

## Notes:

- Text in black is the existing [§10 of the Registration Data Policy](#) (applicable to all Disclosure Requests under this Policy)
  - Text in 'suggest mode' is drawn from the July 2023 version
  - **Yellow highlight** is new following ICANN83
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## Definitions

3.8 “Urgent Requests for Lawful Disclosure” are limited to circumstances that pose an imminent threat to life, of serious bodily injury, to critical infrastructure, or of child exploitation in cases where disclosure of the data is necessary in combatting or addressing this threat. Critical infrastructure means the physical and cyber systems that are vital in that their incapacity or destruction would have a debilitating impact on economic security or public safety

<number tbd> “Authenticated Entity” means a law enforcement entity that is authenticated under the process to be determined by a joint GAC and CPH Group working on the issue.

## Disclosure Requests

10.1. Registrar and Registry Operator MUST publish on their homepage (a publicly available webpage where their domain name services are offered) a direct link to a page where the mechanism and process for submitting Disclosure Requests is detailed. The mechanism and process MUST specify (a) the required format and content of requests, (b) the means of providing a response to the requestor, and (c) the anticipated timeline for responses.

10.2. Registrar and Registry Operator's required format and content of requests MUST include the following, at a minimum:

10.2.1. The identity of the requestor, including:

10.2.1.1. The contact information of the requestor,

10.2.1.2. The nature/type of business entity or individual, and

10.2.1.3. Power of Attorney statements or similar statements evidencing authorization to act on the requestor's behalf, where applicable and relevant.

10.2.2. A list of data element values requested by the requestor.

10.2.3. Information about the legal rights of the requestor and specific rationale and basis for the request.

10.2.4. An affirmation that the request is being made in good faith.

10.2.5. Agreement by the requestor to process lawfully any data element values received in response to the request.

10.3. Registrar and Registry Operator MUST respond to Disclosure Requests which meet their respective required formats.

10.4. Registrar and Registry Operator MUST consider each properly-formed Disclosure Request on its merits, considering the specific rationale and basis for each request.

10.5. Registrar and Registry Operator MUST acknowledge receipt of a Disclosure Request which meets their respective required formats without undue delay, but no more than two (2) business days from receipt and MUST respond without undue delay, but no more than thirty (30) calendar days from acknowledgement absent exceptional circumstances.

10.6. For Urgent Requests for Lawful Disclosure, submitted by an Authenticated Entity, meeting the definition of Urgent requests, and falling within the relevant jurisdiction of the Registrar or Registry Operator, Registrar and Registry Operator MUST respond, as defined in Section 10.7, without undue delay, generally within 24 hours of receipt.

10.6.1. If Registrar or Registry Operator cannot respond to an Urgent Request for Lawful Disclosure within 24 hours, it MUST notify the requestor within 24 hours of receipt of an Urgent Request for Lawful Disclosure of the need for an extension to respond. Registrar or Registry Operator's extension notification to the requestor MUST include (a) confirmation that it has reviewed and considered the Urgent Request for Lawful Disclosure on its merits and determined additional time to respond is needed, (b) rationale for why additional time is needed, and (c) the time frame in which it will respond, as required by Section 10.7, which cannot exceed two (2) business days.

10.6.2. In addition to the extension provided for in Section 10.6.1, if responding to an Urgent Request for Lawful Disclosure is complex or a large number of requests are received by Registrar or Registry Operator, it MAY extend the time for response up to an additional one (1) business day provided it notifies the requestor within (2) business days from the time of the initial receipt of the request of the updated time frame to respond explaining the need for an additional extension of time.

10.7. Responses to Disclosure Requests MUST either:

10.7.1. Provide the requested data; or

10.7.2. Provide rationale for why Registry Operator or Registrar cannot provide the requested data (in whole or in part) that identifies the specific reason(s) for such denial, including a clear explanation of how it arrived at its decision that is sufficient for a requestor to objectively understand the reasons for the decision. This includes an analysis and explanation of how the fundamental rights and freedoms of the

data subject were weighed against the legitimate interest of the requestor (if applicable); or

10.7.3 Provide a request for further information which is necessary in order to make a decision to provide or not provide the requested data.

10.87. Registry Operator or Registrar MAY take corrective action to address abusive requests/requestors. Corrective action MAY include denying repetitive or incomplete requests, requiring additional information as a default for abusive requestors, and other measures it deems appropriate. The corrective actions taken MUST be communicated to the Requestor