus Survey®, a syndicated quarterly survey of Bermuda residents.

The survey consisted of telephone interviews with a representative sample of 400 Bermuda residents conducted between November 27th and December 9th, 2024. A sample of this size drawn from the population provides results accurate to within plus or minus 4.9 percent in 19 out of 20 samples.



Aware of Rights Under PIPA 2016 Effective 1 January 2025



Q.01: Are you aware of what your rights are under the Personal Information Protection Act 2016, which takes effect on 1 January 2025?

OMNIBUS SURVEY

Those who are aware of their rights under the Act were asked what specific rights they are aware of:

- Approximately four in ten (39%) Bermuda residents are aware of what their rights are under the Act.
- One-quarter of residents each mention consent before sharing or disclosing Personal Information (27%) or more generally, the security of Personal Information/Data Privacy and Confidentiality (25%).
- More than one in ten offer the right to request deletion of personal information (15%), and right to access Personal Information (13%). All other rights are named by fewer than one in ten each.
- One quarter of residents are unsure of the specific rights under the Act, despite indicating they were aware of their rights generally.
- Residents 18-34 years old are more likely to cite the right to request deletion of personal information and the right to access personal information.
- Those who are not presently aware of their rights under the Act were asked how they would like to receive information. More than 4 in 10 cite by email (43%), by mail (20%), and by newspaper (>15%).

Awareness of Rights Under PIPA

Key Unaided Mentions Among Those Aware of the Act



Q.02: [IF 'YES' IN Q.01] What rights, under the Personal Information Protection Act, are you aware of?

LEGISLATIVE UPDATE

PERSONAL INFORMATION PROTECTION AMENDMENT ACT 2023

Bermuda's Personal Information Protection Act ("PIPA") was introduced in 2016 to regulate the use of personal information by organisations in a way that recognises the need to protect the rights of individuals in relation to their personal information and the need for organisations to use personal information for legitimate purposes. The Act affects all individuals and organisations that use personal information, including Government, private sector, and third-sector organisations.

In preparation for full implementation of PIPA on 1 January 2025, the Personal Information Protection Amendment Bill 2023 was tabled in June 2023 and received Royal Assent 17 July 2023. The Act was brought forth to harmonize the Personal Information Protection Act 2016 with related laws. Since PIPA was partially enacted in December 2016, the following administrative provisions have been in force, enabling the appointment of the Privacy Commissioner and the creation of the Office of the Privacy Commissioner: sections (1) (2) (26) (27) (28) (29) (35) (36) (51) and (52). The remaining clauses of PIPA came into effect on 1 January 2025.

The Amendment Bill was tabled to harmonise the Public Access to Information Act 2010 (PATI) and the Public Access to Information Regulations 2014, and to give the Minister the power to make further consequential and related amendments and transitional and saving provisions as considered necessary or expedient as a consequence of this Act. PIPA amendments included amendments to sections (2) (4) (9) (18) (19) (26) (29) (37) (52).

PUBLIC ACCESS TO INFORMATION (PATI)

The Office of the Privacy Commissioner for Bermuda is strongly committed to transparency and to best practices under the Public Access To Information (PATI) Act 2010. The PATI Act gives the public a right to access the record of public authorities. It supports the idea that public records should be considered a national resource. Throughout the world, public access to information laws help strengthen democracies. These laws allow the public to know more about how and why public authorities do particular work or make certain decisions, and how public money is spent.

PrivCom has complied with PATI since the inception of the office. There has only been one PATI request submitted to date.

For more information, visit <https://www.privacy.bm/pati>⁸



**ROAD
TO
PIPA**

2024 ROAD TO PIPA IMPLEMENTATION PLAN

Data Privacy Week (DPW) 2024 took place at the end of January 2024 and served as a vehicle for the launch of our Road to PIPA (R2P) implementation plan: PrivCom's 37-week PIPA compliance strategy for organisations in Bermuda in preparation for the full implementation date for the Personal Information Protection Act (PIPA) on 1 January 2025.

Throughout 2024, that is, in the year preceding the full enactment of PIPA, PrivCom continued to work with both organisations and individuals in Bermuda and to offer guidance, training, and awareness activities. This assisted in ensuring that members of the public were prepared for the legislation to take effect in January 2025.

The R2P implementation plan consisted of ten overarching topics – Organisational commitment, Groundwork, Inventory, Risk assessment, Policies and Procedures, Training, Outsourcing and service providers, Incident response, PIPA rights requests, External communication, and Ongoing actions. The topics were chosen with a view to ensuring that organisations adopt a Privacy-by-Design mindset. Such an approach means embedding privacy into an organisation's operations, structure, and culture.

The R2P implementation plan was a step-by-step process for organisations to follow in order to strive to meet their legal obligations once PIPA was fully implemented. PrivCom updated the implementation plan on a weekly basis with new materials such as practical tips, activities, guidance, downloadable tools, resources, and quarterly checklists made available on www.privacy.bm/rtp24-archive². These resources were devised to help organisations of all sizes to track and document their progress towards compliance with PIPA. The materials remain on PrivCom's website to assist organisations with developing a robust Privacy Programme.

For example, during quarter one of the R2P, PrivCom provided weekly guidance, templates, and resources for organisations to help them to:

- Demonstrate their 'Organisational commitment' to PIPA;
- Lay the groundwork for their privacy programme; and
- Begin conducting an inventory of personal information used by the organisation and catalogue business practices to ensure privacy is included.

In 2024, the R2P implementation plan:

- Helped improve general understanding of the potential risks related to collecting, using, and storing personal information;
- Identified actions required for Bermuda-based organisations to retain competitive advantages in the global business arena by striving to become PIPA compliant;
- Prepared organisations and individuals to take the necessary steps for the implementation of PIPA on 1 January 2025; and
- Ensured individuals were aware of and understood their rights under PIPA.

Parallel to the publication of its weekly online tools and resources, PrivCom developed and delivered a six-month Road to PIPA training programme. The programme consisted of six training and practice sessions for representatives of organisations from the public, private, and third sector. Between April and November 2024, the training programme:

- Engaged 46 participants in training and practice sessions;
- Helped participants undertake an accelerated Road to PIPA in the “fast lane”, using the online tools and resources to facilitate learning from, and sharing experiences with, their peers; and
- Helped to enhance training and development opportunities for residents of Bermuda.

R2P Event 1: PIPA Unveiled

On 8 March 2024, International Women’s Day, the Commissioner held a public information session at City Hall to provide a comprehensive understanding of what PIPA means for the community, as well as to recognise the important contribution of women to the field of data governance. The Deputy Privacy Commissioner, Angie Farquharson, provided insight into her role at PrivCom and more generally about privacy in Bermuda. The event also featured discussions around the opportunities that Bermuda’s privacy regime provides to both individuals and organisations.

R2P Event 2: Navigating PIPA Compliance

On 19 July 2024, the Commissioner’s second public information session took place at the Royal Hamilton Amateur Dinghy Club. The event was very well attended, with over 90 participants. Led by Privacy Commissioner, Alexander White, and Assistant Commissioner (Investigations), Christopher Moulder, the session focused on PIPA compliance for local organisations and businesses and included a presentation regarding the GPEN Sweep.

R2P Event 3: PIPA & You

On 14 November 2024, the event featured Privacy Commissioner Alexander White and Assistant Commissioner (Operations) Georgia Fevriere as the main presenters. They were joined by distinguished guests The Hon. Crystal Caesar, JP, Minister of Cabinet Office, and Kennett Naylor from the PATI/PIPA Unit.

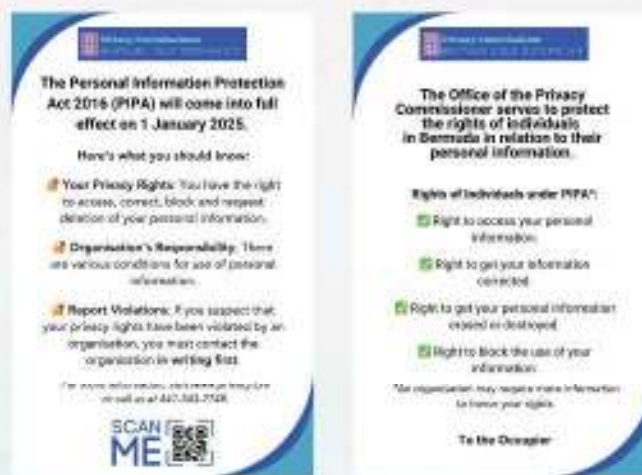
Minister Caesar kicked off the evening with welcoming remarks, highlighting the essential role that PIPA has played in safeguarding personal information. Following her speech, Commissioner White and Assistant Commissioner Fevriere presented a comprehensive overview of individual rights under PIPA. They guided attendees through the application of the legislation, their privacy rights and how to exercise them.

R2P Event 3: PIPA & You (continued)

The event offered valuable insights and practical guidance, leaving attendees better informed about their rights and responsibilities under PIPA. It served as an excellent platform for individuals to connect with privacy experts and enhance their understanding of how to protect their personal information.

Community Outreach: Know Your Rights

On 13 December 2024, PrivCom staff delivered flyers to interested individuals around the City of Hamilton. PrivCom interacted with a total of 250 individuals, informing them of their rights under PIPA. A copy of this flyer was also mailed to every household in Bermuda.



R2P Intent Statement

Since the R2P implementation plan was launched in January 2024, organisations in Bermuda had an opportunity to sign an intent statement, expressing their organisation's commitment to protecting the personal information of individuals in Bermuda. The statement has been made available to the public via PrivCom's website. Throughout 2024, CEOs from twenty-four (24) organisations submitted their intent statement.

Public Consultation with the Financial Services Sector

In March 2024, the Commissioner opened a public consultation with the financial services community, requesting feedback on how Bermuda's specialised international business practices may need specific PIPA guidance. This consultation leveraged Bermuda's position as a global leader in meeting international financial standards to ensure that PIPA requirements will not conflict with their other legal requirements, such as monitoring for financial crime or the prevention of money laundering. Publication of findings from this consultation can be found in PDF form at <https://www.privacy.bm/post/the-office-of-the-privacy-commissioner-privcom-launches-financial-service-provider-s-guidance-note>¹⁰.

R2P EVENT FEEDBACK

Following each of the R2P events throughout 2024, the Communications Team at the Office of the Privacy Commissioner collected feedback from participants to help measure the success of public engagement. As the feedback received from participants shows, their expectations of PrivCom events evolved as their understanding of PIPA was evolving as well. This trend is reflected in the feedback received in subsequent events.

PIPA UNVEILED

Feedback received from PrivCom events has been overwhelmingly positive, with 75% of ratings being **EXCELLENT**, while the remaining 25% being **VERY GOOD** for PIPA Unveiled.

NAVIGATING PIPA COMPLIANCE

All presenters were engaging and interactive with the audience. PIPA is an excellent, modern, and creative way to ensure the protection and rights of others.

PIPA & YOU

The presentation was extremely informative and most importantly, in layman's language with practical real-life scenarios for further understanding. As privacy rights affect each of us, it is important to learn and know about our rights as individuals.

2024 EVENT HIGHLIGHTS

In preparation for the implementation of PIPA, the team at PrivCom embarked on a robust series of speaking engagements in 2024 to raise the visibility of Bermuda as a trusted jurisdiction and inform the local business community of compliance requirements.

JAN

The Office of the Privacy Commissioner (PrivCom) unveils its comprehensive Road to PIPA strategy for the community.



FEB

Commissioner White, joins Jamal Hardtman to discuss PIPA and what it means for Bermuda.

MAR

The Commissioner held a public information session at City Hall to provide a comprehensive understanding of what PIPA means for the community, as well as to recognise the important contribution of women to data governance.



APR

The Privacy Commissioner discusses what the Personal Information Protection Act 2016 (PIPA) means for Bermuda on This Week in Government.

MAY

The Privacy Commissioner attends the Global CBPR Forum, Tokyo (Japan) as he embarks on a global speaking campaign.



*registrations and related travel expenses for overseas events funded primarily by the event organisers.

JUN

PrivCom represented by Commissioner White, and Scott Pearman, BHB CEO & President, signed the Road to PIPA Intent Statement.



JUL

Navigating PIPA Compliance the Commissioner's second public information session takes place at the Royal Hamilton Amateur Dinghy Club.

AUG

The International Compliance Association invites Alexander White to participate in a webinar spotlighting the Caribbean Region.



SEP

Commissioner White attends the Bermuda Captive Conference to deliver a segment entitled 'Navigating the Data Privacy Frontier' as part of their 'Bermuda Shorts' feature.



OCT

Delegates from PrivCom attend the 46th Global Privacy Assembly in Jersey. Followed by secondment/training opportunity in Guernsey and Ireland.

NOV

Commissioner White, along with Deputy Commissioner Farquharson and Assistant Commissioner Fevriere, host the PIPA & You Town Hall Event at St. Paul's-AME Church Hall.



DEC

The Road to PIPA implementation plan is successfully completed in 2024. Materials are available at www.privacy.bm



Privacy is a journey, not a destination.

Privacy Commissioner
Aleksander White

LEARN MORE AT
WWW.PRIVACY.BM



Thank you to local businesses and organisations who engaged with PrivCom on the Road to PIPA by inviting members of the team to speak at meetings and events, some examples include: Digicel, CPA Bermuda, BSX, Bermuda Psychology Association, Appleby, KPMG, Bermuda Tourism Authority, Symptai, and IAA Bermuda.

The Office of the Privacy Commissioner would also like to recognise the many Privacy Ambassadors who committed to protecting and giving visibility to privacy in Bermuda as part of 2024 Road to PIPA strategy. Special thanks to Kennett Naylor, Nancy Volesky, and Marisa Stones who contributed to a series of video testimonials connected to the implementation plan.

For more highlights from the Road to PIPA visit the campaign archive page at: <https://www.privacy.bm/rtp2024>



PrivCom collaborates with Kennett Naylor of the Bermuda Government's PATI PIPA Unit on personal inventory & mapping.



POLICIES AND PROCEDURES

With Nancy Volesky

WATCH NOW



PrivCom collaborates with Nancy Volesky on privacy policies & procedures.

PrivCom collaborates with Dr. Marissa Stones of the Bermuda Government's PATI PIPA Unit on privacy impact assessments.

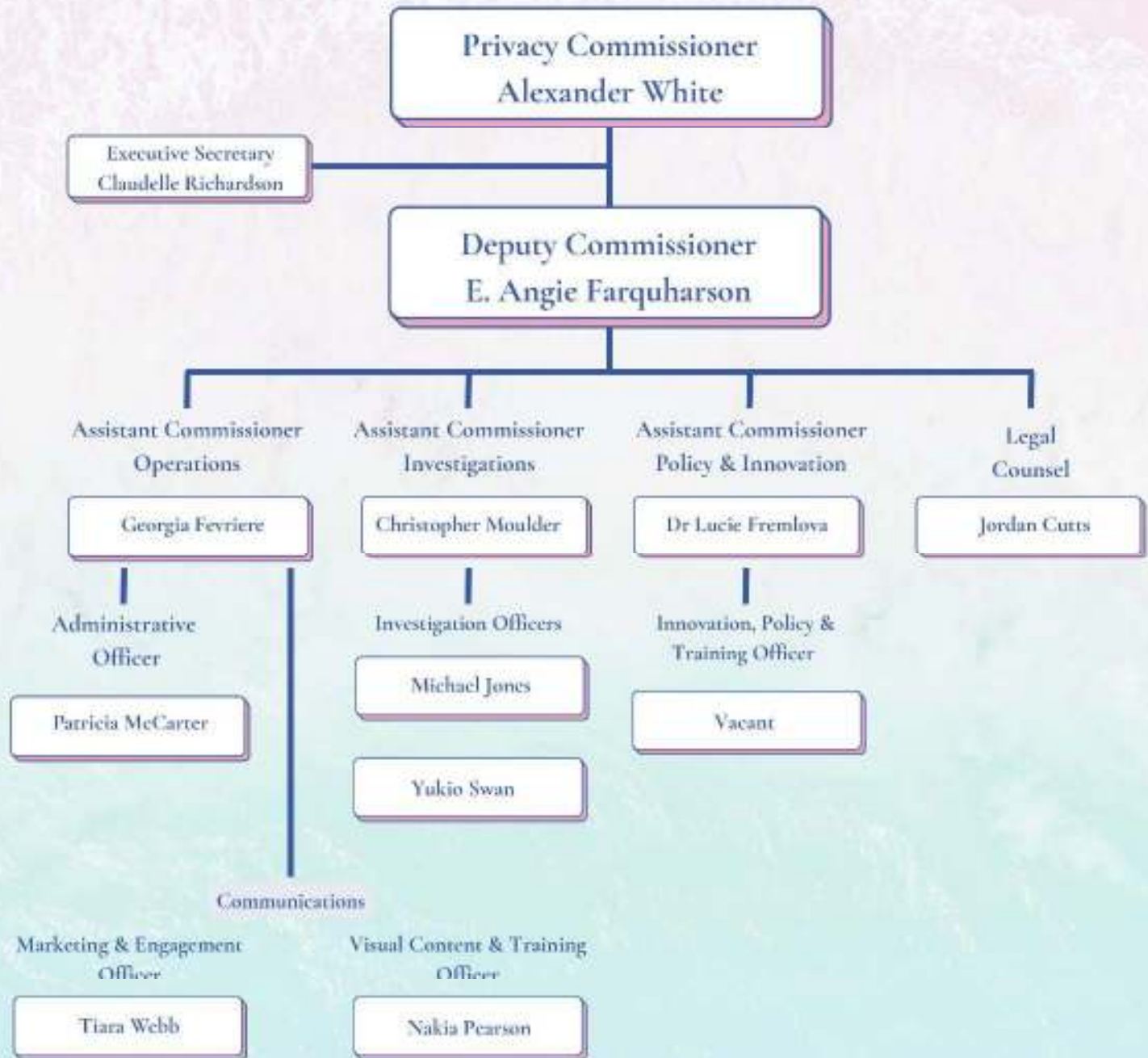




**BEYOND
PIPA**

ORGANISATIONAL STRUCTURE

June 2025



Note: The organisational chart above represents the structure of PrivCom at the time of publication.

CURRENT STAFF

Senior Management



January 2020 -
Present

Alexander White **Privacy Commissioner**

Mr. White is a lawyer qualified to practice law in the United States and a former US federal privacy adviser and IAPP Advisory Board member, with experience working in the insurance industry and managing a state Government's privacy program.

He holds a variety of privacy, legal, cybersecurity, and risk management qualifications and is a two-time graduate of the University of Georgia (US), with further coursework and study with the Harvard Kennedy School, City University (London) Law School, Law Society of Ireland, Vrije Universiteit Brussels, Tsinghua University School of Law (Beijing), and Fudan University School of Law (Shanghai).



June 2023 -
Present

E. Angie Farquharson **Deputy Privacy Commissioner**

Deputy Commissioner Farquharson joined the team on 1 June, 2023. She brings a wealth of experience and expertise from the public service, data rights, hospitality and reinsurance industry.

Having previously advised the Office of the Privacy Commissioner as the Non-Ministry Comptroller, she has worked closely with Commissioner White and the team to ensure that privacy rights are protected and that individuals have control over their personal information in the digital age.

She holds a Chartered Professional Accounting designation and is a member of CPA Bermuda. Having served in many accounting capacities for over 25 years, her extensive knowledge and expertise will enhance the office's ability to safeguard privacy rights and continue to meet our responsibilities as a public office. She is a graduate of Bermuda College and York University, Canada.

Assistant Commissioners



May 2021 - Present

Georgia Fevriere

Assistant Commissioner, Operations

Mrs. Fevriere possesses a wide range of skills from experience working in the fields of compliance, investment banking, public legal services, debt recovery, and insolvency. She brings a wealth of experience managing local and overseas operations, as well as global policy functions.

Mrs. Fevriere holds qualifications in privacy, law, and insolvency. She is a graduate of Georgia State University, the University of Kent, and most recently the University of the West of Scotland where she received a Master of Science degree in Policy Analysis & Global Governance.



November 2022 - Present

Christopher Moulder

Assistant Commissioner, Investigations

Mr. Moulder possesses a wide range of skills from experience working in the fields of personal banking, commercial contracts, debt recovery, and labour relations. He brings a wealth of experience managing cases, as well as implementation of process driven compliance.

Mr. Moulder holds qualifications in law. He is a graduate of Southampton Solent University, where he achieved a Bachelor of Laws (LLB), and most recently worked with the Government of Bermuda, Labour Relations Section.



March 2023 - Present

Dr. Lucie Fremlova

Assistant Commissioner, Policy & Innovation

Dr. Lucie Fremlova is Assistant Commissioner (Policy & Innovation) at the Office of the Privacy Commissioner for Bermuda (PrivCom), where she oversees and is accountable for the development of policy interpretations, guidance, training, innovation services, and emerging issues. She was the Innovation, Policy, and Training Officer between February 2023 and March 2025.

Dr. Fremlova is a transdisciplinary researcher with a PhD in applied social sciences from the University of Brighton (UK) and a certified information privacy manager (CIPM). She has over 25 years' experience of working in the field of human rights. She has published both non-academic and academic work.



Jordan Cutts **Legal Counsel**

Mr. Cutts brings a strong foundation in both commerce and law and a multidisciplinary approach to navigating complex regulatory and business environments. Prior to attending law school he attended Dalhousie University in Halifax, Nova Scotia where he obtained a Bachelor in Commerce, and following graduation, began his professional career with HSBC Bank Bermuda ("HSBC"). Whilst employed with HSBC he participated in the Graduate Development Programme and progressed to the role of Commercial Manager.

October 2024 - Present

Building on his interest in commercial and corporate activities and governing legal frameworks, in 2013 he went on to earn an LLB from the University of Kent and subsequently completed the Legal Practice Course at Manchester Metropolitan University. Since being called to the Bermuda Bar in April 2017, he has focused primarily on regulatory enforcement, serving as in-house legal counsel for the Regulatory Authority of Bermuda and the Office of the Privacy Commissioner.

PrivCom Team



Patricia McCarter **Administrative Officer**

August 2021 - Present



Claudelle Richardson **Executive Secretary**

January 2025 - Present



Yukio Swan **Investigations Officer**

September 2023 - Present



Michael Jones **Investigations Officer**

February 2023 - Present



Tiara Webb **Marketing & Engagement Officer**

September 2022 - Present



Nakia Pearson **Visual Content & Training Officer**

February 2023 - Present

FORMER STAFF

The following persons, although no longer part of the PrivCom Team, participated in regulatory and administrative activities in the lead up to PIPA implementation. The Privacy Commissioner would like to thank each of them for their valuable contributions, which played a part in the establishment of the Office.



Cha'Von Clarke-Joell

**Former Assistant
Commissioner**

January 2022 - February 2024



Kendra Mello

**Former Executive
Secretary**

November 2022 - September 2024



David DeSouza

**Former Compliance
& Risk Officer**

June 2023 - January 2024

Consultants

Patricia McCarter (2021)
Cha'Von Clarke-Joell (2021)
Mervyn Grant (2024)
Sakhele Gibbons (2024)
Kendra Mello (2024)

Summer Students

Lydia Barit (2022)
Jasmine Furin (2023)
Carter Haydon (2024)
Tiffany Torchia (2024)

PUBLIC ENGAGEMENT

Guidance

Guidance is delivered via three methods: written form, training/courses, and direct consultation. During the period under review, PrivCom has met with representatives from re/insurance, medical, legal, Government, education and non-profit/third sectors to provide one to one guidance via phone, virtual, in-person consultations. PrivCom has also produced infographics, blogs, and awareness materials. Engagement partnerships and relationships have been developed with a number of corporate and community organisations, including the Bermuda Bar Council's Advancement of Privacy Law and Appropriate Regulation of the Legal Industry (APPLI), the International Compliance Association (ICA), KPMG, Bermuda Economic Development Corporation (BEDC), Ignite, Bermuda Police Service (BPS), Non-Profit Alliance, and the like.

Education, Training, and Awareness

Education, training, and awareness raising efforts and initiatives have also included the development of mini courses available to the general business community.

The on demand "PIPA & Privacy 101" course has been well-received by the community and additional courses, such as the Road to PIPA training modules, continue to be developed as online, in-person, and hybrid format training. As an example, the first R2P training module can be found online at <https://youtu.be/MxWDK9aAydl?si=ihoK44vOjnmyw1RL>¹¹.

Media

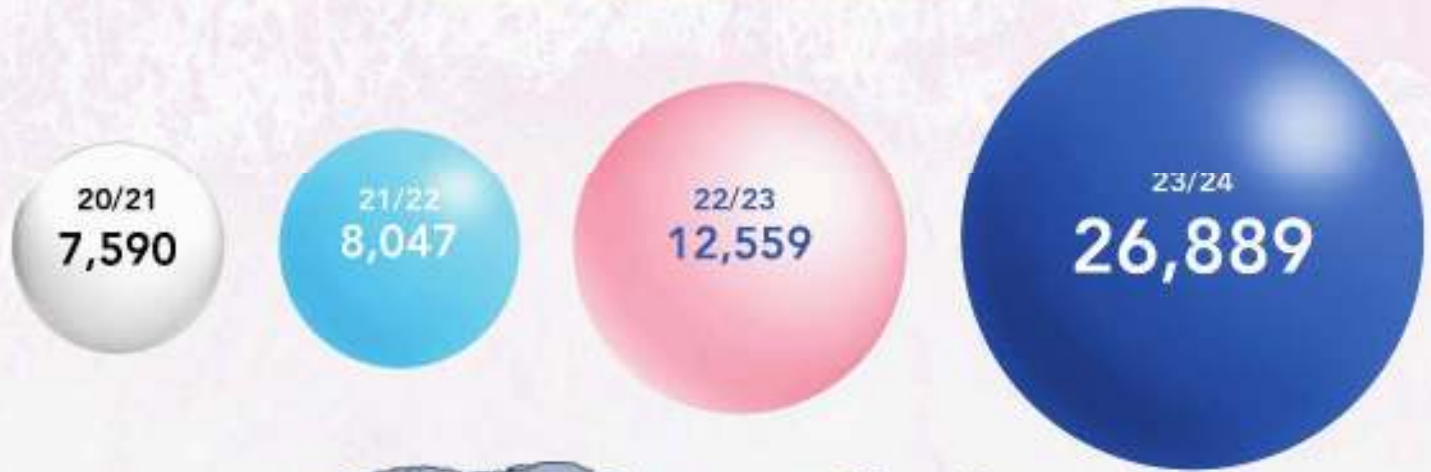
Media engagement has been constructed to raise awareness in the community, with appearances on the ZBM Evening News, as well as in print and online media platforms such as The Royal Gazette, Bernews, and the Daily Hour (see appendix). PrivCom is focusing on growing a social media (Facebook, Instagram, and YouTube) presence to promote privacy as a fundamental human right, the benefits of privacy programmes, and privacy as a gateway for collaboration and engagement with local and global opportunities.

	Awareness & Education Initiatives	Publications, Guidance, Research Reports	Privacy Conferences Attended	Website Engagement
2020 - 2021	5	6	2	7,590
2021 - 2022	25	15	4	8,047
2022 - 2023	24	12	6	12,559
2023 - 2024	25	18	10	26,889
2024 - 2025	28	28	15	32,293

OUR WEBSITE: WWW.PRIVACY.BM

Site Sessions

(Number of user interactions with website)



www.privacy.bm has recorded page views from almost every country on the globe - see appendix.



SOCIAL MEDIA



LinkedIn

117%

Engagement Rate - 1st nationally amongst similar industries

70%

New follower growth - 2nd nationally amongst similar industries

1,628

Total followers - 3rd nationally amongst similar industries

The Office of the Privacy Commissioner (PrivCom) launched its own YouTube channel

August 2023

Videos available offering informative privacy content

46



YouTube

Total channel views

4,103

Statistics as of December 2024

INTERNATIONAL ENGAGEMENT AND AFFILIATIONS

The Office of the Privacy Commissioner for Bermuda engages with its international counterparts to enhance Bermuda's reputation as a regulatory leader and to ensure that its guidance and actions are consistent with standards and best practices around the world. Individuals in Bermuda benefit from this engagement because their privacy rights are interpreted according to the high standards of global consensus. Organisations in Bermuda benefit from international best practices and our regulatory actions become interoperable standards that suit multiple jurisdictions, promoting consistency and reducing compliance costs.

British, Irish and Islands Data Protection Authorities (BIIDPA)

A regional network of privacy commissioners, BIIDPA meets annually with informal collaboration throughout the year. Member since January 2020.

Digital Clearinghouse

A project launched by the European Data Protection Supervisor, the Digital Clearinghouse works to create a platform facilitating cooperation, dialogue, and exchange of insights and best practices between regulatory authorities, policy makers, researchers, and other stakeholders. Member since January 2020.

International Working Group on Data Protection in Technology (IWGDPT)

Also known as the "Berlin Group," this group specialises in cutting edge technologies such as blockchain and facial recognition. Member since February 2020.

Internet Privacy Engineering Network (IPEN)

Founded by the European Data Protection Supervisor, IPEN works to promote and advance the state-of-the-art of privacy engineering. Member since May 2020.

The Common Thread Network (CTN)

This group enables the sharing of experience, knowledge, and expertise across Commonwealth nations. Member since May 2020.

Global Privacy Assembly (GPA)

This forum of over 130 global privacy regulators enables these authorities to fulfill their mandates, both individually and in concert, through diffusion of knowledge and supportive connections, in mechanisms such as an annual in-person assembly, working groups, and joint resolutions. Member since September 2020.

Asia Pacific Privacy Authorities (APPA) Forum

The APPA Forum is the principal network for privacy and data protection authorities in the Asia Pacific region. Observer since June 2020.

Caribbean Community (CARICOM)

Bermuda is an Associate Member of this organisation to promote economic integration and cooperation throughout the Caribbean region. Our office has been a participant in Working Groups, including ICT4D, since October 2020.

Council of Europe Convention 108+ Consultative Committee

The C108+ Consultative Committee is responsible for interpreting the provisions of Convention 108, facilitating and improving its implementation. Observer since November 2020.

Global Privacy Assembly's Enforcement Cooperation Agreement

The purpose of this Arrangement is to foster data protection compliance by organisations processing personal data across borders. It encourages and facilitates privacy commissioner cooperation with each other by sharing information, particularly confidential enforcement-related information about potential or ongoing investigations, and where appropriate, the Arrangement also coordinates participants' enforcement activities to ensure that their scarce resources can be used as efficiently and effectively as possible. Participant since February 2023.

Global Privacy Enforcement Network (GPEN)

Based upon the OECD's Recommendation on Recommendation on Cross-border Cooperation in the Enforcement of Laws Protecting Privacy, that called for member countries to foster the establishment of an informal network of Privacy Enforcement Authorities, the Global Privacy Enforcement Network (GPEN) was established in March 2010. GPEN connects privacy enforcement authorities from around the world to promote and support cooperation in cross-border enforcement of laws protecting privacy. Member since February 2023.

Global Cross-Border Privacy Rules (CBPR)

The Office of the Privacy Commissioner for Bermuda (PrivCom) has been engaging with other jurisdictions to bolster Bermuda's reputation as a trusted hub, including for cross-border transfers of data. In April 2024, PrivCom joined the Global Cross-Border Privacy Rules (CBPR) Forum as a Privacy Enforcement Authority (PEA) from outside the Asia-Pacific region in the [Global Cooperation Arrangement for Privacy Enforcement \(CAPE\)](#), a multilateral arrangement for PEAs to facilitate cross-border enforcement of data protection and privacy laws.

Memorandum of Understanding (MOU)

The Office of the Privacy Commissioner has solicited relations with several jurisdictions that share common privacy philosophies and legal characteristics with Bermuda. These include formal MOU agreements with Guernsey, Philippines, Dubai, and Abu Dhabi; as well as regular engagement with Bahamas, Jamaica, Barbados, and Newfoundland (Canada).

FUTURE ENGAGEMENT

The Office of the Privacy Commissioner (PrivCom) aims to continue to employ the principles set out in the Mid Atlantic Privacy Compass to chart the course in 2025 and beyond. As we move into our first year of implementation, we strive to continue our mandate to provide guidance to the public and to implement our strategies for investigation and oversight of the privacy landscape in Bermuda.

PrivCom is committed to formalising our Strategic Plan 2025 - 2027, which will identify strategic priorities and measurable forward strategies for success.

In 2025, PrivCom will also launch a children's engagement programme, designed to empower, inform, and engage Bermuda's youth on the importance of privacy. This initiative will help build early awareness of online safety and responsible digital habits, encouraging a culture of privacy from a young age.

Finally, PrivCom will be relaunching the Pink Sandbox in 2025 with two key areas of focus: emerging technologies and exceptional innovation. Selected organisations will be admitted to the Pink Sandbox with their innovative product, project, or service that uses personal information. The maximum period envisaged for participation in the Pink Sandbox is six months.

Pink Sandbox: What Is It?

The Personal Information Protection Act (PIPA) provides the Privacy Commissioner with the power to "comment on the implications for protection of personal information in relation to an organisation's existing or proposed programmes" (Section 29(1)(f)) and to "give guidance and recommendations of general application to an organisation on matters relating to its rights or obligations" (Section 29(1)(i)).

The Privacy Innovation and Knowledge-sharing ("Pink") Sandbox has been designed to serve as a free service and a formal mechanism that allows PrivCom to engage with organisations early in the development process, without discouraging innovative products, projects, or services that do not have long histories of risk profiles. The Pink Sandbox encourages a Privacy by Design approach that anticipates issues, allowing partners to avoid missteps while building privacy into their products, projects, or services as a default setting.

For more information, visit <https://www.privacy.bm/pink-sandbox>

What are emerging technologies?

Emerging technologies are new kinds of tools or systems that are just starting to be developed or used. Examples include things like self-driving cars, virtual reality, artificial intelligence and, many more. As technology evolves, there is a potential for harm if the associated risk is not addressed.

What is exceptional innovation?

Exceptional innovation means a great, creative idea or intervention that solves a problem in a unique way or improves significant to the status quo. For example, an activity that uses personal information that is not yet established in any sector or a novel use of an existing innovative technology.



MESSAGE FROM THE DEPUTY PRIVACY COMMISSIONER



As we embark on the implementation of the Personal Information Protection Act (PIPA) 2016, the Office of the Privacy Commissioner (PrivCom) stands ready to promote the responsibility of organisations and to enforce individuals' rights under PIPA. Since 2020, the Office has been appointing staff, developing procedures and policies, and defining privacy in Bermuda.

We appreciate the lead time government has given PrivCom to train organisations on their responsibilities, write guidances, and lead privacy forums in the ways needed to introduce and regulate privacy in Bermuda. Organisations in Bermuda have been given an opportunity to understand their responsibility, and to use personal information in an accountable manner.

PrivCom promotes responsible information handling. An organisation should determine the purpose for the use of personal information and advise individuals accordingly via their privacy notices. These notices should provide individuals with the reason for the use of information, whether organisations transfer the information to third parties and the organisation's retention plan.

The evolving use of digital technology in Bermuda can present challenges in the privacy landscape on our island. Nevertheless, the rights of individuals under PIPA are unchanging and the Office will uphold these rights as stated in PIPA. These rights strengthen safety and protection of personal information. We will be the champions for individuals to control the use of their personal information.

In the coming year, 2025, PrivCom will continue to release guidance to lead organisations in PIPA compliance. The Office will also further develop its children's programmes, educating both parents and children on security features and protections while using digital media. We will continue to educate and grow Bermuda residents' knowledge and awareness of PIPA.

Our team of professionals will promote PIPA and work with stakeholders to embrace innovation in a manner to create more secure and trusted tools. We thank you, the public, for your role in protecting the rights of individuals in Bermuda and we will continue to develop this partnership together.

E. Angie Farquharson
Deputy Privacy Commissioner





APPENDIX: PRESS HIGHLIGHTS

The Office of the Privacy Commissioner launches Road to PIPA implementation plan during Data Privacy Week 2024

<https://www.privacy.bm/post/privcom-launches-road-to-pipa-implementation-plan-during-data-privacy-week-2024>¹²

Privacy in the Caribbean takes centre stage at the 45th GPA

<https://www.privacy.bm/post/privacy-in-the-caribbean-takes-centre-stage-at-the-45th-gpa>¹³

What the 2023 GPA annual meeting means for Bermuda

<https://www.privacy.bm/post/what-the-2023-gpa-annual-meeting-means-for-bermuda>¹⁴

Official date of full PIPA implementation announced

<https://www.privacy.bm/post/official-date-of-full-pipa-implementation-announced>¹⁵

The Office of the Privacy Commissioner welcomes Deputy Privacy Commissioner

<https://www.privacy.bm/post/privcom-welcomes-deputy-privacy-commissioner>¹⁶

The Office of the Privacy Commissioner joins two global agreements

<https://www.privacy.bm/post/privcom-joins-two-global-agreements>¹⁷

Privacy Commissioner leads at digital trade agreement discussions

<https://www.privacy.bm/post/privacy-commissioner-leads-at-digital-trade-agreement-discussions>¹⁸

Bermuda selected to host 2023 global privacy and data protection summit

<https://www.privacy.bm/post/bermuda-selected-to-host-2023-global-privacy-and-data-protection-summit>¹⁹

2021 Bermuda Privacy Readiness Survey Results: 100% say privacy law is good for Bermuda

<https://www.privacy.bm/post/2021-bermuda-privacy-readiness-survey-results-100-say-privacy-law-is-good-for-bermuda>²⁰

The Office of the Privacy Commissioner becomes member of ID2020 Alliance to promote privacy in digital identity solutions

<https://www.privacy.bm/post/privcom-becomes-member-of-id2020-alliance-to-promote-privacy-in-digital-identity-solutions>²¹

A Look Back at 2020: Commissioner's Highlights

<https://www.privacy.bm/post/a-look-back-at-2020-commissioner-s-highlights>²²

Bermuda accredited as member of Global Privacy Assembly

<https://www.privacy.bm/post/bermuda-accredited-as-member-of-global-privacy-assembly>²³

Bermuda report on information accountability

<https://www.privacy.bm/post/bermuda-report-on-information-accountability>²⁴

APPENDIX: SITE VISITS BY COUNTRY

As of 31 May 2025, www.privacy.bm has been viewed by individuals located in the following countries around the world. These statistics are provided by our web platform and may be subject to change.

Afghanistan	Egypt	Lesotho	Senegal
Albania	El Salvador	Libya	Serbia
American Samoa	Estonia	Lithuania	Seychelles
Andorra	Ethiopia	Luxembourg	Sierra Leone
Angola	Finland	Macau	Singapore
Antigua and Barbuda	France	Malaysia	Slovakia
Argentina	French Polynesia	Mali	Slovenia
Armenia	Georgia	Malta	Solomon Islands
Australia	Germany	Mauritius	South Africa
Austria	Ghana	Mexico	South Korea
Azerbaijan	Gibraltar	Moldova	South Sudan
Bahamas	Greece	Monaco	Spain
Bahrain	Grenada	Mongolia	Sri Lanka
Bangladesh	Guadeloupe	Morocco	Sudan
Barbados	Guam	Mozambique	Sweden
Belarus	Guatemala	Myanmar	Switzerland
Belgium	Guernsey	Nepal	Taiwan
Belize	Guinea-Bissau	Netherlands	Tanzania
Bermuda	Guyana	New Zealand	Thailand
Botswana	Honduras	Nicaragua	Timor-Leste
Brazil	Hong Kong	Niger	Trinidad and Tobago
British Virgin Islands	Hungary	Nigeria	Tunisia
Bulgaria	Iceland	North Macedonia	Turkey
Cambodia	India	Norway	Turks and Caicos Islands
Cameroon	Indonesia	Oman	U.S. Virgin Islands
Canada	Iraq	Pakistan	Uganda
Cayman Islands	Ireland	Panama	Ukraine
Chile	Isle of Man	Papua New Guinea	United Arab Emirates
China	Israel	Peru	United Kingdom
Colombia	Italy	Philippines	United States
Cook Islands	Jamaica	Poland	Uruguay
Costa Rica	Japan	Portugal	Uzbekistan
Croatia	Jersey	Puerto Rico	Venezuela
Cyprus	Jordan	Qatar	Vietnam
Czech Republic	Kazakhstan	Romania	Yemen
Denmark	Kenya	Russia	Zambia
Dominican Republic	Kuwait	Rwanda	Zimbabwe
Ecuador	Kyrgyzstan	Saint Lucia	
	Laos	Saudi Arabia	
	Latvia		
	Lebanon		

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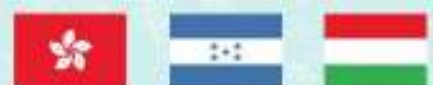
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APPENDIX: QR CODES



1. Press Background



2. Financial Statements



3. Guide to PIPA



4. Organisation's Hub



5. Small Business Hub



6. GPEN Sweep



7. 2023 GPA Open Session



8. PrivCom Information Statement



9. Road to PIPA Archive



10. Financial Service Providers Guidance Note



11. PIPA & Privacy 101 Course



12. PrivCom launches Road to PIPA plan



13. Privacy in the Caribbean takes the center stage



14. What the 2023 GPA means for Bermuda



15. Official date of full PIPA implementation plan



16. PrivCom welcomes Deputy Privacy Commissioner



17. PrivCom joins two global agreements



18. Privacy Commissioner leads at digital trade agreement discussions



19. Bermuda selected to host 2023 Global Privacy Assembly



20. 2021 Bermuda Privacy Readiness Survey Results



21. PrivCom becomes member of ID2020 Alliance



22. A look back at 2020: Commissioner's Highlights



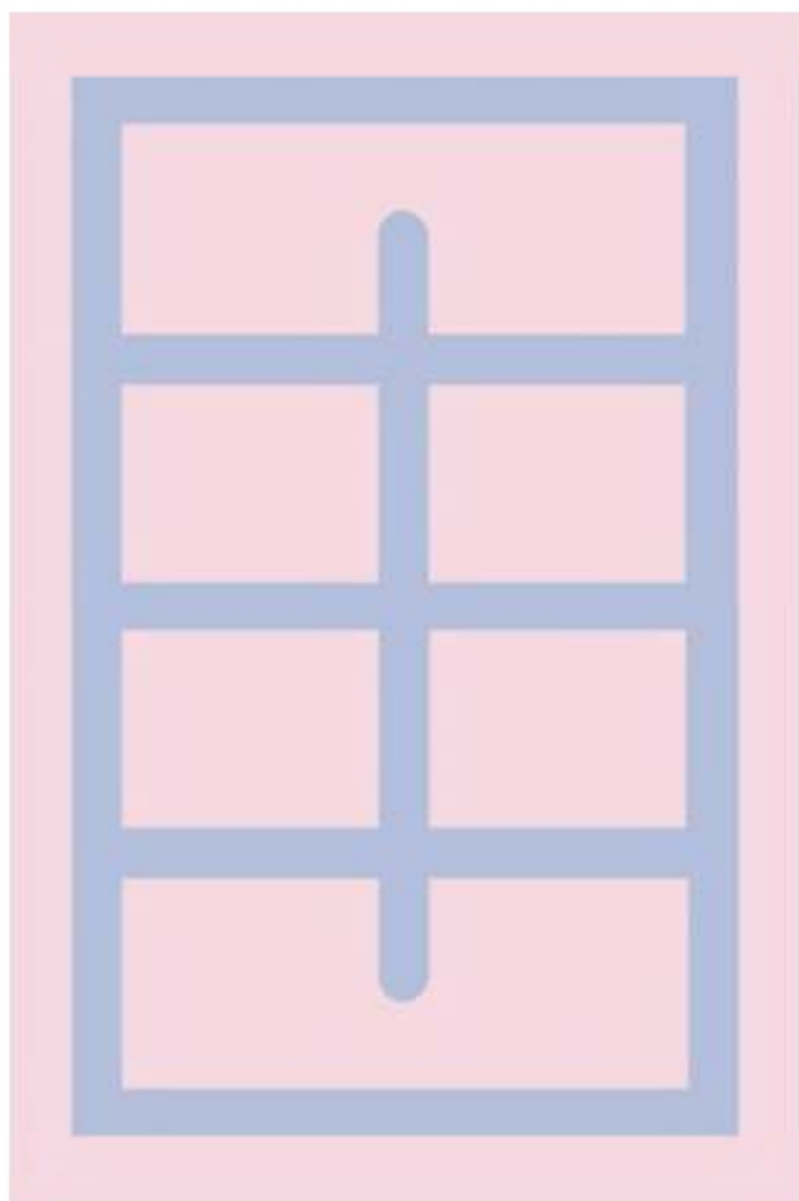
23. Bermuda accredited as a member of the GPA



24. Bermuda report on Information Accountability

APPENDIX: PHOTO CREDIT

1. Donation to the Transformational Living Centre
2. Fireside Chat + Q&A with Chartered Professional Accountants (CPA) Bermuda
3. Memorandum of Understanding (MOU) signing with Guernsey Data Protection Authority
4. Deputy Privacy Commissioner and Assistant Commissioner (Investigations) with the Data Protection Ireland Commissioner's Office
5. Deputy Privacy Commissioner, Assistant Commissioner (Investigations), and Investigations Unit with Guernsey Data Protection Authority
6. Privacy Commissioner with Commissioner of Jersey
7. Privacy Commissioner, Deputy Privacy Commissioner, and Assistant Commissioner (Investigations) at 2024 GPA in Jersey
8. Privacy Commissioner presents to Bermuda Human Resource Association
9. Privacy Commissioner, Former Minister Campbell (Cabinet Office) and UK ICO Commissioner
10. Assistant Commissioner (Policy & Innovation) presents to Beesmont
11. Memorandum of Understanding (MOU) signing with Abu Dhabi Commissioner
12. Privacy Commissioner presents at International Data Protection Forum Barbados
13. Deputy Privacy Commissioner, Assistant Commissioner (Investigations), and Investigations Unit at the Guernsey Data Protection Authority
14. Privacy Commissioner presents at 2024 Jersey
15. Privacy Commissioner, Deputy Privacy Commissioner, and Assistant Commissioner (Operations) presents at PIPA & You event
16. Privacy Commissioner presents at Chamber of Commerce event sponsored Digicel Bermuda and Symptai
17. Privacy Commissioner and Bermuda Police Service at Privacy Ambassador sign off
18. PrivCom staff at 2023 GPA in Bermuda
19. Privacy Commissioner and Deputy Privacy Commissioner presents at PIPA Unveiled event
20. Privacy Commissioner, Co-founder and Director General of Mandat International, Member of the Board of the Italian Privacy Regulator, German Federal Commissioner for Data Protection, and Secretary to the Council of Europe Committee of Convention 108
21. Privacy Commissioner, Secretariat, Personal Information Protection Commissioner (PPC) Japan
22. Assistant Commissioner (Investigations) presents at Conyers





Privacy Commissioner

Bermuda | Quo Data Ferunt

The Office of the Privacy Commissioner for Bermuda

**Maxwell Roberts Building, 4th Floor
1 Church Street
Hamilton, HM11
Bermuda**

441-543-7748 [PRIV]