

Executive summary

The Information Commissioner's Office (ICO) undertook a public consultation on proposed amendments to the data protection fee regime set out in the Data Protection (Fees) Regulations 2018.

The consultation ran from 14 October to 1 December and sought views on proposals to increase, for the first time since 2011, the annual fee payable by controllers and processors to the ICO. The consultation proposed the introduction of a tiered, risk-based fee model, broadly consistent with approaches adopted in Guernsey, Jersey, and the UK. Respondents were invited to comment on the proposed fee structure and several associated policy questions.

In total, 81 responses were received. Most of the respondents recognised the importance of ensuring that the ICO is sustainably resourced to effectively deliver its statutory functions, support organisations in their compliance efforts, and help maintain the Island's data adequacy status.

There was broad acceptance of a proportional, tiered approach in principle.

However, respondents also emphasised that employee headcount alone may not adequately reflect the regulatory risk or compliance burden placed on the ICO by different organisations. Many noted that additional factors, including turnover, the nature and volume of data processed, and the sensitivity of that data, are relevant when considering how costs should be distributed fairly across controllers and processors.

At the same time, respondents encouraged further refinement of the proposed model to ensure it remains fair, transparent and clearly linked to regulatory risk. Suggestions included revisiting the employee thresholds (particularly the jump at 50+ employees), considering the case for a higher fixed contribution from the public sector, and exploring whether additional indicators, such as turnover, profit, sector, or risk profile, could complement headcount. Overall, respondents supported a funding framework that is sustainable for the office while being clearly evidence-based and proportionate for those who pay the fee.

We have carefully considered the feedback received, particularly concerns about relying solely on headcount and the sharp jumps between tiers. We are therefore recommending reduced fee amounts – lowering the upper limit from £2,400 to £1,900 and the middle tier from £150 to £90, alongside a new turnover threshold. Within this recommended model, any organisation with annual turnover exceeding £2 million will be subject to the top tier fee. This would apply to approximately the top 9% of businesses on the Island.

Our recommended fee model is:

Number of employees (FTE)	Proposed consulted on fee	Recommended fee
Less than 10	£75	£75
11 – 49	£150	£90
More than 50	£2400	£1,900

- In addition, any business which has a turnover of over £2 million – representing the top 9% of business on the island – should be automatically charged the higher fee.
- The Isle of Man public sector group fee should remain at the proposed £300,000 but will be subject to review.
- Charities and non-profits should be exempt from paying a registration fee, even if they are operating CCTV cameras.
- Our recommendation following this consultation is to define non-employers as: (a) has no employees; and
 - (b) is administered by a person
 - (i) registered to carry on trust company business under the Financial Services Act 2008;
 - (ii) registered as a schemes administrator under the Retirement Benefits Schemes Act 2000; or
 - (iii) licensed to carry on fund services business under the Financial Services Act 2008;
- and to limit their registration fee to the lowest tier, £75 for those entities without FTE. We recommend implementing wording to the fees order mirroring the administered entities model in use in both Guernsey and Jersey.

Several comments also addressed the fees currently paid by those with domestic CCTV that crosses the views of their property boundary. The ICO proposes that individuals who must register should be exempt from paying a fee.

We are grateful to all those who took the time to participate in the consultation and share their views. We have carefully considered all feedback received. This response addresses the key concerns raised, explains the policy rationale underpinning the proposals, and sets out the recommended next steps.

The fee structure is set out in statute, meaning that any changes require legislative amendment. Following consideration of the consultation responses, we will now share our recommendations with Treasury and request that they bring forward the necessary legislative amendments to give effect to the recommendations set out in this document.

1. Introduction

The Office of the Data Protection Registrar was established in 1986. Its statutory remit has since expanded to include responsibilities under the Unsolicited Communications Regulations (2005), the Employment Act (2006) (as a prescribed person for whistleblowing), the Freedom of Information Act (2015), and the Applied GDPR and LED Orders (2018). The introduction of the Applied GDPR marked a significant expansion of individual rights, increased organisational responsibilities, and strengthened the enforcement powers of the ICO.

Today, the Information Commissioner leads a statutory office with a mixture of *ex-post* functions, including complaints handling, investigations, enforcement activities, and FOI reviews, and *ex-ante* functions, such as public engagement, education, and guidance. The office also maintains a register of more than 3,200 controllers and processors.

The ICO is funded through a combination of registration fee income and government support. The fee structure is set out in the Data Protection Fees Regulations (2018), which is Treasury legislation that determines who must pay to register and the applicable amounts. While all organisations must comply with data protection law, some are exempt from registering with the ICO. These exemptions are set out in the GDPR and LED Implementing Regulations 2018, a separate piece of legislation. This consultation focused solely on the fee structure itself and associated Treasury legislation.

Ahead of the GDPR implementation in 2018, several neighbouring jurisdictions introduced new fee structures to support their expanded regulatory duties. The Isle of Man Government consulted on a similar change but ultimately retained the flat-rate fee model first introduced in 2011. Under this model, organisations pay a £70 registration fee or £50 renewal fee annually, irrespective of size, sector, or the scale or sensitivity of the personal data they process. Charities and not-for-profit organisations remain exempt unless they operate CCTV.

Since 2018, the scale and complexity of data processing activities have grown significantly due to rapid technological change, resulting in increased workload for the office, particularly regarding complaints and data breach notifications. Reviews conducted in 2023 and again in 2024 under the new Information Commissioner concluded that the office was materially under-resourced.

For the 2025/26 financial year, fee income was £152,000, accounting for only 21% of total office income, with the remainder met by government. Insufficient revenue has contributed to staffing pressures, operational backlogs, and limited capacity for proactive support and guidance. The real-term value of the fees has also eroded significantly due to inflation.

A review of the fee regime found that current fees are no longer sufficient to meet the costs of delivering the office's statutory functions or the ongoing investment required to maintain an effective, forward-looking regulator. Ensuring adequate and sustainable funding is essential if the ICO is to operate effectively, support organisations, protect individuals' rights, and respond to emerging regulatory challenges.

Almost eight years after the introduction of the Applied GDPR, and considering the significant expansion of regulatory responsibilities, it is timely to ensure that the ICO has the investment required to deliver high-quality services.

2. Summary of consultation responses

The consultation sought views on replacing the current flat-rate structure (£70 annual registration and £50 renewal) with a three-tier model based on employee headcount, aligned with the approach used in Guernsey. This model was considered fairer, more sustainable, and better aligned with actual regulatory burden, ensuring that those with greater capacity and higher risk contribute proportionately.

The proposed tiers were:

- Tier 1: Fewer than 10 employees - £75
- Tier 2: 11 - 49 employees - £150
- Tier 3: 50+ employees - £2,400

It was proposed that non-employers (such as trusts and administered entities) would be charged the same rate as small businesses, and that charities and not-for-profits would continue to be exempt.

The consultation also proposed that the Isle of Man public sector, as a single registrant, be subject to a fixed annual registration fee of £300,000, replacing individual fees paid by each public authority.

Respondents were invited to answer five questions:

1. Should the ICO charge larger organisations more than smaller organisations?
2. Should a tiered model be based on employee headcount?
3. Should non-employers (such as trusts and administered entities) be charged the same as small businesses?
4. Should charities and non-profits be exempt from paying a fee?
5. Do you agree with the proposed fixed fee of £300,000 for the Isle of Man public sector?

Respondents could also provide any additional comments.

A total of 79 anonymous responses were received via the Isle of Man Government Consultation Hub. Respondents were asked whether their submission could be published. Of these, 73% (58) agreed and 27% (21) did not. Where permission was granted, responses are included in Annex A.

Two responses were also received via email – one from an industry association and one from a public authority.

A breakdown of the responses to each question is provided in the Annex A. The consultation did not collect information on whether respondents were individuals, organisations, or industry representatives.

3. Detail of the feedback received

Question 1: Should the ICO charge larger organisations more than smaller organisations?

78 respondents answered this question via the portal and two further responses were received by email. Of the portal responses, 91 percent (72/78) were supportive of the proposal and 8 percent (6/78) were not.



Respondent feedback

Most respondents accepted, in principle, that larger organisations should contribute more than smaller organisations to the cost of regulation. Respondents noted that larger organisations are more likely to process greater volumes of personal data, (including special category), undertake more complex or higher-risk processing, and potentially generate a greater number of breaches and complaints.

Most respondents therefore supported a proportional, tiered fee structure and agreed that it is appropriate that larger organisations pay higher fees than smaller organisations.

However, respondents also expressed concerns about the impact on small organisations and sole traders. Some respondents considered the proposed uplift for the smallest fee-payers to be steep and disproportionate. For some, the move from £50 to £75 or £150 was characterised as a significant increase with no corresponding increase in service or support.

Respondents also noted that risk and volumes of data processing are not always correlated with size. Some respondents highlighted that small, data-intensive organisations (for example, in gaming, fintech or professional services) may generate far more risk than some larger, labour-intensive but less data-intensive organisations (for example, some manufacturing or cleaning firms). Several respondents stressed that “larger” does not always mean “riskier” in data protection terms.

Several respondents argued that metrics such as turnover, profit, sector, regulatory status, or risk profile would be more meaningful indicators of capacity to pay and potential regulatory cost than employee headcount alone. Some pointed to the UK model, which incorporates turnover, as fairer and more closely aligned with risk.

While there was support for a progressive fee structure, respondents expressed concern that some of the proposed upper-tier fees (for example £150 and £2,400) were excessive and could act as a disincentive to growth and recruitment, and risked undermining competitiveness compared with other jurisdictions.

We recommend

We agree that a progressive fee structure is appropriate in principle and that, broadly speaking, larger organisations should contribute more than smaller organisations to the funding of the regulatory system.

This is because larger organisations typically engage in more complex processing operations, hold and process larger volumes of personal data, and represent greater regulatory risk.

It is therefore reasonable that they bear a greater proportion of the overall cost. A progressive model is also more consistent with ability to pay and helps ensure that the smallest and most resource-constrained controllers and processors are not unduly burdened.

Respondents highlighted concerns that the proposed tier-based fees could burden businesses or discourage expansion, as companies might hesitate to cross thresholds that trigger significantly higher fees. In response to these concerns, we have reduced our proposed fees for medium and large businesses by 40% (from £150 to £90) and 21% (from £2,400 to £1,900) respectively.

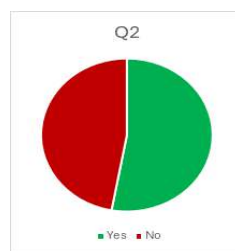
Feedback also emphasised that smaller firms processing sensitive data or high volumes of personal data may pose disproportionate regulatory risks that standard headcount-based tiers may fail to capture.

To address this, we are recommending a turnover-based clause. This means that any organisation with annual turnover exceeding £2 million will be subject to the highest fee, regardless of employee headcount. This approach aligns with similar mechanisms used in the UK and is comparable to fee structures employed by the Jersey Office of the Information Commissioner (JOIC).

In reviewing turnover-based options, we consulted with Statistics Isle of Man to understand the impact of this threshold across different business sizes. Setting the limit at £2 million ensures that the top 9% of businesses by turnover qualify for the increased fee, appropriately reflecting the heightened regulatory risk these organisations represent while addressing stakeholder concerns about proportionality.

Question 2: Should a tiered model be based on employee headcount?

78 respondents answered this question via the portal. Of these, 58 percent (46/78) were supportive of the proposal and 41 percent (32/78) were not supportive.



Respondent feedback

There was broad recognition that a tiered model is necessary to ensure that organisations of different sizes contribute in a proportionate way. Many respondents welcomed a move away from a flat fee and agreed that a small number of clearly defined tiers would provide certainty and ease of administration.

However, views on employee headcount as the primary basis for the tiers were mixed.

Those in favour of an employee-based model emphasised that headcount (or full-time equivalent, FTE) is a simple, objective, and easily understood metric. It was noted that it avoids the need for controllers and processors to disclose or calculate turnover, which may not align neatly with the timing of registration, and that it reduces administrative burden on both registrants and the ICO, compared with more complex multi-factor models.

Some respondents considered headcount to be the “least complex” way of measuring organisational size and supported the three-tier proposal in principle, subject to clearer drafting.

A number of respondents expressed reservations about relying on headcount alone. Of these, some respondents felt that headcount is a poor proxy for data protection risk. Several examples were given of small firms with a small number of employees processing large quantities of sensitive personal data (for example, in e-gaming, financial services, or

healthcare), and of large employers processing relatively small volumes and low-risk categories of data.

Several respondents regarded the jump between the middle and upper tiers as excessive, suggesting that this could deter businesses from expanding beyond 49 employees or recruiting additional staff in the current economic climate.

The proposed threshold of “more than 50 employees” for the highest fee was viewed as too low and too broad. Respondents considered it inappropriate that a business with 51 employees should be treated in the same way as one with several hundred or thousands of staff, despite very different processing operations and financial capacity.

Several respondents suggested that the ICO consider turnover or profit, either alongside headcount or as an alternative, noting that this would better reflect both risk and ability to pay and is closer to the UK approach.

Others advocated a more risk-based model, incorporating factors such as sector, regulatory status, nature and sensitivity of data processed, or history of breaches and complaints. While recognising that such a model would be more complex, they felt it would better embody the principle of proportionality.

Respondents also requested greater clarity on the definition of “full-time equivalent” and on how headcount should be calculated for complex group structures, part-time staff, contractors and administered entities.

Other responses included several comments suggesting we adopt a more comprehensive set of criteria like those used by the JOIC, such as an additional ‘add on’ cost for businesses that process special category data or are subject to the Designated Business Act (DBA).

We recommend

We recommend that the definition of FTE be based on that used in calculated as the number of full-time employees (including aggregated part-time staff) on contract at the time of registration or renewal. Each registered entity will be required to declare their headcount when submitting their registration details. This definition is clear, straightforward, and consistent with approaches used in other jurisdictions.

We consulted with Statistics Isle of Man to understand the size and turnover of businesses across the Island and reviewed comparable data from Jersey and Guernsey. We were able to use this to set bandings on what defines a ‘large’, ‘medium’ and ‘small’ business that we believe to appropriately reflect the corporate landscape of the Island.

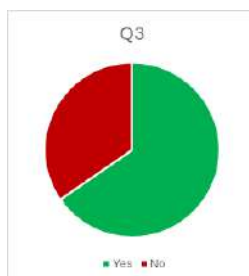
After careful consideration, we concluded that incorporating additional criteria in ‘add on’ fees would create disproportionate administrative burden for our office while yielding only marginal increases in fee revenue.

Our analysis of responses and data from Statistics Isle of Man confirms that the inclusion of the turnover criterion in the amended fee schedule strikes the appropriate balance between fairness and proportionate allocation of regulatory cost. In reaching this conclusion, we modelled various combinations of headcount and turnover thresholds against data provided by Statistics Isle of Man on the size and revenue profile of Isle of Man businesses.

This analysis indicated that the inclusion of a turnover criterion alongside headcount better captures organisations with smaller workforces but significant processing activity - particularly in sectors such as financial services and e-gaming - thereby ensuring that fee contributions more closely reflect both capacity to pay and likely regulatory footprint.

Question 3: Should non-employers (such as trusts and administered entities) be charged the same as small businesses?

78 respondents answered this question via the portal. Of these, 65 percent (51/78) were supportive of the proposal and 34 percent (27/78) were not supportive of the proposal.



Respondent feedback

Most respondents agreed in principle that non-employers, including trusts, administered entities, and similar structures, should contribute to the cost of regulation at a level comparable to small businesses. Many acknowledged that such entities can be significant controllers despite having no direct employees. Some respondents noted that trusts, administered companies, and pension schemes may hold substantial volumes of financial and other sensitive personal data and are frequently managed by professional administrators who interact regularly with the ICO and benefit from its guidance and oversight.

A strong theme in the responses was the need for clarity of scope. Several respondents asked for a precise definition of “non-employers” and for clearer guidance on how the fee would apply in practice to complex arrangements. This included companies within multi-entity group structures, situations where staff are employed in one entity but supplied to others, and trusts where the legal status of the trust and the role of trustees as controllers can be difficult to interpret. Respondents emphasised that without clearer definitions, the risk of confusion or inconsistent application would be high.

Some respondents also highlighted that, under the current regime, many administered entities are exempt from registration. This is due to the "accounts and records" exemption in the data protection legislation. These respondents cautioned that imposing a blanket £75 fee on every administered entity could be burdensome and potentially “harmful to industry”, particularly for fiduciary service providers and pension sector administrators. Concerns were raised that hundreds or thousands of low-activity, low-risk structures could become liable for new fees, introducing cost and administrative overhead with limited corresponding regulatory benefit.

Many respondents supported the general principle that non-employers should contribute to the funding of the regulator, and a number favoured adopting an administered registration model similar to those used in Jersey and Guernsey. Under such a model, regulated service providers such as Trust and Corporate Service Providers (TCSPs) could register multiple

administered entities on a consolidated basis and pay a nominal per-entity fee. Respondents felt this would reduce administrative burden for both industry and regulator, preserve proportionality, and enable higher-risk structures to continue being captured by the standard tiered model.

A further theme was the significant variation among non-employers. Some trust or fund structures hold extensive client and beneficiary data and represent higher regulatory risk, while others process only minimal data. Several respondents argued that treating all such entities identically risked a lack of nuance and could impose unnecessary costs where the risk was objectively very low.

Finally, some respondents emphasised the legal nature of trusts. They noted that trusts do not have separate legal personality, and in practice the controllers are the trustees, often corporate trustees already registered with the ICO. They noted that requiring “trusts” themselves to register could create legal ambiguity and potential misunderstandings about the status of the trust as an entity. In many cases, they argued, the existing registration of the professional trustee already covers the relevant processing.

We recommend

We understand “non-employers” to encompass organisations that act as controllers but have no direct employees. We follow the standard definition¹ which defines non-employers as: trusts, foundations, holding companies, special purpose vehicles (SPVs), dormant companies, limited partnerships (LP), protected cell companies (PCCs).

We acknowledge feedback regarding the accounts and records exemption set out in the GDPR and LED Implementing Regulations 2018 and agree that it warrants review to bring non-employers within the scope of organisations required to register and pay fees.

We understand that under the current framework potentially hundreds, if not thousands, of entities that process personal data that are neither registered nor contributing to the cost of regulation. We consider it important for regulatory consistency and clarity to align with the approach taken by the other Crown Dependencies and bring these entities within scope.

It is important to note that the fees framework and the exemptions are governed by separate pieces of legislation. Accordingly, we will initiate separate discussions with the Cabinet Office to share our findings and recommendations to explore the legislative amendments highlighted by respondents.

Having examined the registration processes used in Jersey and Guernsey for consolidated entities we believe a similar mechanism would be appropriate for the Isle of Man. Maintaining consistency of approach across the Crown Dependencies will minimise

¹ <https://www.mondaq.com/isleofman/offshore-financial-centres/467724/guide-to-trusts-in-the-isle-of-man>
<https://www.simcocks.com/foundations-and-their-practical-application-in-the-isle-of-man/>
<https://dq.im/corporate-structuring-in-the-isle-of-man/><https://www.iomfsa.im/register-search/>
<https://legislation.gov.im/cms/legislation/acts-of-tyrnwald-as-enacted/46-primary-2019.html?download=330:dormant-assets-act-2019>
<https://corporatefinanceinstitute.com/resources/wealth-management/silent-partner/>
<https://www.applebyglobal.com/publications/guide-to-companies-in-the-isle-of-man/>

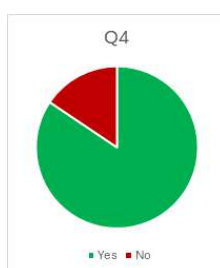
regulatory uncertainty and reduce administrative complexity and burden for both industry and the regulator.

We will engage with the Cabinet Office and share our recommendation regarding the accounts and records exemption. However, any changes arising from these discussions will constitute a separate legislative amendment and may require further engagement with impacted stakeholders, including potential consultation beyond the current fees consultation.

For those organisations who are required to register with the ICO, we are recommending a flat fee of £75 which is not subject to the turnover criterion.

Question 4: Should charities and non-profits be exempt from paying a fee?

77 respondents answered this question via the portal. Of these, 82 percent (65/78) were supportive, and 15 percent (12/78) were not supportive. Two respondents abstained from answering the question, representing 3 percent (2/78).



Respondent feedback

Most respondents agreed that charities and non-profits should not be required to pay a fee, noting that many operate on limited budgets and rely heavily on volunteers. As such, even a modest annual fee could divert resources away from core charitable purposes. An exemption would align with an ethos of supporting the third sector and reducing administrative burdens.

It was further noted that the UK and Crown Dependencies take varied approaches, and there is precedent for providing relief to lower-income not-for-profit organisations.

Some respondents emphasised that political parties and politicians should not be exempt if other non-profits remain subject to the regime, pointing to the volume and sensitivity of voter and constituent data processed.

Other respondents opposed a blanket exemption for charities and non-profits, raising several concerns. These included the potential data protection risks, including the handling of children's data, safeguarding information, medical details, donor and fundraising data, or information relating to vulnerable people.

It was noted that the sector's data protection governance is not always robust. Some felt that paying a fee, even a modest one, helps reinforce accountability and demonstrates the importance of compliance. A blanket exemption risks creating inconsistency with small businesses that process similar volumes or categories of data.

Some respondents suggested that turnover-based or income-based models may be more appropriate for the charity sector, so that larger, professionally run non-profits contribute proportionately whilst small volunteer-led organisations face minimal burden.

Several respondents proposed middle-ground approaches, including a reduced fee or separate tier for charities, reflecting their varied scale, a revenue-based model for non-profits, ensuring that larger charities contribute while small community groups are protected, and charging no annual fee, but introducing a cost-recovery charge where the Commissioner must investigate a breach or complaint.

Some respondents requested clearer definitions of which organisations qualify as “charities” or “non-profits”.

Overall, the sector was seen as highly diverse, from large, well-resourced charities with complex processing operations to very small voluntary groups, with respondents generally agreeing that a one-size-fits-all exemption may be inappropriate.

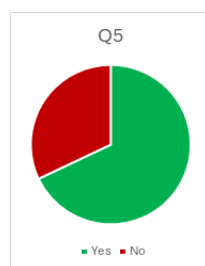
We recommend

We consider that reducing administrative burdens on charities and non-profit organisations² is a reasonable objective. Considering the consultation responses, we recommend maintaining the exemption for all charities and non-profit entities. Where previously an entity would otherwise be subject to a fee due to non-exempt processing activities (such as operating CCTV), we also propose to reduce the administrative burden further by also exempting this fee. By taking this position the impact to the ICO would be a marginal cost of less than £5,000 annually.

It should be noted that while we recommend non-profit entities remain fee-exempt, they are still subject to registration requirements and must comply with all applicable data protection legislation.

Question 5: Do you agree with the proposed fixed fee of £300,000 for the Isle of Man public sector?

78 respondents answered this question via the portal. Of these, 67 percent (53/78) were supportive, and 32 percent (25/78) were not supportive.



Respondent feedback

Most respondents were supportive of a fixed public-sector fee.

While a number welcomed the administrative simplicity and predictability of a single consolidated public-sector registration, many others questioned the appropriateness of the

² We define charities as organisations registered under the Charities Registration and Regulation Act 2019, and non-profit community organisations as those that operate on a not-for-profit basis and exist to serve the community, members, or charitable/religious purposes.

amount, the methodology used to derive it, and the definition of “public sector” for these purposes.

Several respondents argued that the proposed fee was too low. They emphasised that the public sector is the Island’s largest employer, the most significant holder of sensitive personal data, and, in their perception, the source of a substantial proportion of the ICO’s regulatory workload, including data breaches, data protection complaints, and FOI review requests.

Some suggested that the fee should be significantly higher, with £500,000 proposed by several respondents. Others argued that Manx Care alone generates such a high volume of regulatory activity that it should account for roughly half of the public-sector contribution. These concerns were linked to a broader perception that the private sector risks subsidising the cost of regulatory oversight driven by public-sector shortcomings.

A recurring comment was the lack of transparency around how the £300,000 figure had been reached. Some respondents noted that the consultation did not explain whether the amount was based on case numbers, breach volumes, resource allocation, or comparison with other jurisdictions. Without such clarity, some felt unable to judge whether the fee was fair, proportionate or evidence based. Some suggested that the fee level should be informed by measurable indicators, such as the number of reportable breaches or investigations involving public-sector controllers or processors in the preceding year.

There was also uncertainty about the scope of the term “public sector”. Local authorities in particular expressed concern about being grouped with central government departments under a single fee-paying entity. They noted that local authorities are separate legal persons with distinct statutory responsibilities and questioned the legal basis for including them within a consolidated public-sector fee. Respondents sought reassurance that inclusion in this category would not affect their independence as controllers or imply any right of access by central government to their data.

Smaller authorities highlighted tight budget constraints and emphasised that a lack of clarity about how the figure would be apportioned internally could have material financial consequences. Several argued that if local authorities were to be included at all, they should pay according to the standard tiered structure based on headcount rather than through a centrally determined lump-sum arrangement.

Some respondents also raised principled objections to the concept of charging the public sector at all. They characterised the proposal as a form of “budget recycling” between public authorities that does not create genuine regulatory independence and risks obscuring the true cost of data protection compliance to taxpayers. There was concern that a fixed fee could even create a perverse incentive if perceived as a cap on the public sector’s contribution to regulatory oversight, rather than a reflection of actual resource need.

In addition, respondents emphasised the need for improved accountability, transparency and performance across government. Many pointed to inconsistent FOI compliance and argued that any fixed fee should be accompanied by demonstrable improvements in responsiveness, data governance and public-sector handling of personal information.

Our response

We agree that the public sector, as the Island's largest processor of personal data and a significant source of both data protection and FOI casework, must make a substantial, transparent and predictable contribution to the cost of regulation. A fixed public-sector fee can provide clarity, administrative efficiency and financial stability, and is broadly consistent with approaches adopted in neighbouring jurisdictions. However, the consultation responses make clear that the level, rationale and scope of the proposed fee require further consideration.

Regulatory independence, both in governance and in funding, is essential to maintaining public trust and ensuring that the ICO can discharge its oversight functions — including in respect of the public sector — without any perception of conflict or constraint arising from its funding arrangements. It is therefore important for the ICO to demonstrate independence not only in principle but in practice, and a key element of this is reducing reliance on Government funding over time. The experience of the other Crown Dependencies supports this approach.

Both Jersey and Guernsey introduced fee-based funding models in 2018 and 2019 respectively, and both have since reduced their reliance on public authority contributions. In Guernsey, the public sector fee was recently reduced from £300,000 to £250,000, while in Jersey, the Government grant to the JOIC stood at just £107,600 in 2024, with the majority of funding now derived from registration fees. We consider the proposed £300,000 public sector fee to be a reasonable starting point, aligned with the current Guernsey position, and would expect this to reduce over time as the broader fee base matures.

We support a model in which the public sector fee is subject to periodic and transparent review. Such a mechanism would ensure the fee remains proportionate, evidence-based and aligned with real demand.

As a baseline for updating the fee schedule under this consultation, we consider that the currently proposed fee represents a reasonable starting point, given its alignment with the fee structure of the Guernsey's Office of the Data Protection Authority (ODPA), whose legislation specifies a public sector fee of £250,000 annually for the States (as noted above recently reduced from £300,000).

In defining the "public sector", we acknowledge the concerns raised by local authorities and statutory boards. We therefore recommend that legislation and accompanying guidance provide a clear definition of the public sector organisations included within the fee and explicitly confirm that inclusion does not affect controller autonomy, statutory independence or the legal separation between entities. Local authorities and statutory boards will continue to be treated as distinct controllers for compliance purposes, and each will have to register separately with this office.

How the fee is apportioned internally, whether by Treasury or another mechanism, is a matter for Government to determine transparently. We recommend that Treasury consider a nominal fee to each separate entity classed as public sector but acknowledges that the ultimate decision belongs to Treasury.

We would support alternative arrangements should Government decide that local authorities are better suited to the standard headcount-based tiers applied to private-sector organisations.

In summary, we recommend the introduction of a fixed £300,000 public sector fee subject to periodic review and consider this fee can form a fair and sustainable component of the Island's regulatory funding model, ensuring that both public and private sectors contribute in a manner proportionate to their roles and responsibilities, while enabling the ICO's operational independence.

4. Other feedback: Domestic CCTV and dashcam users

Several respondents raised concerns about whether homeowners and renters with video doorbells or security cameras covering public areas and dashcam users must pay a fee. There was also a suggestion for a reduced fee tier (e.g., £30) for domestic CCTV users rather than the full £75 business rate.

We recommend

We acknowledge that the use of domestic CCTV, video doorbells, and similar security devices is an emotive issue for homeowners and renters who are simply seeking to protect their property and ensure their family's safety.

It is important to clarify that data protection law applies to the processing of personal data captured by these devices when the footage extends beyond the boundary of the user's property. This includes circumstances where cameras capture images of public areas such as streets, pavements, or neighbouring properties. It is the ICO's longstanding view that this position is established in law and would require legislative change to amend.

We recognise that many homeowners may be unaware of their obligations under current legislation. While the law requires individuals using such devices in this manner to register with the office, we do not believe it is appropriate to charge a registration fee in these circumstances.

We therefore propose that individuals using domestic CCTV, video doorbells, or dashcams should be required to register with the office but should be exempt from paying a registration fee.

This recommended approach aims to balance the need for regulatory oversight and public awareness of data protection obligations with recognition that these individuals are not operating commercial enterprises and should not face the same financial burden as business entities.

Appendix A – Consultation Responses

A total of 79 anonymous responses were received via the Isle of Man Government Consultation Hub. Respondents were asked whether their anonymous submission could be published. Of these, 73% (58) agreed.

Response ID	Answer
ANON-YRG8-RGGP-T	The number of reportable breaches, investigations etc in the previous year could be considered when considering costs per controller.
ANON-YRG8-RGGD-E	The fixed fee for public sector should be considerably higher due to the more data issues come from this sector.
ANON-YRG8-RGGE-F	<p>I agree with the approach to have a three tiered model based on employee headcount. However, the large organisations level proposed, i.e. "More than 50", is not proportionate to what industry considers to be large. The Commissioner needs to reconsider the employee count for medium and large organisations to ensure companies considered by the finance industry to be medium sized are classed as such.</p> <p>For instance, the proposed model classifies an employer with 51 employees as the same as an employer with 100+ employees. For example, ABC Limited (considered by industry to be a medium sized business - e.g. 49 employees with a couple of vacancies soon to be filled) would be classified in the proposal as being the same as Flutter International (100s of employees), Capital International Group (200+ employees), Utmost International (750 employees), Nedbank Private Wealth (300 employees), etc. - figures taken from Google. Other large organisations include HSBC, Lloyds and Barclays.</p>
ANON-YRG8-RGGB-C	I think a revenue model may be better for charities and non-profits.
ANON-YRG8-RGGM-Q	<p>A) Though I concur that a fixed fee is the easiest way of dealing with the organisation which has the greatest number of interactions, holds the most sensitive data, and which has the most breaches, there is no indication of where the £300K is derived from, or whether it represents value for the taxpayer. Is it simply a cost per employee, a reflection of the cost of management, or some other calculation?</p> <p>B) The UK model seems to make sense, in that there is some cognition around complexity (blunt edged, being based on turnover, but more reasonable than merely number of employees, which takes no account of the industry, or CIA of the data.</p> <p>C) is it fair to charge technically qualified, high-performing organisations at the same rate as those who are not? For example, holders of ISO27001 and similar, are considerably less likely to have issues, and have their PII managed by competent staff, than those who are not,</p> <p>D) the rates are too high (when compared to other similar jurisdictions and the breakout (without some thinking about the nature of the business, too low. Up to 20, 30-50, 50 upwards, seems a more likely breakout of relevant organisations.</p>
ANON-YRG8-RGGW-1	<p>While I am in support of raising the fees, I'm perplexed as to the rationale for the jump from <50 headcount at £150 to >50 headcount at £2400. That seems like a very steep escalation and it feels like there's an opportunity there for an interim tier or two. Less than 10: £7511 to 49: £15050 to 149: £550150+: £2,400</p> <p>I also question the rationale of basing this purely on headcount along. We have many examples of small headcount companies over here, processing vast swathes of personal data, particularly in the gaming industry, who would be in the £150 bracket whereas a company like, for example, Strand Cleaners, who have more than 50 employees but deal in very small amounts of personal data would be £2400. This doesn't seem to be a fair way of levying charges as the risk and impact of a breach at the smaller organisation would be far greater than that of the larger in this case. Perhaps something like an automatic bump up to the next tier if you are conducting regulated activity would be a simple mechanism to at least ensure you're avoiding small, high risk businesses being charged the low amounts.</p>
ANON-YRG8-RGG1-U	Charge government more £500k

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ANON-YRG8-RGGN-R	<p>The £2400 fee seems very high, and this could be an opportunity to differentiate ourselves from Jersey/Guernsey, and give the IOM a competitive advantage. We are already competitively hamstrung by regulators in our rules based regime, vs principles based in those other jurisdictions. We don't need a just "do what they did" approach, we need ideas that are different and that can help attract business. The £300k fee for Public Sector actually feels a bit low, given that most of the GDPR issues are with the public sector, and their reluctance to be open and honest. So, as much as it pains me, bearing in mind public sector fees are ultimately paid by the public, and the public sector are not accountable in terms of efficiency, I would actually prefer to see businesses pay less, and the public sector pay more. Maybe the public sector, each dept, should be charged somehow (or at least publish how many requests they have had, and how many they have answered) per FOI request, especially if they refuse any requests on spurious grounds, and have their dept CEO's be held accountable (in their remuneration) for their performance on FOI requests. By accountable, this means that if they strangely don't hold information requested, that there is a mechanism to have them start recording and reporting reasonable information statistics. Eg, how many credit cards are in issue, and how much are spent on them. Rather than palm back the request, the more than adequately Cabinet Office could have got this information from Treasury themselves. Charging the private sector more to cover the increased work by unaccountable and non-transparent Gov depts will not lead to good a good outcome.</p>
ANON-YRG8-RGGV-Z	<p>While we recognise the importance of maintaining the Island's data adequacy status and supporting an independent and effective Information Commissioner's Office, we do not support the proposed increase in registration fees from £50 to £150 for small organisations. The proposed increase represents a 200% rise for some of the smallest registrants, which is neither modest nor proportionate. For small organisations this is a meaningful additional cost with no corresponding increase in support or service. There is also a big difference between an entity with 11 employees and an entity with 49. The consultation document acknowledges that large organisations create greater regulatory demand and risk. Yet the smallest category is being asked to shoulder a disproportionately high uplift, while the largest organisations (those employing 50+ staff) face an increase that, although significant, is far more easily absorbed within their operating budgets. The Isle of Man's economy depends not only on its financial services sector but also on its diverse network of small enterprises. Policies that shift the financial burden towards these smaller operators risk undermining that balance.</p> <p>The consultation frames the fee increase as necessary for independence and improved capacity. However, it offers no clear metrics for how additional revenue will translate into measurable benefits for registrants, such as faster response times, better guidance, or more accessible support. Small organisations are being asked to pay more to sustain the system, but with no demonstration that they will receive any tangible return for that investment. Without transparency on outcomes, the proposal risks being perceived less as a fair funding mechanism and more as a revenue-raising exercise. Guernsey's small-business rate (£60) is lower than the Isle of Man's current fee, not higher. If the Isle of Man is seeking alignment, this proposal moves in the opposite direction. A small business in the UK with fewer than ten employees and turnover below £632,000 pays £52, not £150. The argument that the ICO must be financially independent of government funding is sound in principle but questionable in degree. True independence lies in governance, not merely in revenue source. Regulators across the British Isles retain some public funding precisely to avoid excessive financial reliance on small operators or to ensure that the cost of compliance does not distort competition.</p> <p>If the office requires £250,000 in additional resource to perform effectively, there are alternative, more balanced ways to achieve that goal, such as maintaining a modest government contribution or scaling increases more gradually over time. The Isle of Man Government has repeatedly stated its commitment to supporting small businesses, encouraging local enterprise, and reducing administrative burdens. A trebling of registration fees without consultation on alternative funding models, sits uneasily alongside those aims. We agree that the Information Commissioner's Office must be well resourced and capable of meeting its statutory obligations. However, the proposed increase from £50 to £150 for small organisations is excessive,</p>

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	<p>poorly benchmarked and inconsistent with the “fairness” principle it claims to embody. We therefore recommend that the lowest tier be maintained at or near the current level (£50–£70), in line with UK comparators. Larger organisations bear a greater proportion of the uplift, reflecting their higher risk and regulatory footprint. The government retain a baseline contribution to ensure the ICO’s financial stability without penalising smaller entities. Any future increases be tied to demonstrable service improvements and subject to transparent reporting.</p> <p>Small organisations like ours fully support a robust, independent regulator. What we cannot support is a funding model that disproportionately burdens the smallest and least risky data controllers on the Island.</p>
ANON-YRG8-RGUG-Y	<p>There needs to be a mechanism for increasing fees on a year-by-year basis. Though this may need more resources, introduce a certification scheme, regularly audited, the fee for which would be less than the fee for those that do not qualify. Businesses that are certified be treated almost as 'members' with benefits and be part of a 'advisory' forum, such as members of a club, subject to limitations to ensure the independence of the IC. Then also introduce the ability to remove certification (thus increasing fees) upon failure to abide by standards expected under the certification.</p>
ANON-YRG8-RGUY-H	<p>Re point 2 I also think that turnover or net profit should also be a factor in the tier system. It should be employees and financial figures as you can have a company with less than 50 employees but a substantial profit/turnover.</p> <p>Re point 5 how is this figure arrived at? What defines public sector? Does it represent a fair figure? Can it be deemed that this figure will be out of proportion to the rest of the income due to the Information Commission and hence affect impartially of the information commission.</p>
ANON-YRG8-RGUQ-9	<p>Clarification would be appreciated on how financial services groups consisting of several entities, each registered as data controllers, would be considered. For example, where employees are employed by a single entity on a services basis for the other entities within the group, how would you expect these to be registered? In this scenario, the other entities, currently registered as data controllers and data processors, do not directly employ any individuals. Would they therefore be classed as a non-employer and pay the small business fee of £75?</p>
ANON-YRG8-RG3B-R	<p>Additional fees will only provide a smokescreen for additional regulation, enabling yet more hiring of long-term expensive people who add little value. We are in danger of disabling our economy with unnecessary red tape and are seeking to find creative ways to charge on / obfuscate disproportionately greater regulatory costs.</p> <p>Charging public sector is an underhand way of reallocating budget and making it appear that the ICO is somehow cost-neutral. It isn't. The true costs of regulatory burdens must be transparent to all, not hidden under cross-charging arrangements between different parts of the public sector.</p>
ANON-YRG8-RG3J-Z	<p>Given the size of the public sector and the number of data breaches they are responsible for, the fixed fee should be higher. I also think the jump in price between 11-49 then 50+ employees is too dramatic and should be staggered or based on the company's income rather than headcount.</p>
ANON-YRG8-RG3R-8	None.
ANON-YRG8-RG39-F	Charge based on revenue. Many large businesses turning over millions with thousands of customers, but a small headcount.
ANON-YRG8-RG36-C	The employees "size to fee" equation may be perceived as unfair as there will be large employers with far less data processing/compliance requirements based on their activities. Those will potential have a minor impact on the ICO resources and engagement, and as such they should contribute less compared to more exigent "customers". A suggested alternative approach could be based on Controller Business Sector where for

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	example, financial sector entities will have by default more processing activities than a wholesale food company. This approach however will require some analysis and may delay your well justified reform. It is very hard to find a fit for all solution and as such I wish you good luck and thanks.
ANON-YRG8-RGU3-B	It is unclear as to charges for home owners and personal CCTV deployments.
ANON-YRG8-RG3N-4	I think there is too much of a gap when jumping to 50+ employees from the previous rate, that does not make sense.
ANON-YRG8-RG3U-B	The proposed sliding scale increases at too high a rate compared to the two lower tiers - suggest the top level is no more than 500 otherwise it will deter larger employers from the island.
ANON-YRG8-RG32-8	£75 is too expensive for a sole trader. We find £50 manageable each year.
ANON-YRG8-RG3F-V	The proposed fee model is ridiculous. The fees being suggested are excessive to the point of being punitive. The impression given is that the Guernsey model has been chosen simply because it would extract the greatest possible revenue from the private sector. This is completely inappropriate in the current economic climate, where many businesses are already under significant financial strain. Yet, at every turn, Government seems intent on finding new ways to bleed the private sector, rather than examining its own inefficiencies. Of the three comparison models, the UK model appears the fairest. It reflects a more balanced and realistic relationship between fee levels and risk. It is obvious that employee headcount alone is not a meaningful indicator of data volume or risk, whereas a turnover element introduces at least some logical and proportionate basis for the fee structure. Manx businesses are generally compliant with data protection principles. In practice, the most serious and high-profile breaches in the Isle of Man almost invariably originate within Government departments, not the private sector. That is where the real systemic risk lies. This is unsurprising: Government departments continue to accumulate and store increasing amounts of personal data that they do not need. A clear example is Companies Registry, which is currently planning to establish a second record of beneficial ownership for Isle of Man companies. Unlike the existing register established under the Beneficial Ownership Act, this new record will be maintained by Registry staff, thereby increasing the likelihood of unauthorised disclosure or breaches of personal data. DESC provides another example of poor data handling. Parents of students applying for tuition fees or grants through the Student Awards Scheme are required to resubmit personal and financial information that has already been provided to Treasury in their Income Tax returns. It is unacceptable that identical data is held on two separate systems. Either Treasury should securely share relevant information with DESC, or a single, unified reporting platform should be established. If tax revenues are not sufficient to cover the shortfall in the Information Commissioner's budget, the solution should not be to impose yet another financial burden on already stretched businesses. Instead, Government should be looking seriously at two areas: 1. Consider whether the current data protection legislation and associated obligations on businesses are proportionate. The burden on the Information Commissioner could be reduced by exempting or carving out businesses that process minimal amounts of personal data and present a low level of risk. 2. Identify and implement operational efficiencies within Government and the Information Commissioner's Office itself before turning again to the private sector to make up funding gaps. The private sector is not an endless source of funding. If Government genuinely wishes to protect personal data and maintain public confidence, it should focus on addressing the largest sources of risk which overwhelmingly lie within its own systems, rather than punishing those who are already doing their part.
ANON-YRG8-RG34-A	Manx care should pay 50% of the government fees as they probably generate at least 50% of the work the ICO has to deal with due to their reckless processing and disregard of people's rights.
ANON-YRG8-RGUU-D	<p>Cost-Based Considerations for Larger Organisations</p> <p>Cost structures for larger organisations should be determined based on the nature of the business not just numbers of staff. For example:</p> <p>Sensitive Data Handling: Businesses such as banks or healthcare providers that manage sensitive personal data should be subject to higher compliance and administrative costs.</p> <p>Jurisdictional Reach: Companies operating across multiple international jurisdictions face greater regulatory complexity than those based solely on the</p>

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	<p>Isle of Man. A large, locally-based company would naturally incur fewer administrative burdens than one with cross-border operations.</p> <p>Employee Headcount Definition Employee numbers are currently defined by full-time equivalent (FTE) headcount. It's unclear whether part-time workers or job-share arrangements are included in this calculation. Clarification is needed on: What constitutes "full-time" hours. Whether employees working slightly below the full-time threshold could be excluded, potentially leading to underreporting or abuse of the system.</p> <p>Trusts, Entities, and Charities Trusts and similar entities, while not large employers, often manage significant income and are administered by professionals. The Appleby case (Paradise Papers) highlighted the risks associated with such structures. Charities with income above a certain threshold or more than 10 employees should be treated similarly to other organisations in terms of compliance obligations. Data and complaints can still cost the ICO. If not annual fee, then any investigations or the like should have a fee as in the jersey structure for example £600 fee if complaints or a breach has occurred.</p> <p>Public Sector Responsibility The Isle of Man Government is the largest employer on the Island and also the largest holder of sensitive data (e.g., health services, education, pensions, benefits, housing, and transport). It should therefore contribute significantly—potentially upwards of £500,000—towards data protection and compliance costs.</p> <p>Fee Structure Concerns The current fee structure presents a steep jump from £150 for organisations with up to 49 employees to £2,400 for those with 50 or more. This leap is disproportionate and could discourage local businesses from expanding or hiring additional staff. A more gradual, tiered approach would support growth while maintaining fair contributions.</p>
ANON-YRG8-RG3Y-F	<p>The fee structure should be based on turnover as well as number of employees (i.e. something similar to the UK format). The current proposal will categorise larger local groups in retail, hospitality, care, tourism, facilities management, and wholesale distribution with banks, insurance companies, and corporate service providers. The local groups may have similar numbers of employees to the international companies, but they will have far smaller turnovers, far less sensitive data on file, and will hold no third-party assets. Consequently, the risk profile is not comparable, and the fees should be much lower. Also, there will be companies with a small number of employees that administer funds and hold highly sensitive data, and they will be marked out from day-to-day local businesses by their turnover. In a nutshell, focussing on turnover would provide a better correlation to risk, avoid local businesses being grouped with much larger and more complex international concerns, and provide ICO with more flexibility in their tiered approach.</p>
ANON-YRG8-RG33-9	<p>Not all large businesses that process a lot of data will necessarily have large employee counts, you should consider a charging model that tries to account for this by tiering the fees in a manner that increases if an organisation has x employees OR y turnover, that way large businesses with fewer employees are also capture</p> <p>In respect of charities and not for profits currently political parties are required to pay a registration fee, despite being not for profit entities. Individual politicians are currently exempt from paying the registration fee and on the Island they process personal data in much the same way as a political party would. It seems a little inequitable to treat parties differently just because they are required to register under a different legal framework.</p>

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ANON-YRG8-RGY7-K	<p>those who have camera doorbells (including or security) are technically required to pay the fee if the camera shows public areas and therefore people passing I understand. It is rare that a house in a street, road, close etc will have a camera on a door that would not in some way cover public areas and therefore members of the public.</p> <p>Is it intended that these people should continue to have to pay a fee?</p>
ANON-YRG8-RGYT-G	<p>Employee headcount does not take into account the scale of data processing, and potential risk to the data subjects. Ideally the scale of processing and risk would be taken into account in setting the registration fee, but that is not easily achievable. I think the UK model of including turnover would more accurately reflect activity, even though this have its drawbacks.</p>
ANON-YRG8-RGYF-2	<p>Some doubters will ask why local authorities, who are body corporates, are included in the Central Government fee. Should they not treated like any other business (and maintain their alleged autonomy?)</p> <p>If they are included in the Government Fee I am assuming that Central Government will at least try and recoup from local authorities the same amount of money that they pay at the moment.</p> <p>Which Department in Central Government would be responsible for this , DoI or Treasury?</p> <p>Can there be a safe guard that local authorities will be asked to pay no more than a private sector company of a similar size?</p> <p>Its an irrelevant amount of money , and perhaps therefore just a point of principle on autonomy.</p>
ANON-YRG8-RGYU-H	<p>The staff levels jumps for over 50 is excessive from £150 to £2400, if not considering turnover or any other parts of what the business does, to increase the Risks from that company. And ultimately therefore what value for money that company then gets for its money. There are number of manufacturing companies that employ 50-200 staff that would sustainably pay more, plus given the increase in the minimum wage this may prevent those with 49 members of staff taking more on.</p> <p>I would think it beneficial to add a number over 50, beneficial to add in say under 150 = £500, and/or like extra fees like Jersey for those with a greater risk profile. Are you looking to make ICO Registration mandatory for all companies listed in Companies house, even if it is just a company by name, say a nominal £10 fee? as there is over 30,000 businesses on there. Also what about domestic processing, like domestic CCTV or those with dashcams who publish footage on social media (therefore not domestic)? especially after the video Doorbell issues, if not a corporate business surely there should be reduced class for them rather than £75pa - say £30? etc</p>
ANON-YRG8-RGYQ-D	<p>The ICO has confirmed that local authorities will be subject to the proposed public sector fee of £300,000 per annum. In the absence of further detail regarding how the fee will be split between the Government departments and local authorities, this proposal could have a negative financial impact on local authority budgets.</p> <p>Onchan District Commissioners suggests that local authorities be subject to the proposed tiered fee model based on employee headcount.</p>
ANON-YRG8-RG4Y-G	<p>As a local authority we are surprised to see that the separate legal identities that are local authorities are lumped in with central Government (itself a range of separate legal entities) under a blanket IoM Public Sector category. What is the legal basis for defining Local Authorities as Public Sector for the purpose of the regulations – does this encompass the boards such as Southern Swimming Pool Board and Southern Civic Amenity Site Board?</p>

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	<p>Would our local authority become liable for any part of the £300,000? Would our local authority remain separate data controllers for enforcement purposes?</p> <p>Has the ICO assessed the democratic implications of classifying local authorities in effect as part of the IOM Government? Has Tynwald ever approved a definition that included local authorities and statutory boards within the Public Sector for statutory and regulatory purposes. If so – what are the implications for HR training, staff benefits, access to Government only schemes etc etc</p> <p>It seems a rather strange thing for your office to propose that a separate legal entity should pay for our local authority to be registered to control and process personal data and could be seen to imply that as, we assume, central government is paying for this, they could have rights to access the data we hold? While we note the UK and Channel Islands have done something similar, we are more concerned to understand that you have considered the legal implications at they apply in the Isle of Man. We would need a lot of reassurance before agreeing to this.</p> <p>As you don't give us an option to say who we are in this consultation, can you please write to all local authorities explaining the clear legal authority for creating a new legal entity for fee paying purposes only, and further clarify how the fee paying entity would have no entitlement to access our data. As local authorities would be part of this new fee paying entity, can you explain what representation we would have regarding any decisions it makes on our behalf?</p>
ANON-YRG8-RG4P-7	<ul style="list-style-type: none"> • Uplift in proposed fee from less than 50 employees to more than 50 employees is significant. Would it not be fairer basing the fee on the turnover of a business rather than the number of its employees. There are some very profitable smaller businesses with less than 50 employees. • What is meant by non-employers such as trusts and administered entities will be charged the same rate as small businesses.? Is it proposed that all the trust and companies administered by TCSPs will pay the £75 charge? This is only harmful to doing business in the Isle of Man and yet another fee burden. • Noting this industry funded approach is being taken more often by regulators
ANON-YRG8-RG4S-A	<p>1. Do you think the ICO should charge larger organisations more than smaller organisations? Yes. Generally speaking, larger organisations should be charged more than smaller organisations but that's not to say smaller organisations don't process large amounts of personal data e.g. a local B2C gaming firm that employs less than 20 people may process the personal data of thousands of customers.</p> <p>2. Do you think a tiered fee model should be based on employee headcount? No. Whilst employee head count is one element, there should be other considerations applied to the fee threshold e.g. is the entity regulated, turnover/revenue, risk based industry (those who process special category data) etc.</p> <p>3. Do you support the proposal that non-employers (such as trusts, administered entities) be charged the same as small businesses? Yes. An administered registration option, similar to the models adopted in Jersey and Guernsey, could be considered for the Isle of Man. Both jurisdictions have implemented mechanisms that allow regulated financial services providers to register multiple administered entities under a consolidated arrangement, reducing administrative burden while maintaining accountability. Adopting a similar administered registration option in the Isle of Man would offer several advantages:</p> <ul style="list-style-type: none"> • Administrators (such as TCSPs) could register multiple low risk entities on a consolidated list for a nominal per entity fee, for example, £75 for entities with fewer than ten employees. • This would reduce administrative friction for the industry, expand the coverage of the register, and maintain proportionality for low-risk processing. • The tiered model would still apply for higher risk or larger entities, ensuring that the regime remains risk based. • Mirroring the Guernsey and Jersey guidance, the Isle of Man could introduce a general regime for administered controllers and processors, providing clear and consistent requirements for administrators. • An administered service would help eliminate ambiguity, ensuring all parties are

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	<p>clear about their obligations and reducing the risk of inadvertent non-compliance. • The approach could increase the number of registrations, capturing entities that previously met the threshold for exemption. • Expanding the register in this way could generate additional fee income, supporting the sustainability and resourcing of the regulatory body.4. Do you agree that charities and non-profits should be exempt from paying a fee? Yes. No further comment.5. Do you agree with the proposed fixed fee of £300,000 for the Isle of Man public sector? Yes. No further comment. Questions for the ICO on Data Protection Registration Fees1. Does the ICO consider it appropriate to charge larger organisations higher registration fees than smaller organisations? • How does the ICO propose to address situations where small organisations (less than 50) process significant volumes of personal data? As an example, local gaming firms with thousands of end users? Any intention to work with local regulators (GSC/FSA)?2. Is employee headcount intended to be the primary basis for a tiered fee model? • When determining fee thresholds, has the ICO consider incorporating additional factors, such as regulatory status, turnover, or industry risk profile (for example, those processing special category data)?3. What is the ICO’s position on charging non-employers (such as trusts and administered entities) the same fee as small businesses? • Has the ICO considered adopting an administered registration option, similar to those in Jersey and Guernsey, which allows regulated providers to register multiple entities under a consolidated arrangement?</p>
ANON-YRG8-RGY6-J	Question 5 is not really possible to answer other than to say a fixed fee for the Public Sector makes sense in many ways.
ANON-YRG8-RG4R-9	I feel the leap of cost from £150 per 11-49 headcount to £2400 for over 50 is much too great. I would like to see an additional tier implemented as follows: Headcount 11-49 = £150 50-250 = £500 (suggested fee only) 250+ = £2400 There should also be some consideration of the type of PII processed. For example, including extra charges for organisations that process special category data as per the Jersey model.
ANON-YRG8-RG48-F	<p>We currently have 5 legal entities registered as controllers/processors. Under a Group structure, only 1 of these legal entities have direct employees and those are not based in the Isle of Man. The Isle of Man based employees are directly employed by a UK legal entity and then supplied to an Isle of Man legal entity under a Supply of Personnel Agreement. This legal entity then deploys those employees through another legal entity (Insurance Manager) who then provides the services to other Isle of Man legal entities through various service legal agreements. Additional guidance would be required as to how the number of employees should be calculated for complex Group structures. Alternative and potentially simpler measures, such as turnover, could also be considered when defining a tier based fee system, such as adopted in the UK. It would also be useful to provide a definition of ‘non-employers such as trusts and administered entities’ to understand how what is included.</p>
ANON-YRG8-RG4X-F	<p>Q1. The larger the organisation, the greater the risk. Q2. Yes, if this is the only metric, but what about basing it on how risky the organisation is regardless of headcount? Some organisations will be riskier than others, and the level of risk could be based on past performance, thereby providing an incentive to improve performance. The Council employs circa 250 staff; however, the Council is a low-risk organisation compared to a smaller organisation that deals more heavily with personal data and doesn’t have the governance structures (or regulations) in place that the Council does. Q3. Some organisations will be riskier than others, and the level of risk should be based on past performance, thereby providing an incentive to improve performance. Some smaller organisation deal more heavily with highly sensitive personal data and may not have the governance structures in place. Q4. This is about protecting personal data and bereavement charities, for instance, will be dealing with personal data. Would suggest it should be the same charge as small businesses or a reduced tiered fee depending on level of risk. Q5. The Council in theory agrees with a fixed charge for Government, however due to the size and nature of Government Departments the fee appears on the low side especially considering the breadth of sensitive data held by say example Manx Care. Also, the Council will need to understand</p>

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	<p>if there will be a cross charge from Treasury and how this will be apportioned to each Local Authority. The Council has approached Treasury for an answer and are yet to receive a response. The Council could end up paying a lot more than the £2.4k than we would pay if we were a company with 250 employees.</p>
ANON-YRG8-RG4Q-8	<p>A proportional fee structure is reasonable. Larger organizations typically generate greater processing volumes and may rely more heavily on the resources of the Information Commissioner’s Office (ICO). Therefore, a tiered model based on business size based on employees can be appropriate and aligned with regulatory fairness. However, we respectfully submit that the proposed fee of £2,400 for organizations with more than 50 full-time equivalent (FTE) employees is excessive and disproportionate when compared to the current structure. Such a substantial increase, from £100 annually to £2,400, represents a 2,300% escalation, which places an undue burden on medium-sized entities that may not have the operational scale or financial capacity of large multinational corporations. This creates a tier that is not sufficiently differentiated between: organizations with 51 employees, and organizations with thousands of employees, even though their processing operations, regulatory impact, and financial resources may differ vastly. The ICO should reconsider this threshold and fee level to avoid disproportionately penalizing mid-sized organizations. Should be also highlighted the lack of clarity in the definition of “full-time equivalent employees.” The consultation does not specify whether “FTE” refers strictly to direct employees, or whether it extends to: contractors, outsourced personnel, or individuals providing services under commercial agreements. The distinction is crucial, as an expansive interpretation would artificially inflate the FTE count for many organizations operating with hybrid or outsourced models, leading them to fall into a higher-cost tier without reflecting their actual business size or local presence. This clarity is essential for ensuring fairness, transparency, and consistency of application.</p>
ANON-YRG8-RGX2-D	<p>In response to questions one and two, there may be small businesses which hold a lot of data and which could cause a larger impact on ICO resources in a breach or complaint situation. Headcount does seem to be the least complex way of measuring the size of a business though without needing to submit annual turnover information (the timing of which may not coincide with registration renewal) or without having to introduce other metrics. The table should say '10 or less' as currently having 10 employees does not fit into any category. It should also say '50 or more' for the same reason. In relation to question four, the basis for the response is that charities and NPOs do not always have the most robust standards of data protection governance and can often hold children's data or donor data which could be subject to incorrect use or breach. The payment of a fee in line with that of small businesses could help to emphasise the importance of data protection. In relation to question five, the fee seems very modest for such a large sector and one which seems to cause the ICO the most pain. It would seem that the fee income for the ICO is going to largely arise from the private sector meaning that there could be a perception that the private sector is funding the ICO to deal with public sector issues. It is not clear what is meant by 'public sector' - does it encompass any entity that is subject to FOI which means the remit extends far beyond government departments to schools, statutory boards etc. As a general observation, it would be helpful to make clear that small business means an entity with 10 or less employees. The second bullet in section 17 does not make sense. The first sentence says that no fee is payable. The second sentence states that a fee of £75 is payable.</p>
ANON-YRG8-RGXZ-N	<p>Do you think the ICO should charge larger organisations more than smaller organisations? Yes. we generally agrees with the principle of charging larger organisations a higher fee, although the Directors have raised concerns over the significant increase in the fee amount for organisations with more than 50 employees. This will only impact US, as the other two controllers will fall into the 11-49 employee category.</p> <p>Do you think a tiered model should be based on employee headcount?</p>

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	<p>Yes, this makes it simple to identify the correct fee amounts. Other fee models, e.g. Jersey, are more complicated to calculate and the administration of the registrations is more resource intensive.</p> <p>Do you support the proposal that non-employers (such as trusts, administered entities) be charged the same as small businesses?</p> <ul style="list-style-type: none"> • Administered entities: Under the current fee regulations, most administered entities are exempt from registration because they meet the criteria for the Accounts and Records exemption. They rarely have employees and the amount of data they process is often minimal. Unless the exemptions are removed, the number of companies registering is unlikely to increase. If the exemptions were removed, it would increase the number of companies registered and provide TCSPs with more certainty that the correct fees are were being paid. • Trusts: Trusts do not have a legal identity, and the trust itself has no ability to make decisions on the processing of personal data. The trustees, who may be individuals or companies, together act as the data controllers, which is confirmed in Appendix 10 of the JOIC Guidance Note on the general regime for administered entities: jerseyoic.org/media/e1mpg5mf/registration-guidance-for-administered-controllers-processors.pdf For the majority of TCSP business, the TCSP is appointed as a trustee rather than an individual, so the TCSP registration covers the processing. Individuals who act as trustees are required to register and pay a fee. Our Trust experts have commented that if trusts are required to register it could have other legal implications for the trusts because it could be deemed to have given them a legal identity. One of our Trust experts would be happy to brief you fully on this if needed or STEP may be able to assist: Home STEP Isle of Man <p>Do you agree that charities and non-profits should be exempt from paying a fee?</p> <p>Yes</p> <p>Do you agree with the proposed fixed fee of £300,000 for the Isle of Man public sector?</p> <p>Yes, but there has to be more accountability for compliance with data protection law by both Government Departments and Local Authorities. The higher percentage of reprimands issued to public sector organisations indicates they need to better understand their responsibilities.</p> <p>Any other feedback you want us to consider?</p> <p>It would be of value to our business if the new model enabled TCSPs to register their managed entities simply and without too much administration, in a similar way to the registrations process in Guernsey or Jersey. Our preference would be for the Guernsey model, which enables TCSPs to declare the number of managed entities they represent at a specific date, and pay a set amount for each managed entity. This snapshot approach means there is minimal administration for the TCSP or for the regulator, while TCSPs can charge a set fee to clients for the administration they are required to carry out in issuing fee exemption certificates. It is accepted that this would require a change to the exemptions currently in place under IOM regulations, but implementing such a model would increase revenue for the Information Commissioner and give TCSPs more confidence that managed entities have paid the correct fee.</p>
ANON-YRG8-RGGK-N	<p>This is a tax grab - and for larger businesses a very large one. Another cost to Manx businesses; another attempt by Treasury to squeeze every last drop of private enterprise and the public - rather than address the ballooning public sector cost. Information Commission oversight is mandatory! As such it should be considered a service - paid for by general taxation (like other public services). A nominal fee is acceptable to cover paperwork, but not these large amounts. Businesses already pay vast amount in taxes either directly (e.g. Corp Tax or Employer NI) or indirectly pay employing people</p>

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	who pay taxes.Each IOMG department is a separate legal entity, so each IOMG department should pay a separate fee. As should each 'arms length' Gov owned organisation.
ANON-YRG8-RGY9-N	Yet another stealth tax gathering exercise from the government. Why don't you reduce or cut costs rather than looking to dip into the private sector to cover inefficiency. Strongly object to introduction.
ANON-YRG8-RGXD-Y	<p>Whilst it is acknowledged that the ICO's current fee model is unsustainable in the long term, the proposal to introduce a tiered model based on headcount alone is also unsatisfactory. While simple, this approach does not accurately reflect the compliance risk or economic capacity of organisations.</p> <p>Issues with Headcount-Only Models:</p> <ul style="list-style-type: none"> • Misaligned with Risk: A small tech firm with 20 employees may process millions of sensitive records, while a large manufacturer with 500 employees may handle minimal personal data. • Unfair Burden: Labor-intensive, low-risk sectors pay disproportionately high fees compared to high-risk, data-intensive businesses. • Contrary to GDPR Principles: e.g. Article 83 GDPR requires measures to be effective, proportionate, and dissuasive. Headcount alone fails this test. <p>A fair and risk-based approach should consider:</p> <ul style="list-style-type: none"> • Annual Turnover: Reflects financial capacity. • Nature and Scale of Data Processing: Aligns fees with actual compliance risk. • Risk Profile: Sensitive data (e.g., health, financial) should weigh more heavily. • Existing regulatory status: Entities licensed by, for example, the Isle of Man Financial Services Authority, are already heavily regulated and have an ongoing obligation to comply with relevant laws and regulations, including Data Protection, and are required to report all breaches of legislation/ regulation under that regime, in addition to obligations under the Data Protection legislation. • Headcount: Retained as a secondary indicator of organizational size. <p>The benefits of a multi-factor model include:</p> <ul style="list-style-type: none"> • Promotion of fairness and proportionality. • Encourages privacy-friendly practices. • Aligns with GDPR compliance principles. • Reduces undue burden on low-risk organizations. <p>It is therefore recommended that the Information Commissioner consider a hybrid fee model which combines turnover, data processing scale and risk profile, with headcount as a supplementary factor.</p>
ANON-YRG8-RGXE-Z	<p>We support the aim of ensuring the Information Commissioner's Office is sustainably funded and able to fulfil its statutory duties, including maintaining the Island's adequacy status. A well-resourced and independent regulator benefits public bodies, businesses, and the community. We generally agree with the principle of a tiered system based on organisational size, however, we have concerns about the impact of the proposed £300,000 public-sector fee and seek clarity on how costs will be allocated across local authorities. Smaller public bodies operate within tightly constrained budgets and should not be disproportionately affected. They already have tight constraints with potentially more coming through the Local Government (Amendment) Bill 2023, specifically Clause 5. We also request assurances that improvements in resourcing will translate into enhanced guidance, support, and response times for local/public authorities and both statutory and joint boards who rely on the ICO for FOI and data protection matters.</p> <p>General feedback:</p> <ul style="list-style-type: none"> • Importance of proportionate enforcement for small public bodies. • Request for continued training, workshops, and guidance for local authorities. • Note that small authorities process substantial sensitive data despite small FTE numbers, so improved guidance around safeguarding, tenancy, housing, vulnerable residents, and CCTV is highly valuable. • The ICO should avoid a funding model that inadvertently incentivises it to focus revenue generation rather than public-interest regulation. • Timing of implementation of changes is key - local authorities will have set their budgets by the 31 January 2026 so changes should not come in until 1 April 2027. • A headcount-based system risks treating organisations with minimal data risk the same as those processing large volumes of sensitive data simply because employee numbers are similar. • Non-employers vary widely in the volume and sensitivity of personal data they process. Some administered entities or trust structures handle substantial amounts of financial and client data despite having no employees. Charging these organisations the same as a micro-business does not reflect the regulatory risk or oversight workload they generate. <p>∅ A more proportionate approach would be either a distinct fee tier for non-employers, or an adjustment based on the nature and scale of the data processed. This would better align with the principles of fairness and proportionality, and with the tiered systems used in Jersey and Guernsey.</p> <ul style="list-style-type: none"> • The Isle of Man economy contains many small businesses and micro-

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	enterprises, many now under threat from minimum wage increases, so care should be taken to avoid over-regulation or perceived cost inflation. • Consider whether some non-employer entities actually represent higher risk (e.g., trusts with substantial client data);∅ Consider whether charging them at the lowest tier fully reflects the administrative burden they place on the regulator
ANON-YRG8-RGXA-V	<p>We support the aim of ensuring the Information Commissioner’s Office is sustainably funded and able to fulfil its statutory duties, including maintaining the Island’s adequacy status. A well-resourced and independent regulator benefits public bodies, businesses, and the community, however, a large portion of work is related to freedom of information complaints, so Government must play its part in improving the timeliness and quality of responses and not push responsibility onto the ICO and her office. Strengthening FOI compliance across government should be considered an essential parallel action alongside any revisions to the fee regime. We generally agree with the principle of a tiered system based on organisational size, however, we have concerns about the impact of the proposed £300,000 public-sector fee and seek clarity on how costs will be allocated across local authorities. Smaller public bodies operate within tightly constrained budgets and should not be disproportionately affected. They already have tight constraints with potentially more coming through the Local Government (Amendment) Bill 2023, specifically Clause 5, and the Isle of Man Strategic Plan. We also request assurances that improvements in resourcing will translate into enhanced guidance, support, and response times for local/public authorities and both statutory and joint boards who rely on the ICO for FOI and data protection matters. We welcome the intention to introduce a review mechanism but believe any future changes should be subject to consultation and should consider the differentiated impact on small statutory bodies.</p> <p>General feedback:</p> <ul style="list-style-type: none"> • Importance of proportionate enforcement for small public bodies. • Request for continued training, workshops, and guidance for local authorities. • Note that statutory joint boards process substantial sensitive data despite small FTE numbers, so improved guidance around safeguarding, tenancy, housing, vulnerable residents, and CCTV is highly valuable. • The ICO should avoid a funding model that inadvertently incentivises it to focus revenue generation rather than public-interest regulation. • Timing of implementation of changes is key - Statutory Joint Boards will have set their budgets by the 31 January 2026 so changes should not come in until 1 April 2027. • A headcount-based system risks treating organisations with minimal data risk the same as those processing large volumes of sensitive data simply because employee numbers are similar. • Non-employers vary widely in the volume and sensitivity of personal data they process. Some administered entities or trust structures handle substantial amounts of financial and client data despite having no employees. Charging these organisations the same as a micro-business does not reflect the regulatory risk or oversight workload they generate.∅ A more proportionate approach would be either a distinct fee tier for non-employers, or an adjustment based on the nature and scale of the data processed. This would better align with the principles of fairness and proportionality, and with the tiered systems used in Jersey and Guernsey. • The Isle of Man economy contains many small businesses and micro-enterprises, many now under threat from minimum wage increases, so care should be taken to avoid over-regulation or perceived cost inflation. • Consider whether some non-employer entities actually represent higher risk (e.g., trusts with substantial client data);∅ Consider whether charging them at the lowest tier fully reflects the administrative burden they place on the regulator.
ANON-YRG8-RGYX-M	<p>I disagree with the fee being based purely on number of employees for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed approach takes no account of the volume or sensitivity of personal data processed, nor the associated risk to individuals (i.e. the focus and purpose of the law). For example, a dentist or private GP practice may have fewer than 10 employees but process special category data about all its clients, whilst small retailers and service providers, such as cleaning companies, may employ 50-100 staff, with larger retailers employing hundreds of staff, yet process little or no personal data other than that relating to staff. The risk profiles are significantly different, but are not reflected in the fee proposal. 2. The model does not take into account where legal obligations mandate the collection, processing and disclosure of personal data, and special category data, irrespective of number of employees, such as for AML/CFT or e-gaming purposes, the disclosure or loss of which may cause significant risk to individuals. 3. There are no sources against which the ICO can verify the number of employees and this may lead to under-reporting to avoid fees. Conversely it will usually be

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	<p>obvious, through basic open source checks, which controllers process special category data or undertake mandatory AML/CFT/ e-gaming obligations etc..4.Number of employees is only relevant to risk in respect of the volume of employees' personal data for HR / staff administration purposes, unless special category data is routinely processed.Fixed fee for governmentWhilst the fixed DATA PROTECTION fee for government is acceptable, this should not include any funding element relating to the FOI function of the ICO. * FOI is entirely unrelated to, and should not be confused with, the data protection function of the ICO. * The ICO incurs costs for FOI regulation (including specific staff costs) in relation to public sector compliance ONLY.There should, instead, be a separate funding envelope for the FOI function of the ICO.</p>
ANON-YRG8-RGXF-1	<p>The proposed fee model – (17) notes non-employers such as trusts and administered entities will be charged the same rate as a small business.</p> <p>Is there an intention to require Registration for pension schemes? (i.e. Bespoke Self Invested Personal Pension Schemes or Small Self Administered Schemes (SIPPS/SSAS), Occupational Pension Schemes and Master Trust Pension Schemes) If yes, our understanding is that these charges do not appear to fall in line with how the ICO in the other Crown Dependencies are operating their fees.</p> <p>Should the pension schemes fall under the scope as per the tiering provided in the consultation, then we would assume the charges to be £75 per Pension Scheme for Registration and/or Annual Renewal fees. Whilst this is considered a small fee, it could be circa 10% of the annual fees charged for membership of such schemes and would therefore be unfair to the members given that individuals with Bespoke SIPPS/SSAS would now effectively be charged for their Scheme, when members of Master Trusts or Occupational Schemes would not incur a fee as they are usually part of a large multi member scheme which would have to absorb such a fee from the annual charges therein and it is likely to therefore increase the annual administration fees charged to the members of such schemes to be able to accommodate.</p> <p>It is also another fee that they are having to pay and the administrators will have to arrange, causing further administration costs in dealing with the fee and payments thereof and possible disinvestments required if no cash is available, as investments within pension schemes tend to be more longer term with little cash readily available, when the members are trying to accumulate benefits for their retirement. We cannot see the benefits to the schemes if they are required to do this.</p> <p>If you are to register Pension Schemes, will there be an opt in/out of being listed on the Public Register? We strongly object if there is a proposal to force registration and charge fees for Pension Schemes and feel it would be harmful to existing and new business for the pension administration providers on the Island.</p>
ANON-YRG8-RGYN-A	<p>With respect to the fee proposal provided, then the increase is material, I calculate NPWL fees would increase from £150 per annum to £7,200 per annum based on our continuing to have three entities registered with the ICO. This by any measure is a major increase (in percentage terms) and whilst modest overall, it nevertheless warrants a greater deal of rationale be supplied that is present in the consultation document.</p> <p>We understand this will primarily be related to FTE increases - have those been approved or is that increase subject to a satisfactory of this consultation? What other costs are being captured in this proposed increase and how are those costs covered today? Has consideration been given to applying a stepped increase - I am assuming that it would not be possible to secure the level of increased resourcing you are seeking in the short term?</p>

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	<p>What additional services/support for industry will accompany the increased levy?</p> <p>For wider context on the responses above:</p> <ol style="list-style-type: none"> 1. Do you think the ICO should charge larger organisations more than smaller organisations? No - Larger organisations often have more robust compliance frameworks and total cost of compliance is already higher. 2. Do you think a tiered fee model should be based on employee headcount? No - Headcount is not a reliable indicator of data processing risk. For example, a small fintech firm may process more sensitive data than a large retail business. 3. Do you support the proposal that non-employers (such as trusts, administered entities) be charged the same as small businesses? Yes - These entities often have limited operational capacity and data processing, like small businesses. 4. Do you agree that charities and non-profits should be exempt from paying a fee? Yes – provided they contribute to the regulatory ecosystem, exempting these groups supports social good and aligns with practices in other jurisdictions. 5. Do you agree with the proposed fixed fee of £300,000 for the Isle of Man public sector? Yes – Accepting that a fixed group fee simplifies administration and reflects the scale of public sector data processing. Though I would like to transparency in how this number was calculated.
ANON-YRG8-RGXH-3	The Commission wished to pass an observation that the fee structure should be based on profit of the organization rather than the headcount.