

FAQ for Fifth WHOIS Consultation (Archived June 2017)

What is the Registrant Privacy Option and how did it come about?

The Registrant Privacy Option is a choice that individuals who don't use their domain name for business or trade will be able to make to withhold their telephone number and contact address information from public display in the .nz Query Service – currently known as the WHOIS service.

Our introduction of the Privacy Option follows a lengthy review involving four public consultations and calls from many in the Internet community for greater privacy protection. More information about our review can be found at <https://dnc.org.nz/whois-review>.

Under the Registrant Privacy Option I can choose to have my telephone number and address withheld. What does 'withheld' mean?

It means that your telephone and contact address information won't be visible when somebody does a domain name registration data query (currently known as a WHOIS search) on your domain name. Importantly, that information still exists in the register of .nz domain names – it just won't be publicly visible.

When will the Registrant Privacy Option go live?

We expect to go live with the Privacy Option towards the end of 2017. It's a reasonably significant change so there's some policy and technical bits and pieces we need to take care of before this can happen. We are also aware that some registrars will need to make changes to their systems to manage this change. If you're interested in being updated with our progress you can sign up to our newsletter at <https://dnc.org.nz/subscribe>. If you are concerned about your address information being displayed now you are able to request our Provisional Address Masking Option, details of which are at <https://dnc.org.nz/pamo>.

Why will the Registrant Privacy Option only be available to individuals, not businesses/organisations?

Businesses and organisations don't have the same privacy protection rights as individuals. Additionally, their contact information is usually already accessible on other public registers (e.g. Companies Office) and on their own websites.

How do I take up the Registrant Privacy Option when it becomes available, and what will be involved?

When the Privacy Option becomes available you'll be able to take it up through your registrar (domain name provider). It will involve a declaration through your registrar that you're an individual and not using your domain name for business or trade.

When you've made the declaration your telephone and contact address information will be withheld from public display in the .nz Query Service (currently known as the WHOIS).

Why can't all individual registrants automatically be given the Registrant Privacy Option?

An automatic application of the Privacy Option to all individual registrants would cover those individuals who use their domain name for business or trade purposes. Those who use their domain name in this way aren't able to take up the Privacy Option. Many domain names are registered in the name of individuals but used for business or trading - these activities carry with them a lesser need for privacy protection when it comes to display of contact information. We're also aware that there are some individual registrants who still want all their information publicly displayed.

How can the Domain Name Commission be sure that an individual who takes up the Registrant Privacy Option isn't using their domain name for business or trade purposes?

We can't be one hundred percent sure and will be relying on individual registrants taking up the Privacy Option to make their declaration in good faith. If we receive a complaint about a false declaration having been made we'll contact the registrant involved to establish why. DNCL may remove the option and publish the information if it is confirmed.

How can this be a Registrant Privacy Option if my name, email and country will still be displayed in the .nz Query Service?

The Privacy Option protects your telephone and contact address information from being seen in the .nz Query Service (currently known as the WHOIS). The overwhelming feedback we received during our review was that - for reasons of personal safety - these are the most important parts of information for individual registrants to keep private.

It's important that identifiers of name, email and country are still publicly visible. This is so individual registrants can still be contacted about any domain name registration issues. It also helps the public identify who they're dealing with online and acts as an accountability check on registrants when it comes to the use of their domain name.

For those taking the Registrant Privacy Option, why will telephone and contact address information also be withheld from Admin and Technical contacts?

This is because in many cases the Admin contact and Technical contact is the same person as the Registrant, with the same contact details on display.

I took up the Domain Name Commission's earlier address masking option. Will I still need to go through my registrar to ask for the Registrant Privacy Option?

This hasn't been finalised yet. We are keen to make the transition as easy as possible but need to consider the impact of any implementation on registrars.

How often would the Domain Name Commission approve an application for withheld information?

We expect an application for release of withheld information would be rarely approved. Our default position is not to release withheld data.

Under what circumstances would the Domain Name Commission approve someone's application for my withheld information?

We will be putting an extremely high threshold in place for release. Unless the threshold is met and a strong case is made, we will not release withheld information. Above all, in making decisions around release we'll be applying the provisions and principles of the Privacy Act 1993 and will be looking to the Privacy Commission to assist us with our procedures and training on this.

What will the Domain Name Commission's reports about applications for release of withheld information contain, and how often will reports be released?

Our reports about applications for release of withheld information have not yet been finalised but will include the number of times we're asked to release withheld information, who is making requests (e.g. individual, organisation, legal practitioner, etc.), and how many times requests are approved or denied. We will release our transparency reports on a regular basis and make them available on our website - <http://dnc.org.nz>.

Which entities is the Domain Name Commission going to sign MOUs with - giving them automatic or easier access to withheld information?

It's likely that we'll only sign MOUs with statutory investigative and enforcement entities, or involved in ensuring the integrity of the Internet. There will be two different sorts of MOUs - those with approved entities having automatic access and those where approved entities have streamlined access to the withheld information. Automatic access will be restricted to approved entities tasked with maintaining cyber security and an extremely high threshold will be adopted before such an MOU is entered into.

How will the Domain Name Commission monitor the MOU entities' use of withheld data?

The MOUs will set out clear responsibilities and expectations around those entities' ability to access withheld information. We'll work closely with them to make sure they're meeting our expectations. This is likely to involve compliance checks. If our monitoring uncovers any inappropriate use, we may end the MOU and take away their ability to access withheld information.

How are you going to make sure the Requestor doesn't misuse the withheld information if they receive it?

Requestors will have to make a declaration on the application form limiting the use to the purposes for which it is sought and that the withheld information will not be used, disclosed, published or disseminated for any other purpose. If the withheld information is misused DNCL may refuse to accept further requests from the Requestor and may also lay formal complaints with other appropriate agencies such as the Privacy Commissioner.

What is a domain name registration data query, and what is the Query Service?

A domain name registration data query is our new proposed phrase for what is currently known as a WHOIS search – where people can search for the registration details of a domain name. Query Service is our new proposed phrase for what is currently known as the WHOIS Service.

Why is the Domain Name Commission changing terminology from WHOIS to Query in its policies?

WHOIS is the technical name for the protocol used to query domain name registration databases. It's not a widely-understood term among many registrants and we want to be clearer and more obvious in our policy naming. We also want to future proof our policy and if the technical protocol changes we won't have to amend our policy.

How is the data held by the Domain Name Commission about my domain name protected from misuse?

In conjunction with the .nz registry, we take a number of active steps to protect information contained in the register. This includes rate limiting the number of searches that can be done at any one time and prohibiting wildcard searches. The registry also takes steps to avoid data mining and copies of the .nz zone file are not publicly available.

I have a question that isn't covered here. How do I contact you?

If you've got a question that isn't covered here you can ask by using [this form](#) or emailing info@dnc.org.nz.