**Processing Activities & Responsible Parties – 24 October 2018**

**From the GDPR:**

* ‘controller’ means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
* ‘processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

Joint Controllers –

1. Where two or more controllers jointly determine the purposes and means of processing, they shall be joint controllers. They shall in a transparent manner determine their respective responsibilities for compliance with the obligations under this Regulation, in particular as regards the exercising of the rights of the data subject and their respective duties to provide the information referred to in Articles 13 and 14, by means of an arrangement between them unless, and in so far as, the respective responsibilities of the controllers are determined by Union or Member State law to which the controllers are subject. The arrangement may designate a contact point for data subjects.

2. The arrangement referred to in paragraph 1 shall duly reflect the respective roles and relationships of the joint controllers vis-à-vis the data subjects. The essence of the arrangement shall be made available to the data subject.

3. Irrespective of the terms of the arrangement referred to in paragraph 1, the data subject may exercise his or her rights under this Regulation in respect of and against each of the controllers.

**Some further background** (see <https://www.futurelearn.com/courses/general-data-protection-regulation/0/steps/32432>):

**Joint controllers and their obligations**

Where two or more controllers determine the purposes and means of processing, they are joint controllers ([Article 26](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN#page=48)). Under the GDPR joint controllers have to determine their respective responsibilities for legal compliance and rights of data subjects in a transparent manner. They can do so for example in a clear contractual arrangement.

The arrangement needs to reflect the roles and relationships between the joint controllers and made available to data subjects. A data subject may exercise his or her rights against each of the controllers. Each data controller is individually liable for legal compliance under [Article 82](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN#page=81). After providing remedies to data subjects, a joint controller may claim its losses from other joint controllers or processors, if applicable, according to its roles and responsibilities in the processing at stake.

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| **A**  **22 October** | **ICANN PURPOSE:**  As subject to Registry and Registrar terms, conditions and policies, and ICANN Consensus Policies:   * To establish the rights of a Registered Name Holder in a Registered Name; to ensure that a Registered Name Holder may exercise its rights in the use and disposition of the Registered Name; and * To activate a registered name and allocate it to a Registered Name Holder ~~(identifiable to the Registrar and Registry, and, if applicable, ICANN)~~. |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN – Joint Controller  Registrars – Joint Controller  Registries – Joint Controllers |
| **Transmission from Rr to Ry** | ICANN – Joint Controller  Registrars – Processor  Registries – Joint Controllers |
| **Disclosure** | ICANN - Controller  Registrars – Processor |
| **Data Retention** | ICANN - Controller  Registrar - Processor |

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| **B**  **22 October** | **ICANN PURPOSE:**  Maintaining the security, stability and resiliency of the Domain Name System In accordance with ICANN’s mission through the enabling of lawful access for legitimate third-party interests to data elements collected for other purposes identified herein. |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN –Controller  Registrars – Controller  Registries – Controller |
| **Transmission from Rr to Ry** | N/A |
| **Disclosure** | ICANN – Controller  Registrar – Controller  Registry - Controller |
| **Data Retention** | ICANN - Controller  Registrar – Processor |

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| **C**  **22 October** | **ICANN PURPOSE:**  Enable communication with and/or notification to the Registered Name Holder and/or their delegated agents of technical and/or administrative issues with a Registered Name |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN - Joint Controller  Registrar - Joint Controller  Registries - Joint controller |
| **Transmission from Rr to Ry** | ICANN – Joint Controller  Registrars – Processor  Registries – Joint Controllers |
| **Disclosure** | TBD |
| **Data Retention** | ICANN - Controller |

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| **E**  **22 October** | **ICANN PURPOSE:**  Enable communication with and/or notification to the Registered Name Holder and/or their delegated agents of technical and/or administrative issues with a Registered Name |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN – Sole Controller  Registrars - Processor |
| **Transmission from Rr to Ry** | ICANN - Controller  Registrars – Processor  Data Escrow Agent - Processor |
| **Disclosure** | ICANN - Controller  Registrars - Processor |
| **Data Retention** | ICANN - Controller  Data Escrow Agent - Processor |

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| **F**  **22 October** | **ICANN PURPOSE:**  Handle contractual compliance monitoring requests, audits, and complaints submitted by Registry Operators, Registrars, Registered Name Holders, and other Internet users. |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN – Controller  Registries - Processor  Registrars - Processor |
| **Transmission from Rr to Ry** | ICANN – Controller  Registries - Processor  Registrars - Processor |
| **Disclosure** | N/A |
| **Data Retention** | ICANN - Controller |

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| **M**  **22 October** | **ICANN PURPOSE:**  Coordinate the development and implementation of policies for resolution of disputes regarding the registration of domain names |
| **Processing Activity** | **Responsible Party:** |
| **Collection** | ICANN – Controller  Registrars - Processor |
| **Transmission from Rr to Ry** | ICANN – Controller  Registries - Processor  Registrars - Processor |
| **Transmission to dispute resolution providers** | ICANN - Controller  Registries - Processor  Registrars – Processor  Dispute Resolution Provider – Processor |
| **Disclosure** |  |
| **Data Retention** |  |

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| **N**  **22 October** | **ICANN PURPOSE:**  Enabling validation of Registered Name Holder satisfaction (fulfillment) of gTLD registration policy eligibility criteria. |
| **Processing Activity** | **Responsible Party:** |
| **Collecting specific data for Registry Agreement-mandated eligibility requirements** | ICANN – Joint Controller  Registries – Joint Controllers  Registrars – Processor |
| **Collecting specific data for Registry Operator-adopted eligibility requirements** | ICANN – Not Involved  Registry - Sole Controller  Registrar - Processor |
| **Transmission from Rr to Ry RA-mandated eligibility requirements** | ICANN - Joint Controller  Registry - Joint Controller  Registrar - Processor |
| **Transmission from Rr to Ry**  **Registry-adopted eligibility requirements** | ICANN - Not Involved  Registry - Sole Controller  Registrar - Processor |
| **Disclosure** | TBD |
| **Data Retention** | TBD |