

Data Processing and Verification Policies

This document was created in response to an amendment to Directive (EU) 2016/1148 on the security of network and information systems (NIS 2 directive), which requires:

"(1) ... TLD name registries and entities providing domain name registration services to collect and maintain accurate and complete domain name registration data in a dedicated database with due diligence in accordance with Union data protection law as regards data which are personal data."
and

"(3) ... TLD name registries and the entities providing domain name registration services to have policies and procedures, including verification procedures, in place to ensure that the databases referred to in paragraph 1 include accurate and complete information. ... such policies and procedures to be made publicly available."

It is a subject to possible change upon transposition of the NIS 2 into the Slovak law in case the scope of the policy should be modified.

SK-NIC fulfills the requirements of NIS 2 as follows:

1. Publishing data

The publication of data in the Register is governed by the rights and obligations in relation to personal data and data in the Register contained in the clause 8 of the [Terms & Conditions](#) published on our website, primarily defining:

„8.1 Register and the data contained within it, including personal data, is managed by SK-NIC. SK-NIC is data controller according to the relevant legal enactments regulating personal data protection, mainly GDPR (henceforth for this Article together only as „Regulations “). Due to SK-NIC being controller that has determined the purpose and means of the processing of personal data for the purposes of the Terms and Conditions, Registrar has status of processor when fulfilling its duties within registration and management of Domain Names and within related activities executed in the Register according to the Terms and Conditions. Conditions of processing of personal data between SK-NIC as a controller and Registrar as a processor are defined in the Registrar contract. Equally, Registrar processes personal data of the User, with whom it has concluded a contract according to point 9.17 of the Terms and Conditions, in its own information systems, in its own name, for the purposes and means determined by itself where the Registrar itself is individual controller in this relation, while SK-NIC is not responsible for any such processing of personal data. “

You can find details as well as other information regarding the publication of data in the already mentioned [Terms & Conditions](#).

2. What data does SK-NIC have available about Users?

SK-NIC records data, 1) that was entered into the system by the registrar who created the User's contact, 2) additional personal data in the event that the User has concluded a Framework Agreement with SK-NIC or 3) the User provided it to SK-NIC based on a specific situation. SK-NIC also records the data of the Registrar.

According to the point 8.2.4 of the Terms & Conditions:

„8.2.4 Extent of the personal data processed by SK-NIC according to point 8.2.1 is name, surname, residence eventually postal address, date of birth, contact data (phone number, e-mail address, fax) and IP address. In specific cases where necessary for the purpose of the processing or if it so results from the Terms and Conditions or from the public statute, SK-NIC also processes birth number and/or number of the identification document of the User. “

3. Data verification procedures

As is common in other TLDs, SK-NIC applies post verification procedures based mostly on ad hoc notifications and identifications, in which case it will follow procedure described in point 10.6 of the [Terms & Conditions](#) (below). It also uses logical and syntax checks versus known data structures to mitigate human error and imprecise existing data.

“10.6 In respect to the conditions and obligations under the Terms and Conditions, SK-NIC is entitled to request additional documents or explanation of documents provided, including in the form of personal presentation, especially when any doubt in individual operations arises or in relation to compliance with the Terms and Conditions. If relevant, the condition according to point 9.3 can also apply to these documents at the discretion of SK-NIC.”

Applicable sanctions are primarily defined in the points 2.6 and 4.5.2 of the [Terms & Conditions](#):

“3.7 The User is responsible for any detriment to SK-NIC due to providing false, incomplete, inaccurate or misleading data, or the use of the Domain Name in a way that violates the Terms and Conditions or rights of third parties. The User furthermore agrees to immediately compensate SK-NIC for any such detriment or expenditure (cost) that SK-NIC was obliged or will be obliged to pay to third parties in relation to a service provision by reason of violation of trademark rights, rights to business name usage or any other rights of intellectual property, if such a violation is related to the choice of Domain Name and obligation of the detriment compensation is admitted by an effective and executable court decision.”

“2.6 SK-NIC is entitled to cease the record of a User

...

2.6.3 whose Domain Name contract is withdrawn due to violation of points 4.5.4.2 to 4.5.4.7 or whose Registrar contract is withdrawn due to violation of points 9.13.1 to 9.13.3

...

4.5.4 SK-NIC should instantly terminate the Domain Name Registration Period (and simultaneously withdraw from the relevant Domain Name Contract effective from the day that the Domain Name Contract withdrawal notice is given to the Registrant) or Domain Name registration procedure if

...

4.5.4.2 the data recorded in the Register in respect to a Domain Name is false, inaccurate, incomplete or misleading and no corrected data has been provided within 15 days from SK-NIC's correction request”

4. To whom can SK-NIC provide data from the Registry and documents related to a Domain registration?

According to the points 8.4.3. and 8.4.4 of the [Terms & Conditions](#) SK-NIC can:

„8.4.3 provide data from the Register and documents related to the Domain Names registrations to state authorities, courts, courts of arbitration and to ADR Centre, including hidden data and historical data, consistent with the relevant legislation within the scope of their official authority, with the ADR Rules or within the scope of dispute resolutions; data provided in this way are provided in relation to the particular Registrant, Registrar, set of contact data or Domain Name, although only if they are available.

8.4.4 provide data from the Register to third persons that proved to SK-NIC its legitimate interest according to the Regulations to obtain these data for the purpose of demonstration, exercitation and advocacy of their legal claims, only in scope limited to what is necessary. “

However, such a request to exercise an information claim must be properly substantiated so that SK-NIC can assess it and decide whether there is a probable and justified claim to provide information in a specific situation. At the same time, the third party undertakes to dispose of the provided personal data in the event that legal proceedings will not begin.

Hidden and historical data (e.g., actions related to a domain) are not provided to other persons.

5. Special procedure for data requests processing

The request for data provision from the registry can be delivered in writing and electronically or in a paper form. Contact information is published on the SK-NIC website in the [Contact section](#).

Every request delivered in this way is processed and properly registered. In order to ensure the protection of the affected personal data, it is not possible to send the personal data by open e-mail, therefore it is necessary to either 1) agree upon security elements within protected electronic transfer with SK-NIC or 2) to provide SK-NIC with the delivery address for a paper delivery to the applicant.

5.1. Law enforcement agencies and authorities

SK-NIC provides full cooperation to the public bodies as well as to the law enforcement agencies, and responses to such requests are sent either electronically or via post in a paper form.

If the request concerns the provision of information that may contain sensitive or personal data, such responses are sent only in a paper form as a registered letter.

Answers to such requests contain current data from the Register as well as other additional information that could provide a relevant answer to the requested matter.

5.2. Natural and legal persons

A response to the request for the information provision can be also provided to natural and legal persons. In such cases, SK-NIC verifies the legitimacy of the given data applicant. Responses to such requests are similarly sent in electronic or paper form, while maintaining the protection of the

affected personal data. In the case of a written response, such a request is charged according to the current [price list](#) published on the SK-NIC website.

6. What data does SK-NIC publish in its domain search services?

SK-NIC provides the possibility to search for domains on its website, within the "Search domain" section, where summary information about the given domain should be displayed. This service contains information related to domains within the TLD .sk only.

Any use of the domain search services is subject to strict usage rules to prevent unauthorized access to personal information about registered entities. Requests for information about User (contact) objects will be rejected if the given User (contact) is not assigned to at least one Domain.

According to the point 8.2.6 of the [Terms & Conditions](#):

„8.2.6 SK-NIC does not publish personal data according to point 8.2.4 of the User that is natural person non-entrepreneur, unless the User marks the data, where it is so allowed, as public. Public data are published via specific service to publish data (for example WHOIS). Non-publicization of the data doesn't touch right of SK-NIC to record and process such data according to the Terms and Conditions and due to technical reasons necessary for Register operation to any Registrar, including Registrars seated outside of the Slovak Republic, or to other persons according to the Terms and Conditions; SK-NIC publish contact data of the Registrar in extent necessary according to the Terms and Conditions and to the Registrar contract,“