

THE IMPACT OF THE RGPD REGISTRY REGISTRY-REGISTRAR RELATIONSHIP FAQ

THESE FAQs DO NOT EXEMPT THE NEED TO READ THE DOCUMENTS PRODUCED IN THIS SCOPEY THE DNS.PT, INCLUDING THE REGISTRATION RULES OF .PT DOMAINS, THE ADDENDUM TO THE PROTOCOL REGISTRY / REGISTRAR, THE INFORMATION NOTE AND THE CONSENT STATEMENT. IN CASE OF DISCREPANCY, THE AFOREMENTIONEDS PREVAIL OVER THE FAQs.

REGISTRATION AND MANAGEMENT OF NAMES UNDER .PT

1. What is the purpose of the treatment?

The personal data of clients will be dealt with under the contractual relationship arising from the registration of a .pt domain name, namely at the level of management, registration and maintenance.

2. What is the legal basis of the treatment?

The execution of the agreement of adhesion concluded between the DNS.PT and the holders of domain names when registering the domain.

3. Who is the Controller?

The DNS.PT is the responsible for the processing of personal data, and it is responsible for determining the purposes and means of processing of the data collected by registrars in the process of registering and maintaining a .pt domain.

4. What role do registrars play?

Registrars assume the status of Processor, processing personal data of clients on behalf of and according to the instructions of DNS.PT, exclusively for the purpose of registration and management of .pt domain names.

5. Can registrars also be responsible for treatment?

Yes, when processing customer data for purposes other than that indicated.

6. Can registrars subcontract other entities in the context of registration and management of .pt domain names?

Registrars may subcontract a third party under their direct authority to process personal data in the context of registration and management of .pt domain names. The complete list of subcontractors for these purposes should be known to DNS.PT.

The entities sub-contracted by registrars are subject to the same requirements as the latter, in terms of personal data protection and information security.

7. When registering a domain name are there any information duties that the registrar will have to comply with?

Yes, registrars should make available in their domain name registration interface the information contained in the Information Note that was duly sent by DNS.PT, adapting it to the relationship established with its clients. Customers should also have immediate access to the .PT Domain Registration Rules.

8. Should registrars send the Informative Note to holders of domain names registered before May 25?

No, it will be the DNS.PT to send the Informative Note to holders of domain names registered before May 25.

9. Where changes made to the procedure for transferring the management and ownership of domain names?

No, there are no changes to these procedures.

10. Can the registrars be audited by the controller?

Yes, DNS.PT reserves the right to audit compliance with the processes, legal and contractual requirements resulting from registrars' obligations regarding data protection and information security.

WHOIS

1. What is the purpose of the treatment?

Availability of contacts associated with the registration of a .pt domain. The WHOIS directory allows you to identify the data associated with the registration and maintenance of a .pt domain, contributing to the security, stability and resilience of the internet. and in parallel, constituting itself as support for criminal investigation.

2. What is the legal basis of the treatment?

Free, specific and informed consent of the respective holder of the personal data. Consent shall be obtained by reference to each domain name to which the data subject is associated.

3. Do corporations (companies) also have to give their consent for the disclosure of data in WHOIS?

No, consent is only necessary when the data subject is a natural person.

4. Who is responsible for the treatment?

The DNS.PT assumes the responsibility of the treatment in the context of the disclosure of personal data of clients in the WHOIS directory.

5. How is the consent obtained?

The registrars must make available in their domain name registration interface the Declaration of Consent for subscription.

6. Should the Declaration of Consent be sent to DNS.PT?

The Declaration of Consent should only be sent to the DNS.PT when this is expressly requested, however, registrars should always keep a proof of it, which should constitute sufficient proof of the respective subscription by the client.

7. Who will request the consent of the natural persons holding domain names prior to May 25?

The DNS.PT will notify all individuals already holding domain names.

8. What happens if the domain name holder does not consent to the disclosure of the data in the WHOIS or does not respond to the request for consent?

All personal data will be confidential by default.

9. Is consent a condition for the registration of domain names?

No, it is possible to register names under .pt without consenting to the disclosure of personal data in the WHOIS directory.

Other relevant information

1. Has the DNS.PT designated a Data Protection Officer?

Yes, DNS.PT has designated a Personal Data Protection Officer who can be reached at edp@dns.pt.

2. Which is the supervisory authority?

The Comissão Nacional de Proteção de Dados Pessoais (National Commission for the Protection of Personal Data), abbreviated as CNPD (www.cnpd.pt).

3. What are the rights of data subjects?

- Right of rectification;
- Right to erasure;
- Right to limit treatment;
- The right to portability;
- Right to opposition;
- Right of complaint to the supervisory authority.

4. Can the consent be withdrawn?

The client may, at any time, withdraw consent to the disclosure of his personal data directly in his reserved area at www.dns.pt or by requesting it directly from his registrar. In the latter case, the registrar shall promptly inform the DNS.PT of withdrawal of consent.

5. Which data will be released on WHOIS?

The name, physical address and email address, if it is the registrant, and only the name and email address if it is the managing entity.

6. What information will be available if consent to the disclosure of personal data in WHOIS is not obtained?

Personal data will not be divulged and an anonymized contact option will be available where, using a proper form, the message will be properly forwarded to the domain holder.

7. Does the DNS.PT manage or have access to the contents and / or exchange of messages transmitted via an anonymized contact option?

No, the DNS.PT only makes available to the WHOIS user this feature. The contacts made by this route will not be intermediated by DNS.PT.

8. Will there be changes in the EPP platform?

Yes, the EPP commands have already been duly changed to reflect changes made to the WHOIS policy. The changes to the EPP platform have already been promptly communicated by email to all registrars.

9. Who can access confidential data?

The judicial authorities, ARBITRARE, entities to which the law assigns competences in the criminal investigation, or whose mission is the supervision and prevention of compliance with the legislation in the scope of, namely, the protection of consumer rights, intellectual property, communications, security, public health and general commercial practices, by communication addressed to the .PT, may request access to personal data not accessible to the public via WHOIS.