

2020

Privacy Policy

This policy explains how personal data provided to us is processed.



Privacy Policy – valid from 16 November 2020

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1. Definitions

Applicant means any Registrar, reseller, or other entity that submits an application on behalf of a proposed Registrant;

Contacts

Registrant Contact - this is the party granted the right to use a .ie domain by the IE Domain Registry, having provided evidence of its connection to Ireland and commercial/personal identity (as required). Contact information provided within the Registrant Contact role must strictly relate to the Registrant, and not any third party. The Registrant Contact has full authority over the registration, and shares this responsibility with its nominated Administrative Contact.

Administrative Contact - this party represents the Registrant rather than the Sponsoring Registrar or any other Service Provider, and must have the authority to act for the Registrant. This person is the primary point of contact for automated emails relating to the registration of the .ie domain, and can request registration related changes with the Sponsoring Registrar.

Technical Contact - this role can be filled by anyone chosen by the Registrant or Administrative Contacts. The Technical Contact is the point of contact for

notifications relating to the technical aspects of the domain registration, including hosts, domain locking and DNSSEC.

Billing Contact - this role can be filled by anyone chosen by the Registrant or Administrative Contacts. The Billing Contact is the point of contact for notifications from the Sponsoring Registrar and Registry relating to the financial aspects of the domain registration, such as payment of registration and renewal fees.

Data Controller is the individual or the legal person who controls processing activities and is responsible for the keeping and use of personal information on computer or in structured manual files;

Dispute Resolution Policies are the policies that exist for disputing the right to use a .ie domain. The Policies in operation are the .ie Dispute Resolution Policy and the Alternative Dispute Resolution Policy. Both policies and related processes are operated by Independent third parties, with expertise in handling such matters. Further information is available at <https://www.iedr.ie/our-policies/>

Dispute Resolution Process Provider means the operators of the dispute resolution services available in the .ie namespace. These independent, third-party providers include the World Intellectual Property Organisation Arbitration and Mediation Centre (WIPO), and Net Neutrals EU;

EPP API means an application-programming interface accessible only to Registrars, which facilitates direct access to the Registry's Systems;

Hosts (also known as nameservers) are used to host a website. For example, the hosting records for iedr.ie include ns0.iedr.ie, ns2.iedr.ie. Registrants should provide a minimum of two hosts with each request for registration, and these must be configured in accordance with Industry Best Practices set out in RFC protocols 1034 and 1035, and with authoritative zones to host the domain in question.

Password is a unique phrase which must be between 8 and 10 characters and be a mix of higher and lower case letters and numbers, including one non-alphanumeric character from the set % @ & # \$ ^ which is needed by Registrars to access the Site and the Services;

Personal Data means any information relating to an identified or identifiable natural person ("data subject"); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person;

Register is the .ie database of domain names and which also incorporates details about Domain Contacts (including the Registrant Contact) and technical information, such as Host records, in addition to any other information the Registry needs;

Registrant is the party granted the right to use the .ie domain by the IE Domain

Registry, having provided evidence of its connection to Ireland or commercial/personal identity, and agreed to adhere to the Registrant Terms and Conditions. It is also a defined Contact role within the .ie database, and must provide full contact information at the time of application. Furthermore, the Registrant is required to keep all domain contact information up-to-date for the lifetime of the domain registration.

Registrar is the accredited Registrar nominated by the Registrant to be the entity responsible for the payment of registration and renewal fees, in addition to the management of the .ie domain registration. In the Registry's technical systems, the accredited .ie Registrar nominated by the Registrant is referred to as a "Sponsoring Registrar".

Registry means IE Domain Registry CLG, which manages and operates the .ie namespace;

Resolve means the process of a .ie domain name directing to an online service such as a website, when the domain name is entered as part of a URL into the address bar of a browser;

Rules means all rules and regulations applicable to the .ie Top Level Domain, including without limitation those within the Registration and Naming Policy, the WHOIS Services Policy, the Data and Document Retention Policy, the IE Dispute Resolution Policy, the Alternative Dispute Resolution Policy (all as published, amongst others, on the Site), and the Registrant Terms and Conditions;

Services mean the services of registration, renewal, transfer, or management of domain names (including updating contact information, domain name locking, disputes, deletion, zone removal/suspension, restoration/reactivation or the blocking of access thereto) or any other services offered by the Registry through the Site including WHOIS Services from time to time;

Site means the websites operated by IE Domain Registry, including www.iedr.ie, amongst others;

System means the hardware and software used by the Registry to provide the Services;

Us or us or We or we means the Registry;

WHOIS Services refers to the available WHOIS and RDAP services, which enable the lookup of information related to .ie domain registrations. The availability of these services is subject to certain rules, which are set out within the WHOIS Services Policy.

This facility allows a user to review certain information about a .ie registration, which may include the Registrant's name, Sponsoring Registrar, in addition to DNS records, abuse contact information, and registration / renewal date.

You or you means any user of the IE Domain Registry site or services, including Applicants, Registrars and Registrants. It also means Complainants as defined under the available dispute resolution policies.

2. Policy Statement:-

2.1. About Us

IE Domain Registry CLG (CRO 315315) is a company limited by guarantee.

- Our registered address is 2 Harbour Square, Crofton Road, Dun Laoghaire, Co. Dublin.
- Our contact email address is privacy@iedr.ie and our telephone number is +35312365400.

The Registry is committed to complying with all legal obligations, including those related to data protection arising from the General Data Protection Regulation ("GDPR") and the Irish Data Protection Act 2018 (together "**Data Protection Law**").

As part of this commitment, this statement describes our practices regarding the collection, use, transfer, disclosure and other handling and processing of your Personal Data. You can access further information on our data protection practices in our Rules, and particularly in our Registrant Terms and Conditions.

2.2. Collection

Personal Data is any information relating to you as an individual which allows you to be identified directly or indirectly.

We collect:

- Information that you provide to us;
- Information provided by others about you; and
- Details of your visits to our Site and Services, and the resources that you access.

We may collect Personal Data about you, such as your full name, email address, telephone number and postal address if you act as a nominated .ie Domain Contact.

For Registrants and Complainants under the available dispute resolution policies, we also collect evidence of your compliance with our Registration & Naming Policy, in addition to all documentation provided to us during the lifetime of a domain registration, including identity documentation, which may include your photograph and information about your age and nationality. All such documentation is processed in accordance with this Privacy Policy, and the Data and Document Retention Policy, Registration and Naming Policy and Registrant Terms and Conditions, all of which are available on our website: <https://www.iedr.ie/our-policies/>.

2.3. Communications

We may issue communications to you regarding the .ie domain name for which you are a Domain Contact. These communications may relate to changes to the domain registration records. We may from time to time contact you by email to verify the personal information provided by you, or actions undertaken by you on the Site, or requests made by you via the Services.

2.4. Use

We are obliged to keep information (including Personal Data) about Domain Contacts in order to comply with particular laws, to operate and maintain our Site and the Services, to provide support services on the processes and procedures associated with .ie domain

names, and to exercise rights and authorities granted to us, including to maintain, update, operate, control and defend the Registry.

We will collect your Personal Data in order to perform the registration, as required under your contract with us and your Registrar.

We will also collect your Personal Data in connection with our legitimate interest in maintaining the integrity of the Site and the Services.

In accordance with our WHOIS Services Policy, and the Registrant Terms and Conditions, in some instances, we will also process your Personal Data where you have given us your voluntary, specific and informed consent to do so. Where we have collected your Personal Data on the basis that you have given us your explicit consent, such as to publish your Personal Data using the WHOIS services, you may withdraw your consent to that processing at any time.

Personal Data will not be held by us for any longer than is necessary for the purposes for which it was obtained. Personal Data may be retained for the defence of the Registry's interests should legal challenge arise.

2.5. Location of Processing

We process your personal information in the European Economic Area (EEA).

It may also be processed in the USA and Canada, by those who work for us or by one of our suppliers. Such staff may be engaged in, amongst other things, the provision of technical and support services.

Your personal information will also be processed in the country in which your Registrar operates. This party may process your personal information differently, so you should familiarise yourself with their practices also.

We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with the .ie Privacy Policy. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your Personal Data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

2.6. Disclosure

We do not disclose your personal information to any third parties, other than:-

- with Irish national law enforcement agencies and Regulatory Authorities
- in instances where directed to do so by Court Order
- with the nominated Domain Contacts
- with the dispute resolution process providers selected to provide dispute resolution services in accordance with the .ie Dispute Resolution Policy and the .ie Alternative Dispute Resolution Policy
- with those who are contracted to provide technical and support services to us (subject to strict confidentiality and privacy protection clauses)

2.7. Analytics and Cookies

We use analytics, which collects information about your computer, such as IP address, operating system and browser type. This information is used to help us improve our services for you. We collect this information by placing small text files on your computer,

known as cookies. More information about how we use cookies, including information about how to control what cookies are set when you visit our website, is available in the .ie Cookie Policy at <https://www.iedr.ie/cookie-policy>.

To monitor usage of .ie domains, we collect data on a regular basis, including data on:-

- whether .ie domain names resolve
- where they are hosted
- whether they are used for email and whether a website is in place
- the landing page and About Us or Contact Us pages of .ie websites so that we can categorise the website type
- whether they have an SSL certificate
- whether there is a matching domain name in a different top level domain (e.g. .com) and collect similar information about them in order to see how they differ from the .ie domain name.

We do not collect any more information than would be collected if we visited the pages via a browser. The information we gather is used to help us better understand the .ie market, identify security vulnerabilities and identify changes over time.

If you want to, you can stop the collection of this data about your website(s) by opting out using a robot.txt file, or by switching off Indexing in your HTML/ WordPress/PHP setting of your websites.

2.8. Your rights – accessing and updating your personal information

You have the right to:

- access information held about you (request a copy of your Personal Data processed by us)
- to update this information
- to restrict processing of this information/request its erasure.

You must make your request by email to privacy@iedr.ie or in writing by sending it to us at the address specified above, including with the request a photocopy of your passport or other valid photo ID, and a copy of your utility bill which will verify your address, so that we may verify your identity.

2.9. Other Sites and third party applications

Our Site and Services may, from time to time, contain links to other sites. If you follow a link to any of these sites, or other third party apps, please note that these web sites and apps have their own Privacy Statements and that we do not accept any responsibility or liability for your use of such web sites. You are responsible for deciding if you want to access or use third party apps or sites that link from our services. You agree that we are not responsible for third parties' content or information, or for any damages that arise from your use of, or reliance on, this content or information, or for any use of your personal information by such third parties in ways we would not. Except to the limited extent it may be required by applicable law, we are not responsible for these other sites and apps — use these at your own risk.

By submitting your Personal Data to us, you agree to this collection, storing and processing as outlined above.

3. Privacy Requirements

3.1. Under the terms of this Privacy Policy, you agree:

- 3.1.1. that if you are the Registrant, or an Applicant acting for the Registrant, or a Complainant under the available dispute resolution policies, that the personal information you provide us with (including Personal Data) relates to the nominated Domain Contacts, and not anyone else;
- 3.1.2. that if you are a Domain Contact, or an Applicant acting for the Registrant, or a Complainant under the available dispute resolution policies, that you have the Domain Contacts' permission to supply their personal information to us, to modify it, and to authorise us to collect and process the Personal Data, in order to operate the System and provide the Services, in accordance with the terms of this Privacy Policy, together with our Registrant Terms and Conditions, and WHOIS Services Policy, and any other documents referred to;
- 3.1.3. where you are an Applicant, not to register or seek to register domain names without being specifically instructed to do so by Registrants. (Note: a Registrar may register domain names solely for its own use in accordance with the Registration and Naming Policy without being specifically instructed to do so by Registrants);
- 3.1.4. if you are the Registrant, or the Applicant acting on behalf of the Registrant, to notify us immediately of any change in the information (including Personal Data) relating to the Domain Contacts; and
- 3.1.5. if you are the Registrant, or the Applicant acting for the Registrant, you agree to permit the Registry to process personal information provided to us in accordance with the terms of this Privacy Policy. This includes permission for us:
 - 3.1.5.1. in response to a request from a nominated Domain Contact, which may be submitted via the designated Sponsoring Registrar, to make certain changes, transfers, or deletion of the domain names as requested by the appropriate Domain ;
 - 3.1.5.2. in response to a request from a Sponsoring Registrar, to accept and process payment of the initial registration fee and the annual renewal fees for the domain name, or to restore a domain name in the deletion process; and
 - 3.1.5.3. in response to a request from a Sponsoring Registrar, or the appropriate Domain Contact, to accept Domain Contact information changes.

4. Clarification on Personal Data collection

4.1. You agree that we may use the personal information provided to us:

- 4.1.1. to control, operate, develop, and maintain the Register; to provide the Services and to develop the Services, and to exercise the rights and authorities granted to us by Registrants or their Applicants;
- 4.1.2. to process a request (made by a Registrar) to register or renew or transfer or restore or accept a deletion request of a domain name in compliance with the Registration and Naming Policy and the Registrant terms and conditions;
- 4.1.3. to acknowledge and deal with certain requests (including to make changes to a domain registration record) from a Registrant or Applicant and follow the status tracking thereof;
- 4.1.4. to inform a Registrant or Applicant or Complainant under the available dispute resolution policies about procedures for recording a transfer, or surrender or change of Registrant for the domain name;
- 4.1.5. to transfer a domain name following a decision of the Dispute Resolution Process Provider, or following a decision of a competent legal or judicial or regulatory authority;
- 4.1.6. to offer secure payment services in respect of the Services and to process payments;
- 4.1.7. to block access to a domain name, or to suspend or restore a domain name, or to lock a domain name, or delete a domain name, in accordance with the Registration and Naming Policy.

5. Retention

We will keep Personal Data only for as long as the retention of such Personal Data is deemed necessary for the purposes for which that Personal Data are processed.

5.1. Successful domain name registration

When you register a .ie domain, we will store the Domain Contact personal information provided to us, as follows:-

- for the lifetime of the Domain Contact being used in a contact role for any .ie domain,
- plus two years after it is no longer linked to any .ie domain.

(Rationale for 2 year retention: Retain for 1-year after the removal of the Domain Contact from the registration record in order to facilitate the submission, and investigation, of legal complaints/disputes that may arise, in addition to a further

1-year period, to provide an appropriate time frame for such legal complaints/disputes to be resolved)

The rationale and legal justification for this retention is documented in the Data and Document Retention Policy which is available on our website at <https://www.iedr.ie/our-policies/>

5.2. Unsuccessful registration request

If you apply for a .ie domain, and your request is unsuccessful:

- Personal Data provided in the registration request or within related documentation provided to us is deleted 7 days after your application fails, expires, or is manually cancelled.

The rationale and legal justification for this retention is documented in the Data and Document Retention Policy which is available on our website at <https://www.iedr.ie/our-policies/>

6. Security

Requests to access and update personal data within the .ie database should be submitted in the first instance via the domain's Sponsoring Registrar. In some instances, and subject to certain security checks, the Registry may process requests from domain contacts to update their personal data within the .ie database.

- 6.1. Personal data within the .ie database is held securely and is accessible to the nominated Sponsoring Registrar acting on behalf of the Registrant in the Registry systems. This access requires the use of a secure and confidential password known only to the Sponsoring Registrar.
- 6.2. We may specify by notice on the Site from time to time other types of authorised representatives or Domain Contacts from whom we will accept instructions, what types of instructions they can give us, and whether they can take Registrant's place if we need to notify Registrant. You agree to be bound by such notice.
- 6.3. Whether you are a Domain Contact, or the Applicant acting for the Registrant Contact, or a Complainant under the available dispute resolution policies, you agree to help us with our security checks, and provide any identification or documentary evidence we reasonably ask for and allow us to keep copies of those documents for our files, in accordance with the .ie Data and Document Retention Policy.
- 6.4. You accept that the internet is not secure, so that if you disclose personal information over the internet, it can be intercepted by third parties. We cannot ensure or warrant the security of any information that you transmit to us, and you transfer the personal information at your own risk.
- 6.5. You accept that we will act on instructions from the relevant, nominated Domain Contact to make certain requested changes to the domain registration, subject to the Registrant terms and conditions and Registration and Naming Policy.

- 6.6. We will publish on the Site certain activities which an Applicant or Domain Contact (other than the Registrant Contact) is not allowed to do on a Registrant's behalf or where we want to deal with Registrants only in respect of certain matters. In such case, Applicants and all Domain Contacts agree to observe such restrictions.
- 6.7. We use and will keep under review appropriate technical, physical, legal and organisational measures (including staff training and awareness) which comply with Data Protection Law in order to protect against unauthorised or unlawful processing of your Personal Data, including unauthorised destruction, alteration or disclosure or access.

7. Disclosure of your personal information

7.1. Disclosure to national Law Enforcement Agencies and Regulatory Authorities

We may disclose your personal information to such parties, including but not limited to, An Garda Síochána and Irish national Regulatory Authorities such as ComReg, if we are under a duty to do so, in order to comply with any legal obligation, or in accordance with the .ie Regulatory Authority Protocol, or in order to enforce or apply any contract between us, or to protect the rights, property, or safety of IE Domain Registry, or others.

7.2. Disclosure to nominated Domain Contacts

Where a Registrant has nominated an Admin Contact to act on their behalf in accordance with the Registration and Naming Policy, the Registrant authorises us to grant on request full access to the Admin Contact via the Services to the Registrant's information, held in electronic format by us, including the Registrant's name, email address, postal address, phone number and their host records.

7.3. Disclosure to Sponsoring Registrars

The Registrant authorises us to disclose and make available the following personal information to Sponsoring Registrars, including through the Registrar portal and/or EPP API, in relation to those Registrants for whom they act, including, but not limited to:

- i. a list of the Registrar's portfolio of domain names;
- ii. a list of new Registrants (registered by the Registrar) over a selected time period;
- iii. viewing of domains that will be billable in the coming months
- iv. examination of past invoices;
- v. viewing of the Domain Contact data by domain name; and
- vi. statistical analysis of the Registrar's portfolio of registered .ie domains.

7.4. Additional Disclosures

The Registrant authorises us:

- i. to disclose its Domain Contact Personal Data to the service providers selected to provide dispute resolution services in accordance with the .ie Dispute Resolution Policy, and the .ie Alternative Dispute Resolution Policy.
- ii. to disclose its Domain Contact Personal Data to third parties, in order for us to comply with any applicable law, regulatory requirement or legal

process, or for any of the following purposes; obtaining legal advice in cases of legal challenge, taking legal proceedings, establishing, exercising or defending legal rights (including to enforce the .ie Registration and Naming Policy and/or the WHOIS Policy, and/or this Privacy Policy, amongst others as posted on the Site) and to act under exigent circumstances to protect the personal safety of customers, users of our services or members of the public.

- iii. to disclose Personal Data to our third party technical and support service providers for testing and development purposes.

- 7.5. The Domain Contacts agree that their respective IP addresses, where these are available to the Registry, may be supplied to regulatory or legal authorities in connection with fraud or other formal investigations.
- 7.6. With regard to our legitimate interest need to ensure the continued operation of its Site and Services, Domain Contacts agree that, if it sends to the Site objectionable content, or otherwise engages in any disruptive behaviour on the Site, including but not limited to, attempted system penetration or direct denial of service attacks, we may use the Domain Contact information that is available to it about that party to request the cessation of such behaviour, in order to protect the integrity and stability of the registry. This may involve informing relevant third parties such as law enforcement agencies about the Domain Contact's behaviour.
- 7.7. In order to provide the Services, it may be necessary for Domain Contact information to be transferred and disclosed to technical software development and database support service providers within the EU, Canada and USA who provide backup and other data processing services to us. If we do this, we will ensure that there are adequate safeguards and put an agreement in place with such service providers and will impose in any such agreement, confidentiality and security obligations on the service providers.
- 7.8. In order to provide the Services, it may be necessary for Domain Contact information to be transferred and disclosed to service providers outside the EU, strictly in accordance with the WHOIS Policy.

8. Use of personal information

We use information held about you in the following ways:

- 8.1. To ensure that content from our site is presented in the most effective manner for you and for your internet connected device.
- 8.2. To carry out our obligations arising from any contracts entered into between you and us.
- 8.3. To allow you to participate in our registration request process.
- 8.4. We will use, analyse and assess Personal Data to maintain and develop our relationships with Registrants, to process a Registrant's registration, and to provide the Services.

9. Clarification on your rights – accessing and updating your personal information

You have the right to access information held about you.

Your right of access to your PII can be exercised in accordance with Data Protection Law.

Personal Data access and correction

- 9.1. You have the right to be given a copy of your personal information which we hold, or request the correction of this information if it needs to be updated. The Registrant is responsible for ensuring that any Personal Data or other information we hold related to a .ie domain registration and its related Domain Contacts is up to date. To that end, please ensure that any changes to the information you originally supplied to (your Sponsoring Registrar or to us directly) are promptly notified to your Registrar (or to us) so that we can amend our records.

You must make your request by email to privacy@iedr.ie or in writing by sending it to us at the address specified above, including with the request a photocopy of your passport or other valid photo ID, and a copy of your utility bill which will verify your address.

We will reply within one month of receiving the request. Where necessary for complex and/or high volume requests, we may reply within one month of receipt of the request advising that an extension of up-to two months is required for the review of the request, confirming the reason for the delay.

- 9.2. Domain Contacts have the right to request that the processing of your personal information be restricted, or that the personal information be erased, where no legal basis exists for the continuation of its processing. We will assess these requests on a case-by-case basis and accede to the requests where the requirements of Data Protection Law are met.

We will not charge you for dealing with such a request and will respond and comply within one month of receiving such a request. You must make your request by email to privacy@iedr.ie or in writing by sending it to us at the address specified above, including with the request a photocopy of your passport or other valid photo ID and a copy of your utility bill, which will verify your address, so that we may verify your address.

- 9.3. We will not send you marketing communications.

- 9.4. As a Domain Contact, you agree that we may from time to time contact you by email to verify data provided by you, or your Sponsoring Registrar, or to verify actions undertaken by you on the Site.

- 9.5. You also have the following rights:

- to lodge a complaint with a data protection supervisory authority;
- a right of data portability; and

- the right to object to automated decision-making.

9.6. You can ask a question or make a complaint about this Privacy Policy and/or the processing of your Personal Data by contacting privacy@iedr.ie.

10. Future changes To Our Privacy Policy

Any changes we may make to our Privacy Policy in the future will be posted on this page and, where appropriate, notified to you by email. By continuing to use our Site and/or the Services after we post any such changes, you accept and agree to this Privacy Policy as modified.

The .ie namespace uses a 10-step Policy Development Process (PDP) for the submission and review of all proposed policy changes. This is set out on our website at <https://www.iedr.ie/policy-development-process/>