



Privacy Policy Evaluation

LEMMINGS

Date
20 January 2021
To

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Contact
T +31 (0)26 352 5500
support@sidn.nl
www.sidn.nl

Offices
Meander 501
6825 MD Arnhem
The Netherlands

Mailing address
PO Box 5022
6802 EA Arnhem
The Netherlands

Policy

Title of policy LEMMINGS: deLetEd doMain Mail warNinG System
Policy start date 14-12-2020
Date of evaluation 20-01-2021

Purpose limitation

GDPR applicable? Will any personal data be processed? Will personal data be processed on an automated or semi-automated basis, or will personal data contained in a file be processed manually?

Yes No

The Privacy Board considers that the project will involve the processing of personal data. The LEMMINGS study involves the processing of data about domain names and registrants (name, e-mail address). IP addresses may also include personal data in some cases.

Automated processing of personal data is also carried out. Hence, the GDPR may be deemed applicable.

Purpose The purpose must be specific, explicitly defined and legitimate.

Is the purpose specific, explicitly defined and legitimate?

Yes



No, insofar as

The LEMMINGS project involves warning the (former) registrants of domain names that, after being cancelled, continue to attract mail traffic. The Privacy Board considers that the privacy policy defines the purposes of the processing in specific and explicit terms. The Privacy Board additionally considers that preventing potential data breaches constitutes a legitimate purpose.

Legitimate basis

The evaluation must address the proportionality and subsidiarity of the processing (i.e. whether the interest served by processing is important enough to justify any resulting loss of privacy, and whether the purpose could be served by any other, less intrusive means).

Is the legitimate basis clear?

Yes

No

The Privacy Board considers that LEMMINGS serves a reasonable interest, namely enabling former registrants to be alerted to potential data breaches that could be exploited for malicious purposes. LEMMINGS therefore contributes to the security of and trust in .nl and the internet.

Safeguards and control measures

Purpose limitation

Are there adequate safeguards to ensure that personal data is not used for purposes other than that for which it was obtained?

Yes

No

The data is accessible only by authorised users within SIDN Labs and SIDN's Support Department, by means of a user name and password.

Retention period

Is personal data retained for any longer than necessary for the defined purpose?

Yes, data is retained for longer than necessary; corrective measures required.

No

The data is anonymised at the end of the monitoring period and the anonymised data is retained for three years. The Privacy Board considers that the retention period is appropriate in the context of the defined purpose.



Data set limitation Is the entire data set necessary for the defined purpose, or could a more limited data set be used?

- Yes
 No; corrective measures required.

The Privacy Board considers that the data set used is the minimum required for the fulfilment of the defined purpose of the processing.

Data reliability What is done to ensure that the gathered data is accurate?

The data is obtained by SIDN's own monitoring.

Data processors Who processes the data? Who else has access to the data?

Authorised personnel within SIDN Labs and SIDN's Support Department have access.

Data security How is the data protected against loss and unauthorised processing?

The data will be accessible only from the SIDN network or via a secure VPN tunnel. Authorised users within SIDN Labs and SIDN's Support Department will require a user name and password to access the data.

Other

Special personal data Is any special personal data processed?

- Yes
 No

Inclusion in register Is the processing recorded in the Processing Register?

- Yes
 No

The processing is to be recorded if any significant new processing is involved.

Subjects' rights If the personal data is not obtained from the subjects, but by other means, is the origin recorded?

- Yes
 No



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The data is obtained from the Domain Registration System (DRS).

Retention within EU

Is any data transferred to a country outside the EU?

- Yes
 No

If a former registrant is located outside the EU, mail will be sent to a recipient outside the EU. Any such mail will include personal data concerning the addressee. However, the communication of personal data to the data subject does not constitute transfer in the sense of the GDPR, whose provisions relate to the transfer of personal data to third parties, data controllers or data processors.

Conclusion

Evaluation

What is the conclusion of the Privacy Board's evaluation?

The Privacy Board approves the Privacy Policy for LEMMINGS.