



Notice-and-Take-Down Procedure for .nl Domain Names

Date

13 November 2017

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When can you use the Notice-and-Take-Down (NTD) Procedure?

When you see content on a website that's clearly criminal or unlawful.

- You need to have a 'legitimate interest in' (that's legal language for 'something honest to gain from') getting the content taken down.

How does the NTD procedure work?

You send us a request asking for us to disable a .nl domain name.

- We only disable domain names as a last resort.
 - Before we consider doing that, you have to contact the content provider:
 - The person who put the content on the internet (the uploader or writer)
 - The website manager
 - The registrant of the domain name the content is linked to
 - The registrar of that domain name (the hosting service provider)
 - If none of them will help, you can contact us, SIDN.

You can ask a law court to intervene if you prefer.

Do we assess all NTD requests ourselves?

No, we work with partner organisations on some kinds of NTD request.

- We forward those requests to our partners.
 - For example, if we get a request to take down child pornography, we forward it to the Reporting Hotline for Internet Child Pornography.

When should you follow a different procedure?

If you think that a domain name is itself a threat to public order or decency.

- In that case, you can complain to the Complaints and Appeals Board.

If you think that a domain name ought to be yours.

- Then you can use the Dispute Resolution Regulations for .nl Domain Names.

In both the situations just mentioned, you can take your case to a law court if you prefer.



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What if you don't know how to get in touch with the content provider?

Not all the info that we have about a domain name's registrant is published in the Whois on our website.

- However, you can ask us to share the non-public info with you. You do that by filling in the Request Form for Additional Registrant Contact Details and sending it to us.

How do you make an NTD request?

Complete the [NTD form](#) and send it to us.

- Before sending in the form, make sure you've completed all the relevant fields and signed it. Send us copies of the letters and/or e-mails you've sent and received about the content as well.

What will we do when we get your form?

We'll write back to confirm we've got your form.

We'll check whether the form meets the requirements.

- If anything's wrong, we'll ask you to put it right.

We consider whether you've done enough to get the content taken down by the people and organisations mentioned above.

- If we think you could have done more, we'll ask you to try other routes before we take action.

We'll see whether it would be better for one of our partner organisations to handle your request.

- Sometimes we forward requests to partners with special expertise.

We look at the content to decide two things:

- Whether any clearly criminal or unlawful activity is involved.
- Whether the activity is serious enough to justify disabling the domain name.
 - o We assess the situation carefully and to the best of our ability.

We disable the domain name or we decide not to act on your request.

- Before disabling a domain name, we always contact the registrar.
- If we disable a domain name, we mail the registrant's administrative contact.
 - o We also tell you and the registrar what we've done.
 - o After that, we may end our contract with the registrant.
 - o We'll also consider whether the domain name ought to be released for re-registration.
 - And, if so, when.
- If we decide against acting on your request, we'll get back to you explaining why.

What else do you need to know about this procedure?

We operate the NTD procedure on a voluntary basis.

- Our NTD procedure doesn't give you any legal rights.
 - o But of course we'll follow the procedure as closely as we can.

We may get in touch with you, the registrant, the registrar or others about the problem you've highlighted.



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What does *disabling* a domain name involve?

We'll remove the link between the domain name and its IP address from our register.

- So internet users will find it harder to reach the content.
- However, computers temporarily save (or 'cache') internet content. So people may be able to go on using the domain name to view the content for days or even weeks.
 - That's why it's best to ask others to take the content down before approaching us.

What other conditions apply to NTD requests?

You have to 'indemnify' us. That means you're financially responsible if we get sued for acting on your request.

- For example, if someone loses money because we've disabled their domain name, they might try to get the money back from us.

We may agree other conditions with you if we decide to disable a domain name.