



SIDN and Privacy

In the course of its operational activities, SIDN processes data relating to the '.nl' domain names registered with it. This data has to be recorded in a domain name register in accordance with international agreements in order to enable the issue and maintenance of '.nl' domain names. Some of the data relates to private individuals. SIDN considers it important to pay close attention to the privacy issues relating to data recorded in the register.

SIDN's rules and regulations accordingly incorporate a number of provisions relating to privacy. For example, the Regulations on the Registration of '.nl' Domain Names allow a domain name holder to ask for certain details to be withheld from the public section of the domain name register. There is also a rule limiting the frequency with which the public section of the domain name register may be consulted. Finally, SIDN has drawn up a Data Protection Policy. Each of these points is dealt with in turn below.

Objection to inclusion of data in the public section of the domain name register

The Regulations on the Registration of '.nl' Domain Names allow a domain name holder or applicant to ask for certain details not to be included in the public section of the domain name register. If this request is accepted, details of the participant acting for the holder/applicant are recorded instead. Through this privacy provision, SIDN affords domain name holders and applicants additional protection over and above that given to them by the Data Protection Act.

The Regulations make a distinction between "ordinary" '.nl' domain names (e.g. sidn.nl) and personal domain names (e.g. janjansen.123.nl). A personal domain name holder or applicant can at any time ask for his or her details to be withheld or withdrawn from the public section of the domain name register by submitting a written signed request to SIDN via his or her participant. The participant will then see that the request is passed on to SIDN, who will act upon it.

A non-personal domain name holder or applicant can also ask for his or her details to be withheld or withdrawn from the public section of the domain name register. Again, the request has to be signed and submitted in writing through the relevant participant. However, SIDN has to act upon the request only if special circumstances are deemed to exist, which justify withholding information from the public section of the register. The request must therefore describe the special circumstances upon which the request is based. If SIDN rejects such a request, an appeal may be made to the Complaints and Appeals Body.

Restrictions on the retrieval of data from the domain name register

To prevent data in the public section of the domain name register (which can be consulted using the 'Whois' facility) being used for purposes other than those for which it is intended, the Regulations on the Registration of '.nl' Domain Names include rules limiting the frequency with which enquiries may be made. Since 29 January 2003, SIDN has not allowed the public section of the domain name register to be consulted more than fifteen times from any one IP address in a twenty-four hour period. Only SIDN participants are allowed to use the 'Whois' facility more frequently, and only for legitimate operational purposes. To obtain exemption from the fifteen-enquiry limit, a participant has to apply specially to SIDN.

SIDN's Data Protection Policy

The domain name register includes data relating not only to companies and other organisations, but also to people – (personal) domain name holders and others, such as administrative and technical contact persons. Much of this data falls within the scope of the Data Protection Act. SIDN has drawn up a Data Protection Policy for the benefit of such individuals. This policy describes the purposes for which data is processed by SIDN, the kinds of data involved, where it is obtained from, to whom the data is made available and how a subject should go about finding out what information is held concerning him or her and, where appropriate, getting it corrected.

In other words, both SIDN's Data Protection Policy and the Regulations on the Registration of '.nl' Domain Names give a personal domain name holder the right to withhold his or her personal details from the domain name register (in which case, the relevant participant's details will be included instead).

Register of Domain Names and Personal Domain Names

Because the Register of Domain Names and Personal Domain Names contains personal data, the responsible party, i.e. SIDN, has to inform the Data Protection Authority about activities involving the processing of this data. As required by the Data Protection Act, SIDN has therefore registered its activities, the relevant registration number being M1051464. The information provided to the Authority is set out in SIDN's Data Protection Policy.

Data in the domain name register is processed for the following purposes:

- To facilitate the processing of applications to register '.nl' domain names
- To facilitate the processing of complaints and requests from domain name holders and other interested parties
- To facilitate participants' activities performed under agreements with SIDN
- To facilitate the inclusion of data in the so-called 'zone file'

Data in the public section of the domain name register is additionally processed for the following purposes:

- To facilitate the resolution of technical problems relating to the working of the Internet
- To facilitate the registration of (as yet unregistered) '.nl' domain names
- To facilitate the protection of intellectual property rights
- To facilitate the exclusion and removal of illegal or harmful material from the Internet

Submission of requests

If you are a (personal) domain name holder or applicant and you do not wish your details to appear in the public section of the domain name register, you should submit a request for the information to be withheld or withdrawn to the participant who acts for you. You should also approach your participant if you want to know what data is held concerning you, or if you want such data corrected, supplemented or deleted.

In all such circumstances, your participant will pass the request on to SIDN.

Please note that domain name holders have a contractual obligation to inform SIDN immediately via their participants if there is any change to the details entered on the registration contract.