

ssNIC

.SS WHOIS and Privacy Policy

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OBJECTIVES:

The objectives of this document are to inform the registrant, and in doing so obtain the Registrant's consent, to the fact that the Personal Information (defined below) provided by the Registrant may be dealt with in the following process:

Personal Information shall be collected in the form of a Registrant database, which is used, maintained and corrected from time to time in accordance with this Policy;

Personal Information shall be collected by ssNIC for the purpose of the storage and maintenance of the Personal Information. ssNIC shall not disclose or transfer the Personal Information to any third party other than the .SS ccTLD Escrow Agent.

SECTION 1: PRIVACY POLICY

1.1. DATA COLLECTION AND PROCESSING

By registering a Domain Name and accepting the .SS Domain Name Registration Policy, the Registrant authorizes the Registry to process personal and other data required to operate the .SS Domain Name system. The Registrant explicitly agrees that the Registry can use the data for operating the system (which will include attribution of the Domain Name, transfer of a Domain Name to a new Registrant, transfer of one Domain Name or a portfolio of Domain Names to a new Registrar).

The Registrant has the right to access his personal data and to arrange for it to be amended, where errors exist.

The Registrant must keep the Registry immediately informed through the Registrar of any change in name, address, e-mail address, and telephone and fax numbers. An omission or delay in informing the Registry of such changes may result in the termination of the registration agreement.

1.2. INFORMATION COLLECTED FOR INTERNAL USE

The following personal data will be collected for the internal use of the Registry (unless where also available through the WHOIS look-up facility provided for in Section 2 hereof):

- (i) full name of the Registrant;
- (ii) technical contact name;
- (iii) postal address;
- (iv) e-mail address;
- (v) telephone number;
- (vi) fax number (optional);

SECTION 2: WHOIS LOOKUP FACILITY

2.1. INTRODUCTION

The Public Policy Rules require the Registry to provide a WHOIS look-up facility where, by typing in a .SS Domain Name, information about the administrative and the technical contact administering the Domain Name can be found.

When a Domain Name is registered the information relating to that registration sits in a WHOIS database in compliance with the rules set out below. The information collected includes Registrant contact information, the Registrar involved and details of the name servers to which the Registry delegates authority for the Domain Name and is further set out in Section 2.4 hereof.

By going to the Website of the Registry and typing in the Domain Name in the WHOIS look-up facility, information about that name and the Registrant can be accessed in accordance with the rules set out below.

When registering a Domain Name, the Registrant is seen to have accepted the Registry's Terms and Conditions which authorizes the Registry to make some personal data accessible on its web site, along with some other technical data, in order to guarantee the transparency of the domain name system towards the public.

2.2. PURPOSE

The purpose of the WHOIS database, is to provide reasonably accurate and up to date information about the technical and administrative points of contact administering the domain names under the .SS TLD.

If the Registry is holding false, incorrect or outdated information, the Registrant will not be contactable and may lose the name. By deliberately submitting inaccurate information, the Registrant would also be in breach of the Terms and Conditions, which could also lead to loss of the Domain Name.

2.3. IDENTIFYING NATURAL PERSONS AND LEGAL PERSONS

Those requesting to register a .SS Domain Name are required to provide certain information through an accredited .SS Registrar. In respect of the name of the Registrant there are two fields: The first is 'Name' and the second is 'Company'. Both fields may be completed or just the 'Name' field.

If only the first field is completed, it is assumed that the registration is in the name of a private individual (natural person).

If the 'Company' field is completed, it is assumed that the company is the Registrant. This ensures that the Domain Name of the company cannot be "held hostage" by an employee who suddenly leaves or who is dismissed, and who tries to transfer or delete the Domain Name or to link it to another website via the managing agent.

2.4. INFORMATION PUBLISHED IN THE WHOIS

All Registrants are required to accept the Terms and Conditions in which the Registrant authorizes the Registry to publish certain personal data.

(i) When the Registrant is a legal person or another form of organization the Registry generally publishes the following information in its WHOIS:

- a) name, address and telephone and fax number of the Registrant;
- b) technical contact person;
- c) e-mail address of Registrant;
- d) Technical data (such as status of the Domain Name or the name servers).

(ii) When the Registrant is a natural person (private individual) the Registrant contact information published is restricted to the e-mail address, unless they request otherwise.

Natural persons who apply for a .SS Domain Name will be explicitly informed by their Registrars of the possibility to create and use a specific functional e- mail address for publication in the WHOIS as an alternative to the use of their personal e-mail address.

All other information collected will only be kept for internal use in accordance with Section 1.2 hereof. This information will not be disclosed to third parties unless in accordance with Section 2.6 hereof.

2.5. PREVENTING MISUSE OF WHOIS DATA

WHOIS data can be accessed through a purely textual command or by use of a web-based facility. The textual WHOIS look-up facility only contains technical information, which does however not specifically relate to the Registrant.

In order to prevent misuse of personal data available in the web-based WHOIS look-up facility the Registry takes the following steps:

- (i) E-mail addresses, and if published, postal addresses, telephone and fax numbers are displayed as images (pictures) rather than text making it difficult to automate capture of the data.
- (ii) Multi-criteria searching and other search facilities to search by name, e-mail address, address, fax or telephone numbers will not be possible.
- (iii) All those who submit a query to the WHOIS database will be assumed to have read and agree to the „WHOIS legal statement and terms and conditions“ which will inform the user that:
 - a) the WHOIS services are provided for information purposes only;
 - b) by submitting a query the user agrees not to use the information to:
 - 1. allow, enable or otherwise support the transmission of unsolicited, commercial advertising or other solicitations whether via email or otherwise;
 - 2. target advertising in any possible way;
 - 3. cause nuisance to the Registrant in any way by sending messages to them.

To prevent “data mining” using the textual command method, a maximum of 15 domain names within 60 seconds may be retrieved from the same IP address.

2.6. DISCLOSURE OF PERSONAL DATA

Third parties may have legitimate reasons to request the disclosure of personal data of natural persons not published in the WHOIS, but processed by the Registry for its internal use in accordance with Section 1.2 hereof.

ssNIC may transfer Personal Information to someone (other than ssNIC, its affiliates or the Registrant) who is in a foreign country only if:

- (1) SSNIC reasonably believes that the recipient of the information is subject to a law, binding scheme, or contract which effectively upholds principles for fair Resolution of the information that are substantially similar to the privacy principles under CoCCA recommendations; or
- (2) The Registrant consents to the transfer; or
- (3) The transfer is necessary for the performance of a contract between the Registrant and ssNIC, or for the implementation of pre-contractual measures taken in response to the Registrants request; or
- (4) The transfer is necessary for the conclusion or performance of a contract

concluded in the interest of the Registrant between ssNIC, its affiliates or a third party; or

(5) All of the following apply:

(a) the transfer is for the benefit of the Registrant;

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- (b) it is impracticable to obtain the consent of the Registrant to that transfer;
and
 - (c) if it were practicable to obtain such consent, the Registrant would be likely to give it; or
- (6) ssNIC has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the privacy principles in the CoCCA recommendations.

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