**Amendment of Registry-Registrar contract for .brussels/.vlaanderen**

DNS Belgium is obliged to amend its Registry-Registrar contract for .brussels/.vlaanderen in order for it to be compliant with the requirements of the General Data Protection Regulation (GDPR) which enters in force on 25 May 2018.

As a data controller DNS Belgium has the obligation to sign so called data processing agreements with the data processors with whom it is working together. The registrars are processing personal data of the domain name holders and transfer those data to the registration platform and systems of DNS Belgium. This makes them data processors under the control of DNS Belgium who acts as the data controller.

The changes to the contract are limited to what is required to be in line with GDPR. No other changes are introduced at this particular time.

DNS Belgium does not consider the changes to be material in nature given that a) the only goal is to be compliant with legislation that is about to enter in force and b) by now a lot of registrars should have received similar clauses to sign and add to their RRA’s with other registry operators.

Below is a detailed break out of the envisaged changes to the RRA.

Art. 6.3.1: changes to the wording of this article to make it compliant with GDPR. More specifically, the word “accept” has been deleted as the processing of registrant data is not based on consent but rather necessary for the execution of the contract or for the protection of legal interests of third parties. If the processing was based on consent the consequence would be that the registrant has the fundamental right to withdraw his consent at any given time. Also the word “publishing” has been deleted as DNS Belgium has no intention whatsoever to publish the personal data of its registrants other than through Whois.

Art. 6.7: new article that is introduced and that serves as “anchor” for the new Annex 3 which is the data processing agreement. In order to shield the registrars as much as possible, we introduced wording like “if and to the extent that registrar is acting as processor”. The consequence is that the whole Annex 3 remains void if it would appear that the registrar is not to be considered as a data processor on behalf of the registry operator.

Annex 3: data processing agreement, the actual change itself. Necessary to comply with article 28.3 GDPR. DNS Belgium prefers to have the data processing agreement attached to the RRA instead of signing processing agreements separately. This approach seems very appropriate given that the data processing is closely linked with the activities as registrar for our TLD’s.