

Ref:	2LD	Version:	1.2.5
Title:	Second Level Domains		
Date Issued:			
Status:	DRAFT PROPOSED POLICY		

This policy is issued by the office of the Domain Name Commissioner on behalf of [InternetNZ](http://internetnz.org.nz), the Internet Society of New Zealand Incorporated.

DRAFT DRAFT DRAFT

SECOND LEVEL DOMAINS

Note: This is a draft policy only - for consultation and discussion. The current version of this policy is at http://dnc.org.nz/content/second_level_domains.pdf

SECTION A - POLICY

1. Statement of Purpose

- 1.1 This policy will cover all aspects relating to Second Level Domains ("2LDs"), including what 2LDs are currently offered, how moderation operates, and how 2LDs are established.
- 1.2 It will act as a guide to prospective name holders in selecting the most appropriate domain name, and as a resource for registrars to aid prospective name holders in this process.

2. Background

- 2.1 InternetNZ has responsibility within New Zealand for the .nz domain name space ("DNS"), and maintains a shared registry system ("SRS") for the management of .nz domain name registrations and the operation of the DNS.
- 2.2 The SRS provides a single register for registering domain names and associated technical and administrative information. .nz Registry Services ("NZRS") operates the registry. The registration of domain names and modification of information associated with that name on the register can be effected only by authorised registrars. There is a competitive environment for registrations, with a number of registrars in the market.
- 2.3 Registrars are responsible for managing their relationship with registrants. There is no communication between NZRS and registrants.

3. Principles

- 3.1 This document details a set of guiding principles describing 2LD names. Central to these principles, is the notion of "communities of interest":

- 3.2 Under normal circumstances if a group of individuals or organisations can demonstrate that they meet the criteria that define a *community of interest* they can reasonably expect to be able to create a 2LD to reflect that.
- 3.3 There should be a clear statement of a common interest shared by entities that reside within the domain, e.g. tertiary educational institutions.
- 3.4 Communities of interest should not overlap. This means that minimum ambiguity should exist between different 2LDs.
- 3.5 The 2LD name should be an obvious derivative of a word that properly describes the community of interest, e.g. **.ac** for academic, or a small complete word, e.g. **.maori**.
- 3.6 The community of interest should be long lived, e.g. tertiary education is long lived, the 2005 Lions Rugby Tour is not.
- 3.7 Names in 2LDs are available to all potential registrants and are obtained through authorised .nz registrars on a first come, first served basis.
- 3.8 In some circumstances, registration of names may be restricted, for example by registrant. InternetNZ may grant permission for moderation of membership of a community of interest to be managed by that community of interest. If a new 2LD is intended to be subject to moderation, this should be disclosed when the application is made and the requirements for a moderated 2LD followed.
- 3.9 Domain name registrations in the .nz domain name space are not permitted directly at the second level.

4. Selection of an Appropriate 2LD

- 4.1 Prospective name holders are strongly encouraged to select the 2LD that matches the most appropriate community of interest, doing otherwise may cause confusion.
- 4.2 For use of a moderated 2LD, permission must be sought from the moderating organisation. Contact information for moderating organisations are held by the DNC. Conditions may apply to the applicant and/or to the name requested.
- 4.3 For the unmoderated 2LDs the final choice of the appropriate 2LD to use, and the name chosen, rests with the applicant.
- 4.4 Prospective name holders should talk with their registrar prior to application, to establish an appropriate 2LD.

5. Creation of New 2LDs

- 5.1 InternetNZ views the creation of new 2LDs as a very serious matter. Such domains, once created, are likely to never be removed.
- 5.2 Any individual or organisation may initiate the process of creating a new 2LD, or changing the definition of a current 2LD within '.nz', by sending a proposal to the Domain Name Commissioner together with any applicable application fee.

- 5.3 Details of the process followed for the creating a new 2LD are detailed in Section B of this document
- 5.4 All new 2LDs must meet the criteria set for allowable domains. The onus is on the initiator of the proposal to justify the new domain by ensuring the application clearly states how the proposed domain meets the criteria set.
- 5.5 Public input is by way of a public consultation process with a focus on how the application fulfils the set criteria in Clause 5.6 of this policy.
- 5.6 Criteria for a new 2LD requires that they:
- 5.6.1 Represent an identifiable, significant community of interest; where 'significant' can be applied either quantitatively or qualitatively.
 - 5.6.2 Represent an on-going and long-lived community of interest
 - 5.6.3 Do not conflict with, duplicate or cause confusion about, any existing 2LD, and are a useful addition to the current DNS hierarchy
 - 5.6.4 Use an abbreviation to represent the domain that is an obvious derivative of a word that properly describes the community of interest, e.g. .ac for academic, or a small complete word, e.g. .maori.
 - 5.6.5 Represent a new group of potential registrants in such a manner that existing registrants are not forced into defensive registrations.
 - 5.6.6 Do not bring the .nz domain name space into disrepute
- 5.7 For moderated 2LDs, a copy of the proposed moderation policy is to be submitted with the application so that it too is subject to public evaluation and comment.
- 5.8 An initial evaluation of the application against the criteria will be made by the DNC.
- 5.9 Proposals that fail to address the criteria will be returned to the proposer for further development or declined if the criteria is not able to be met, as determined by the DNC in consultation with the NZOC. Any rejection will be based on the criteria not being met, and a full explanation of the rejection will be provided to the propose.
- 5.10 Those proposals that meet the criteria will be put out for public discussion. Comment will be specifically sought on how the proposal measures up to the criteria to establish a new 2LD.
- 5.11 Once public consultation has been obtained, NZOC will evaluate the application against the criteria set before making a recommendation to Council as per Clause 5.17.
- 5.12 The DNC reserves the right to approach possible interested parties to proactively seek their feedback.
- 5.13 All submissions are to be made public. The only exception to this may be where a submitter can demonstrate, to the satisfaction of the DNC, exceptional circumstances exist that justify their request that the submission should not be publicised.

- 5.14 Once the consultation period is completed, if the creation criteria are met and no issues impacting on that are raised through the process, the application for the 2LD will generally be allowed. No public vote will be held.
- 5.15 For open 2LDs, a pre-registration period will be opened where registrants can register their proposed domain name under the new 2LD. This will be used to test public interest. If the threshold of pre-registrations is met, the application will be adopted and the 2LD will be added.
- 5.16 The fee charged to pre-register will contribute to the costs of the application process meaning that the application fee for open 2LDs may be lower than that of moderated domains.
- 5.17 The final decision to create a new 2LD remains with Council following a recommendation from the .nz Oversight Committee (NZOC). There is no appeal process.

6. Creation of Moderated 2LDs

- 6.1 InternetNZ retains management authority of all listed 2LDs. Under specific circumstances, authority to moderate membership may be granted to another organisation, by InternetNZ, through the Office of the Domain Name Commissioner ("DNC").
- 6.2 The community of interest proposing to accept responsibility for moderation must:
 - 6.2.1 Be a property constituted organisation. If it is not practicable in the circumstances for an organisation to have the role then the DNC, at their discretion, may allow a suitably qualified, accepted and appropriate individual to perform the moderation role.
 - 6.2.2 Comprise a well-defined, strong long-lived community of interest.
 - 6.2.3 Develop acceptable, objective policies for allocating domains within that 2LD space.
 - 6.2.4 Provide a "designated 2LD moderator" with authority to implement policy.
- 6.3 A Moderation Agreement will be agreed and signed by InternetNZ and the moderator. Please refer to Form 2LD1.
- 6.4 Moderation entails the following activities:
 - 6.4.1 Registrants seeking to register a domain name within the 2LD being moderated will be evaluated to ensure that they meet the organisational criteria set out for the 2LD. This moderation is to ensure that only those registrants that meet the organisational criteria are permitted to obtain a name in the domain as sought.
 - 6.4.2 For those registrants that are deemed to have met the organisational criteria, the moderator will further determine whether the domain name sought is acceptable.

- 6.4.3 The moderator must notify the applicant of the acceptance or rejection of the domain name sought within an agreed number of working days.
- 6.4.4 The responsibility for accepting a name and a registrant lies with the moderating organisation.
- 6.4.5 The number of working days will be agreed by InternetNZ with the moderator and form part of the terms of the Moderation Agreement.
- 6.4.6 Additional rules for moderated 2LDs, to those described in the .nz policies and procedures, may be determined by the moderator in discussion with the community of interest. The DNC must also be consulted in this process.
- 6.4.7 A period of three months is required for either party of the Moderation Agreement as notice of termination.
- 6.5 Moderator details will include the full name of the organisation and the name and contact details of the contact person within the organisation with which the Moderation Agreement is agreed.
- 6.6 Where a domain name has been accidentally registered in a moderated domain space, and it clearly does not meet the organisational criteria for that domain, the moderator can apply to the DNC for the domain name to be cancelled. Note - the moderator needs to have consulted with the registrant prior to approaching the DNC.
- 6.7 Where the DNC agrees to consider the application by the moderator, the DNC will consult with the moderator and the registrant before making a decision. The DNC may make any orders deemed necessary to compensate the affected registrant.
- 6.8 The operating principles for moderated domains are:
- Approval for use of the moderated name occurs prior to the registrar registering the domain name in the register.
 - NZRS will not be involved in that approval process.
 - Moderators will either need to establish themselves as a registrar or set up a relationship with a registrar(s).
 - Moderators will be responsible for notifying the DNC and NZRS of their accredited registrar(s).
- 6.9 Moderators of second-level domain names 2LDs will designate the registrars that are permitted to register their 2LDs. No other registrars will be permitted to register these 2LDs.
- 6.10 If acceptable under the moderator's policy, a moderated 2LD can be transferred to a registrar that is not designated to register that moderated 2LD. However, they will not be able to change the registrant of the domain name. The domain name will need to be transferred to a designated registrar for a change of registrant to be processed.
- 6.11 Requests to change the moderator or the moderation policies are made to the DNC. Changes must be supported by (near) unanimous agreement of existing registrants.
- 6.12 For the DNC to consider granting authority for an existing 2LD to be moderated, the following principles are also important:
- 6.12.1 Registrants of the 2LD must all accept the course of action

6.12.2 A policy for managing existing registrations must be acceptable to the DNC

Maintaining and Monitoring 2LDs

7.1 It will be necessary for the 2LD name space to evolve over time to reflect the changing needs of society. These needs will be ascertained through a consultative process and may lead to:

7.1.1 migrating unmoderated 2LDs to moderated status, or vice versa

7.1.2 closing an existing 2LD

No decision to close, or amend, an existing 2LD will be made without full consultation with the affected registrants and all accepting the course of action.

8 General Information

8.1 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 2LD moderators and their contact details;
- Current policy about domain names in .nz, dispute resolution, etc;
- Frequently asked questions;
- Links to other relevant sites.

8.2 If anyone has any questions regarding this document please email policies@dnc.org.nz

SECTION B - PROCESS

Process for the Creation of a New Second Level Domain

Note: A detailed process cannot be written until the general policy is agreed. Comment is welcome on how the process might work. Further consultation on the process will occur once the policy is agreed. It is also not possible at this time to indicate what the application fee will be. It is likely that the fee for open 2LDs may be lower than that for moderated 2LDs. It is also likely that full cost-recovery will not be sought as the costs are reasonably associated with the DNC Office.

A possible process might be:

Open 2LDs

- Applications, and fees, received and the application is checked against the criteria.
- There is a public consultation period where submissions are invited from registrars, stakeholders, the local internet community, and other interested parties

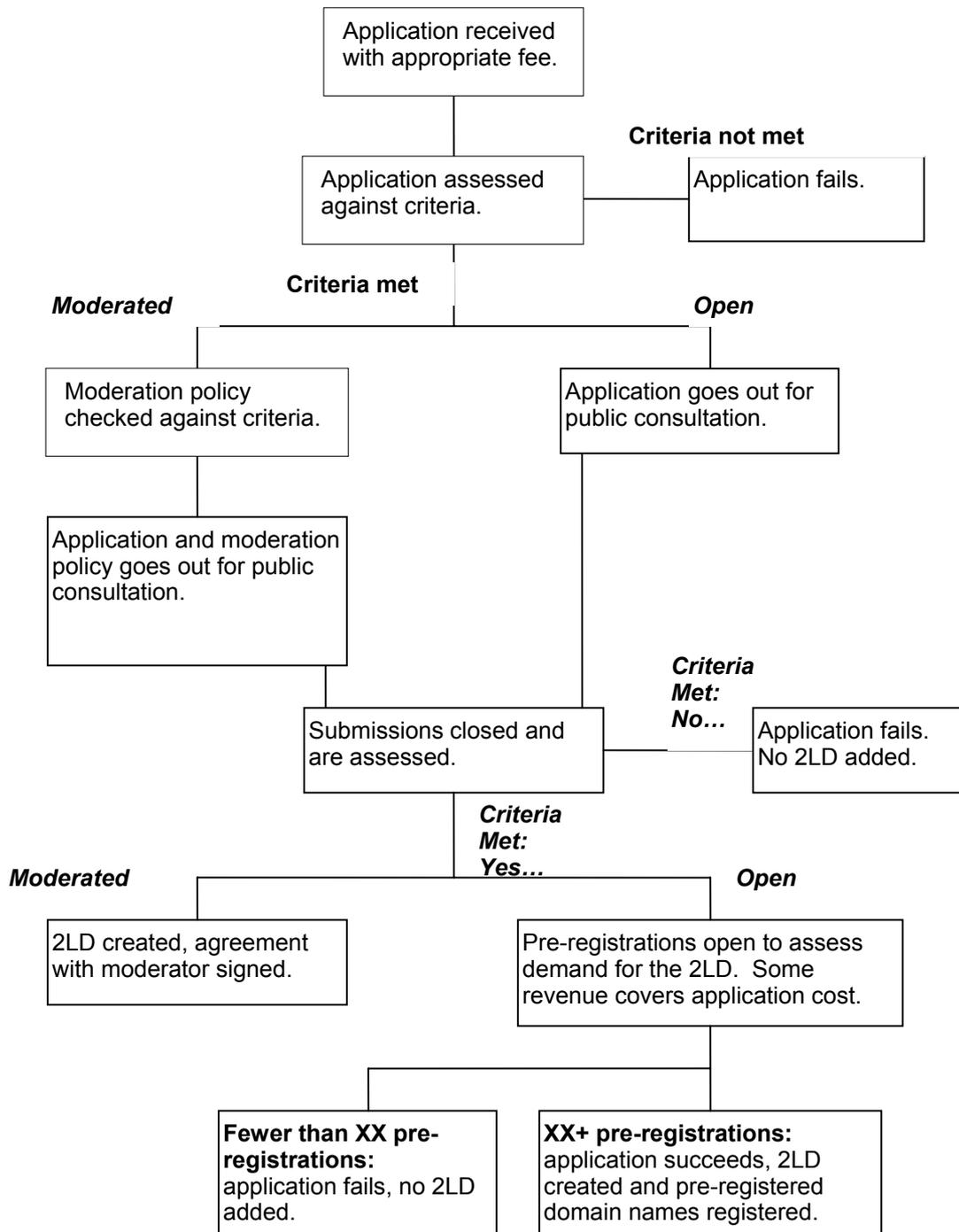
- The submissions should focus on whether the application meets the criteria for the creation of new 2LDs and comment on the likely impact of the new 2LD on the .nz domain name space
- Submissions will be taken into account, and a decision made as to whether the 2LD should be added.
- A pre-registration system is proposed, letting people register their proposed domain names under the new 2LD to test public interest. If enough people pre-register (for example, could be between 300-500 names), the application will be adopted and the 2LD will be added. There will be a charge for pre-registration and this process will be considered to cover part of the application fee, reducing the amount of the fee paid up-front by applicants for open 2LDs.

Moderated 2LDs

- Applications, and fees, received and the application is checked against the criteria.
- The proposed moderation policy also has to be received with the application
- The moderation policy will specify whether the moderating entity is allowed to charge a separate fee for moderation services. Any such fee will be permitted to operate on a cost-recovery basis only.
- Only a legal entity can be a moderator (not an individual), though an individual contact is required to process moderation requests.
- The application will go through a public consultation process in the same manner as the open 2LDs.
- Once a decision is made the 2LD will be added.

A draft diagram of this possible process follows.

Flowchart: Creating a new Second Level Domain



Appendix 1

Current 2LDs

List of .nz 2LDs as at <date of policy>

1. There are currently 12 2LDs in the .nz DNS. The description of the communities of interest that each represents is as follows:

2LD	Community of Interest
.ac	Tertiary educational institutions and related organisations
.co	Organisations pursuing commercial aims and purposes
.cri	Crown Research Institutes
.gen	Individuals and other organisations not covered elsewhere
.geek	For people who are concentrative, technically skilled and imaginative who are generally adept with computers
.govt	National, regional and local government organisations operating with statutory powers
.iwi	A traditional Māori tribe, Hāpū that belongs to a traditional Māori Iwi or taura here Iwi group operating with the permission of the main Iwi
.maori	Māori people, groups, and organisations
.mil	Military organisations of the NZ Government
.net	Organisations and service providers directly related to the NZ Internet
.org	Not-for-profit organisations
.school	Primary, secondary and pre-schools and related organisations

2. InternetNZ has granted permission to four organisations to moderate membership of specific 2LDs. These are **.cri.nz**, **.govt.nz**, **.iwi.nz** and **.mil.nz**. Moderation means that applicants need to meet specific additional criteria in order to be included in each community of interest. The current moderation policies and contacts are at <http://www.dnc.org.nz/story/30043-35-1.html>.