

*All about the processing of
your personal data by Afnic*

**For the attribution and the management of
domain names under the .fr, .pm, .re, .tf,
.wf and .yt TLDs**

afnic

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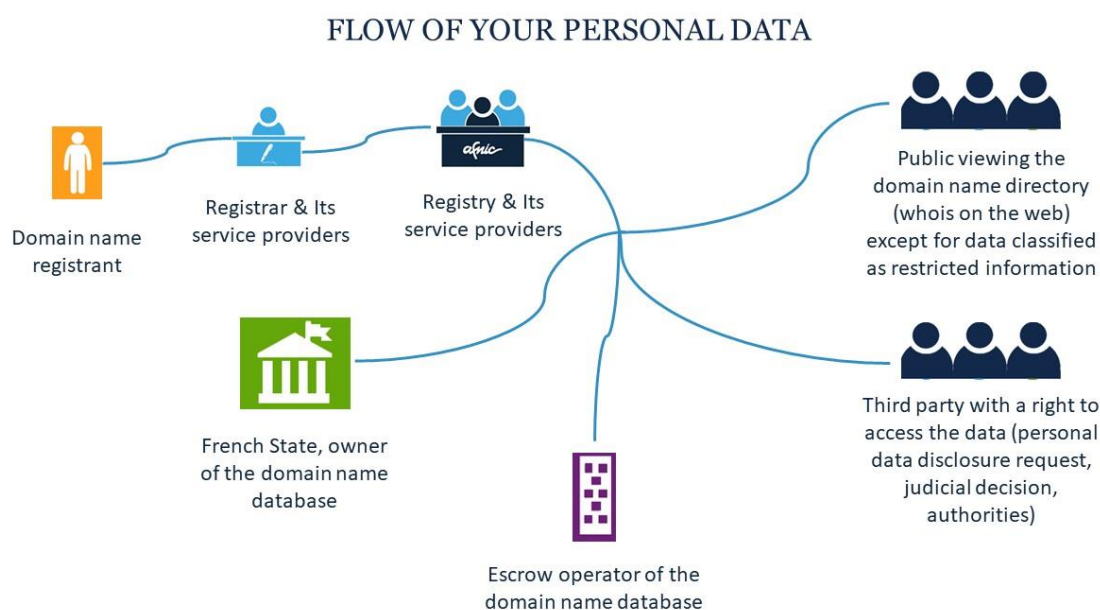
You have registered a domain name under the .fr, .pm, .re, .tf, .wf or .yt TLD

The French State has designated Afnic to allocate and manage these domain names.

Afnic collects and uses your personal data for the attribution and management of your domain names.

Afnic processes your personal data protecting your privacy.

This document presents all the information relating to the processing of your personal data, your rights and how to exercise them.



Chapter 1 - General

Article 1.1 - Introduction

Afnic is the registry designated by the French State to attribute and manage domain names within the top level domains (TLDs) of the addressing system by Internet domains corresponding to the “.fr”.

To do so, Afnic processes personal data in accordance with the provisions of the French Electronic Communications and Telecommunications Act (CPCE) and with those applicable to the protection of personal data and, in particular, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 applicable from 25 May 2018 (hereinafter "the General Data Protection Regulation [GDPR]").

Article 1.2 - General principles

When registering a domain name under the .fr, .pm, .re, .tf, .wf or .yt TLD, you are its holder or registrant (hereinafter "registrant") and the processing of your personal data is then carried out in order to manage the operations on that domain name.

The processing of personal data carried out for domain name operations falls under two categories of processing according to their main respective purposes:

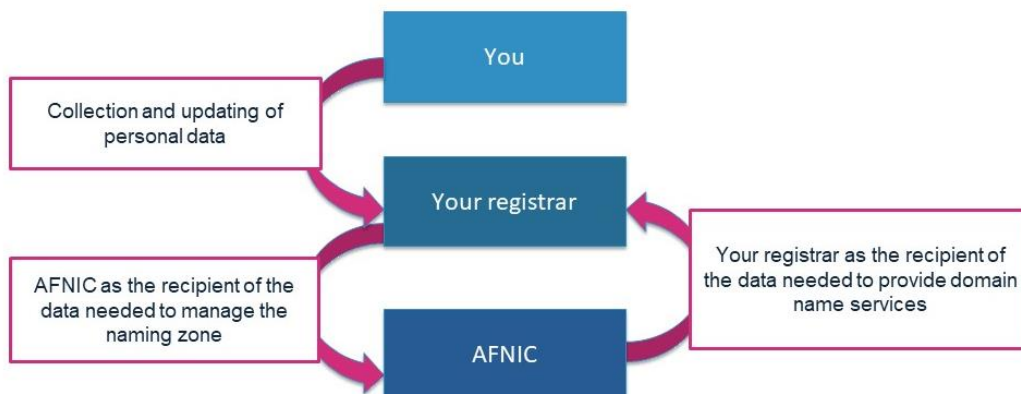
- The processing carried out by your registrar for the provision of registration services on your domain names;
- The processing carried out by Afnic for the administration of the naming zone in question.

PROCESSING CATEGORIES OF YOUR PERSONAL DATA

Controllers	Your registrar	AFNIC
Purposes of processing	Provision of registration services on your domain names	Administration of the naming zone
Legal bases	Contract with your registrar and French law	Legal framework Public service remit
Data subject	You as a customer and registrant of domain names	You as a registrant of domain names
Data processed	Those needed to provide the contractual services Direct collection	Those needed to manage naming Indirect collection via the registrars



Afnic and your registrar are the data controllers for the processing operations they perform. Each is the recipient of personal data processed by the other for the purposes of its own processing operations.



It is up to both Afnic and your registrar to respect the provisions resulting from the regulations in force applicable to the processing of your data and, in particular, the GDPR.

The subject of this document is the processing of your personal data by Afnic, as the registry, for the administration of the domain zone for which it is responsible, namely the zone relating to all the domain names registered under the top level domains of the Internet corresponding to the country codes of French territory (see our Naming Policy).

Article 1.3 - Commitments

To ensure the information and transparency about the processing of your personal data by Afnic, Afnic publishes and updates as necessary this information document (hereinafter "*Processing of Registrant Data*").

The document entitled *Processing of Registrant Data* is published and available at any time on the Afnic website for direct access or via accredited registrars who must, as part of their obligation to provide information on the processing of personal data, put a link to this information document so that it is available to you at any time as soon as you have registered a domain name.

Chapter 2 - Purpose

Article 2.1 - Information and transparency on data processing operations

As a domain name registrant, the document entitled *Processing of Registrant Data* gives you all the information relating to the processing of your personal data by the Afnic, as the Registry.

The processing of your personal data is carried out by Afnic in a secure manner in compliance with the legal framework relating to the protection of personal data with the fair, lawful and transparent collection for precise, explicit and legitimate purposes of your personal data which are adequate, relevant and not excessive in relation to these purposes. These exact, complete and, if necessary, updated data shall be kept for the time necessary for those purposes.













Afnic limits its processing of personal data to what is strictly necessary and Afnic clearly indicates for each processing operation:

- ✓ Its purpose;
- ✓ Its legal basis;
- ✓ Its duration;
- ✓ The categories of data processed
- ✓ The conditions for direct or indirect collection of data;
- ✓ Whether the data collected are mandatory or optional;
- ✓ The recipient(s)
- ✓ If applicable, transfers outside the EU with the appropriate protection measures for your data.

Afnic does not process your data for automated decision making, including profiling. Afnic does not further process your data for a purpose other than those defined in this document.

In order to allow comprehensible and simple access, the Afnic presents this information in the form of descriptive file per processing operation on the following model:

Standard summary data processing file:

Name of processing operation		This processing of your data is implemented by Afnic:
	Purposes:	For specific, explicit and legitimate reasons
	Legal bases:	<ul style="list-style-type: none"> ➤ With your consent (article 6 - 1. a/ of the GDPR) ➤ To perform a contract to which you are or will be party (article 6 - 1. b/ of the GDPR) ➤ To comply with our legal obligations (article 6 - 1. c/ of the GDPR) ➤ To protect your vital interests or those of a third party (article 6 - 1. d/ of the GDPR) ➤ To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR) ➤ To pursue our legitimate interests or those of a third party, in the interests or your fundamental rights and freedoms which require protection of personal data (article 6 - 1. f/ of the GDPR)
	Duration:	For a duration not exceeding that required for the purposes defined; this total duration is the retention period in an active database and that of our internal archives
	Categories of data processed:	Those of your data that are adequate, relevant and limited to what is necessary for the purposes defined (data minimisation)
	Conditions for the collection of data:	 Direct collection, the data are collected from you  Indirect collection, the data are collected from an identified third party and which is authorized to provide us with your data
	Nature of data:	 Requirement of your data is regulatory or contractual - It may condition the conclusion of a contract - Consequences in case of non supply of your data  Your data are optional - Consequences in case of non supply of your data
	Recipient(s):	The natural or legal person, public authority, service or any other organization that receives your data, whether or not they are a third party
	Where appropriate Transfers outside the EU:	Your data are transmitted to a recipient in a third country or international organization using appropriate safeguards guaranteeing an adequate level of protection. A copy of these safeguards is sent to you upon request to juridique@afnic.fr

Article 2.2 - Identity and contact details of Afnic, controller

Association Française pour le Nommage Internet en Coopération (Afnic)
Immeuble Stephenson
1 rue Stephenson
78180 Montigny-le-Bretonneux
France
SIREN 414 757 567
<https://www.afnic.fr>
support@afnic.fr
Telephone 01-39-30-83-00

Article 2.3 - Your rights as data subject

As a registrant of a domain name, you have rights, namely the right to access, oppose, rectify and delete data, the right to limit the processing thereof, the right to withdraw your consent at any time, the right to lodge a complaint with a supervisory authority and the right to set guidelines for the retention, erasure and communication of your personal data in the event of death.

Article 2.4 - Information and Procedures for exercising your rights as data subject

Your rights are exercised directly with your registrar for:

- ✓ All the processing carried out by your registrar and pertaining to the provision of services on domain names;
- ✓ All the processing carried out by the Afnic through registrars such as the collection and updating of your personal data for the registration of your domain names.

To obtain any information and/or otherwise exercise your rights on the processing of personal data by Afnic (see chapter 3), please contact:

- ✓ By electronic means to juridique@afnic.fr
- ✓ By mail:

Association Française pour le Nommage Internet en Coopération
Service Juridique, Abus et Litiges
Immeuble Stephenson
1 rue Stephenson
78180 Montigny-le-Bretonneux
France

Chapter 3 - List & Description of personal data processing operations

Article 3.1 - List of personal data processing operations








The processing of personal data implemented by Afnic involves operations to manage:

- ✓ Naming
- ✓ Verification requests
- ✓ Connecting the administrative contact
- ✓ Personal data disclosure
- ✓ Alternative Dispute Resolution Procedures (ADR)
- ✓ Reporting domain name that is illicit or contrary to public law and order
- ✓ Satisfaction surveys for the <.fr>
- ✓ Data subjects rights.








Article 3.2 - Description of each personal data processing operation

See below.









3.2.1 Naming Management


Naming Management		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Establish the attribution of domain names or naming plans for the .fr, .pm, .re, .tf, .wf and .yt TLDs ➤ Implement naming on the internet in accordance with French law ➤ Provide the directory services with restricted information by default ➤ Provide the DNS resolution service and exploit internet name servers to technically operate the domains
	Legal bases:	<p>To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR) Articles L45 et seq of the French Electronic Communications and Telecommunications Act (CPCE); Naming Policy and Registry Policies. Afnic is the registry for the .fr TLD further to:</p> <ul style="list-style-type: none"> ○ <i>Designation order of June 25, 2012</i> ○ <i>Order of April 5, 2017 extending the designation</i>
	Duration:	Until the deletion of the domain name, then retention in order to know the history of a domain name, as well as according to the applicable legal prescriptions
	Categories of data processed:	Your identifying data. Administrative and transaction data on your domain names
	Conditions for data collection:	Indirect collection: your data are collected from your registrar
	Nature of data:	Your data are a regulatory requirement and failure to provide them can prevent the administration of and operations on your domain name starting with the registration
	Recipient(s):	<ul style="list-style-type: none"> ➤ The relevant internal services of Afnic ➤ The public viewing the domain name directory (whois online) excluding data classified as restricted information ➤ The escrow operator of the whois database ➤ Third parties with access rights defined in the Naming Policy ➤ The beneficiaries of transactions you request (eg transferee) and their intermediaries

3.2.2 Management of verification requests








Management of verification requests		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Manage and process the Notifications / Reporting Forms related to an eligibility and reachability verification request ➤ Allow a third party to ask Afnic to check the eligibility criteria of a domain name registrant.
	Legal bases:	<p>To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR):</p> <p>Articles L45-3 and 45-5 of the French Electronic Communications and Telecommunications Act (CPCE)</p> <p>Naming Policy and other applicable policies</p>
	Duration:	<p>Destruction of verification requests and their processing after 2 years from the closure of the verification operations classified without follow-up</p> <p>In case of further proceedings (prosecution, extrajudicial or by Afnic), destruction at the end of the proceedings and their statutory limitation period</p>
	Categories of data processed:	<p>Identifying data of the applicant of the verification. Data of the verification request and its processing operation.</p> <p>Your identifying data. Processing data for the verification of your eligibility and reachability</p>
	Conditions for data collection:	Direct collection
	Nature of data:	Your data are a regulatory requirement and failure to provide them may lead to the deletion of your domain name portfolio in accordance with the terms of the French Electronic Communications and Telecommunications Act (CPCE) and the Naming Policy.
	Recipient(s):	<p>The relevant internal services of Afnic</p> <p>Your Registrar</p> <p>Note that applicants and their representatives only receive the result of the procedure</p> <p>The public looking at the directory of domain names (whois online) see the result of the procedure</p>

3.2.3 Managing contacts with the administrative contact












Managing contacts with the administrative contact		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Connect a third party and the administrative contact of a domain name when the registrant's data are restricted information. ➤ Allow the third party to send a message to the administrative contact via a web interface on the afnic.fr website
	Legal bases:	<ul style="list-style-type: none"> ➤ To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR) System to meet the requirements of permanence, quality, availability and security of the registration service. Articles L45-1 §1 and R20-44-39 of the French Electronic Communications and Telecommunications Act (CPCE) ➤ For the purposes of the legitimate interests pursued by a third party, in accordance with your interests or fundamental rights and freedoms which require protection of personal data (article 6 - 1. f / of the GDPR): These interests are those defined by the third parties under their own responsibility such as the defence of a right for the owner of a trademark, the powers of investigation for a government administration, etc.
	Duration:	1 year
	Categories of data processed:	Identifying data of the third party, originator of the message and its login information. Email address of the administrative contact of your domain name.
	Conditions for data collection:	 Direct collection for data concerning the third party, originator of the message.  Indirect collection of the administrative contact's email address collected from your registrar
	Nature of data:	<p>For the third party, the originator of the message, its identification data are a contractual requirement for the use of the connecting interface.</p> <p>Note: for you, as registrant of the domain name, an incorrect electronic address of the administrative contact can lead to an eligibility verification procedure concerning your domain name</p>


	Recipient(s):	None. Note: you are the only recipient of the message sent by the third party, its originator
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3.2.4 Management of personal data disclosure requests








Management of personal data disclosure requests		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Reveal the identity and contact information of a domain name registrant, a natural person having opted for their credentials to be restricted information- upon a reasoned request from a third party or from a judicial authority, police, etc. ➤ Manage personal data disclosure requests and generate statistics
	Legal bases:	<ul style="list-style-type: none"> ➤ To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR) System to meet the requirements of permanence, quality, availability and security of the registration service. Articles L45-1 §1 and R20-44-39 of the French Electronic Communications and Telecommunications Act (CPCE) ➤ For the purposes of the legitimate interests pursued by a third party, in accordance with your interests or fundamental rights and freedoms which require protection of personal data (article 6 - 1. f / of the GDPR): These interests are those defined by the third parties under their own responsibility such as the defence of a right for the owner of a trademark, the powers of investigation for a government administration, etc.
	Duration:	6 months then purge
	Categories of data processed:	Your identifying data. Administrative and transaction data on your domain names for public authorities under the law or for third parties pursuant to a judicial decision
	Conditions for data collection:	Indirect collection: your data are collected from your registrar
	Nature of data:	Incorrect identification data may lead to procedures jeopardizing your portfolio of domain names under the French Electronic Communications and Telecommunications Act (CPCE) and the Naming Policy
	Recipient(s):	The relevant internal services of Afnic Applicant for personal data disclosure requests and their representative

3.2.5 Management of Alternative Dispute Resolution Procedures (ADR)










ADR Management		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Allow a third party to refer to the Afnic to request the transfer or deletion of a domain name. ➤ Management of the service by Afnic and the Wipo arbitration and mediation center: administration, security, information and statistics. ➤ Access to platforms by Experts and Interveners ➤ Management of Experts and Interveners
	Legal bases:	<p>To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR):</p> <p>Article L45-5 of the French Electronic Communications and Telecommunications Act (CPCE)</p> <p>Naming Charter and ADR Rules and Regulations</p>
	Duration:	<p>Purge of the active base 2 months from the publication of the decision. In case of further proceedings (prosecution, extrajudicial or by Afnic), destruction at the end of the proceedings and their statutory limitation period 5 years in an archive database.</p> <p>Publication of decisions rendered after de-identification.</p>
	Categories of data processed:	Identifying data. Data of the ADR files (argumentation, evidence, exchanges, etc.) and their processing (report, decision, etc.).
	Conditions for data collection:	 Direct collection for the data you provide in defence of ADR files opened against your domain name  Indirect collection for data are collected from your registrar
	Nature of data:	 Incorrect identification data will prevent you from receiving the documents in the procedure and therefore from providing your defence submissions.  You are free to answer an ADR file. Whatever the case, the ADR decision will be binding on you (see the ADR Rules and Regulations).
	Recipient(s):	<p>The relevant internal services of Afnic</p> <p>The claimant, yourself and, where applicable, the representatives</p> <p>Your registrar in charge of the domain name concerned by the</p>

		<p>ADR request</p> <p>If the claimant refers to the ADR EXPERT: The designated expert and the relevant services of the WIPO Arbitration and Mediation Center</p> <p>Public for the decision in the ADR</p>
	<p>Where appropriate</p> <p>Transfers outside the EU:</p>	<p>If applicable: The ADR EXPERT file</p> <p>Recipient(s): WIPO Arbitration and Mediation Center established in Switzerland.</p> <p>Purposes: Co-administrator of the ADR EXPERT with Afnic</p> <p>Adequate protection procedures: Switzerland is a country recognized by the European Commission as adequate and offering a sufficient level of protection of personal data.</p>








3.2.6 Reporting domain name that is illicit or contrary to public law and order

Managing the reporting domain name that is illicit or contrary to public law and order		This processing of your data is implemented by Afnic:
	Purposes:	Allow, via a form available on afnic.fr , any person to bring to the attention of Afnic a domain name that is unlawful or contrary to public order.
	Legal bases:	To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR) System to meet the requirement of a system allowing any person to bring to the attention of Afnic a domain name likely to be unlawful or contrary to public order. Articles L45-1 §1 and R20-44-39 of the French Electronic Communications and Telecommunications Act (CPCE)
	Duration:	Destruction of verification requests and their processing after 2 years from the closure of the verification operations started and then classified without follow-up In case of further proceedings (prosecution, extrajudicial or by Afnic), destruction at the end of the proceedings and their statutory limitation period
	Categories of data processed:	Identifying data of the originator of the report. Reporting data and the processing operation. Your identifying data. Processing data for the verification of your eligibility and reachability
	Conditions for data collection:	Direct collection
	Nature of data:	Your data are a regulatory requirement and failure to provide them may lead to the deletion of your domain name portfolio in accordance with the terms of the French Electronic Communications and Telecommunications Act (CPCE) and the Naming Policy.
	Recipient(s):	The relevant internal services of Afnic The competent public authorities

3.2.7 Management of satisfaction surveys in the <.fr> TLD

Management of satisfaction surveys in the <.fr> TLD		This processing of your data is implemented by Afnic:
	Purposes:	<ul style="list-style-type: none"> ➤ Identify the (or lack of) satisfaction of domain name registrants under the <.fr> TLD ➤ Once the collected data have been de-identified: carry out the study and statistics on the results of surveys; make the profiles of the holders; know the motivations for registering a domain name; know the uses made of domain names ➤ Improve the quality of Afnic's services in its public service remit. Identify dissatisfaction in order to act on areas of improvement ➤ Monitor the progress of Afnic in its commitments as a registry
	Legal bases:	<ul style="list-style-type: none"> ➤ To perform a task carried out in the public interest (article 6 - 1. e/ of the GDPR): to meet quality requirements. Articles L45-1 §1 and R20-44-39 of the French Electronic Communications and Telecommunications Act (CPCE) <p>And</p> <ul style="list-style-type: none"> ➤ With your consent (article 6 - 1. a/ of the GDPR) <p>Your consent is collected on the occasion of the first contact with the immediate right to oppose such collection</p>
	Duration:	<ul style="list-style-type: none"> ➤ Survey database: destruction at the end of the survey. Raw data: destruction at the end of the survey provider's task ➤ No limit on de-identified results
	Categories of data processed:	Your identifying data. Your answers to the survey.
	Conditions for data collection:	 Direct collection for your survey responses  Indirect collection for your identifying data collected from your registrar
	Nature of data:	Your data are optional - No consequences if you do not provide your data
	Recipient(s):	<p>The relevant internal services of Afnic</p> <p>The service provider in charge of carrying out the survey and their subcontractor(s)</p> <p>The public for de-identified results</p>

3.2.8 Management of data subjects rights

	Management of data subjects rights	This processing of your data is implemented by Afnic:
	Purposes:	Manage and process the requests for information and exercise of the data subjects rights to the exclusion of all that pertains to the procedures related to the whois database (example: personal data disclosure)
	Legal bases:	➤ To comply with our legal obligations (article 6 - 1. c/ of the GDPR) Chapter III of the GDPR
	Duration:	1 year in current archive 3 years in intermediate archive if the right to opt-out is exercised
	Categories of data processed:	Your identification data. Your request and its processing.
	Conditions for data collection:	Direct collection
	Nature of data:	Your data are a regulatory requirement and failure to provide them can prevent the the processing of your request
	Recipient(s):	The relevant internal services of Afnic If applicable, the registrars responsible for your domain names

For any question relating to this document or for any suggestion to improve it, please contact the Afnic legal affairs department: juridique@afnic.fr.