

*Policy on publication
and access to
information and
domain names
registration systems*

**Rules applicable to Internet domain
names using country codes for
metropolitan France and the Overseas
Departments and Territories**

afnic

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Chapitre 1 - Introduction

Article 1.1 – Definitions

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 registrants 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 registrant 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 registrant or someone related with the domain name or to check one's registrations etc.

Afnic makes its best efforts to initiate a policy of publishing "whois" data which it collects in accordance with the provisions of the French Electronic Communications and Telecommunications Act and with the provisions resulting from the regulations in force applicable to the processing of personal data and, in particular, Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 applicable from 25 May 2018 (hereinafter "the European Data Protection Regulation" or "GDPR"). The terms of this publication in automated formats and under Open License licenses will be published prior to their implementation.

Article 1.2 – General Principles

One of the principal stakes in managing this database is to preserve a balance between personal data protection for the .fr domain name registrants 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 to all domain names registered under the Internet top-level domain suffixes corresponding to the country codes of the national territory currently managed by Afnic.

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 ;
- ✓ Registrant information:
 - For Individual registrant: no personal data is published except if the registrant does not wish to benefit from the restricted information option, in which case the following data are published: first and last name of the registrant, postal address, phone number, fax number, email address, ID or “nic-handle”) ;
 - For Legal entities: corporate name, postal address, phone number, fax number, email address, ID or “nic-handle”);
- ✓ Administrative contact information
 - For Individual registrant: no personal data is published except if the registrant does not wish to benefit from the restricted information option, in which case the following data are published: first and last name of the registrant, postal address, phone number, fax number, email address, ID or “nic-handle”) ;
 - For Legal entities: corporate name, postal address, phone number, fax number, email address, ID or “nic-handle”);
- ✓ Technical contact information (first name and last name or corporate name, postal address, phone number, fax number, email address, ID or « nic handle ») ;
- ✓ Registrars information ;
- ✓ Qualification operations information from AFNIC ;
- ✓ Qualification operations information from the registrar ;
- ✓ DNS Servers and information about DNSSEC ;
- ✓ Date of the main operations carried out on the domain name.

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 registrant 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 registrant to another.

The relevance of the Whois database requires that all information concerning the domain registrant, 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 registrant 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 registrant of the domain name, the substantiation procedure suspends the portfolio of the domain name registrant for a maximum period of thirty (30) days. Without any answers, the portfolio of the domain name registrant 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 registrant 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 provisions resulting from the regulations in force applicable to the protection of personal data, personal data concerning individual registrants, for data related to registrant and administrative contacts, are protected and are not published. This process called restricted publication is applied by default unless the opposite is requested by the registrant.

Furthermore, AFNIC urges legal entities registrants 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 registrant 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.

Chapter 4 - Access to systems and information

Article 4.1 - Services

Afnic provides registrars and the general public with several services to manipulate or access data from the Whois database.

- ✓ For the general public:
 - Non-automatable read-only access via a query on the Whois "Port 43" service,
 - Non-automatable read access via a direct Whois web service,
 - Non-automatable read-only access to the list of the most recent domain names published,
 - Read-only access to an automatable service via a dchk service based on the IRIS protocol.
- ✓ For registrars:
 - Automated read / write access via an Extensible Provisioning Protocol (EPP) service,



- Non-automatable read / write access via a web forms service on the extranet,
- Non-automatable read access via a direct and reverse Whois web service,
- Read-only access to a dataset of their portfolio via an FTP service.

✓ **For customers with a specific contract**

Under certain conditions, and to organizations that request it to do so, Afnic provides the list of domain names registered each day under the *.fr* TLD, together with the names of the registrars who have registered the domain names, and the names of the registrants that have registered the domain names (with the exception of individuals who opt for access to that information to be restricted).

Subscribers to this fee-paying service must not only add value to the information provided by Afnic, but also provide guarantees concerning its use.

Requests of this type concerning new domain names must be made according to a specific procedure.

The Afnic legal affairs department systematically analyses the file in question.

The subscription and eligibility conditions for this service are detailed in the "products and services" section of the Afnic website.

Article 4.2 – Use and access limitation principles

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 also sets out the rules of good practice of its systems, which must be followed. Non-compliance with these rules may result at any time in implementation of the sanctions provided for in the Registry-Registrar contract.

AFNIC database user commits to using the published data according to the laws and regulations in effect. Besides, the user shall respect the provisions resulting from the regulations in force applicable to the protection of personal data. Violation of regulations 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.

All such access is subject to technical access limitations, as well as the rules of good practice described in this document.

Under normal conditions of use, all these services are protected by a range of technical measures, namely:

- ✓ For automated interfaces
 - Limitation on the number of simultaneous connections for registrars,
 - Limitation by static and dynamic IP,
 - Access systematized by SSL,
 - Authentication by certificate,
 - System of static penalties on commands,
 - Password syntax restriction rules,
 - Frequent password renewal rules.

- ✓ For web interfaces
 - "Captcha" system
 - Systematized access by SSL,
 - A system for managing session tokens,
 - Authentication by login / password,
 - Limitation by static and dynamic IP.

These measures apply to any new service which may be launched subsequently.

If you have any questions about this document, please contact the Afnic support service at the following address: support@afnic.fr