



PRIVACY POLICY – NiRA

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1. Introduction

- 1.1 This document sets out NiRA's Privacy Policy, drafted in adherence to the privacy principles contained in the Constitution of the Federal Republic of Nigeria 1999, the Nigeria Data Protection Regulation 2019, and the Nigeria Data Protection Implementation framework 2020 to codify NiRA's commitment to the responsible collection and use of personal information by NiRA.
- 1.2 This Privacy Policy identifies the data we collect from you, why we collect your data, how we use your data, how you can control your data and how we manage, store, protect or share your data, amongst other policies.
- 1.3 This privacy policy is issued by NiRA. This policy applies only to the collection and use of personal information by NiRA. It does not apply to the collection and use of personal information by members of the domain name industry operating within the .ng domain. Under NiRA's Registry Licence Agreement and Registrar Agreement, registrars are required to develop their own privacy policy in accordance with the requirements of the constitution and NiRA Privacy Policy.
- 1.4 This privacy policy is provided in a layered format so you can easily navigate to the specific areas set out below. Alternatively, you can download a pdf version of the policy here: <https://nira.org.ng/pdf/NiRA-Privacy-Policy.pdf>

2. Consent

- 2.1 NiRA, pursuant to the Purpose, requires the submission of personal information from the individual for the registration of domain names. NiRA has attempted to limit the information it collects to the absolute minimum. Internet registration is done online, and NiRA seeks the positive affirmation of all registrants:
 - a. that they have read and understood this policy;
 - b. that they understand that NiRA requires the information for the proper operation of the Registry; and
 - c. that they agree to the collection, use and disclosure of their personal information as described herein. Individuals may withdraw consent for the further use of their information at any time, by contacting NiRA.

However, if the information in question is that which must be collected in order to register a domain name, withdrawing consent will lead to the cancellation of the domain name registration.

3. Purpose and Scope of this Privacy Policy

- 3.1 This privacy policy aims to give you information on how NiRA may collect and process your personal data when you use this website, contact us by telephone or email, or visit our locations. This privacy policy applies generally to personal data processed in connection with the business of NiRA. It serves to set out NiRA's approach to your data.
- 3.2 This privacy policy is not intended for children. We do not provide services or undertake business with children, and we do not knowingly collect data relating

to children, except where we collect data of dependents, next-of-kin, or in other representative capacity from data subjects.

This privacy notice should be read together with any other privacy notice which we may provide on specific occasions when we are collecting or processing personal data about you.

4. What data do we collect about you?

4.1 The data we collect from you is personal data. Personal data, or personal information, means any information about an individual from which that person can be identified.

We may collect, use, store specific types of personal data we may collect are as follows:

- a. **Identity Data:** includes data such as first name, maiden name, last name, social media username or similar identifier, marital status, title, date of birth, next-of-kin data, biometric data and gender.
- b. **Contact Data:** includes data such as home address, email address and telephone number.
- c. **Financial Data:** includes data such payment card details, bank information and payment information.
- d. **Transaction Data:** includes data such as details about payments to and from you and other details of products and services you have purchased from us.
- e. **Marketing and Communication Data:** includes data such as regarding your preferences in receiving marketing from us as well as your communication preferences.

The personal information held by NiRA is collected for the purpose of meeting its objectives as the manager of the .ng domain, and providing the services necessary for meeting those objectives.

4.2 In the course of managing the .ng domain, NiRA may collect personal information in order to:

- a. Accredited and license registrars;
- b. Field and deal with consumer enquiries and complaints;
- c. Refer persons to appropriate bodies according to the nature of the person's inquiry; and
- d. Canvas stakeholders for their views, opinions and suggestions in relation to the .ng domain.
- e. To register a domain name;
- f. To manage a .ng Domain Name Registration;
- g. To enable others to check a registration;
- h. To maintain membership records;
- i. To contact Registrants about NiRA member issues, domain name registration issues, and in order to facilitate the resolution of any kind of dispute (be it via the NiRA Dispute Resolution Process or any other judicial process);
- j. To contact Registrants in order to forward to them correspondence sent to a Registrant via NiRA by a third party;

- k. To ensure good customer service, in the event a Registrant requires support or makes inquiries;
- l. To identify the individual(s) to law enforcement agencies, competent courts, and other competent judicial bodies under appropriate legal circumstances; and
- m. To enable NiRA to manage the .ng Registry in accordance with NIRA constitution.

4.3 Personal information may be gathered from the public and used in the following situations:

- a. If an individual visits NiRA's website, the web server logs IP addresses and associated information relating to the requests made;
- b. If an individual initiates a NiRA process, then NiRA may gather transactional information as part of the process;
- c. If an individual makes an inquiry or complaint, applies for a job, or visits the premises;
- d. If an individual responds to a survey or a call for public comment;
- e. If an individual registers for a NiRA event, activity, or contest; and
- f. If an individual corresponds with NiRA in writing.

NiRA limits the collection of personal information to that which is required to perform the functions listed above. NiRA may also collect personal information in order to process applications for membership of, or employment with, NiRA.

4.4 NiRA does not require or collect personal information, which would be considered "sensitive" and not necessary for NiRA activities.

Regardless as to how and from whom NiRA collected the information; NiRA will not sell or provide any personal information to any organization for any purpose other than in compliance with the Policy.

5. How is your personal data collected?

5.5 We use different methods to collect data from and about you including through:

- a. **Direct collection:** You may give us your data by filling in forms (e.g. the contact form on our website); creating your profile; by correspondence and conversations (including via email and telephone); or through contracts, we may enter with you.
- b. **Third parties or publicly available sources:** We may also receive your personal data from third parties to whom you have legally provided such data to, such as your employer, benefactors, etc. To the extent that such data is disclosed by third parties, different rules may apply to their use or disclosure of your information. We do not control how they use or share your data and we cannot make any representations or warranties as to these. We however have control over data that you have voluntarily shared to us directly or through your usage of our website. With your consent, we use your information to fulfil requests to receive information or materials from us, to carry out services for your benefit and to process applications

and requests from you. We do not use your data for any other purpose than for the purposes listed out in this policy and we do not sell, lend, or rent any personally data about you to any third parties.

6. Lawful basis for our use of your personal data

- 6.1 We will only use your personal data as allowed by law. Under the Nigeria Data Protection Regulation 2019 (NDPR), personal data may be processed under any of the following lawful basis:
- a. Where you consent to our use of your personal data
 - b. Where we need to perform the contract which we are about to enter into or have entered into with you.
 - c. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
 - d. Where we need to comply with a legal obligation.
 - e. Where we need to protect your vital interest or the vital interest of another individual
 - f. Where it is in the interest of the general public to process your data
- 6.2 While we mostly collect and process your data with your consent, we may collect and process your data under any of the identified lawful basis depending on the circumstance. We do not always need your consent to process your data. However, we do need your consent before we can process your data for purposes such as direct marketing communications. You are at liberty to withdraw your consent to such kinds of processing at any time. Where such withdrawal makes us unable to proceed with providing you with certain services, we will inform you accordingly.

7. Use of your data

- 7.1 The way in which NiRA uses personal information is dictated by the purpose for which the information was collected. As most information is collected directly from the relevant individual, the individual will normally be aware of the purpose of the collection.
- 7.2 NiRA's business is to operate and administer the .ng Internet domain name Registry and any ancillary matters related and/or linked thereto. NiRA does not use the information for marketing purposes, and does not share or disclose the information to other parties unless as specifically stated in this policy. NiRA will only use personal information for a purpose other than the primary purpose (i.e. a secondary purpose) where:
- a. NiRA may hire reputable third-party organizations to carry out the activities involved in operating the .ng domain name Registry on NiRA's behalf. Before disclosing any information to any third-party service provider, NiRA enters into an agreement with the service provider pursuant to which it is required to use the information solely for the purpose of providing the service and to maintain security and privacy measures at least as stringent as those of NiRA.
 - b. NiRA will also provide, to a person who, in accordance with its policies requests in writing, a list of the .ng domain names registered in the name of a

Registrant or registered in the name of the same Registrant as a domain name identified by the requester even if the identity of the Registrant is unknown. This is done to facilitate bona fide rights holders to determine infringements of intellectual property rights.

- c. The individual has consented;
- d. The secondary purpose is directly related to the primary purpose and the individual would reasonably expect NiRA to use or disclose the information in such a way; or e. NiRA permitted or required by law, or it is in the interest of public to do so.

People who subscribe to one of NiRA's mailing lists (such as the NiRA Announcements List) may decide at any time to unsubscribe from the list. Instructions for unsubscribing will appear in the footer of all list emails, as well as on the NiRA web site.

8. Failure to provide data

Where you refuse to provide data required under contract or under law when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods). Where we have to cancel an order you have made with us because you have not provided us with relevant data, we will notify you.

9. Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

10. Disclosures of your personal data

- 10.1 It may be necessary for us to share your personal data with third parties. These third parties may include internal third parties such as members of our Association or our affiliates & sister companies, or external third parties such as our service providers, business partners and affiliated entities.
- 10.2 We may disclose any information about you as required by law and we may make such disclosures to law enforcement agencies and government officials, as necessary or appropriate under the relevant circumstance. Other than these

instances and other instances allowed under law, we do not disclose or share your personal data provided to us without your authorization.

Specifically:

- a. Access to personal information held by NiRA is limited to those employees who specifically require it to carry out their work responsibilities. This extends to protecting personal information from misuse and loss, as well as from modification and disclosure.
- b. Commercially sensitive information (for example, information provided by a prospective registrar for the purpose of accreditation) will be held by NiRA and will not be disclosed to anyone outside the accreditation process.
- c. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

11. International transfers

We do not routinely transfer your data outside of Nigeria. Whenever we transfer your personal data out of Nigeria, we ensure that a similar degree of protection is afforded to it in the country to which it is transferred. You hereby consent to such transfers where such adequate protection has been ensured for your data.

In any case, we may transfer data outside of Nigeria where it is necessary to protect your specific interests, or our prevailing legitimate interests as provided under the law.

12. Data Security

We have well-maintained systems for storing and managing your data, and we commit to conscientiously utilizing your data in consonance with the provisions of this policy.

We have suitable security measures in place to prevent your personal data from being accidentally lost or used or accessed in an unauthorized way by a third party.

In addition, we limit access to your personal data to only those employees, agents, contractors and other third parties who need to have access to their personal data in order to enable us to provide our services to you. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

We admit however that no database is completely secure or “hacker proof” and we only guarantee the safety of your data to the extent of our undertaking all reasonable measures to protect your data.

13. Data Retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting, or other requirements.

14. Your legal rights

14.1 In addition to being able to control the data your directly provide to us, you may exercise any of the below rights with respect to your data:

- a. Request information about any of your personal data which we are processing, and request access to your personal information which we process.
- b. Request correction of personal information that we hold about you to make them more accurate or to reflect change in circumstances.
- c. Request us to refrain from doing certain things with your data or restrict the extent of our collection or processing of your data.
- d. Request partial or complete erasure of your personal information.
- e. Object to our processing of your personal information where we are processing your personal information for direct marketing purposes.
- f. Object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you.
- g. Request the transfer of your personal information to another party.

If you wish to exercise any of the rights set out above, please contact us **using the contact details provided below**.

15. Access to Data

NiRA is committed to processing personal information promptly and accurately. As part of this commitment, individuals who have provided personal information

to NiRA may request access to their information in order to verify that it is accurate, complete and up-to-date.

Requests for access to personal information should be directed to NiRA. NiRA reserves the right to refuse a request if it is vexatious or frivolous, or if NiRA is legally entitled to do so.

NiRA will provide information on a domain name if the domain name is subject to a proceeding under the NiRA Dispute Resolution Policy, to the relevant Dispute Resolution Provider.

16. WHOIS

16.1 NiRA operates an electronic look-up service called the WHOIS. The WHOIS is designed to provide limited information to site visitors about assigned .ng domain names for the following purposes:

- a. to allow network administrators to find and fix system problems and to generally maintain the stability of the Internet;
- b. to help combat inappropriate uses of the Internet such as spam or fraud;
- c. to facilitate the identification of instances of trademark infringement; and
- d. generally, to enhance accountability of .ng domain name Registrants.

16.2 The following information concerning .ng domains registered to Registrants shall be made accessible to interested third parties through the WHOIS:

- a. domain names;
- b. Individual Registrant's Registrar's name;
- c. Individual Registrant's Registrar's number assigned by NIRA;
- d. the expiration date of each Domain Name Registration of an Individual Registrant;
- e. the registration date of each Domain Name Registration;
- f. the last changed date of each Domain Name Registration;
- g. whether the Domain Name Registration has been suspended or is in the process of being transferred;
- h. the Internet Protocol address of the primary name server and secondary name server(s) and, if applicable, the tertiary, quaternary, quinary, and senary name servers for each Domain Name Registration; and
- i. the corresponding names of those name servers.

16.3 For the reasonable purposes of the operation of the Registry and, more specifically, to facilitate Registrar to Registrar transfers, merge transactions, Registrant to Registrant transfers, the addition of new Domain Name Registrations to an existing Individual Registrant profile and any other transaction for which the relevant Registrar who is not the Registrant's Registrar of Record reasonably requires additional Registration Information, as determined by NiRA at our reasonable discretion, the following information will be disclosed by NiRA

to the relevant Registrar who is not the Individual Registrant's Registrar of Record:

- a. Individual Registrant name;
- b. the description field which the Individual Registrant or the Individual Registrant's Registrar filled out during the registration process describing the Individual Registrant or the Individual Registrant's business;
- c. Individual Registrant number as assigned by NiRA;
- d. Domain Name number as assigned by NiRA;
- e. the Individual Registrant's postal address, email address, telephone number and where available, the fax number for each Domain Name Registration;
- f. the name, postal address, email address, telephone number and where available, the fax number of the Administrative Contacts for each Domain Name Registration; and
- g. the name, postal address, email address, telephone number and where available, the fax number of the Technical Contacts for each Domain Name Registration.

16.4 An Individual Registrant may voluntarily opt to disclose via the WHOIS, and in accordance with this section 16.3, more registration information than is provided for in section 16.1, including:

- a. Individual Registrant name;
- b. the description field, which the Individual Registrant or the Individual Registrant's Registrar filled out during the registration process describing the Individual Registrant or the Individual Registrant's business;
- c. Individual Registrant number as assigned by NiRA;
- d. Domain Name number as assigned by NiRA;
- e. the Individual Registrant's postal address, email address, telephone number and where available, the fax number for each Domain Name Registration;
- f. the name, postal address, email address, telephone number and where available, the fax number of the Administrative Contacts for each Domain Name Registration;
- g. the name, postal address, email address, telephone number and where available, the fax number of the Technical Contacts for each Domain Name Registration; and
- h. the name, postal address, email address, telephone number and where available, the fax number of the Authorized Representative for each Domain Name Registration.

16.5 Any person may use the WHOIS service provided it is for the following purposes only:

- a. to query the availability of a domain name;
- b. where permitted, to identify the holder of a domain name; and/or
- c. where permitted, to obtain contact and/or other information concerning
 - (i) Individual Registrants and/or Registrants who are not individuals and the domain names that they have registered; and

- (ii) Registrars, Administrative Contacts and/or Authorized Representatives.

16.6 Information acquired from the WHOIS shall not be used for any purposes other than those referenced above. Purposes which are prohibited shall include, but are not limited to, the carrying out of any activities which are unsolicited and can reasonably be viewed as involving the harvesting of WHOIS addresses (electronic or otherwise) for the purpose of transmitting by e-mail, telephone, facsimile, or regular mail any commercial advertising; the performance of market research; solicitation activities; and/or or any other purposes which may be reasonably viewed as intrusive to a reasonable domain name holder. No user of the WHOIS is permitted to utilize automated and/or electronic processes that send queries or data to the WHOIS, except as is reasonably necessary to register domain names or modify existing registrations.

17. CCTV Cameras and Visitors' Policy

17.1 We use CCTV Cameras in some of our physical facilities and we may process your personal data using a CCTV system when you visit our physical facilities. Our CCTV systems monitor and record visual images, including your personal appearance, in our facilities. We process these recordings to ensure the continued integrity and security of our property and to detect incidents of security threats, theft, or hazard which would require our attention and which we would otherwise not be aware of. Specifically, we use CCTV systems to:

- a. prevent and detect crimes;
- b. identify, apprehend and prosecute offenders;
- c. dealing with any queries, complaints or enquiries;
- d. ensure the security of our and your property and that of our clients and contractors;
- e. ensure that our policies and procedures are being adhered to;
- f. to assist in any investigations or any disciplinary or grievance issue;
- g. monitor the security of our premises;
- h. monitor adherence to health and safety provisions and policies.

17.2 We process your data through CCTV systems under the tripartite legal basis of public interest, vital interest, and consent, in certain circumstances. Images captured by CCTV may be monitored and recorded and kept for up to 30 days after the recording was made. After this time, the recording stored on the hard drive of our CCTV system will usually be overwritten. Information collected by our CCTV systems would only be viewed by authorized personnel and shall not be made available to third parties, except legal authorities or on compulsion by law. We will endeavour to inform you that your data is being taken through CCTV systems at our premises.

17.3 We may also collect your data at our physical facilities through our visitors' logbook and other records. Typically, we obtain basic personal information from you which includes but is not limited to name, company name, phone number, reason of visit, date and time of visit. We collect such data to be able to prevent and detect crimes, identify visitors in the case of investigations, to ensure contact tracing for the prevention of transmittable diseases and in line with health

standards, to ensure the physical security of the people and items, security of confidential information located in our premises or accessible from our premises and to prevent loss, frauds, thefts, injuries, terrorism and other events of such kind in our premises. We only take your information through the visitors' logbook with your permission. On filling the visitor's logbook, you may be required to consent to the routine collection of physical data by CCTV cameras located within our premises.

18. Contact Details

If you have any questions about this privacy policy or our privacy practices, please contact us using the details provided below:

Full name of legal entity: Nigeria Internet Registration Association

Email address: admin@nira.org.ng

Telephone number: 0700CALLNiRA

19. Changes to the privacy policy and your duty to inform us of changes.

We keep our privacy policy under regular review. This version was last updated on the 22nd of December 2022.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.