

Recommendation #3 – Criteria and Content of Requests

Based on the staff support team review of the feedback provided by the different groups by the deadline on the discussion table, the following topics / issues are being put forward for discussion during Thursday's meeting. The input on these topics / issues, as well as non-controversial changes identified or where responses were aligned in the discussion table, will be used to develop a next iteration of the recommendation text for EPDP Team review. Note, known concerns, which have been considered and discussed previously have not been included and will not be discussed again unless new information has been provided.

Preliminary Recommendation #3. Criteria and Content of Requests

The objective of this recommendation is to allow for the standardized submission of requested data elements, including any supporting documentation.

The EPDP Team recommends that each SSAD request MUST include all information necessary for a disclosure decision, including the following information:

- a) Domain name pertaining to the request for access/disclosure;*
- b) Identification of and information about the requestor (including, requestor's accreditation status, if applicable, the nature/type of business entity or individual, Power of Attorney statements, where applicable and relevant);*
- c) Information about the legal rights of the requestor specific to the request and specific rationale and/or justification for the request, (e.g., What is the basis or reason for the request; Why is it necessary for the requestor to ask for this data?);*
- d) Affirmation that the request is being made in good faith and that data received (if any) will be processed lawfully and only in accordance with the justification specified in (c);*
- e) A list of data elements requested by the requestor, and why the data elements requested are adequate, relevant and limited to what is necessary.*
- f) Request type (e.g. Urgent – see also preliminary recommendation #9).*

Takeaways to factor into possible updates to the language of the recommendation:

- Need to clarify what is meant with “standardized” submission (each request needs to provide the same information/respond to the same questions, using the same form/format)
- The user interface for submitting requests is an implementation detail, but offering pre-populated fields, tick boxes or dropdown options should be considered as long as these are not restrictive/limiting.
- Implementation guidance: requests must be in English unless the Contracted Party that is receiving the request indicates they are also willing to receive the request and/or supporting documents in their local language
- The issue of reverse lookups has been previously discussed and a compromise was reached by the EPDP Team. Accordingly, this topic will not be re-opened as no new information was provided.

- Consider request type in the context of recommendation #9 – SLAs – if there are changes to how priority is to be identified, it will need to be reflected here as well.
- Proposed edits where there were no objections will be applied in the next version of the recommendation.

Remaining items:

1. Is the list of permissible purposes (i.e. specific rationale and/or justification for the request) a policy question that the EPDP Team needs to address in its policy recommendation?
2. Should 'as applicable' be added to the first sentence so that it would read "*The EPDP Team recommends that each SSAD request MUST include all information necessary for a disclosure decision, including the following information, **as applicable**:*". In other words, are there any requests for which it would NOT be necessary to provide the specified information in a) – f)? Note that b) already includes a reference to 'if applicable' and 'where applicable and relevant'.