



NIS 2 Directive Overview: Impact on TLD operators

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Virtual

- The NIS 2 Directive in force since 16 January 2023
- By 17 October 2024: Member States shall adopt and publish the measures necessary to comply with NIS 2 (Art 41)
- By 17 April 2025: Establish a list of *essential* (TLD registries) and important entities, and *entities providing domain name registration services* (Registrars, resellers, proxy/privacy) (Art 3)
- Penalty for non-compliance with NIS 2 (incl. accuracy): “effective, proportionate and dissuasive”, for Member States to decide (Art 36)
- **Extraterritorial:** Applicable to all TLD registries and entities providing domain name registration services that offer services in the EU:
 - Using a language and currency generally used in one or more Member States
 - Possibility of ordering services in EU language
 - Mentioning customers/users in the EU (rec 116)
- Obligation to designate a representative in the Union where services are offered (Art 26)





Article 28 – Database of domain registration data

Data collection

TLD registries and entities providing domain name registration services (registrars, proxy/privacy, resellers) shall **collect and maintain accurate** and complete registration data:

- Domain name
- Date of registration
- RANT name, contact email, phone number
- Email and phone number of Admin-C (if different from RANT)

Data publication

TLD registries and entities providing domain name registration services (registrars, proxy/privacy, resellers) shall **publish**:

- Domain name registration data which are not personal data
- Accuracy (incl. verification) procedures/policies (recital 112)
- Legal persons: RANT name, phone number, email (if it does not contain personal data) (recital 112)
- Disclosure procedures (recital 112)

Verification

TLD registries and entities providing domain name registration services (registrars, proxy/privacy, resellers) shall have policies in place, incl. **verification to ensure registration data is accurate and complete**:

- Proportionate verification procedures
- Based on “best practices” within the industry, including eIDs
- Ex ante/ex post controls
- At least one contact means of the RANT

(recital 111)

No double data collection

TLD registries and entities providing domain name registration services (registrars, proxy/privacy, resellers) shall **cooperate with each other to avoid**:

- Duplication of collecting domain name registration data
- For the purposes of all data accuracy obligations under Article 28



Council of European National
Top-Level Domain Registries

Thank you

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