

# **SDNP .mw ccTLD DOMAIN REGISTRATION POLICY**

Ver 1.2a of 23 July 2015

## Table of Contents

1. DEFINITIONS
2. PURPOSE AND SCOPE
3. ELIGIBILITY
4. CHOOSING A DOMAIN NAME TO REGISTER
5. SELECTING A REGISTRAR
6. REGISTERING A DOMAIN NAME
7. WHOIS DATABASE
8. MODIFYING DOMAIN REGISTRATION INFORMATION
9. RENEWAL AND DELETION OF DOMAIN NAMES
10. DOMAIN TRANSFERS
11. SUSPENSION OF DOMAIN NAMES
12. REVOCATION OF DOMAIN NAMES
13. DISPUTE RESOLUTION
14. APPLICABLE LAW AND JURISDICTION
15. AMMENDMENTS

## 1. DEFINITIONS

In this .mw Domain Name Registration Name Registration Policy, the following terms and expressions shall have the meaning that is here ascribed to them:

**Application** Means a fully and correctly completed request for a domain name that is submitted to the Registry

**Domain Name** Means a Domain Name that is registered directly under the .mw Top Level Domain (TLD) or under a second level domain (SLD) that is managed by the Registry and satisfying the eligibility and technical requirements as stated in this policy.

DNS	Means Domain Name System, a distributed database that is used on the Internet to map Domain Names to IP address for locating Internet resources
Registrant	Means a natural person, company or organization who has submitted an Application for or holds a Domain Name registration
Registrar	Means a person or entity that provides Domain Name registration services to Registrants as accredited by and based on an agreement with the Registry
Registration Guidelines	Means the technical guidelines and instructions that the registry makes available on its website
Registration Policy	Means the current document available on the Registry website
<b>SLD</b>	<p>Means Second Level Domain names that are managed by SDNP at the registry as listed on the registry website and recommended for various categorization as follows:</p> <ul style="list-style-type: none"> <li>i. ac.mw - academic institutions</li> <li>ii. co.mw - commercial organizations</li> <li>iii. com.mw - commercial organizations</li> <li>iv. coop.mw - cooperative associations</li> <li>v. edu.mw - higher academic institutions</li> <li>vi. gov.mw - Malawi Government</li> <li>vii. int.mw - international treaty organizations</li> <li>viii. net.mw - networking organizations</li> <li>ix. org.mw - non-profit making organizations</li> </ul>
Term	Means the domain name registration period calculated in years and months starting from the registration date.

TLD	Means Top Level Domain, the highest level in the DNS hierarchy, just below the Root, as represented by the right most characters in a Domain Name. The TLD for Malawi as its country code top level domain (ccTLD) is .mw.
Website of Registry	Means the website available at <a href="http://www.nic.mw">http://www.nic.mw</a>

## 2. PURPOSE AND SCOPE

- 2.1 SDNP has upgraded the Registry on the Malawi .mw ccTLD from a 2R model to a 3R EPP model and hence is upgrading its policy framework as well. The upgrade process, where most aspects are already operational, is expected to be completed by end of 2015.
- 2.2 The purpose of this Domain Registration Policy is to state the technical and administrative principles, policies, rules and procedures used by the .mw Registry for Domain Name registrations including applications, registration, renewal, deletion, suspension, revocation etc of these domain names.
- 2.3 This Registration Policy covers domains registered under the .mw TLD as well as those registered under any SLD managed by the Registry
- 2.4 The Registration Policy applies to all domains that were registered prior to the date when this policy came into effect. Those domains will be transferred from any old system to the new system under this policy and the principles, policies, rules and procedures for such transfer are covered under the Transfers section of this policy.
- 2.5 The Registration Policy applies to domains registered directly under the .mw TLD as well as to all domain names

registered directly under any SLD managed by SDNP at the registry as defined under SLD in this policy.

- 2.6 Any person or entity may request SDNP to manage domain registrations at a second or higher level at the registry and SDNP will assess the feasibility of such a request and act on it accordingly.
- 2.7 This Registration Policy supersedes any previous policy on registration of domain names on the .mw TLD.

### 3. ELIGIBILITY

- 3.1 Any natural person, company or organization can register a domain name under the .mw TLD
- 3.2 Only Malawi Government organizations are eligible to register a Domain Name under the .gov.mw SLD.
- 3.3 Unless otherwise provided for in this Registration Policy, Domain Names will be registered on a "first come, first served" basis based on the date and time that an Application is received by the Registry.
- 3.4 The following are required for any name to be registered as a domain name:
  - i. The name is not already registered as a Domain Name
  - ii. The name does not start with a hyphen ("-")
  - iii. The name contains only characters from "A" to "Z", "a" to "z", digits "0" to "9", the hyphen ("-") and the dot (".")
  - iv. All the above conditions must be cumulatively met.

## 4. CHOOSING A DOMAIN NAME TO REGISTER

- 4.1 Before completing a Domain Name request or application, the Registrant must verify that the Domain Name meets the eligibility, availability and technical requirements in section 3 of this policy by taking the following steps:
- i. Check whether the Domain Name selected meets the technical requirements in Section 3.
  - ii. Check whether the Registrant meets eligibility requirements in Section 3
  - iii. Check the .mw WHOIS Database to confirm whether the domain name is available

## 5. SELECTING A REGISTRAR

- 5.1 Domain requests and applications to register a domain, to modify, delete or carry out such actions on domains at the registry can only be submitted to Registry through a Registrar that is accredited by SDNP to the Registry as listed on the Registry Website.
- 5.2 The Registrar will act on behalf of the Registrant.
- 5.3 The Registrant seeking to register a domain or to carry out an action on a domain should therefore select and use a Registrar accredited by the Registry from the list made available on the Website of the Registry.
- 5.4 Registrars may choose and have different contractual provisions for Registrants, may provide various services, have different focus areas and have their own terms and conditions. It is up to the applicant or Registrant for a Domain Name to choose a Registrar that is most suitable.

## 6. REGISTERING A DOMAIN NAME

- 6.1 The Applicant or Registrant, who has selected a Domain Name to register and who has selected a Registrar, should go to the Registrar to make and submit the Application for the Domain Name.
- 6.2 It is the responsibility of the Registrar to provide the Registrant with the applicable rules and requirements in the Registry policies prior to and during filing its request for registering a Domain Name.
- 6.3 A request for registration of a Domain Name will only be considered complete when, through a Registrar, the Registrant has provided with the following information as a minimum:
  - i. Domain Name being requested.
  - ii. The full name and physical address of the Registrant. Where no name of a company or organization has been specified then the individual making the request will be taken as the registrant, however, if the name of the company or organization is specified then the company or organization will be taken as the Registrant.
  - iii. Physical address should include street, postal address, town or city and country
  - iv. E-mail address of Registrant or its representative
  - v. Telephone and fax numbers of Registrant
  - vi. Administrative Contact for the Domain Name with corresponding physical address, e-mail address, telephone and fax numbers

- vii. Technical Contact for the Domain Name with corresponding physical address, e-mail address, telephone and fax numbers
  - viii. Billing Contact for the Domain Name with corresponding physical address, e-mail address, telephone and fax numbers
  - ix. At least two distinct DNS or name servers to which the Registry delegates authority for the Domain Name
- 6.4 It is the obligation of the registrant to submit and maintain its contact information accurate, complete and up-to-date.
- 6.5 The Registrant is obliged to make sure that in requesting and using the domain name, all applicable laws and regulations are not violated and the domain is not used in bad faith or for any unlawful purpose.
- 6.6 Only Registrars who are in good standing order with the Registry legally and financially may register Domain Names in the Registry.
- 6.7 The Registry will charge a registration fee to the Registrar to register the Domain Name into the Registry at a rate as displayed on the Registry website.
- 6.8 The Registry is entitled to and reserves the right to revoke a Domain Name at its own initiative in the event that the Registrant is in breach of the rules.

## 7. WHOIS DATABASE

- 7.1 The Registry shall put in place a WHOIS facility whose main purpose is to provide accurate and up-to-date

information about the domain and related points of contact on Domain Names registered under the .mw TLD

- 7.2 WHOIS data can be accessed through a textual online command or by going to the Website of the Registry and typing in a query about the domain on the WHOIS look-up facility
- 7.3 Anyone using the WHOIS facility provided by the Registry agrees to the terms and conditions that the Registry sets on the WHOIS facility.
- 7.4 In order to prevent “data mining” as well as prevent misuse of personal data available in Registry, the Registry may take appropriate measure to safe guard the data which may include enforcing look-up restrictions on the WHOIS facility provided by the Registry.
- 7.5 It is the responsibility of the Registrant to make sure that the data on a registered domain is accurate and up-to-date as the WHOIS facility uses the data from the Registrant to respond to WHOIS queries.

## 8. MODIFYING DOMAIN CONTACTS AND SERVERS

- 8.1 If the Domain Name contact information for the Administrative, Technical and Billing Contacts has changed, the Registrant must ask the Registrar to amend this information with the Registry within one month.
- 8.2 If the DNS or name servers for the domain have changed, the Registrant must ask the Registrar to amend this information without delay to avoid the domain going offline.
- 8.3 As modifying the Registrant name, organization and address may lead to the Domain Name being transferred, modifying such information is covered under Domain Transfers in this policy. Other less critical details on the

Registrant may be modified by the Registrant through the Registrar for the Domain Name

- 8.4 A Domain Name may not be modified once registered.
- 8.5 Only Registrars who are in good standing with the Registry legally and financially may modify Domain Name information in the Registry.
- 8.6 It is not possible for a Registrant to file a request to directly with the registry to modify Domain Name information.

## 9. RENEWAL, SUSPENSION AND DELETION OF DOMAIN NAMES

- 9.1 A Domain Name must be renewed prior to its expiry date as recorded at the Registry in order to maintain it in good working order.
- 9.2 To renew a Domain Name registration, the Registrant must request its Registrar to submit a Renewal Request to the Registry. It is not possible for a Registrant to file a renewal request directly with the Registry.
- 9.3 The Registry will charge a renewal fee to the Registrar to renew the Domain Name at a rate as displayed on the Registry website.
- 9.4 If the domain has not been renewed seven (7) days before its expiry, the Registry will send a final advisory e-mail message to the Registrar stating that the registration is about to expire.
- 9.5 The Registrant is entitled to cancel a Domain Name registration by making a request through its Registrar to

the registry who then files a deletion request to the Registry. It is not possible for a Registrant to file a deletion request directly with the Registry.

- 9.6 A Domain Name that has expired or for which the Registry has received a deletion request will be suspended for a period of 30 days starting from the expiry date or the date mentioned in the deletion notice, whichever is earlier.
- 9.7 A suspended Domain Name will be removed from delegation to its DNS or name servers during the period of suspension but will still be visible in the WHOIS.
- 9.8 The Registrant may request its Registrar to renew the Domain Name or transfer the Domain Name to another Registrar during the suspension period.
- 9.9 If no reactivation, renewal or transfer takes place within the 30 day suspension period or if the Registry does not receive the relevant fees, the Domain Name registration will be cancelled or deleted from the Registry and the Domain Name will be made available for others to take up for general registration.

## 10. TRANSFER TO ANOTHER REGISTRAR

- 10.1 The Registrant has a right to transfer the Domain Name to another Registrar.
- 10.2 The request by the Registrant to transfer the Domain Name should be made through its current Registrar. The current Registrar shall then request a unique authorization code for such a transfer from the Registry and then have it delivered subsequently as follows:
  - i. By the current Registrar to the Registrant
  - ii. By Registrant to the new Registrar
  - iii. By the new Registrar to the Registry

10.3 The Registry shall execute the transfer after it receives the authorization code from the new Registrar in step iii.

10.4 If the current Registrar ceases to be a Registrar before a Domain Name can be transferred, then the Registry will notify the Registrant and the Registrant must select a new Registrar before the Domain Name expires.

10.5 A request for transfer to another Registrar must be completed within two (2) days after which the Registry reserves the right to cancel the validity of the authorization code hence cancelling the transfer.

## 11. TRANSFER TO ANOTHER REGISTRANT

11.1 The Registrant has a right to transfer the Domain Name to another eligible Registrant

11.2 The request by the Registrant to transfer the Domain Name should be made through its current Registrar. The current Registrar shall then request a unique authorization code for such a transfer from the Registry and then have it delivered subsequently as follows:

- i. By the current Registrar to the transferring Registrant
- ii. By transferring Registrant to the new Registrant
- iii. By the new Registrant to the possibly current or other Registrar
- iv. By the possibly current or other Registrar to the Registry

11.3 The Registry shall execute the transfer after it receives the authorization code from the new Registrar in step iv.

11.4 The Registry reserves the right to evaluate the request to transfer the Domain Name at any stage, reserves the right to cancel the transfer at any stage and shall then

inform the current Registrant and Registrar of the evaluation result and action taken.

11.5 If the current Registrant ceases to exist or becomes ineligible to be a Registrant for the Domain Name, the legal heirs or legally appointed administrator may request the transfer of the domain to a new Registrant.

11.6 A request for transfer to another Registrant must be completed within seven (7) days after which the Registry reserves the right to cancel the validity of the authorization code hence cancelling the transfer.

## 12. REVOCATION OF DOMAIN NAMES

12.1 The Registry may revoke a Domain name at its own discretion exclusively on the following grounds:

- i. Outstanding unpaid debts owed by the Registrar to the Registry
- ii. The Registrant no longer being eligible for the Domain Name registration
- iii. Breach of the Rules and Regulations for Domain Name registration

12.2 The Registry shall notify the Registrant and/or the Registrar by e-mail at least 14 days before revoking the domain name thereby affording the Registrant and/or the Registrar the opportunity to remedy the grounds for revocation.

12.3 The Registry reserves the right to suspend a Domain Name after sending the notice for revocation. A Domain Name that has been suspended pending revocation cannot be transferred and cannot be reactivated until the grounds for revocation have been remedied.

12.4 If the grounds for revocation are not remedied within the time frame set, the Registry shall be entitled to revoke the

Domain Name and such a revoked Domain Name shall then be made available for others to register.

### 13. DISPUTE RESOLUTION

13.1 To resolve disputes on Domain Names, the Registry shall use rules under the Uniform Dispute Resolution Policy (UDRP) of the Internet Corporation of Assigned Names and Numbers (ICANN).

### 14. APPLICABLE LAW AND JURISDICTION

14.1 This Policy and all the rules and procedures covered herein are subject to the laws of Malawi

14.2 In the event of any dispute, disagreement or claim, the High Court of Malawi shall have exclusive jurisdiction.

### 15. AMMENDMENTS

15.1 If the Registry decides to make changes to this Policy, it will announce and make the new Policy available on the Registry website at least 30 days before the new Policy takes effect and is enforced.

15.2 The registry may waive the notice period in exceptional cases where the changes are to prevent Domain Name registrations of a speculative or abusive nature

15.3 The Registry will not be obliged to personally inform Registrants and Registrars are to be or have been modified.