

.网站 (xn--5tzm5g) Personal Data Protection Policy

The following are the key provisions from the ICANN Agreements relating to data protection with which Global Website TLD Asia Limited (“GWTA”) must comply:

1. Registrar Accreditation Agreement between ICANN and the Registrar

Clause 3.5 of this agreement indicates that the Registrar claims all rights and exclusive ownership in the personal data collected to include the name and address of the Registered Name Holder, the name, postal address, email address, voice telephone number and fax number of the Technical Contact and of the Administrative Contact. The Registrar also agrees to grant non-exclusive, irrevocable, royalty free licences to make use of and disclose the data elements mentioned above for the purpose of providing a service or services providing interactive, query based public access (WHOIS services). Clauses 3.7.7.4 – 3.7.7.8 and Clause 5.8 provide indications that the Registrar is a data controller and owner of the personal data provided to it in relation to the registration of a particular domain name within the TLD.

2. Registry-Registrar Agreement between GWTA and the Registrar

This agreement provides that Registrars will provide internet domain name registration services for the applicable TLD, and GWTA shall provide the Registrar access to the registry system that it operates. Clause 2.6 provides that GWTA shall notify the Registrar of the purposes for which personal data submitted to it by the Registrar is collected, the intended recipients, and the mechanisms for access to and correction of the data. In addition GWTA is required to take reasonable steps to protect the personal data from loss, misuse, unauthorised disclosure, alteration or destruction.

Clause 3.6 of the same agreement provides that the Registrar will grant GWTA a non-exclusive, non-transferable, limited licence to the personal data for the propagation of and the provision of authorised access to the TLD Zone files and as otherwise required in GWTA’s operation of the TLD. Clause 3.6 of the agreement also provides that the Registrar shall require each Registered Name Holder to consent to the use, copying, distribution, publication, modification and other processing of Registered Name Holders personal data by GWTA and its designees and agents in a manner consistent with the purposes specified pursuant to subsection 2.6 (mentioned above).

Conclusion

GWTA is obliged to take reasonable steps to protect personal data from loss, misuse, unauthorised disclosure, alteration or destruction. Furthermore, GWTA is not provided the right under its agreement with ICANN to use or authorise the use of the personal data in a way that is incompatible with the notice provided to the Registrars. In addition, GWTA is not entitled to claim any intellectual property rights in data supplied by or through the Registrars. The purpose of this policy is to indicate that GWTA’s sole function in relation to the data supplied to it by the Registrars is to collate it into a usable database that can be accessed for particular services to include WHOIS services. No ownership in the personal data passes to GWTA.