

Coping with Regulations

There are an estimated 10,000 compliance regulations in existence across the globe. These regulations govern how data records should be created, handled, stored, accessed, and the length of time they should be kept. The longevity of some data records exceeds that of a human lifespan, so more and more data is being stored for longer periods. Policing of these regulations is becoming more high profile, as the security of personal data becomes paramount in the atmosphere of terrorist activity.

Do you know which regulations apply to your business and your data?

If your business is governed by specific legislation (such as FSA regulations) then you are probably already aware of the requirements of your industry. All businesses in the UK should also be aware of the Data Protection Act and VAT and tax rules. If you are unsure as to what rules and regulations apply to you it may be worth consulting your company accountant or solicitor for advice.

In order to safeguard yourself from current and future legislation it is important that you ensure your data is

- protected
- backed up
- accessible

If you are unsure whether you could:

- guarantee your data could be stored for 6 years
- guarantee it was protected from corruption, unauthorised viewing or loss
- could easily access your data when required

then you should talk to Storage Partners. We can offer you the best storage, backup and security solutions that will ensure you are in a position to meet legal requirements.

Here is some of the legislation you should be aware of:

Data Protection Act

In the UK you need to be aware of The Data Protection Act 1998. This Act protects personal data which could identify a living individual (subject). Generally it covers electronic files of data, but could also apply to manual records if they are structured in a way that would make them easily accessible.

Under the Act any business must ensure that the data collected is;

- justified (is required by the business to enact a service, legal contract, to protect the interests of the subject, or is a legitimate need that does not infringe on the rights of the subject);
- is secure from destruction, unauthorised access or alteration;
- is accessible by the subject (sometimes with a fee up to £10)

A breach of the Act may result in a criminal prosecution, of not only the company but also the Directors, Officers and in some cases employees of the company, resulting in hefty fines.

A [copy of the Act](#) can be found online.

Inland Revenue

The Inland Revenue requires all business records be held for 6 years. Business records include:

- annual accounts, including profit and loss accounts
- bank statements and paying-in slips
- cash books and other account books
- credit or debit notes you issue or receive
- documentation relating to dispatches/acquisitions of goods to/from EC Member States documents or certificates supporting special VAT treatment such as relief on supplies to visiting forces or zero-rating by certificate
- import and export documents
- orders and delivery notes
- purchase and sales books
- purchase invoices and copy sales invoices
- records of daily takings such as till rolls
- relevant business correspondence and
- VAT account.

For many companies, this information is stored electronically. It is therefore vital that you ensure that you have sufficient backup facilities so that you do not lose these records.

Sarbanes Oxley Act 2002

US federal law governing the financial dealings of companies under US jurisdiction. UK companies that are subsidiaries of US companies, have floated on the US stock exchange, or have a close business relationship with US companies may find they need to comply to the Act. It basically requires you to be able to produce detailed and accurate financial records and show that these records are protected from unauthorised access, alteration or disclosure. Failure to comply with the Act could result in a 20 year prison sentence or a fine of \$5 million.