

## **ZA REGISTRY'S PRIVACY POLICY**

**Version 001, 01 October 2022**

### **1. Introduction**

ZA Registry Consortium (Pty) Ltd (ZARC) is a Registry Operator for 4 .ZA Second Level Domains Names [co.za/net.za/web.za/org.za] and therefore processes data from its .ZA-accredited registrars and/or directly from end users for the registration and continued maintenance of the domain name within one or more of the name spaces that it administers.

ZARC recognizes that with the advancement of technology and increased awareness and use of the digital space (domain names in particular), protection of personal data as defined by local and international data protection laws, regulations and policies has become necessary. ZARC maintains that it will make every effort to balance the privacy rights of data subjects against its efforts to achieve its strategic imperatives.

Note that this Policy must be read in conjunction with our website terms and conditions as you may provide us with personal information depending on the nature of the services that you procure from us.

ZARC provides registration of domain names using two different registration platforms. The importance of this distinction is that personal data is collected at two levels, namely, at the registrar, administrative, billing and technical levels; and the registrant levels respectively, depending on which domain name registration platform you are using.

### **2. Purpose of Data Collection**

ZARC receives, processes and stores data to facilitate domain name registration transactions, in line with what the.ZA Domain Name Authority prescribes in terms of the Registry Operator Agreement read with the .ZA General Policy Document respectively. More especially, we use personal data to attend to the following responsibilities:

- ▶ To process domain name registration requests submitted directly via the Legacy Domain Name System (LDNS) or indirectly through a .ZA-accredited using the EPP domain name registration platform.
- ▶ To investigate and mitigate against abusive domain name registration conduct or practices; and/or where it is obvious that the registry system, domain names or registry services are being used to commit a criminal offense
- ▶ To conduct compliance audits and verification against eligibility criteria if applicable; and published Registry Terms and Conditions and Policies, for example, Whois accuracy and completeness checks.
- ▶ To maintain continued integrity, stability, resilience of the registry system and its ancillary services

- ▶ To enable ZARC to manage any account that I may have with them, including information required for collection of monies payable for provision of domain name registration and related services.
- ▶ To conduct data analytics for the purpose of improving the quality of registry services, registrar, and end user experience.
- ▶ Marketing, advertising, and promotional information about ZARC's products and services.

### **3. Disclosure of Registrant Data**

In terms of our contractual and policy obligations to the ZA Domain Name Authority, we are expected to collect, process and store personal data, such as, your name, address, email contact and other billing, administrative and technical information that could identify you. In some instances, we may also be expected to share this information with other third parties, such as, Registry personnel only for the purposes identified in section 2 above; ZA Domain Name Authority due to a Registry Operator Agreement for the .ZA Second Level Domain Names, Escrow Agents; Auditors; Replacement or Emergency Operators; IP Attorneys, Law Enforcement Agencies and other legally competent authorities. ZARC will do everything that is reasonably required to ensure that the requestor is entitled to the information before access will be granted.

### **4. Registrars, Resellers, Internet Service Providers**

If you are procuring domain name registration services from an accredited registrar, Internet service provider or a reseller, then you must make sure that they have notified you of the purpose for which your personal information will be used, the possible list of recipients of the information and how you can gain access and correct information that you have given in a free and voluntary manner for the sake of domain name registrations. You must provide informed consent either to the Registry per its DNS Consent Form for Legacy based domain names or to the Registrar or reseller using the EPP domain registration platform. You must therefore undertake a due diligence enquiry before choosing the person or entity that will assist you in registering and maintaining your domain name registration for as long as you want.

### **5. Technical Registry Service Provider and other Third-Party Contractors**

All technical service providers and third-party contractors that offer value added and related services to the ZARC, such as payment gateway operators, best practice accounting systems and so on, are aware of the purpose for which personal information is shared with them. These providers or contractors do not retain, share, or use personally identifiable data for any other secondary purpose.

### **6. Data Escrow**

ZARC is required in terms of its Registry Operator Agreements with ZA Domain Name Authority to provide a copy of all its registration data to a neutral data escrow provider. In terms of Annexure C of ZARC's Registry Operator Agreement with ZADNA, data deposits, which include personal and non-personal contact identifiers, are submitted to DENIC for compliance purposes. Registry data escrow practices serve to ensure that domain name data is not at risk of loss and can be accessed only under certain predefined conditions. It also ensures that the registry data

may be transferred to another registry provider under emergency conditions in a manner that preserves the integrity, stability, and security of the data within the transmission or transfer process.

## **7. Data Security**

ZARC employs international best practice standards informed by the ISO Framework of Policies and Procedures to ensure that data integrity, confidentiality and security are prioritized through implementation of appropriate access control mechanisms, data encryption, subscription to data escrow services and portable storage mechanisms.

## **8. Data Retention**

ZARC retains data as provided for in its Registry Operator Agreements with ZA Domain Name Authority read with national data retention laws, regulations and policies.

## **9. Access to Personal DNS Data**

If you are a legacy domain name registrant then you are entitled to contact the ZARC directly or to ask your Internet Service Provider to do so on your behalf to access, correct and request your data if it is not readily available on the Whois platform. If you are an EPP registrant then you are entitled to access, correct, and request your data through your registrar or reseller. Third party requests for domain related data must be done in terms of our PAIA Manual, which may be found here.

## **10. Amendments to this Policy**

ZARC reserves the right to review and amend this Policy periodically in order to ensure that it is current and relevant in terms of local and internationally applicable laws, regulations, and policies.

## **11. Contact Us**

The Data Protection Officer of the ZARC may be contacted at [dp@registry.net.za](mailto:dp@registry.net.za) for further information re this policy and any other matter pertaining to the collection, processing, storage, and protection of personal data within its domain name registry function.