

DATA PUBLICATION
AND ACCESS POLICY
ON AF NIC
REGISTRATIONS

Rules for extensions .fr, .pm, .re, .tf, .wf et
.yt

afnic

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Chapitre 1 - Introduction

Article 1.1 – Définitions

As a registry and according to the provisions of article L45 of the Post and Electronic Communications Code, AFNIC's mission is to collect near registrars the data to identify individual and corporate entity domain name holders and domain name registrations.

AFNIC determines the technical conditions for the operation of this benchmark database and for accessing the associated services.

The state owns the rights to the "Whois" database; AFNIC has a right to use the "Whois" database.

Protected by the provisions of the July 1st, 1998 law on legal protection of databases, the « Whols » database aims at offering:

- ✓ exact administrative data on the domain name's holder and its different associated contacts,
- ✓ technical information concerning the domain name itself.

This information enables to verify the availability of a domain name, to contact the domain name holder or someone related with the domain name or to check one's registrations etc.

Article 1.2 – General Principles

AFNIC offers to the public a Whols request service that allows the consultation of the information contained in this database in accordance with the recognized rules of general interest.

One of the principal stakes in managing this database is to preserve a balance between personal data protection for the .fr domain name holders and the legitimate need to access the referenced contact information for these same domain names.

To do so, AFNIC carries out the necessary protection to supervise the data use modalities through equitable and non-discriminatory treatment and in accordance with the purpose of the database described in the naming policy and in this document.

This document applies for all the French extensions : .fr, .pm, .re, .tf, .wf, .yt.

Article 1.3 - Obligations

To guarantee the domain name transparency, the registry is empowered to publish some personal data on its website as well as other technical information.

Chapitre 2 - Nature of the Whois data

Article 2.1 – Data appearing on the Whois database

- ✓ Domain name ;
- ✓ Holder information (first name and last name of the holder if he/she did not select restricted publishing, corporate name, postal address, phone number, fax number, email address) ;
- ✓ Administrative contact information (first name and last name or corporate name, postal address, phone number, fax number, email address or « nic handle ») ;
- ✓ Technical contact information (first name and last name or corporate name, postal address, phone number, fax number, email address or « nic handle ») ;
- ✓ Registrars information ;
- ✓ Qualification operations information from AFNIC ;
- ✓ Qualification operations information from the registrar ;
- ✓ DNS Servers +information about Dnssec ;
- ✓ Creation date, renewal date or date of the last update on the domain.

Article 2.2 - Data collection and update

Registrars collect the data during the domain name registration.

In order to be able to contact the domain holder and/or administrative contact, the information must be updated during the whole life cycle of the domain name by the registrar in charge of the domain. This update is not invoiced by AFNIC today, except for domain name transmissions from one holder to another.

The relevance of the Whois database requires that all information concerning the domain holder, administrative and technical contacts (whether legal entities or individuals) must be exact.

Article 2.3 – Data verification

AFNIC may carry out checks as part of qualification operations to ensure the eligibility and / or the reachability of the holder of the domain name. The qualification process consists of two (2) distinct processes, namely the verification process and the substantiation process.

While the verification process does not affect the portfolio of the holder of the domain name, the substantiation procedure suspends the portfolio of the domain name holder for a maximum period of thirty (30) days. Without any answers, the portfolio of the domain name holder could be blocked for another period of thirty (30) days before its deletion.

When the substantiation procedure is initiated by AFNIC, AFNIC sends the registry a request for supporting documents and notifies the owner and third party of same.

The situation can be rectified at any time by sending supporting evidence, in which case, AFNIC terminates the current procedure and informs the holder and the third party.

Chapitre 3 – Data Protection

Article 3.1 – Privacy Policy

The data collected by the registrars during domain registrations are published in the Whois database.

However according to the French Data Protection Act (January 6th, 1978), personal data concerning the individuals holders (first name, last name, address, phone number, fax number, email address) is protected and is not published. This process called restricted publication is applied by default unless the opposite is requested by the holder.

Furthermore, AFNIC urges legal entities holders not to give personal data during the registration of their domain name.

Article 3.2 – Personal Data Disclosure

Third parties can have legitimate reasons to request personal data disclosure from an individual domain name holder under restricted publication in the Whois database.

AFNIC is empowered to reveal these data only in the following cases:

- ✓ Further to a decision in ex parte proceedings or legal requisition, it being understood that there is no need to bring proceedings against AFNIC in order to obtain such information;
- ✓ on request from an authority with a right of communication (the General Directorate for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), the customs authorities, the Treasury, etc.);

- ✓ as part of a request to lift a person's anonymity using a form called a "Request for the disclosure of personal data" which is available on the AFNIC website. The lifting of a person's anonymity is not automatic; in particular AFNIC reserves the right not to grant the request, depending on the status of the applicant or the ultimate purpose.

AFNIC also reserves the right to initiate legal proceedings against any person who would use the data for unauthorised ends.

Chapitre 4 – Whois Database Consultation

Article 4.1 – Two access modes

AFNIC offers two free ways to access the data defined in paragraph 2 of this document:

- ✓ A web access interface on AFNIC website that cannot be consulted automatically ;
- ✓ A « Port 43 » access whose daily request number is limited by a policy.

These two ways offer only one search criteria, the domain name.

Article 4.2 – Use and Access Limitation

AFNIC has chosen limitation measures for the number of requests in order to prevent abuse in the use of personal data and to guarantee the quality of the service.

By a transparent parameter adjustment policy, AFNIC guarantees quality of service to the punctual users and professionals.

AFNIC database user commits to using the published data according to the laws and regulations in effect. Besides, the user shall respect the provisions of the French Data Protection Act. Violation of this act carries criminal penalties.

As the user is accessing personal data, he must refrain from any collection, misuse or any act that could lead to invasion of privacy or damaging the reputation of individuals.

AFNIC can at any time filter the access to its services in case of malevolent use suspicions.

Chapitre 5 – Additional Services

Article 5.1 – Special registrar services

To facilitate registrar's daily operations, AFNIC offers specific services :

- ✓ unlimited access to their own domain portfolio through interface EPP ;



- ✓ the possibility to make a higher number of requests on the complete database through the « port 43 » access. This service only allows to access the following information : domain name, holder name (except the ones under restricted publication), the registrar, the DNS servers and the domain name status ;
- ✓ FTP access to their entire portfolio of domain names, contacts and tickets.

Article 5.2 – Audit service of availability of domain names - DAS -

Bound for all public, this service based on the IRIS Protocol is fully automated. It helps to know the availability or not of a domain name, the reasons for the unavailability, and the information concerning the key dates of the domain name.

The access is slow limited and allows a large number of requests.

Article 5.3 – Daily List of the Registered Domain Names

Article L.45-5 of the Post and Electronic Communications Code provides that the registry publish daily the domain names they have registered.

As such, AFNIC publishes a daily list of registered domain names for each extensions which it is responsible.

The daily information are available for 7 days.

Article 5.4 - Whois Data Access Qualified Service (SQUAW)

AFNIC offers to legal entities that make a request and under certain conditions, the list of .fr domain names, the corresponding registrars and the names of the holders that have registered the domain names (with the exception of individuals who opt for access to that information to be restricted).

Not only the subscribers to this paying service will have to bring added value to the information given by AFNIC but also present guarantees on how this information will be used.

This request for new domain names will need to be presented according to specific modalities. AFNIC's legal department will systematically analyse the request

Subscription terms and eligibility for this service are detailed on the following website: www.afnic.fr.

For any questions on this document, you can contact AFNIC's support team by e-mail at the following address: support@afnic.fr

