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*This policy is issued by the Domain Name Commission on behalf of [InternetNZ](#), the Internet Society of New Zealand Incorporated.*

## INVESTIGATION AND INQUIRY PROCESS

### 1. Statement of Purpose

- 1.1 This process builds on the "[Disputes and Complaints Process](#)" ("DCP") and explains the detail of the investigation that will be undertaken should the complaint reach the Domain Name Commissioner ("DNC").
- 1.2 It also considers possible outcomes and sanctions.

### 2. Background

- 2.1 InternetNZ has responsibility within New Zealand for the .nz domain name space ("DNS") and has implemented a shared registry system ("SRS") for the management of .nz domain name registrations and the operation of the DNS.
- 2.2 A SRS establishes a single register for registering domain names and associated technical and administrative information. .nz Registry Services ("NZRS") operates the register.
- 2.3 The registration of domain names and modification of information associated with that name on the register can be effected only by authorised registrars.
- 2.4 Registrars are responsible for managing their relationship with registrants. There is no communication between NZRS and registrants.
- 2.5 The Office of the DNC will become involved in disputes and complaints where a party believes that an agreement, or any of the .nz policies and procedures, has been breached.

### 3. Process

- 3.1 The Investigation and Inquiry Process is initiated
  - 3.1.1 By submitting a [written complaint](#) to the DNC.

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- 3.1.2 As a result of checks and audits carried out by the NZRS undertaken on behalf of the DNC.
- 3.1.3 By the DNC proactively looking at an issue.
- 3.2 All parties involved in the complaint will be contacted and given an opportunity to respond to the matter.
- 3.3 All parties will be informed of how the investigation was initiated, including the name(s) of any complainant(s).
- 3.4 Parties will be required to approve the DNC undertaking any inquiries as necessary to complete the investigation.
- 3.5 At the completion of the investigation, a draft report will be sent out to the parties for comment.
- 3.6 After considering the comments the DNC will produce a final report and a recommended outcome or penalty.
- 3.7 Parties will have an opportunity to comment on the recommended outcome or penalty.
- 3.8 When the investigation regards a minor complaint, final determination will be made by the DNC. When the investigation regards a more serious complaint, the final determination will be made by the DNC in consultation with the New Zealand Oversight Committee (“NZOC”). The determination will be communicated to the complainant via email.
- 3.9 There is provision for a matter to be referred to an independent person (to be appointed by the President or Vice President of the New Zealand Law Society) with the costs to be equally shared by both parties.
- 3.10 There will be no set timeframe for completing any investigation as each complaint will vary according to complexity. However, best endeavours will be made to complete each investigation as soon as practicable. Updates will be given on progress and on a possible timeframe for completion.
- 3.11 Recommendations will be made in line with the nature of the investigation. Possible outcomes may include a direction to reverse, or undertake specific transactions, suspensions, and possible de-authorisation if the complaint warrants it.

#### **4. General Information**

- 4.1 A range of information about .nz policies, the SRS, registrant rights, and domain names in general is publicly available on the Internet. This includes:
- A list of all authorised registrars, with links to their home pages;
  - A list of second level moderators and their contact details;
  - Current policy about domain names in .nz, dispute resolution, etc;

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- Frequently asked questions;
- Links to other relevant sites.

4.2 If anyone has any questions regarding this document please email [policies@dnc.org.nz](mailto:policies@dnc.org.nz)

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