

.au Licensing Rules Review 2025

Draft Report: Summary of recommendations for consultation

The external Policy Advisory Panel (**Panel**), tasked with reviewing the [.au Domain Administration Rules: Licensing \(.au Licensing Rules\)](#), has produced a [Draft Report](#) with recommendations on proposed changes to the .au Licensing Rules.

This document is intended to support consultation by providing a concise overview of the Draft Report recommendations, which can be read in full on the auDA website.

RECOMMENDATION 1. Monetisation of Domain Names (Section 6.1 of Draft Report)

Recommendation: No change to the current approach that allows domain monetisation in the com.au, net.au and .au direct namespace. auDA to consider increasing the level of audits and compliance checks on monetised sites to ensure they are not used to facilitate DNS Abuse.

Why: The Panel did not consider a prohibition of Domain Name Monetisation in com.au, net.au and .au direct to be justified or practical. However, concerns about misuse and consumer harm warrant closer compliance scrutiny.

RECOMMENDATION 2. Allocation rules for com.au and net.au namespaces (Section 6.2 of Draft Report)

Options: Eligibility rules for .au domain names determine who may have a Domain Name Licence in .au. The allocation rules determine what name an eligible Registrant may have as their Domain Name in their Domain Name Licence. The Panel seeks further views from stakeholders on the three options proposed below to address concerns about compliance with the Domain Name allocation rules:

1. Increase compliance checks in relation to the current rules
2. Clarify the 'Services' definition and pay per click arrangements and adopt additional administrative rules related to the use of monetised sites
3. Delete sub para (f) from section 2.4.4 (2) of the .au Licensing Rules

Why: Section 2.4.4(2) of the .au Licensing Rules explain how a person or entity can meet rules to be allocated a particular Domain Name for use in their Domain Name Licence. Allocation of a com.au and net.au Domain Name relates to whether the Domain Name is based on the name of the registrant or name of the registrant's business. Some of the ways to meet allocation rules include the domain name being a match or acronym for a person's business or name, being a

match for an Australian Trade Mark, or a match or synonym for the name of goods or services provided by the Registrant.

Provision of a service (2.4.4(2)(f)(i)) is sometimes used by registrants of Domain Name Licences for monetised websites to meet the allocation rules where the Domain Name matches the name of their service.

Allocation is a central issue in the review, with strongly differing views about whether the current approach leads to the best outcomes. The Panel considers further consultation is needed before reaching a final position.

RECOMMENDATION 3. Contested .au direct domain names (Section 6.3 of Draft Report)

Recommendation: The Panel recommends continuation of the current process for the contested .au direct name allocation process.

Why: In 2022, auDA launched .au direct, a new type of domain name which ends with just two letters '.au' (e.g. forexample.au). Registrants of .au domain names registered before 24 March 2022 were able to apply to register the exact match of their names in .au direct (e.g. those who held licences for forexample.com.au, or forexample.gov.au could apply to register forexample.au). In some cases, there were multiple eligible applications made for a single .au direct Domain Name Licence – these domain names became 'contested names'.

Currently, these contested Domain Name Licences are only resolved if the other contesting party/parties of the name either decide to withdraw their application from the contest, or decide not to renew their application on an annual basis.

During consultation, some people told the Panel they wanted a different way for contested names to be resolved. However, the Panel did not identify an alternative that would be clearly fairer or more workable, and formed the view that changing the rules now could create unfairness between the parties in the contest.

RECOMMENDATION 4. Fraudulent and bad faith registrations and Reserved Names (Section 6.4 of Draft Report)

Recommendation 4.1: Remove the requirement under Rule 2.6.7 of the .au Licensing Rules for auDA to publish the Reserved List.

Recommendation 4.2: auDA should publish the criteria on which it decides to put a domain name in a Reserved List, and release aggregate metrics, such as number of Reserved Names,

number of reversals that are being or have been reviewed, and average time taken from detection to reservation over periods of time.

Why: The Licensing Rules require auDA to publish a list of names that are not available to be registered, predominantly because they are likely to be used for fraudulent or bad faith purposes. This is known as the Reserved Names list. auDA has advised the Panel that it does not publish the list due to security concerns, including that it would alert bad actors to the types of names that are monitored and excluded, and could give these bad actors information about which names might not be prevented.

Removing the requirement for auDA to publish the list and increasing visibility of the criteria for names to be put on the list would maintain transparency while reducing the risk that sensitive or attractive names are identified for misuse.

RECOMMENDATION 5. Complaints process for domain name audits (Section 6.5 of Draft Report)

Recommendation 5.1: The Panel recommends that the complaints process in Part 3 of the .au Licensing Rules include complaints in relation to audits performed by auDA.

Why: auDA currently conducts proactive audits of domain name licences, but these are not reflected in the complaints procedures in the .au Licensing Rules. The proposed change reflects current practice and improves transparency and procedural fairness.

Recommendation 5.2: The Panel recommends that the scope of the ‘affected person’ is broadened appropriate to Rules 3.6.1 and 3.8.1 of the .au Licensing Rules such that they can demonstrate an interest in the domain name adequately.

Why: On a strict interpretation of the rules, only a person affected by a complaint is currently permitted to seek a review of an auDA decision (although auDA generally allows a broader range of people to escalate complaints). This proposed change would confirm in the Rules that more people are able to seek a review. Instead of needing to be ‘affected’ by an auDA decision, a person would in future only need to ‘demonstrate an interest’ in the complaint.

RECOMMENDATION 6. Domain Name Licence lifecycle settings (Section 6.6 of Draft Report)

Recommendation: The Panel recommends amending the following rules regarding the Domain Name Licence lifecycle:

- a) Remove the 90-days renewal window within Rule 2.14.1 of the .au Licensing Rules and allow registrants to renew domain licences anytime during the lifetime of the Domain Name Licence until the expiration of the licence;
- b) Increase the cooling-off period from 3 days to 5 days in relation to Rule 2.15.4 of the .au Licensing Rules;
- c) Amend the redemption periods and apply a consistent deletion period with 30 days redemption period (to standardise along the lines of international common practices); and
- d) Increase the pending/hold period from 1 day to 5 days (time between the redemption and purging of the domain name).

Why: These changes are aligned with international practice that is common in generic top-level domains (gTLDs) around the world, such as .com, .net, and .org. The Panel believes that adopting these changes would simplify administration for Registrants and Registrars, improve consistency, and provide stronger consumer protection.

RECOMMENDATION 7. Including scams within the scope of the .au Licensing Rules (Section 6.7.2 of Draft Report)

Recommendation: The Panel recommends that the current approach to scams under the .au Licensing Rules be retained, and further, auDA should work with the National Anti-Scam Centre (NASC) to continually refine the approach to dealing with scams in .au.

Why: The Panel acknowledges the competing priorities of protecting the public from scams and ensuring a reasonable burden of proof is met before a Domain Name Licence is suspended or cancelled. The Panel recommends that auDA work directly with NASC to develop an approach to scam identification and domain name takedown that balances these competing priorities.

RECOMMENDATION 8. Adequate communication to Registrants regarding renewals or cancellation of Domain Name Licenses (Section 6.7.3 of Draft Report)

Recommendation: The .au Licensing Rules should incorporate clear information about a registrar's obligation to contact a registrant in the case of suspension, cancellation or expiry of a domain name and there should be an uplift in the frequency and method of contact.

Why: Registrants sometimes forget or neglect to renew their Domain Name Licence, resulting in them losing that Domain Name. Clearer and enhanced requirements for Registrars to

communicate with Registrants leading up to the expiry date of a licence would reduce avoidable domain loss and strengthen consumer protection.

**RECOMMENDATION 9. Exemption from eligibility rules to retain com.au after retirement
(Section 6.7.4 of Draft Report)**

Recommendation: The Panel Recommends adoption of flexibility within the compliance posture to facilitate a Registrant transition to another appropriate namespace once they have ended their commercial operations and they no longer meet the com.au eligibility.

Why: The Panel considers the existing eligibility framework should be retained, preserving com.au and net.au for commercial entities. Nevertheless, the Panel did identify consumer focused approaches that auDA could adopt to support retiring registrants that are no longer eligible for a .com.au or .net.au Domain Name Licence.