

Good evening,

I trust you are well.

From the Dot Ke registry i have few concerns:

1. Owing to the fact that the registry holds personal data (WHOIS) data of domain registrants and the registrars that operate under the registry are also in contact with registrant personal data this in essence makes them "Data controllers" which would mean there will be licensing involved and this, in my view, will discourage the growth of the .ke domain name space that has enjoyed a fairly easy process for young entrepreneurs (through JIAJIRI and other partnerships) to become .ke registrars and resellers. As it stands to become a registrar an individual pays KeNIC 5000/= that is recurrent and 10,000/= to Communications Authority as a licensing fee. This will discourage the young people in or just from campus from venturing into the domain name market and leave it to well established players. This will leave registrants with very few options and kill the competitive market locally.
2. The fees paid for data controllers will need to take into account that not all controllers have deep pockets and as such there should be a fair way to determine how much will be charged.
3. Domain registrars and resellers are usually sole proprietors more often than not and from what i have read there will be a need to have a data protection officer considering the registrars and resellers are data controllers in this case. Having such an employee would not be economically feasible for a huge number of registrars and resellers.
4. The domain registration process is one that has over the years not locked out people of all ages including those below 18, according to the bill/policy any data of a child being processed has to be with the consent of a parent, does this mean we will have to modify how domain registration is open to all and require age details so as to ascertain that this is catered for.
5. Kindly can we have a forum with your team and the registry, registrars and resellers so that we engage further and also offer more input on the same.

Kind regards,
Brian Nyali.