| **ICANN Purpose:** Enable communication or notification to the Registered Name Holder and/or their delegated parties of technical and/or administrative issues with a Registered NameC(Purposes by Actor (C))(TempSpec - 4.4.3, 4.4.5, 4.4.6, 4.4.7, 7.7.2) |
| --- |
| **Lawfulness of Processing**: Art. 6.1(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.Art. 6.1(f): processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.Art. 6.1(a): Consent - the data subject has given consent to the processing of his or her personal data for one or more specific purposes. |
| **Lawfulness of Processing Test**:

|  |  |  |
| --- | --- | --- |
| **Processing Activity:** | **Responsible Party:** | **Lawful Basis:** |
| PA1 - Collection of registration data for contactability/notification purposes | ICANN: joint controllerRegistry: joint controllerRegistrar: joint controller | 6(1)(b) - For registrars: This is a 6(1)(b) purpose because it is necessary to collect registrant data so that the registrar can contact the registrant in the event a communication is necessary to maintain the domain operation. |
| 6(1)(f) - For third parties who would like to report technical issues to a technical contact: This would be a 6(1)(f) purpose because while there may be a legitimate interest in third parties contacting the registrant (for example, to inform the registrant or designee of a technical issue with the domain name), this is not necessary for the performance of the contract. |

 |
|

|  |  |  |
| --- | --- | --- |
| **Data Elements Collected or Generated - Pre GDPR** | **Fields to be Collected****C-PA1** | **TBD** |

 | **Lawfulness of Processing Questions** |
|

|  |
| --- |
| **Source:** RAA |
| Domain Name | 1 | - |
| Registry Domain ID | - | - |
| Registrar Whois Server |  | - |
| Registrar URL |  | - |
| Updated Date |  | - |
| Creation Date |  | - |
| Registry Expiry Date |  | - |
| Registrar Registration Expiration Date |  | - |
| Registrar |  | - |
| Registrar IANA ID |  | - |
| Registrar Abuse Contact Email | 1 | - |
| Registrar Abuse Contact Phone | 1 | - |
| Reseller |  | - |
| Domain Status |  | - |
| Registry Registrant ID | - | - |
| Registrant Fields |   |  |
|        Name | 1 | - |
|        Organization (opt.) | (1) | - |
|        Street | 1 | - |
|        City | 1 | - |
|        State/province | 1 | - |
|        Postal code | 1 | - |
|        Country | 1 | - |
|        Phone | 1 | - |
|        Phone ext (opt.) | (1) | - |
|        Fax (opt.) | (1) | - |
|        Fax ext (opt.) | (1) | - |
|        Email | 1 | - |
| 2nd E-Mail address | - | - |
| Admin ID | - | - |
| Admin Fields |   |  |
|        Name | (1) | - |
|        Organization (opt.) | (1) | - |
|        Street | (1) | - |
|        City | (1) | - |
|        State/province | (1) | - |
|        Postal code | (1) | - |
|        Country | (1) | - |
|        Phone | (1) | - |
|        Phone ext (opt.) | (1) | - |
|        Fax (opt.) | (1) | - |
|        Fax ext (opt.)  | (1) | - |
|        Email | (1) | - |
| Tech ID | - | - |
| Tech Fields  |   |  |
|        Name | (1) | - |
|        Organization (opt.) | (1) | - |
|        Street | (1) | - |
|        City | (1) | - |
|        State/province | (1) | - |
|        Postal code | (1) | - |
|        Country | (1) | - |
|        Phone | (1) | - |
|        Phone ext (opt.) | (1) | - |
|        Fax (opt.) | (1) | - |
|        Fax ext (opt.) | (1) | - |
|        Email | (1) | - |
| NameServer(s) | - | - |
| DNSSEC | - | - |
| Name Server IP Address | - | - |
| Last Update of Whois Database | - | - |
| Other Data: |   |  |
|        Field 1 | - | - |
|        Field 2 | - | - |
|        Field 3 | - | - |
|        Field 4 | - | - |
|        Field 5 | - | - |

 | **1) If the purpose is based on an ICANN contract, is this lawful as tested against GDPR and other laws?** |
| The processing activity (optional collection of data elements for contactability purposes) is lawful under Art. 6(1)(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.] |
| **2) Is the purpose in violation with ICANN's bylaws?** |
| No. Directly relates to mission. |
| **3a) Description of processing activity****3b) Responsible Party/Parties** |
| 3a) Processing activity: optional collection of data elements for contactability purposes 3b) Responsible party/parties: Purpose pursued by ICANN, registries and registrars as joint controllers] |
| **4) Is the processing necessary to achieve the purpose?** |
| Yes, impossible without it. |
| **5) Do Data Elements require transfer to meet the purpose? (Charter Questions 2c, 2d, 2e, 2i)** |
| No |
| **6) Publication of data by Registrar/Registry required to meet the purpose? (Charter Question 2f)** |
| No publication of personal data.  |
| **7) Are there any “picket fence” considerations related to this purpose?** |
| All good |
| **8) What are the data retention requirements to meet the purpose? (Charter Question 2g)** |
| Length of the registration plus 6 months to ensure there is a grace period to resolve any errors. The 6 months reflects existing grace periods plus a little extra time.  |
| **9) Additional information needed to adequately document the purpose?** |
| 1. Registrants must have the option to provide that data.
2. If the fields are not filled in, either they need to default to the Registrant Contact information or we need an access process that defaults back to the registrant’s info when there are admin/tech requests. In either case, the registrant should be clearly informed.
3. The EDPD letter of 05 July 2018 said: “It should therefore be made clear, as part of the registration process, that the registrant is free to (1) designate the same person as the registrant (or its representative) as the administrative or technical contact; or (2) provide contact information which does not directly identify the administrative or technical contact person concerned (e.g. admin @company.com). For the avoidance of doubt, the EDPB recommends explicitly clarifying this within future updates of the Temporary Specification.”
 |

Chain of Custody:

* RAA - <https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en>
* Temp Spec: Section 4.4.3, 4.4.5, 4.4.6, 4.4.7