

RECOMMENDATION #14 – Retention and Destruction of Data

Feedback input has been received from the RySG and RrSG on the discussion items. Based on their input, the proposed path forward will be to

integrate this recommendation with recommendation #13 (Terms of use) as it concerns terms applicable to requestors who receive public gTLD registration data.

Clarify that requestors must retain data for as long as necessary to achieve the purpose, unless **otherwise required to retain such data for a longer period under applicable law.**

Feedback was expressed with “Abuse of this MUST be grounds for termination. Audit of this MUST be available to the Contracting Parties. Under the audit recommendation, appropriate mechanisms are foreseen to “to ensure accredited entities’ and individuals’ compliance with policy requirements as defined in the accreditation preliminary recommendation”. Does this cover this sufficiently or is more guidance needed concerning how this requirement would be audited and to whom it should be available?

This overview has been developed to facilitate the EPDP Team’s consideration of the concerns expressed and possible updates to the recommendations from the Initial Report. However, this does not replace the EPDP Team’s obligation to review all input received in full and any concerns in this overview have inadvertently been mischaracterized or left out.

Each team is expected to have reviewed the PCRT before filling out the tables below. Please focus on any new information or concerns that have been provided. If it concerns information or perspectives that the EPDP Team already considered in the development of the recommendations, feel free to point this out.

Preliminary Recommendation #14 Retention and Destruction of Data

The Team recommends that requestors **MUST** confirm that they will store, protect and dispose of the gTLD registration data in accordance with applicable law. Requestors **MUST** retain only the gTLD registration data for as long as necessary to achieve the purpose stated in the disclosure request.

Concerns / Suggestions

Proposed Edit	Corresponding PCRT Comment #
Team recommends that requestors MUST confirm that they will store, protect and dispose of the gTLD registration data in accordance with applicable law. Requestors must retain only the gTLD registration data for as long as necessary to achieve the purpose stated in the disclosure request, otherwise required to retain such data for a longer period under applicable law.	#3, 4, 6
Team recommends that requestors MUST confirm that they will store, protect and dispose of the gTLD registration data in accordance with applicable law. Requestors MUST retain only the gTLD registration data for as long as necessary to achieve the purpose stated in the disclosure request.	#5
This MUST be grounds for termination. Audit of this MUST be available to the Contracted Parties. These two points should be reflected in the Preliminary Recommendation (or the Abuse and Policy Recommendations should be updated to clearly include them).	#7
Team recommends combining this recommendation with Preliminary Recommendation #13, as these appear to be terms applicable to requestors who received non-public gTLD registration data.	#12
	<p>Please indicate if you agree with the concerns and proposed language</p> <p>If you agree with the concern, please provide specific language changes.</p>

	edits and indicate specific language changes that should be applied to address the concern? Agree / Disagree	If you disagree, please indicate why.
	a) agree b) disagree c) agree d) agree	b) support edits from (a) instead.
	a) agree b) disagree c) agree d) agree	b) The acceptance of b, would be not compatible with law.