

# .au Licensing Rules Review

**ACCI Submission**

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## Working for business. Working for Australia.

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# Executive Summary

The Australian Chamber of Commerce and Industry (ACCI) welcomes the opportunity to review the .au licencing rules conducted by auDA's independent Policy Advisory Panel.

ACCI is Australia's largest and most representative business network. Our members are state and territory chambers of commerce, national industry associations and a council of business leaders from individual enterprises. Together, we represent Australian businesses of all shapes and sizes, across all sectors of the economy, and from every corner of our country. Within our membership of more than 870 national industry associations, many have members who are small business owners across a vast array of sectors, including builders, mechanics, plumbers, electricians, pharmacists, restaurants, retailers, accommodation providers, vets, convenience store owners, dentists and travel agents, to name but a few.

The .au licensing rules review examines whether the licensing rules are operating effectively and fairly, particularly for businesses that rely on a .au domain as part of their online presence. Our submission represents the interests of all businesses, but pays special attention to small businesses, which make up over 97 per cent of Australian businesses and employ over 5 million Australians, yet often have the fewest resources to manage digital adoption and transformation.

## Who can have a .au domain?

Currently, to apply for a license for an Australian (.au) domain name, the person must have an Australian Presence and satisfy any eligibility and allocation criteria for the Namespace being applied for, such as:

- 1) a Commercial Entity; and
- 2) the domain name applied for must be:
  - a) a Match of the Person's company, business, statutory or Personal name; or
  - b) an Acronym of the Person's company, business, statutory or Personal name;
  - c) or a Match of the Person's Australian Trade Mark; or
  - d) a Match to or an Acronym of a name of a Related Australian Body Corporate
  - e) or a Match or an Acronym of a name of:
    - i) a partnership of which the Person is a partner;
    - ii) a trust of which the Person is a trustee; or
  - f) a Match or Synonym of the name of:
    - i) a Service that the Person provides;
    - ii) an event that the Person registers or sponsors;
    - iii) an activity that the Person facilitates, teaches or trains;
    - iv) premises which the Person operates

and which that Person is providing at the time of the application.

While allocation rules were originally designed to prevent misuse and consumer confusion, market practice has evolved. The introduction of .au direct has demonstrated that consumer trust does not depend on highly prescriptive eligibility tests, and that businesses can establish credible online identities under simpler, more accessible rules. Maintaining complex and rigid allocation requirements for com.au and net.au risks imposes unnecessary compliance costs on businesses without delivering clear consumer-protection benefits.

***Recommendation 1: auDA should adopt a lighter-touch approach to allocation rules that better reflect current market realities and reduce unnecessary compliance burdens on businesses, particularly small businesses.***

***Recommendation 2: Remove the allocation requirements under section 2.4.4(2) to streamline and relax the allocation rules for com.au and net.au domain names, and better align with the simpler, more accessible framework applied to .au direct.***

In the 2012 version of the rules, a registrant did not need their domain name to exactly match their legal, business or trademark name. Instead, they had to show a real, substantive connection between the domain name and what they actually did. The domain name only had to refer to the product, service, or activity, which allowed for descriptive, intuitive domain names (e.g., bestflowers.com.au) that consumers could understand, while maintaining strong safeguards against speculative or bad-faith registration through defined eligibility categories and an explicit prohibition on domain warehousing.

In contrast, the current “Match or an Acronym” and “Match or Synonym” requirements are highly technical, difficult for businesses to interpret and prove, and poorly aligned with modern branding and digital commerce practices.

***Recommendation 3: Replace the current ‘Match or an Acronym’ and ‘Match or Synonym’ requirements with the earlier ‘close and substantial connection’ test.***

Domain name monetisation has long been a legitimate and well-established feature of the digital economy. Overly restrictive intervention in this space risks undermining legitimate business models, reducing certainty for domain holders, and discouraging innovation in how modern monetised domains evolve to enable active commercial use, content delivery, and service provision, rather than passive parking or speculative holding. Regulatory oversight is most effective when it is targeted and proportionate, focusing on clear cases of harm rather than restricting lawful commercial activity.

***Recommendation 4: Continue to ensure that domain names remain eligible for monetisation within the com.au and net.au namespaces with regulatory intervention limited to cases involving clear evidence of bad-faith registration, fraud or gross misconduct.***

### **What happens when multiple people want the same domain names?**

When more than one eligible party applies for the same .au direct domain name, the domain becomes contested and cannot be allocated. Under the current rules, a contested .au direct domain name remains unavailable until all but one applicant withdraws their application. The review uses the example of the domain arts.au, which is contested between multiple registrants holding arts.edu.au, arts.com.au, arts.net.au and arts.gov.au. Applicants must continue to renew their existing matching domain names annually while the contested .au direct domain remains unresolved.

While this approach was intended to encourage negotiation between parties, in practice, it has resulted in prolonged stalemates that leave valuable domain names unusable for extended periods. This uncertainty creates challenges for active businesses seeking to establish a clear and trusted online presence.

A survey conducted for this review indicated that the most popular resolution mechanism is to allocate contested domain names solely based on the earliest registration date. However, this approach would shift the goalposts for businesses that applied in good faith during the pre-registration period and risks producing inequitable outcomes. As such, a more balanced framework is required, it should recognise historical use of the domain name and support fair, low-cost resolution.

***Recommendation 5: Do not allocate contested .au direct domain names solely on the basis of the earliest registration date. Instead, adopt a two-tiered approach that:***

- ***first assesses contested names by reference to the historically most active and useful domain name, using a clear and transparent framework***
- ***provide a streamlined, low-compliance process for parties to present evidence of genuine use, supported where possible by information already held by auDA.***

***Recommendation 6: Introduce a pause mechanism and a structured mediation process for contested .au direct domain names, particularly when disputes involve a domain investor and an active business user,***

***while retaining the existing Priority Hold mechanism for cases where mediation is unsuccessful or declined.***

### **What does the complaints process currently look like?**

The .au Licensing Rules include a staged complaints and review framework that provides registrants and other affected parties with a clear pathway to raise concerns and seek review of decisions made by registrars or auDA, and reduces the likelihood of escalation into formal disputes.

The framework requires complaints to be raised first with the registrar, followed by review by auDA, internal review of auDA decisions, and ultimately external review by the Licence Review Panel for persons “affected by” a decision. While the process includes safeguards against frivolous or vexatious claims and clear timeframes for escalation, it does not explicitly address complaints arising from audit actions, nor does it clearly define who qualifies as an “affected person” in those circumstances. This has created uncertainty for registrants and third parties about access to complaint and review mechanisms, highlighting the need to clarify and align the rules with auDA’s existing practice.

The absence of a clear and express provision in the rules creates uncertainty for registrants about when and how audit decisions can be challenged. Therefore, clearer articulation of audit action complaints within the rules would improve transparency, procedural fairness and confidence in the regulatory framework.

***Recommendation 7: Explicitly include audit action complaints within the scope of Part 3 of the .au Licensing Rules, to provide greater clarity about registrants’ rights to challenge or seek review of audit decisions.***

The discussion paper notes that auDA has had more flexible interpretations of the term “affected person” in two previous decisions. In both cases, despite the ‘affected person’ appearing no more affected than any other member of the public, the panel did not interfere with the position taken by auDA that the applicant met the requirements to apply for external review. These cases have highlighted the ambiguity behind the term “affected person”.

***Recommendation 8: Update the rules to reflect auDA’s existing approach to defining an “affected person”, ensuring that parties genuinely impacted by audit and compliance actions can access complaint and review mechanisms while maintaining safeguards against vexatious complaints.***

### **How can we make the .au licensing rules more friendly to small businesses?**

The current .au domain lifecycle includes a number of rigid and highly prescriptive processes and can increase the risk of inadvertent domain loss, particularly for small businesses that rely on third-party providers, operate seasonally, or have limited capacity to monitor administrative deadlines. Short renewal windows, limited grace periods and reliance on a single point of contact can result in disproportionate commercial harm where a domain lapses unintentionally. Aligning selected elements of the .au domain lifecycle with international best practice would improve consumer protection, reduce unnecessary disputes, and provide greater certainty and resilience for businesses that depend on their domain names as critical digital assets.

***Recommendation 9: Align selected elements of the .au domain lifecycle with best-practice approaches used in generic top-level domains (gTLDs), including:***

- ***allowing greater flexibility in renewal timing (including renewal earlier than the current 90-day window);***
- ***extending and clarifying grace periods across renewal, cooling-off, deletion and pending purge stages; and,***
- ***enabling or requiring secondary points of contact for renewal and expiry notifications.***

# Introduction

As internet access, speed and reliability improve, online channels increasingly function not only as marketing tools but as core retail, service-delivery and revenue-generation platforms. This structural shift has fundamentally changed how businesses reach consumers, deliver products and services, and build trust in digital markets<sup>1</sup>.

In Australia, total online retail sales reached \$4,703.8 million in 2025 (seasonally adjusted) and increased by 13.0 per cent over the year, delivering an additional \$542.1 million in revenue<sup>2</sup>. Notably, in June 2025, original online sales rose by 5.6 per cent (\$246.6 million), while total retail sales declined by 1.5 per cent (\$555.2 million). This divergence highlights the growing resilience of online channels and their increasing importance as a stable revenue source, even during periods of broader retail contraction.

However, as online sales continue to grow, so do the number and variety of online scams. According to the Australian Competition and Consumer Commission, Australians reported nearly \$260 million in losses to scams in the first nine months of 2025, with the National Anti-Scam Centre warning that online shopping scams are on the rise<sup>3</sup>. The rise of fake online stores that either imitate real stores or sell products that don't actually exist underscores the importance of proxy trust indicators and consumers' digital literacy. For example, on ScamWatch's guidance on spotting buying and selling scams, consumers are encouraged to check the website URL for red flags such as multiple dashes or symbols in the domain name; a domain that imitates a business, such as Ap9le; and *domains for Australian businesses that don't end in .com or .com.au*<sup>4</sup>.

Using proxy trust indicators, such as a .au domain name, enables small businesses to signal legitimacy and engage more confidently with consumers online. This allows businesses to use digital platforms to their advantage, engaging directly with customers and bypassing intermediaries (such as a department store or an online aggregator, e.g., The Iconic), retaining greater control over pricing, branding and customer relationships, and responding more quickly to changes in demand—often at a lower cost than traditional marketing and distribution channels. The value of these direct digital interactions is well recognised by small business owners. The Australian Small Business and Family Enterprise Ombudsman's (ASBFEO) February Small Business Pulse report found that small business owners continue to utilise online marketing and social media to build and transform their businesses, exploring new products, new customer segments, and additional income streams<sup>5</sup>.

Against this backdrop, access to a trusted .au domain is, and will remain, critical for businesses operating in an increasingly complex digital marketplace. A credible domain name underpins consumer confidence, signals legitimacy, and supports brand trust in online transactions<sup>6</sup>. Therefore, changes to the current .au licensing rules could directly affect how easily businesses can establish, maintain, and protect their online presence, with implications for small businesses that rely on digital channels to compete and grow.

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<sup>1</sup> Drigas, A., & Leliopoulos, P. (2013). Business to consumer (B2C) e-commerce decade evolution. *International Journal of Knowledge Society Research (IJKSR)*, 4(4), 1-10. Retrieved from: [https://www.researchgate.net/profile/Panagiotis-Leliopoulos/publication/262412938\\_Business\\_to\\_Consumer\\_B2C\\_E-Commerce\\_Decade\\_Evolution/links/5ae2d51f458515c60f682ed0/Business-to-Consumer-B2C-E-Commerce-Decade-Evolution.pdf](https://www.researchgate.net/profile/Panagiotis-Leliopoulos/publication/262412938_Business_to_Consumer_B2C_E-Commerce_Decade_Evolution/links/5ae2d51f458515c60f682ed0/Business-to-Consumer-B2C-E-Commerce-Decade-Evolution.pdf)

<sup>2</sup> Retail Trade, Australia, June 2025. (2025, July 31). Australian Bureau of Statistics. <https://www.abs.gov.au/statistics/industry/retail-and-wholesale-trade/retail-trade-australia/latest-release#online-retailing>

<sup>3</sup> Australian Competition and Consumer Commission. (2025b, November 17). Australians report nearly \$260M in losses as shopping scams surge. <https://www.accc.gov.au/media-release/australians-report-nearly-260m-in-losses-as-shopping-scams-surge>

<sup>4</sup> Scamwatch. (2026, January 23). Buying and selling scams. Scamwatch. <https://www.scamwatch.gov.au/types-of-scams/buying-and-selling-scams#toc-warning-signs-it-might-be-a-scam>

<sup>5</sup> ASBFEO Pulse February 2026. (2026, February). Australian Small Business and Family Enterprise Ombudsman. Retrieved March 12, 2026, from [https://www.asbfeo.gov.au/sites/default/files/2026-02/2026%20February%20ASBFEO%20Pulse\\_0.pdf](https://www.asbfeo.gov.au/sites/default/files/2026-02/2026%20February%20ASBFEO%20Pulse_0.pdf)

<sup>6</sup> Corbitt, B. J., Thanasankit, T., & Yi, H. (2003). Trust and e-commerce: a study of consumer perceptions. *Electronic Commerce Research and Applications*, 2(3), 203–215. [https://doi.org/10.1016/s1567-4223\(03\)00024-3](https://doi.org/10.1016/s1567-4223(03)00024-3)

# Allocation rules for com.au and net.au namespaces

Under the current allocation rules, eligibility to register a domain name is tightly prescribed. An applicant must be a commercial entity, and the domain name applied for must directly correspond to the entity's legal, business, or personal name, an acronym of that name, or a registered Australian trademark. Eligibility may also be established where the domain matches or is an acronym of a related Australian body corporate, partnership, or trust, or where it reflects the name or synonym of a service, event, activity, or premises that the applicant is actively providing or operating at the time of application.

These allocation rules were originally designed to prevent misuse of domain names and reduce the risk of consumer confusion by ensuring a close nexus between a registrant and their domain name. However, in practice, most internet users are unaware of the distinctions among .com, .au, and .net. au, and .au direct domain names. The introduction of .au direct as a more accessible option for new ideas, side businesses and start-ups has demonstrated that consumer trust and perceived legitimacy are not dependent on stricter eligibility rules. As a result, the rationale for maintaining more prescriptive allocation requirements under sections 2.4.4(2)(a) to (e) for com.au and net.au domains is diminished.

In addition, requiring businesses to meet detailed allocation criteria for com.au and net.au domains can impose a significant compliance burden, particularly on small and family-owned businesses. In some cases, businesses are required to locate historic trust deeds or company records simply to demonstrate a long-standing association with a business name, which can be time-consuming, costly and disproportionate to the risk being addressed.

Thus, ACCI does not support introducing stricter allocation rules that require a closer match between a com.au or net.au domain name and a registrant's legal or business name. Instead, ACCI considers that a lighter-touch approach to allocation rules would better reflect current market realities and reduce unnecessary compliance burdens on businesses, particularly small businesses.

ACCI supports removing the allocation requirements under section 2.4.4(2) and recommends that the panel consider streamlining and relaxing the allocation rules for com.au and net.au domain names, to better align with the simpler and more accessible framework applied to .au direct, while still allowing enforcement action to be taken where domains are clearly misleading or misused.

This approach is not without precedent. In the 2012 version of the .au licensing rules, a registrant did not need their domain name to exactly match their legal, business or trademark name. Instead, they had to show a real, substantive connection between the domain name and what they actually did. The domain name only had to refer to the product, service, or activity, which allowed for descriptive, intuitive domain names (e.g., bestflowers.com.au) that consumers could understand, while maintaining strong safeguards against speculative or bad-faith registration through defined eligibility categories and an explicit prohibition on domain warehousing.

Therefore, ACCI supports replacing the current 'Match or an Acronym' and 'Match or Synonym' requirements with the earlier version of the 'close and substantial connection' test. The current "Match or an Acronym" and "Match or Synonym" requirements are highly technical, difficult for businesses to interpret and prove, and poorly aligned with modern branding and digital commerce practices. In contrast, the 'close and substantial connection' test provides a more flexible, principles-based approach that better accommodates legitimate business use, evolving branding practices, and modern naming conventions, reducing disputes and compliance complexity, particularly for small businesses, while still preserving safeguards against misleading or speculative domain registrations.

**Recommendation 1:** auDA should adopt a lighter-touch approach to allocation rules that better reflect current market realities and reduce unnecessary compliance burdens on businesses, particularly small businesses.

**Recommendation 2:** Remove the allocation requirements under section 2.4.4(2) to streamline and relax the allocation rules for com.au and net.au domain names, and better align with the simpler, more accessible framework applied to .au direct.

**Recommendation 3:** Replace the current 'Match or an Acronym' and 'Match or Synonym' requirements with the earlier 'close and substantial connection' test.

## Monetisation rules for com.au and net.au namespaces

Domain name monetisation refers to the registration of a domain name primarily for commercial purposes, such as selling or leasing the domain, or generating revenue from advertising displayed on the website. Under the .au Licensing Rules, domain name monetisation is permitted only in the com.au and net.au namespaces and is prohibited in all other .au namespaces. In practice, monetisation may occur through mechanisms such as pay-per-click advertising or domain parking, where advertising content is displayed on a website and revenue is generated through user traffic. Within the allocation criteria under the .au Licensing Rules (clause 2.4.4(2)(f)(i), which requires that a domain name be a Match or Synonym of the name of a service that the registrant provides) monetisation is currently recognised as one way a registrant may meet the allocation requirement of providing a service.

The discussion paper examines this interpretation by asking whether monetisation should continue to be considered a valid form of "providing a service" for the purposes of meeting the allocation rules in the com.au and net.au namespaces.

In ACCI's view, domain names should remain eligible for monetisation within the com.au and net.au namespaces. Domain monetisation has existed since the early development of the internet and is consistent with international best practice. Importantly, monetised domain names have evolved significantly over time. They are no longer limited to passive parking pages or basic advertising; they increasingly support more sophisticated content, services, and commercial activity. This reflects broader changes in digital business models and the way online services are delivered. As the domain name market continues to evolve, ACCI considers that auDA should avoid intervening in legitimate commercial use of domain names, except where there is clear evidence of gross misconduct, fraud, or bad-faith registration. Maintaining this approach will support innovation, reduce unnecessary regulatory intervention, and provide certainty for businesses operating in the digital economy.

**Recommendation 4:** Continue to ensure that domain names remain eligible for monetisation within the com.au and net.au namespaces with regulatory intervention limited to cases involving clear evidence of bad-faith registration, fraud or gross misconduct.

# Contested .au direct domain names

The launch of au. direct domain names have allowed people with existing domain names to apply to end their urls in just .au. Currently, there are over 3,000 domain names for which more than one party applied for the same .au direct domain name. As a result, those domain names are contested and cannot be allocated (they are held in Priority Hold status). Under the current rules, a contested .au direct domain name remains unavailable until all but one applicant has withdrawn their application.

As part of the review, the auDA panel commissioned a [survey](#) of 4,464 unique applicants for contested .au direct domain names to gather feedback on their preferred method for resolving such disputes. The review showed that the most popular resolution mechanism is to allocate contested domain names solely based on the earliest registration date.

Although 36% of participants ranked allocating contested names based on the earliest registration date as their first choice, ACCI is concerned that this approach may favour domain investors—entities that acquire, hold and sell domain names as digital assets for resale—rather than businesses that use domain names for genuine commercial or community purposes. This concern is amplified by the fact that the .au direct launch included a pre-registration period with a fixed deadline, which many small businesses complied with in good faith. Moving to an allocation approach that prioritises earlier registrations after the deadline effectively changes the rules after the fact, disadvantaging small businesses that acted in accordance with the original framework.

ACCI considers that a more balanced and equitable two-tiered approach is needed to resolve contested .au direct domain names.

First, contested names should be assessed by reference to the historically most active and useful domain name. This would require developing a clear framework to define what constitutes “active” and “useful” use. Relevant indicators could include historical website content, evidence of genuine business or organisational activity, and whether the domain was used for a legitimate purpose rather than parked or held solely for resale.

Second, there should be a streamlined process allowing parties to present evidence of activity and use. While such a process is necessary, ACCI emphasises that it should impose minimal compliance burden, particularly on small businesses. Where possible, auDA should rely on information already held within its systems, such as historical registry data, prior audits, or previous interactions with the registrant, to reduce the need for businesses to repeatedly supply documentation.

Once parties have had the opportunity to present their cases, ACCI supports introducing a pause mechanism that enables auDA to facilitate structured mediation between the parties in appropriate cases—particularly when a dispute involves a domain investor and an active business user.

When mediation is unsuccessful, or when parties prefer not to participate, the current mechanism could remain available, under which a contested .au direct domain name remains in Priority Hold status until all but one applicant withdraws.

**Recommendation 5:** Do not allocate contested .au direct domain names solely on the basis of earliest registration date. Instead, adopt a two-tiered approach that:

- first assesses contested names by reference to the historically most active and useful domain name, using a clear and transparent framework; and
- provides a streamlined, low-compliance process for parties to present evidence of genuine use, supported where possible by information already held by auDA.

**Recommendation 6:** Introduce a pause mechanism and a structured mediation process for contested .au direct domain names, particularly when disputes involve a domain investor and an active business user, while retaining the existing Priority Hold mechanism for cases where mediation is unsuccessful or declined.

## Complaint process for domain name audits

The discussion paper identifies a lack of clarity in the current complaints framework under Part 3 of the .au Licensing Rules, particularly regarding complaints arising from audit actions undertaken by auDA. While audit-related complaints are currently managed through established practice, they are not explicitly addressed in the rules, creating uncertainty about registrants' rights to challenge or seek review of audit decisions and about who may access complaint and review mechanisms. The paper therefore proposes examining whether the complaints process should be clarified or updated to better reflect existing practice, improve transparency, and ensure the framework remains accessible and effective.

ACCI supports auDA's efforts to create a streamlined and easy-to-navigate complaints process. An effective complaints framework is particularly important for small businesses, as it reduces the risk of matters escalating into formal disputes that can require significant time, cost, and access to specialist expertise that many small businesses lack.

Accordingly, ACCI supports explicitly including audit action complaints within the scope of Part 3 of the .au Licensing Rules, as this would provide greater clarity about registrants' rights to challenge or seek review of audit decisions. While audit outcomes may currently be addressed through existing practices, the absence of explicit reference in the rules creates uncertainty for registrants, particularly those with limited regulatory experience.

To improve clarity and usability, auDA could specify that complaints arising from audit actions are only available where an audit has occurred, must be lodged with reference to the relevant audit case, and include a case study as an example. Clearly distinguishing audit-related complaints as a separate, audit-linked process in a case study would support small businesses' understanding and reduce confusion about when and how complaints may be made. Clear inclusion of audit action complaints in the rules would also promote procedural fairness, support consistent treatment of audit-related matters, and reduce the risk of inconsistent handling across registrars and auDA.

More broadly, the discussion paper notes that auDA has had more flexible interpretations of the term "affected person" in two previous decisions ([australianaviation.com.au](http://australianaviation.com.au) and [fordpro.com.au](http://fordpro.com.au)). In both cases, despite the 'affected person' appearing no more affected than any other member of the public, the Licence Review Panel did not interfere with the position taken by auDA that the applicant met the requirements to apply for external review. These cases have highlighted the ambiguity behind the term "affected person".

ACCI supports auDA in updating the rules to reflect their existing approach to describing an "affected person". Updating the rules would better accommodate parties genuinely impacted by audit and compliance actions, while maintaining appropriate safeguards against vexatious or speculative complaints.

**Recommendation 7:** Explicitly include audit action complaints within the scope of Part 3 of the .au Licensing Rules, to provide greater clarity about registrants' rights to challenge or seek review of audit decisions.

**Recommendation 8:** Update the rules to reflect auDA's existing approach to defining an "affected person", ensuring that parties genuinely impacted by audit and compliance actions can access complaint and review mechanisms while maintaining safeguards against vexatious complaints.

# Alignment of selected rules in .au with equivalent rules in generic top-level domains (gTLDs) (such as .com)

The discussion paper identifies opportunities to align elements of the .au domain name lifecycle with approaches used in generic top-level domains, such as .com, noting that differences in renewal timing, grace periods and notification practices may increase the risk of inadvertent domain loss. The paper therefore seeks feedback on whether selected aspects of the .au lifecycle should be updated to better reflect international best practice, improve consumer protection, and reduce avoidable disputes, particularly for small businesses that rely on domain names as critical digital assets.

ACCI supports aligning elements of the .au domain name lifecycle with best practice approaches used in generic top-level domains (gTLDs), such as .com. Adopting selected global best practices could improve consumer protection for small businesses by extending and clarifying grace periods across key stages of the domain lifecycle, including renewal, cooling-off, deletion, and pending purge timeframes. The following case studies show that longer, more flexible grace periods would reduce the risk of inadvertent domain loss and prevent the need for dispute resolution, particularly for small businesses that rely on third-party service providers to manage their domain names or operate seasonally.

ACCI considers that allowing greater flexibility in renewal timing, such as permitting renewal earlier than the current 90-day window, could help mitigate these risks. In addition, requiring or enabling a secondary point of contact to receive expiry and renewal notifications would ensure that business owners remain informed and able to act, even where a third-party provider is responsible for domain administration.

## Case study 1: Loss of the .au domain due to the contractor's mistake

A small business owner outsourced management of their .au domain name to an internet service provider acting as their registrar. While the business owner had paid the contractor to manage the domain, the provider failed to renew it on time. Renewal reminders were sent only to the provider's email address, leaving the business owner unaware that the domain was approaching its expiry date. As a result of this oversight, the business lost the domain name, causing significant commercial and reputational harm. Despite clear negligence, there were limited avenues for remedy once the domain was lost.

This outcome highlights the risks created by rigid renewal windows and single-point notification arrangements.

## Case Study 2: Tourism operators

Many small tourism businesses operate on a seasonal basis, with services offered only during specific periods of the year depending on weather conditions, visitor demand or the nature of the experience provided. During off-season periods, these operators may significantly reduce business activity and are often not regularly monitoring emails or administrative systems.

As a result, some tourism operators have lost their .au domain names simply because renewal notices were issued during their non-operating period. In these cases, the renewal window closed before the business resumed operations, leaving the operator unaware that action was required. Once the domain expired and was subsequently deleted, there were limited options available to recover it.

For tourism businesses, a domain name is a critical asset, underpinning online bookings, customer trust and digital visibility. Losing a domain due to timing misalignment, rather than intentional non-renewal, can cause disproportionate harm to small, seasonal operators.

**Recommendation 9:** Align selected elements of the .au domain lifecycle with best-practice approaches used in generic top-level domains (gTLDs), including:

- allowing greater flexibility in renewal timing (including renewal earlier than the current 90-day window);
  - extending and clarifying grace periods across renewal, cooling-off, deletion and pending purge stages; and,
- enabling or requiring secondary points of contact for renewal and expiry notifications.

For further information, please don't hesitate to contact Dr Jodie Trembath, ACCI Director of Skills, Employment and Small Business, on [jodie.trembath@acci.com.au](mailto:jodie.trembath@acci.com.au).

## About ACCI

The Australian Chamber of Commerce and Industry represents hundreds of thousands of businesses in every state and territory and across all industries. Ranging from small and medium enterprises to the largest companies, our network employs millions of people.

ACCI strives to make Australia the best place in the world to do business – so that Australians have the jobs, living standards and opportunities to which they aspire.

We seek to create an environment in which businesspeople, employees and independent contractors can achieve their potential as part of a dynamic private sector. We encourage entrepreneurship and innovation to achieve prosperity, economic growth, and jobs.

We focus on issues that impact on business, including economics, trade, workplace relations, work health and safety, and employment, education, and training.

We advocate for Australian business in public debate and to policy decision-makers, including ministers, shadow ministers, other members of parliament, ministerial policy advisors, public servants, regulators and other national agencies. We represent Australian business in international forums.

We represent the broad interests of the private sector rather than individual clients or a narrow sectional interest.

# ACCI Members

## State and Territory Chambers



## Industry Associations





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Chamber of Commerce  
and Industry**