C

ICANN PURPOSE:
Enable communication or notification to the Registered Name Holder and/or their delegated ~~parties~~ agents of technical and/or administrative issues with a Registered Name

(Purposes by Actor (C))(TempSpec - 4.4.3, 4.4.5, 4.4.6, 4.4.7, 7.7.2)

Purpose Rationale:

1) If the purpose is based on an ICANN contract, is this lawful as tested against GDPR and other laws?

[The processing activity (optional collection of data elements for contactability purposes) is lawful under Art. 6(1)(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.]

1) Registrants must have the option to provide that data.
2) If the fields are not filled in, either they need to default to the Registrant Contact information or we need an access process that defaults back to the registrant's info when there are admin/tech requests. In either case, the registrant should be clearly informed.
3) The EDPD letter of 05 July 2018 said: "It should therefore be made clear, as part of the registration process, that the registrant is free to (1) designate the same person as the registrant (or its representative) as the administrative or technical contact; or (2) provide contact information which does not directly identify the administrative or technical contact person concerned (e.g. admin @company.com). For the avoidance of doubt, the EDPB recommends explicitly clarifying this within future updates of the Temporary Specification."

2) Is the purpose in violation with ICANN's bylaws?

No. Directly relates to mission.

3) Are there any "picket fence" considerations related to this purpose?

All good

Lawfulness of Processing Test:

Processing Activity:	Responsible Party: (Charter Questions 3k, 3l, 3m)	Lawful Basis: (Is the processing necessary to achieve the purpose?)
C-PA1: Collection of registration data for contactability/notification purposes (Charter Question 2b)	Registrar - Joint Controller	6(1)(b) - For registrars: This is a 6(1)(b) purpose because it is necessary to collect registrant data so that the registrar can contact the registrant in the event a communication is necessary to maintain the domain operation.
	ICANN - Joint Controller Registries - Joint controller	6(1)(f) - For third parties who would like to report technical issues to a technical contact: This would be a 6(1)(f) purpose because while there may be a legitimate interest in third parties contacting the registrant (for example, to inform the registrant or designee of a technical issue with the domain name), this is not necessary for the performance of the contract.
C-PA2: Transmission of registration data to (Charter Questions 2c, 2d, 2e, 2i)	TBD	TBD
C-PA3: Disclosure of registration data (Charter Questions 2f (gating questions), 2j)	TBD	TBD
C-PA4: Retention of registration data (Charter Questions 2g, ??)	ICANN - Controller	Length of the registration plus 6 months to ensure there is a grace period to resolve any errors. The 6 months reflects existing grace periods plus a little extra time.

Commented [MK6]: From Alan Woods: ICANN or Registries only have contractual obligations with the registrar. This is not sufficient to ground the processing on 6(1)(b). In order to give effect to the Registrar / Data subject contract however, ICANN has mandated the collection of data to allow for the purpose as noted (again requires DPIA). Registries, in enforcing their own registration terms, as passed on by the registrar (but as a registrar contractual term, not a registry contractual term), must be able to process the registrant data to enforce. This is a shared purpose, but the manner and frequency of the processing is decided by the Registry, thus a controller.

ICANN sets the main purpose for such data processing, but does not actually process the data physically. Their control/influence in this processing however cannot be overlooked, as they are parties to the contract which sets down the basic rules. They are also a controller. (joint)

Commented [BC7]: 27 Sep – Added by Purpose C breakout team

Data Elements Map:
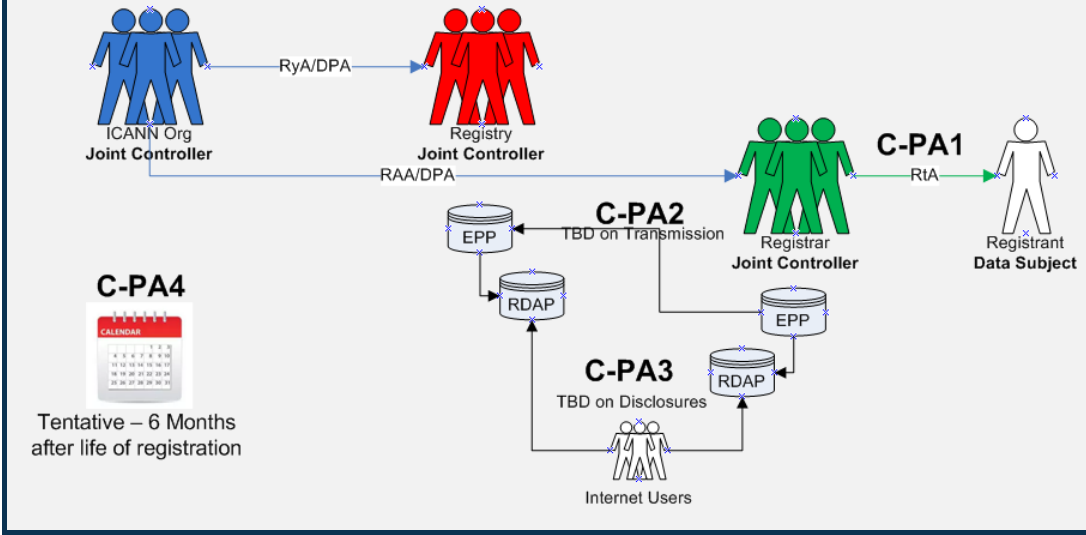
Data Elements Matrix:
"1" = Required "(1)" = Optional "-" = Not Required or Optional

Data Element	Collection C-PA1	Transmission C-PA2	Disclosure C-PA3	Retention C-PA4	TBD C-PA5	TBD C-PA6
Domain Name	1	-	-	1	-	-
Registry Domain ID	-	-	-	-	-	-
Registrar Whois Server	-	-	-	-	-	-
Registrar URL	-	-	-	-	-	-
Updated Date	-	-	-	-	-	-
Creation Date	-	-	-	-	-	-
Registry Expiry Date	-	-	-	-	-	-
Registrar Registration Expiration Date	-	-	-	-	-	-
Registrar	-	-	-	-	-	-
Registrar IANA ID	-	-	-	-	-	-
Registrar Abuse Contact Email	1	-	-	1	-	-
Registrar Abuse Contact Phone	-	-	-	-	-	-
Reseller	-	-	-	-	-	-
Domain Status	-	-	-	-	-	-
Registry Registrant ID	-	-	-	-	-	-
Registrant Fields						
• Name	1	-	-	1	-	-
• Organization (opt.)	(1)	-	-	(1)	-	-
• Street	1	-	-	1	-	-
• City	1	-	-	1	-	-
• State/province	1	-	-	1	-	-
• Postal code	1	-	-	1	-	-

Commented [BC8]: 27 Sep – Added by Purpose C breakout team

Commented [BC9]: Staff suggestion based on Collection PA. needs to be confirmed

Data Element	Collection C-PA1	Transmission C-PA2	Disclosure C-PA3	Retention C-PA4	TBD C-PA5	TBD C-PA6
• Country	1	-	-	1	-	-
• Phone	1	-	-	1	-	-
• Phone ext (opt.)	(1)	-	-	(1)	-	-
• Fax (opt.)	(1)	-	-	(1)	-	-
• Fax ext (opt.)	(1)	-	-	(1)	-	-
• Email	1	-	-	1	-	-
2nd E-Mail address	-	-	-	-	-	-
Admin ID	-	-	-	-	-	-
Admin Fields						
• Name	(1)	-	-	(1)	-	-
• Organization (opt.)	(1)	-	-	(1)	-	-
• Street	(1)	-	-	(1)	-	-
• City	(1)	-	-	(1)	-	-
• State/province	(1)	-	-	(1)	-	-
• Postal code	(1)	-	-	(1)	-	-
• Country	(1)	-	-	(1)	-	-
• Phone	(1)	-	-	(1)	-	-
• Phone ext (opt.)	(1)	-	-	(1)	-	-
• Fax (opt.)	(1)	-	-	(1)	-	-
• Fax ext (opt.)	(1)	-	-	(1)	-	-
• Email	(1)	-	-	(1)	-	-
Tech ID	-	-	-	-	-	-
Tech Fields						
• Name	(1)	-	-	(1)	-	-
• Organization (opt.)	(1)	-	-	(1)	-	-
• Street	(1)	-	-	(1)	-	-
• City	(1)	-	-	(1)	-	-
• State/province	(1)	-	-	(1)	-	-
• Postal code	(1)	-	-	(1)	-	-
• Country	(1)	-	-	(1)	-	-
• Phone	(1)	-	-	(1)	-	-
• Phone ext (opt.)	(1)	-	-	(1)	-	-
• Fax (opt.)	(1)	-	-	(1)	-	-
• Fax ext (opt.)	(1)	-	-	(1)	-	-
• Email	(1)	-	-	(1)	-	-
NameServer(s)	-	-	-	-	-	-
DNSSEC	-	-	-	-	-	-
Name Server IP Address	-	-	-	-	-	-
Last Update of Whois Database	-	-	-	-	-	-
Other Data:						
• Field 1	-	-	-	-	-	-
• Field 2	-	-	-	-	-	-

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Chain of Custody:
- Registrar Data Escrow Program: https://www.icann.org/resources/pages/registrar-data-escrow-2015-12-01-en
  - Data Fields Source: https://www.icann.org/en/system/files/files/rde-specs-09nov07-en.pdf
- Temp Spec: Section 5.3, Appendix B