

# **.au Licensing Rules Review 2025**

**Policy Advisory Panel Draft Report**

**June 2026**

### **Acknowledgment of Country**

The Policy Advisory Panel (**the Panel**) acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, waters and community. We pay our respects to their Cultures, Country and Elders past and present.

### **About us**

The Panel was established by the auDA Board on 10 September 2025 to examine issues relating to the effective and fair operation of the [.au Domain Administration Rules: Licensing](#) (.au Licensing Rules). The role of the Panel, as provided in the Terms of Reference, includes to:

- Demonstrate a genuine multi-stakeholder approach in its consultations with the public and key stakeholders,
- Provide regular updates to the auDA Board on the progress of the review, and
- Provide the auDA Board with a review report setting out recommendations for change supported by information, evidence and/or submissions obtained during the review process.

For more information, visit the [Panel's webpage](#).

## Table of Contents

<b>1.</b>	<b>Executive Summary .....</b>	<b>5</b>
<b>2.</b>	<b>Introduction .....</b>	<b>14</b>
2.1	Background.....	14
2.2	Objectives of the Review.....	15
2.3	.auDA Terms of Endorsement.....	15
2.4	Principles for policy development.....	16
2.5	Stakeholder engagement.....	17
2.6	Transparency and accountability.....	18
<b>3.</b>	<b>Overview of the Licensing Rules .....</b>	<b>19</b>
<b>4.</b>	<b>Review Methodology .....</b>	<b>20</b>
4.1	How the Review was Conducted.....	20
4.2	Data Sources.....	21
4.3	Consultation Feedback.....	21
<b>5.</b>	<b>Consultation Findings.....</b>	<b>21</b>
5.1	Summary of Feedback.....	21
5.2	Areas of Consensus.....	25
5.3	Areas of Divergence .....	26
5.4	Stakeholder Group Insights .....	27

<b>6.</b>	<b>Analysis of Issues.....</b>	<b>28</b>
6.1	Monetisation of Domain Names .....	28
6.2	Allocation rules for com.au and net.au namespaces.....	34
6.3	Contested .au direct Domain Names .....	41
6.4	Fraudulent and bad faith registrations and Reserved Names.....	47
6.5	Complaints process for domain name audits .....	49
6.5.1	Complaint process for audits.....	49
6.5.2	Complaint escalation and standing.....	51
6.6	Alignment of selected rules in .au with equivalent rules in generic top-level domains (gTLDs) (such as .com) .....	54
6.7	Additional issues .....	58
6.7.1	Improving privacy in WHOIS database .....	59
6.7.2	Including scams within the scope of the .au Licensing Rules.....	62
6.7.3	Adequate communication to registrants regarding renewals or cancellation of domain name licenses .....	65
6.7.4	Exemption from eligibility rules to retain com.au after retirement.....	68
<b>7.</b>	<b>Statement of Compliance with the Terms of Reference .....</b>	<b>70</b>
	<b>APPENDIX A: Consultation .....</b>	<b>73</b>
	<b>APPENDIX B: List of submissions received.....</b>	<b>76</b>

## 1. Executive Summary

This paper is a draft report on the review of the [.au Domain Administration Rules: Licensing \(.au Licensing Rules\)](#) prepared by the Panel. The paper will form the basis of further consultation with stakeholders led by the Panel between June 2026 and the publication of a final report later in 2026.

The .au Domain Administration Limited (**auDA**) Board established the Panel on 10 September 2025 to examine issues relating to the effective and fair operation of .au Licensing Rules.

**Purpose of the review:** The .au Licensing Rules are periodically reviewed to ensure they continue to provide the greatest benefit for the Australian community.

**Scope:** The [Terms of Reference](#) for the review can be viewed on auDA's website. The Panel has been tasked with examining issues relating to the effective and fair operation of the .au Licensing Rules, including:

1. Allocation rules for the com.au and net.au namespaces.
2. Domain Name Monetisation in the com.au and net.au namespaces.
3. Contested .au direct domain names.
4. Fraudulent and bad faith registrations and Reserved Names.
5. Complaint process for domain name audits.
6. Alignment of selected rules in .au with equivalent rules in generic Top Level Domains (gTLDs) (such as .com).

In addition, the Terms of Reference empower the Panel to consider any other issues raised by stakeholders and the public during the consultation phase of the review.

**Consultation:** The Terms of Reference require the Panel to demonstrate a genuine multi-stakeholder approach in its consultations with the public and key stakeholders. Accordingly, consultation has been undertaken across the country, with key stakeholders from industry, small business, government, registrars, auDA members, the general public and other individuals and organisations with an interest in the rules. Our consultation for this review is detailed in our Engagement Summary: <https://files.auda.org.au/documents/au-Licensing-Rules-Review-2025-Public-Consultation-Listening-Report-4.pdf>.

The Panel and auDA held public consultation sessions from September 2025 to March 2026, including four virtual town halls, four in-person consultation events in Canberra, Sydney, Brisbane and Melbourne, and an information session at the Australian Internet Governance Forum (auIGF) in Adelaide<sup>1</sup>. The Panel received 34 written submissions, 31 of which are published on the [auDA website](#).

### **Key issues and recommendations:**

#### **Domain Name Monetisation in com.au and net.au**

- In the com.au and net.au namespaces, commercial entities are able to register a Domain Name Licence with the sole purpose of selling, leasing or holding the Domain Name Licence for generating income. This is referred to as Domain Name Monetisation. It

---

<sup>1</sup> The Panel also presented to auDA's Registrar Summit in November 2025.

includes warehousing and registering a Domain Name Licence for the sole purpose of transferring the Licence to another person.

- In submissions and contributions to the review, the Panel was presented with views that argued for the continuation of the current approach to monetisation, and calls for it to be proscribed or that its application be constrained. There was no clear consensus pathway forward on this element of the Terms of Reference.
- Support for retention of the current arrangements centred on the promotion of choice for registrants of a range of possible Domain Name Licences that may relate to an individual or business. For example, if the business was called Green Tea Leaves – a registrant could choose from a range of related names such as green.com.au, greentea.com.au, greentealeaves.com.au, and tealeaves.com.au (some of which were available for immediate registration at the registry, and some that were available for sale from existing registrants in the secondary market). Domain Name Monetisation allows for innovations in revenue models for Domain Name Licences and the business models of domain investors.
- Such support also focussed on the fact that advertising on websites was a long-standing practice and that generating revenue from those advertisements was a legitimate commercial activity.
- The Panel was not presented with arguments for the ‘blanket banning’ of the secondary market for Domain Name Licences. To the contrary, the on-selling of Domain Name Licences was seen as a necessary aspect of the ordinary sale of businesses along with their domain names. In this context, a Licence means a non-exclusive, non-transferable, revocable Licence issued by .au Domain Administration, to a Person to use the Domain Name System (DNS) with a Unique Identifier of their choice for a fixed period of time from

1, 2, 3, 4 or 5 years. A licence does not create a proprietary interest in the Domain Name System or a Domain Name.

- The Panel considered options on ways to target cases of monetised websites that may deliberately, or inadvertently, incorporate externally generated advertising links to potential scam sites through the imposition of more prescriptive rules.
- There was an acknowledgment that the use of artificial intelligence (AI) technologies to generate a new monetised website at the time the Internet user visits, and generate advertising relevant to the website visitor, would likely continue to grow and that this may present a risk of further undermining of consumer confidence. The Panel was of the view that auDA ought to maintain a close watch on the development of AI technologies and their impact on the use of Domain Name Licences especially in the context of scams and related harms.
- Objections to monetisation as a means of obtaining allocation of a Domain Name Licence, under clause 2.4.4 (2)(f) of the .au Licensing Rules, tended to focus on concerns around the ‘pay per click’ links on monetised websites. These webpages often can have advertisements as links to other unrelated services. However, the dominant purpose of the webpage is to act as a ‘for sale’ announcement for that web page domain name. This practice was perceived to be confusing, and undermining trust and confidence in the domain name system. There was also one report of a monetised website providing advertisements linking to scam websites during consultation, although auDA has not seen evidence of this in its complaints data. This issue is addressed in the considerations around reforms to Allocation Rules.
- On balance, the Panel recommends that the absence of a specific prohibition against monetisation of a website be retained in the com.au and net.au namespaces. Clause

2.4.13 in the .au licensing rules presently prohibits Domain Name Monetisation in org.au, asn.au, id.au ,edu.au and the State and Territory Namespaces.

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

- Allocation rules for com.au and net.au are set out in sections 2.4.4(2) and 2.4.5(2) of the Licensing Rules and relate to the question of whether the domain name has a relationship to the registrant or the registrant’s business. For example, the domain name matches the registrant’s business name or the name of a service the registrant provides.
- It is clear that significant value is placed on trust and confidence in the com.au (net.au to a lesser extent) by the Australian community, including businesses, investors and the public. This confidence is supported by allocation rules that are more aligned on the connection between a domain name and the registrant’s business. The com.au space has promoted the allocation requirements as a trust and confidence enhancing framework that differentiates the domain space from other spaces such as .com or .au direct (e.g. forexample.au), which do not have allocation requirements.
- Stakeholders raised concerns around the practice of using a monetised website as the basis for meeting the allocations rules in com.au and net.au. This approach to registration is used predominantly by domain investors to seek to resell the Domain Name Licence at a price greater than the original registration cost. As such, monetisation can be seen to disproportionately benefit domain investors and their clients being people or entities who have the means to purchase desirable names at a premium.
- However, domain investors provided submissions that supported retention of the current arrangements on the basis that registrants had a wider choice of possible com.au domain names that might meet their needs through the availability of different Domain Name Licences on both the primary market (registered directly at the registry), or

secondary market (resulting in a transfer of an existing Domain Name Licence between registrants). They argued that this choice was enhanced through the involvement of investors and secondary markets and this in turn drove demand for names.

- Submissions were also received that presented evidence the pay per click advertising could potentially direct end users to scam sites and web pages that lacked any connection to the name used in the Domain Name Licence. This was seen as undermining trust and confidence in the com.au space. It also led to complaints to auDA from small business owners that were of the view that they had a more ‘legitimate’ right to a Domain Name Licence as against an investor that had registered the Domain Name Licence on the basis of using a monetised website to meet the allocation rule, and that was now seeking to on-sell the Domain Name Licence to the small business at a premium<sup>2</sup>. It was put to the Panel that such circumstances undermined trust and confidence in the domain name system and therefore the Rules did not operate for the benefit of all Australians.
- Given the divergence of views received by the Panel around monetisation in the context of allocation, consideration was given to three possible responses:
  - Status quo to remain
  - Adoption of additional administrative rules related to the use of monetised sites to ensure they are not used, or inadvertently used, to cause Domain Name

---

<sup>2</sup> A Licence means a non-exclusive, non-transferable, revocable Licence issued by .au Domain Administration, to a Person to use the Domain Name System (DNS) with a Unique Identifier of their choice. A licence does not create a proprietary interest in the Domain Name System or a Domain Name.

System (DNS) Abuse (as defined in the .au Licensing Rules section 1.4 and listed as a prohibited use in clause 2.11.17 of the .au Licensing Rules)

- Remove monetisation as a means to achieve allocation together with the rest of the avenues for allocation set out in 2.4.4(2)(f) of the Rules.
- Further consultation is sought through this Draft process on relative pros and cons of each of the three options. In light of that further round of consultation, the Panel will determine a final position in the context of its Final Report.
- The Panel determined that, with the exception of the matters raised above in relation to monetisation, the current rules applying to allocation continue to support the operation of the com.au and net.au namespaces for the benefit of the Australian community. As such, no further reforms to allocation are proposed by the Panel.

### **Contested .au direct names**

- In September 2022, auDA launched the .au direct namespace where a name can end in .au (e.g. forexample.au). Registrants with existing Domain Name Licences in .au were given the chance to register their matching .au direct domain name. Where more than one registrant (e.g. forexample.com.au and forexample.gov.au) applied for the same .au direct domain name, it could not be allocated and became contested. These are referred to as contested .au direct names. The current system relies on applicants negotiating with each other to resolve a contested .au direct domain name.
- Whilst the Panel received a range of views on how to bring resolution to instances of contested domain names, there was no clear path identified for reform. The Panel observed that the parties in the contest already have a domain name and often the

stated desire of obtaining the additional .au direct was to ensure ‘no one else’ could register it.

- The Panel noted the fact that all contesting parties have been paying over several years to be in the contest on the basis of clearly stated rules and as such, there was clear understanding of the current arrangements.
- The Panel has not been able to identify any class of contesting parties more deserving than the others in a contest. And in fact, the Panel is concerned that a decision on that basis could interfere with the principle of no hierarchy of rights (Rule 1.3.1 (7) and defined in Rule 1.4 of the Licensing Rules), which is one of the fundamental principles of the Licensing Rules. And in fact, the Panel is concerned that a decision on that basis could interfere with the principle of no hierarchy of rights (Rule 1.3.1 (7) and defined in Rule 1.4 of the .au Licencing Rules), which is one of the fundamental principles of the Licensing Rules.
- The Panel recommends that the current arrangements around contested names ought to remain and therefore over time, the numbers of names in a contest is expected to continue to fall.

#### **Fraudulent and reserved name list**

- The Licensing Rules (2.6.6 and 2.6.7) require auDA to publish specific lists of Reserved Names which are not, or will not, be available for registration.
- There was strong consensus that the purpose of establishing a reserved list of domain names that are not able to be registered on public policy grounds supports the interests of all Australians as well as encouraging trust and confidence in the Country Code Top Level Domain (ccTLD) here.

- However, there were differing views on whether that public interest outcome was best achieved by publishing the specific list of names or not.
- On balance, the panel determined that the better approach is that, instead of publishing the list, auDA should consider publishing the specific criteria on which it decides to put a domain name in that list and in a timely manner release aggregate metrics, such as number of Reserved Names, number of reversals of registrations that are being or have been reviewed, and average time taken from detection to reservation. This position also aligns with the National Anti-Scam Centre’s recommendations to the Review.

### **Complaint process**

- The Panel considered whether auDA-initiated audits were appropriately addressed in the complaint processes outlined in the Licensing Rules. It also considered whether it was appropriate that only a person affected by a decision of auDA has the right to seek an internal or external review of that decision (3.6.1 and 3.8.1).
- Considering the commonality of views in submissions and engagements that supported consumer focused outcomes, the Panel recommends that the complaints process in Part 3 of the .au Licencing Rules be amended to accommodate complaints about the auDA audit process, and that the definitional scope of the ‘affected person’ definition is changed in sections 3.6.1 and 3.8.1 of the .au Licencing Rules to reflect the current “pro-consumer” approach that allows for all interested parties to access internal and external reviews.

### **Aligning domain lifecycle with international best practices**

- The Panel considered whether selected rules in .au should be aligned with equivalent rules in generic Top Level-Domains (gTLDs), such as .com.

- There was little divergence in views provided to the Panel around streamlining and aligning domain lifecycle rules with approaches in other common namespaces such as .com. Both registrars and registrants, will benefit from aligning the .au domain lifecycle to gTLD rules which are in common use across many gTLDs, as they no longer have to maintain different business practices based on the difference in domain rules. Therefore, it is recommended to amend the four rules of the .au domain lifecycle to align with what was put to the Panel as “common industry practice”.

#### **Other substantive matters the Panel considered**

- Whilst not a formal draft recommendation, the Panel nevertheless encourages auDA to consider a further review of the Rules in approximately 3 years to assess the impact of the changes presented by the Panel but also likely changes in the use of Domain Name Licences generally and the impact of technology developments like AI in particular.
- There were also a number of suggested expansions to the Rules made in the submission from the National Anti-Scam Centre (NASC). These issues are dealt at the end of this Report as they concern a discrete set of matters and the Panel has proposed some further issues for consideration by auDA in relation the NASC suggestions.

## **2. Introduction**

### **2.1 Background**

The external Panel was convened by auDA on 10 September 2025. The role of the Advisory Panel, as provided in the [Terms of Reference](#), includes

- to demonstrate a genuine multi-stakeholder approach in its consultations with the public and key stakeholders,

- to provide regular updates to the auDA Board on the progress of the review, and
- to provide the auDA Board with a review report setting out recommendations for change supported by information, evidence and/or submission obtained during the review process.

For more information, visit the [Advisory Panel's webpage](#).

## **2.2 Objectives of the Review**

- To ensure the .au Licensing Rules continue to provide the greatest benefit to the Australian community by ensuring they remain relevant and effective over time.
- To support the multi stakeholder model of internet governance through an inclusive, consensus-based, transparent and accountable review process.
- To review the process for resolution of contested .au direct names.

## **2.3 auDA Terms of Endorsement**

auDA is endorsed by the Australian Government to administer the .au domain for the benefit of all Australians. The Government provides its endorsement via formal [Terms of Endorsement](#) that outline auDA's core functions and the core principles that guide its work.

The Terms of Endorsement outline auDA's core functions to:

- Ensure stable, secure and reliable operation of the .au domain, which is part of Australia's suite of critical infrastructure
- Administer a licensing regime for .au domain names based on multi-stakeholder processes that are transparent, responsive, accountable, accessible and efficient

- Advocate for and actively participate in multi-stakeholder internet governance processes domestically, regionally and internationally.

In addition to endorsement from Government, auDA operates under a [sponsorship agreement from the Internet Corporation for Assigned Names and Numbers \(ICANN\)](#) – the international body responsible for coordinating the internet’s naming and numbering systems.

## 2.4 Principles for policy development

In administering and managing the .au domain, the auDA Board has adopted the following principles to guide policy development:

**Principle 1:** Establish a case for action before a problem is addressed

**Principle 2:** A range of feasible policy options will be considered, with costs and benefits

**Principle 3:** Adopt the option that generates the greatest net benefit for the Australian community

**Principle 4:** Policies should not restrict competition unless it can be demonstrated that:

- the benefits to the Australian community outweigh the costs
- the objectives of the policies can only be achieved by restricting competition

**Principle 5:** provide effective guidance and education to stakeholders to ensure that policy intent and compliance are clear

**Principle 6:** Ensure that the policies remain relevant and effective over time

**Principle 7:** Consult effectively with key stakeholders at all stages of the policy cycle

**Principle 8:** Ensure all policy outcomes are effective and proportional to the issues being addressed.

## 2.5 Stakeholder engagement

The Panel is committed to a multi-stakeholder approach that is transparent, responsive and accountable. The Panel’s objectives, in undertaking public consultation and stakeholder engagement were to:

- Ensure that all relevant stakeholder groups are made aware of the review and given an opportunity to contribute, and key stakeholders provide feedback through direct engagement.
- Raise public awareness of the review and encourage submissions by interested parties.
- Ensure an accessible, transparent and clear engagement process.
- Ensure a respectful consultation process and exchange of ideas, in accordance with the auDA Engagement Charter.
- Receive feedback /submissions from a range of relevant stakeholders to inform the Panel’s recommendations and report to the auDA Board.

The key inputs for the Panel’s consideration have included public townhall style interactive online events, in-person public consultation sessions, two virtual public workshops, group meetings with Registrars, and written submissions.

The Panel has also considered consistency with international standards and equivalents. In particular, the [NETmundial +10 Multistakeholder Statement](#), known as the São Paulo Multistakeholder Guidelines. The São Paulo Guidelines promote best practice in

multistakeholder policy processes, for example, having clear processes, making sure information is accessible to stakeholders and explaining how feedback shapes decisions.

## **2.6 Transparency and accountability**

The review project commenced with public consultation on the draft terms of reference for the review, to allow the community to have a say on the issues to be considered by the Panel.

The Panel and the Chair were appointed following a public expression of interest process.

Information about the review was made widely available to the community and interested stakeholders via:

- the auDA website, including dedicated [Panel](#) and [consultation](#) webpages
- social media
- member newsletters
- direct emails to members and stakeholders
- online and in person events.

Holders of contested .au direct domain names were contacted directly by auDA prior to commencement of the Review and invited to complete a survey on different options to resolve contested names. An overview of the summary results is published on the [Panel's webpage](#).

The agendas and minutes of Panel meetings are published on the [auDA website](#).

Support has been provided to the Panel by auDA in the form of:

- Secretariat support such as meeting support, minute taking, acknowledging submissions and the engagement of an external resource to support report drafting

- External communications to support Panel activities
- Webpage hosting and consultation support e.g. provision of an email address for submissions
- Support for consultations, including arranging venues for in person consultations, online webinar hosting and provision of an independent facilitator
- Subject matter expertise as required.

Notwithstanding this secretarial and administrative support, the Panel has at all times acted independently of auDA.

### **3. Overview of the Licensing Rules**

The .au Licensing Rules were made by auDA in its capacity as administrator of the .au domain via multi-stakeholder processes and in accordance with its obligations under the Terms of Endorsement from the Australian Government. The current version of the .au Licensing Rules commenced on 12 April 2021.

The .au Licensing Rules form part of the terms and conditions relating to a licence agreement between a registrant and a registrar, and registrants and registrars must comply with .au Licensing Rules. They also contain information and obligations in relation to auDA's role in administering the .au.

The objects of the .au Licensing Rules are to ensure a Licensing system which:

- a) is transparent, responsive, accountable, accessible, and efficient;
- b) improves the utility of the .au ccTLD for all Australians;
- c) promotes consumer protection, fair trading and competition;

- d) provides those protections necessary to maintain the integrity, stability, utility and public confidence in, the .au ccTLD;
- e) expresses Licence terms and conditions in objective and not subjective terms;
- f) implements clear, predictable and reliable complaint processes; and
- g) preserves the fundamental principles of No Proprietary Rights in a Domain Name, First Come, First Served, and No Hierarchy of Rights.

## **4. Review Methodology**

### **4.1 How the Review was Conducted**

The Panel used both qualitative and quantitative sources to inform its review. A major portion of the qualitative data are outputs from the public consultation. The consultation process comprised of in-person and online engagements with stakeholders, written submissions from the community following publication of the consultation report and the quantitative analysis of the feedback from the stakeholders (details are provided in section 5 of the Report). Other qualitative data included research material available in the public domain such as on the auDA website and various platforms providing information about previous and current domain name registration practices. The in-person and online stakeholder engagements were conducted using workshopping and semi-structured interviews methodology.

For the quantitative data, the review was conducted looking at various data depicting the performance of .au ccTLD in different namespaces such as com.au, .au direct namespaces, and gov.au from the internal records of auDA. The same can be found in section 4.2 of this draft report.

## 4.2 Data Sources

In addition to public consultations, in conducting its review the Panel had regard to the following data sources:

- Contested .au Direct Domain Names Applicants Feedback 2025 Summary Report (available at <https://files.ada.org.au/documents/auDA-Contested-Domains-Research-2025.pdf> )
- auDA's Annual Report of 2024-2025
- auDA's Quarterly Reports 2025-2026
- From time to time the Panel requested specific data from auDA to support its considerations, such as complaint numbers.

## 4.3 Consultation Feedback

- A list of submissions is at Appendix A.

Information about the consultation process and an overview of online and in person Panel consultations is available on the [Panel's webpage](#). In-person and online consultation events were supported by an external consultation design and facilitation business, ThinkPlace.

# 5. Consultation Findings

## 5.1 Summary of Feedback

### Domain Name Monetisation

- Submissions reflected mixed views on Domain Name Monetisation and whether it should be permitted, restricted or prohibited. Some expressed concerns for 'legitimate' business

owners who saw monetised sites as merely facilitating Domain Name Licence transfer activities for monetary gain rather than engaging in commerce through that domain name.

- Concerns were raised that the current rules around monetisation undermined confidence and trust in the domain name system. An example being that it concentrates the financial benefit of registration to a few, sophisticated actors. This conduct was also seen as ‘locking out’ small business owners from engaging in commercial activities through a domain that most closely reflected their business activities unless a payment, potentially significantly above the original registration cost was made to the investor to facilitate a transfer of the Domain Name Licence.
- Risks flowing from changing the monetisation rules were also identified. For instance, Domain investors pointed to their own investments that they had made in acquiring, holding and then marketing Domain Name Licences. It was argued that changing the current Rules in relation to monetising website would undermine certainty that was reasonably expected from the continuation of the current Rules.

### **Allocation Rules**

- Current allocation rules were seen by some stakeholders as complex and misaligned with the intent of linking use of the Domain Name Licence to the registrant’s business.
- Support for strengthening and restricting com.au allocation rules was predominantly focused on the use of monetised sites, especially ‘pay per click’ sites, as an inappropriate means to achieving allocation. Participants sought simpler rules that are easy to explain and understand. This was seen as lifting the levels of trust and confidence in the com.au space. The Panel was also made aware through the consultations that there were other name spaces such as .au direct or .com that were not subject to any material allocation

rules and as such, those namespaces were seen as the appropriate setting for investors and secondary markets to operate. Though other submissions thought the com.au namespace should also adopt that "no allocation rules" type of approach.

### **Contested Names**

- Some participants saw the current process as unfair and improvable, while others felt that the system was already well-established and didn't feel improvement was needed.
- A number of concerns were raised in the context of government entities being a contesting party. A view expressed to the Panel was that there was an inherent unfairness with gov.au registrants contesting .au direct names given the relative economic power of the government registrant.
- On the other hand, public sector parties exercising the blocking of the registration of a contested name may do so to protect the public interest especially in relation to scams. An example of this was with the ongoing need to contest a .au direct registration such as ato.au.

### **Fraud and Reserved Names**

- The Panel was presented with calls to remove the requirement of publishing the Reserved Names list as well as suggestions that the list be more widely published.
- It was clear to the Panel that the options put forward were all underpinned by an acknowledgment that the trust and confidence in the domain name system was enhanced by ensuring certain names were not available for registration.
- This was especially the case given the impact that AI technologies played in the weaponisation of online scams and the prevalence of bad actors on the internet.

### **Complaint process**

- The Panel was advised through the consultation process that there was a lack of clarity around which parties had standing in relation to various complaint mechanisms in the Rules.
- For instance, the current description of ‘person affected by a decision’ was seen to be applied inconsistently as between the auDA internal review process and the external review path offered by the Licence Review Panel process.
- There was a call for a clearer, but broader definition to be applied, rather than forcing auDA to narrow its current practices. This was presented as a ‘pro-consumer’ approach to complaint handling. It was also raised that Part 3 of the Licensing rules does not adequately cover complaints and reviews arising from auDA audit activity

#### **.au Domain Name Licence lifecycle**

- The Panel received strong support to amend the Rules to facilitate an alignment between the .au TLD and the domain lifecycle of .com. The Panel was not made aware of any material reasons not to support that reform.
- Rules regarding .au domain lifecycle like renewal periods, delete and redemption periods, cooling off periods were all seen to be improved via alignment with common international practices like gTLD .com rules.

#### **Other matters raised**

From time to time, stakeholders raised matters in addition to the issues listed in the terms of reference that the Panel believed were of sufficient materiality to warrant review. The terms of reference permit the Panel to look at additional issues raised by any stakeholder during consultations. For instance, concerns were aired around protection of privacy on .au domains, the need for greater prevention of fraud facilitated through the internet, and what happens to

the com.au domain name when a person retires from their business. These issues are addressed by the Panel in this draft report.

## 5.2 Areas of Consensus

- **Complexity in allocation rules** – Allocation rules in particular, but also rules relating to contested .au direct domain names, were often viewed as overly complex. Some expressed that processes lack clarity and user-friendliness. Participants sought simpler rules that are easy to explain and understand.
- **Caution about unintended reform consequences** – There was broad recognition that policy changes must be carefully designed to avoid legal risk for registrants, registrars, the registry operator and auDA, and disruption and loss of confidence.
- **Fairness, transparency and predictability** – Whether for allocation or contention, stakeholders want: clear criteria or conditions in the .au Licensing Rules, consistent processes to follow precedent, transparent market signal and time-bound decision-making by auDA and registrars.
- **Domain Name Licence lifecycle to be aligned with common international practices** – Rules regarding .au Domain Name Licence lifecycle like renewal periods, delete and redemption periods, cooling off periods to be aligned with international best practices like gTLD .com rules.
- **Complaint process** – The panel recommends that Part 3 of the Licensing rules be amended to explicitly cover complaints and reviews arising from auDA audit activity. Also, the description of ‘affected person’ ought to reflect a clearer, more consistent definition, rather than forcing auDA to narrow its current practices.

- **Fraud and Reserved Names** – On balance, there was greater support to remove the requirement of publishing the reserved list. This position was supported by the submission from NASC.

### 5.3 Areas of Divergence

- **Regulating domain monetisation** – As noted earlier, there were mixed views on Domain Name Monetisation and whether it should be permitted, restricted or prohibited. Whilst there was a common view that transferring Domain Name Licences per se should not be prohibited, there was less consensus as to rules that facilitate obtaining a Domain Name Licence for the clear purpose of re-selling it.
- **Allocation rules** – There was little clear consensus on what should happen to the current allocation approach going forward. Some participants believed the rules were sufficient, others thought they needed to be stricter, and others believed they should be softened. As previously noted, a more common concern was that ‘pay per click’ sites were undermining trust and confidence in the domain name system as those sites were seen to be a clumsy and potentially misleading ‘veil’ for the underlying purpose which was to facilitate a domain investor to advertise the domain name for ‘re-sale’<sup>3</sup>.
- **Contested .au direct domain names** – There were a variety of views on resolving the contested .au direct domain names. Some participants saw the current process as unfair and improvable, while others felt that the system was already well-embedded and didn’t feel genuine, non-disruptive improvement was needed

---

<sup>3</sup> A Licence means a non-exclusive, non-transferable, revocable Licence issued by .au Domain Administration, to a Person to use the Domain Name System (DNS) with a Unique Identifier of their choice. A licence does not create a proprietary interest in the Domain Name System or a Domain Name.

## 5.4 Stakeholder Group Insights

- **Individual small business:** Monetisation was largely seen as harmful to ‘more legitimate’ Domain Name Licencing, and as adding little value to the community. There was a strong sense that monetisation should be reduced in scope or prohibited by amending allocation rules. There was a strong sense of aligning the .au domain lifecycle with international best practices.
- **Business Representative Groups:** A preference for less rules and less complication was a theme from both larger commercial stakeholders and industry representative bodies.
- **Domain name registrars:** Allocation rules in particular, but also rules relating to contested .au direct domain names, were often viewed as overly complex. Some expressed that processes lack clarity and user-friendliness. They suggest simpler rules that are easy to explain and understand.
- **Community / Consumers:** Changes should not be deteriorative, and rules should meaningfully support the integrity and trust of .au.
- **Government / Regulators:** The submission by NASC provides an overview of research into how scammers misuse Domain Name Licences and the DNS<sup>4</sup> and undermine the integrity of the .au domain. They recommend to introduce prevention of scams within the scope of DNS abuse.

---

<sup>4</sup> Submission from National Anti-Scam Centre (NASC) (p. 4-6), available at <https://files.ada.org.au/documents/NASC-submission.pdf>

- **Industry Experts:** During discussions about the review of Domain Name Licence lifecycle rules the Panel identified a related issue, which concerns the process of a registrar contacting a registrant to notify them that their domain name will be cancelled or is expiring (see 6.7.3).

## 6. Analysis of Issues

During public consultation, the Panel noted that three main issues were the subject of high levels of engagement.

- monetisation of com.au, net.au and .au direct domain names
- rules for allocation of com.au and .net.au domain names
- the process for allocating contested .au direct domain names.

These issues remained the most discussed throughout consultation. The Panel allocated significant time to understanding, interrogating and reviewing these issues. The following section reflects this deeper consideration of these three main issues.

### 6.1 Monetisation of Domain Names

#### ***Current practice***

Domain Name Licences can be monetised under the .au Licencing Rules *‘with the sole purpose of selling, leasing or holding the applied for Domain Name to generate revenue. [It].. also includes warehousing and registering a Licence for the sole purpose of transferring the Licence to another Person.’* (Rule 1.4 Definitions).

Under Rule 2.4.13 of the Licensing Rules, Domain Name Monetisation is prohibited in all namespaces except com.au, net.au and .au direct.

The definition in Rule 1.4 includes the examples for domain monetisation as:

- 1. Affiliate websites where a Domain Name is chosen and developed as a keyword for websites and advertisements;*
- 2. Pay-per-click websites where revenue is earned through the use of proprietary advertising systems;*
- 3. Domain parking where advertising is published on the parked Domain Name.'*

### **Submissions and public engagements**

The Panel noted strong and diverging views on Domain Name Monetisation in the com.au and net.au namespaces based on the submissions received and discussions during online and in person consultations.

Broadly speaking, one group of submissions opposes Domain Name Monetisation, a second group supports it, while a third group of submissions suggests a limited or restricted use of Domain Name Monetisation. Stakeholders who oppose Domain Name Monetisation, such as small and medium businesses, one business association, a cybersecurity firm and some members of public suggested removing this entirely. Various reasons are given for their opposition including:

## .au Licensing Rules Review 2025 – Panel Draft Report

- a. that it acts as a barrier to entry for ‘legitimate’ consumers<sup>5</sup>,
- b. undermines reliability and the genuine nature of com.au and net.au namespaces<sup>6</sup> and
- c. that it is a harmful practice as it promotes hoarding of domain names<sup>7</sup>.

The group of submissions promoting Domain Name Monetisation argue in favour of the monetary benefit it provides consumers through advertising-supported or referral-based revenue models<sup>8</sup>, driving the value of the .au namespaces in commercial domain namespaces<sup>9</sup> and what is described by one submission as a sophisticated business model reflecting the maturity of the .au namespace.<sup>10</sup> A third group of submissions do not oppose the practice but suggest a restrictive use of the practice. These submissions suggest intervention by auDA when registrations are made with evidence of gross misconduct, fraud, bad faith registrations or with no commercial connection to the domain name.<sup>11</sup>

---

<sup>5</sup> Submission from Anonymous, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission.pdf>; Submission from Cooper D’Andilly. Available at <https://files.ada.org.au/documents/Cooper-DAndilly-LRR25-submission-1-1.pdf>; Submission from Nexus Polytech, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>.

<sup>6</sup> Submission from Conseek Pty Ltd. Available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>

<sup>7</sup> Submission from Master Locksmiths Association of Australasia, available at <https://files.ada.org.au/documents/Master-locksmiths-submission.pdf> Submission from Fleet Locksmiths, available at <https://files.ada.org.au/documents/Fleet-locksmiths-submission.pdf>.

<sup>8</sup> Submission from Ian Halson, available at <https://files.ada.org.au/documents/Ian-Halson-LRR25-submission-2.pdf>

<sup>9</sup> Submission from 3V, available at <https://files.ada.org.au/documents/3V-submission.pdf>

<sup>10</sup> Submission from ACCI, available at <https://files.ada.org.au/documents/ACCI-submission.pdf>.

<sup>11</sup> Submission from Anonymous 10, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; Submission from ACCI, available at <https://files.ada.org.au/documents/ACCI-submission.pdf>; Submission from

Stakeholders raised concerns about the consequences if Domain Name Monetisation is removed entirely.<sup>12</sup> It was suggested that auDA could face legal risks as removal of Domain Name Monetisation may lead to complaints from domain investors and businesses seeking compensation.<sup>13</sup>

### ***Discussion and recommendation by Panel***

The terms of reference for the review include monetisation in com.au and net.au as one of the issues for the Panel to consider. Although monetisation is also permitted in the .au direct namespace, Domain Name Monetisation in .au direct has not been raised as an issue in the Panel's consultations or review feedback. Therefore, consideration of monetisation is limited to the com.au and net.au namespaces.

Based on the submissions and engagements, the Panel notes that the issue is of significant public interest. The Panel looked at similar practices occurring in different ccTLD and gTLD jurisdictions. It has been submitted that Domain Name Monetisation has existed since the early development of the internet.<sup>14</sup> As a practice, it exists in gTLDs such as .com and in almost every other ccTLDs' registries like in New Zealand, France, Germany, Italy, Spain and

---

The Law Society of South Australia, available at <https://files.auda.org.au/documents/Law-Society-SA-submission.pdf>;  
Submission from National Anti-Scam Centre, available at <https://files.auda.org.au/documents/NASC-submission.pdf>;  
Submission from Container Homes, available at <https://files.auda.org.au/documents/Containerhomes-submission.pdf>;  
Submission from Heidi Richards, available at <https://files.auda.org.au/documents/Richards-review-submission.pdf>.

<sup>12</sup> ThinkPlace, .au Licensing Review public consultation Report Synthesis, April 2026

<sup>13</sup> ThinkPlace, .au Licensing Review public consultation Report Synthesis, April 2026

<sup>14</sup> Submission from ACCI, p. 6

United Kingdom.<sup>15</sup> This is often called a ‘secondary market of the domain names’ where a Domain Name Licence is traded like a commodity. This market includes Domain Name Licences that have recently expired and have been subsequently acquired by investors as well as those that the current owners want to sell.

When looking at Domain Name Licence data, there is no definitive way to identify the number of registrants who have registered domain names for the purpose of monetisation. For the purposes of this review, we have settled on a proxy definition of a holding of more than 50 domain names by one person or entity as representing a potential investor holding. The Panel acknowledges that some registrants hold over 50 domain names for other reasons such as brand protection, and may not be domain investors.

As per the data provided by auDA, there are currently 3,386 registrants holding more than 50 Domain Name Licences in the com.au, net.au and .au direct namespaces, out of a total number of 1,702,174 registrants in those namespaces. Together the 3,386 registrants hold a total of 582,895 domain names in com.au, net.au and .au direct.

The secondary market of domain names provides financial benefits such as revenue from advertising and increased value of the .au namespaces in commercial domain namespaces – financial benefits that flow to the registrant of the monetised Domain Name Licence. The Panel has received feedback that monetisation is of benefit for the Australian community, however this has not been supported with any compelling data or evidence. On the face, it appears that monetisation disproportionately benefits domain investors and people or entities who have the means to purchase desirable names at a premium. A number of small

---

<sup>15</sup> OECD (2006-04-12), ‘The Secondary Market for Domain Names’, OECD Digital Economy Papers, No. 111, OECD Publishing, Paris. <http://dx.doi.org/10.1787/231550251200>

business owners and their representatives described registrants in that investor market as ‘less entitled’ to a name as against a registrant acquiring a Domain Name Licence that closely matches the name of their business to support their commercial activities.

The Panel has considered at length the feasibility of different policy options in relation to the submissions and feedback received on domain monetisation, including removing Domain Name Monetisation, restricting monetisation or maintaining the status quo. It is difficult to measure the impact if the practice of monetisation was to be proscribed.<sup>16</sup> There is also the practical problem of unwinding a secondary market that is well established over many years and which is consistent with international practices.

The Panel notes that it is now a common business practice for domain names to be operated for the purpose of generating income and is not convinced that a blanket ban on registering a Domain Name Licence solely for future licence transfer or generating income would be effective. In fact, the commercial nature of com.au promotes the use of domain names for commercial activities.

The Panel notes that many of the objections to monetisation that it has received are based on the way it often manifests for the community, namely through the pay per click links on websites. Further, the Panel was advised that those types of pages increasingly lack commercial support from advertising platforms such as Google Ads. The Panel further notes that trust and

---

<sup>16</sup> The numbers are provided by auDA. Based on the recent data in the Q2 Report (2025-26) of auDA, there are 4,294,913 domain names under auDA’s management and there is no practical way of deducing through this data to know which one of them are monetised (provided by auDA).

confidence in the name space would be enhanced by increased audits and enforcement against non-compliant websites where advertised links for instance are inactive.

On balance, the Panel's view is that the current approach to Domain Name Monetisation should not be substantially changed as there is a lack of evidence that monetising a website inherently undermines trust and confidence in the com.au, net.au or .au direct spaces. The Panel does recommend that auDA increases its enforcement and compliance initiatives to ensure that monetised websites are not used, or inadvertently used, for DNS Abuse (defined in section 1.4 and referenced in clause 2.11.17 of the .au Licensing Rules as a prohibited use).

**RECOMMENDATION 1: 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.**

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

### ***Current practice***

To acquire a licence in the com.au and net.au namespaces, an applicant must be a commercial entity, have an Australian presence and meet the requirements provided under Rule 2.4.4 of the .au Licencing Rules.

The requirements in section 2.4.4(2) are referred to as the allocation rules. Allocation rules refer to the connection that must exist between the domain name and the name of the registrant's business. For example, the domain name matches the registrant's business name, or trademark, or a service that the registrant provides.

Rule 2.4.4 of the .au Licencing Rules:

**'2.4.4** *A Person applying for a Licence in the com.au and net.au Namespaces must be*

*(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; or*

*c. 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 or*

*e. 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. Goods that the Person sells (whether retail or wholesale);*

*iii. an event that the Person registers or sponsors;*

*iv. an activity that the Person facilitates, teaches or trains;*

*v. premises which the Person operate*

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

One of the ways a person holding a com.au or net.au Domain Name Licence can meet the allocation requirements is through provision of a service, the name of which is a match or synonym of the domain name.

Under the Definitions section of the .au Licensing Rules, service includes ‘...a service providing information or a referral to another provider which relates to Goods or services used by the public or a sector of the public’.

Provision of a referral service in the form of a pay-per-click website (see the definition of Domain Name Monetisation) is how many domain name investors meet the allocation rules.

### ***Submissions and stakeholder engagements***

The Panel observes a variety of diverse submissions on the allocation rules. Submissions and feedback advocating for a stricter and narrower interpretation of Rule 2.4.4. of the .au Licencing Rules are in the majority. There were also submissions suggesting the existing allocation provisions should be made clearer as they were found to be unclear and difficult to comply with. Submissions from small and medium businesses, one law society, one business association, government agencies, and members of public call for a stricter and narrower interpretation. The manner of narrower interpretation suggested in the submissions vary.

A significant number of submissions recommend, with respect to Sub-para (f) of Rule 2.4.4 (2) of the .au Licencing Rules, introducing some additional requirements, for example providing objective evidence such as an ASIC registration, trade history or contracts/invoices to establish

a clear nexus between the registrant and eligibility.<sup>17</sup> Others recommend that an exact match be required rather than permitting domain names that are a match or acronym of business or legal name, or a match or synonym of the name of a service, goods, event, activity, events etc.<sup>18</sup>

Several submissions suggest an approach that maintains the essence of the allocation criteria in the .au Licencing Rules and reflects market realities, while at the same time addressing the concerns about websites with monetised links. The suggestion is to remove the ability for pay per click sites to take advantage of the allocation pathway in sub-para (f) so that registrants cannot meet the allocation requirement through establishment of a monetised website.<sup>19</sup> The Panel also took into consideration concerns raised about the ongoing increase in online scams and the impact this has on trust and confidence in the DNS. Some consumer representatives perceived that sites that had met allocation requirements through ‘pay per click’ services often appeared to be ‘fraud like’.

---

<sup>17</sup> Submission from Conseek Pty Ltd, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>; Submission from Container Homes, available at <https://files.ada.org.au/documents/Containerhomes-submission.pdf>; Submission from Law Society of South Australia, available at <https://files.ada.org.au/documents/Law-Society-SA-submission.pdf>; Submission from Master Locksmiths Association of Australasia, available at <https://files.ada.org.au/documents/Master-locksmiths-submission.pdf>; Submission from Fleet Locksmiths, available at <https://files.ada.org.au/documents/Fleet-locksmiths-submission.pdf>.

<sup>18</sup> Submission from Anonymous 5, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-5-1.pdf>.

<sup>19</sup> Submission from Conseek Pty Ltd, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>; Submission from Container Homes, available at <https://files.ada.org.au/documents/Containerhomes-submission.pdf>; Submission from ACCI, available at <https://files.ada.org.au/documents/ACCI-submission.pdf>; Submission from National Anti-Scam Centre, available at <https://files.ada.org.au/documents/NASC-submission.pdf>; Submission from 3V, available at <https://files.ada.org.au/documents/3V-submission.pdf>; Submission from The Law Society of South Australia, available at <https://files.ada.org.au/documents/Law-Society-SA-submission.pdf>; Submission from Nexus Polytech, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>.

The Panel also notes that there were suggestions to completely remove the allocation criteria from Rule 2.4.4, that is, any commercial entity with Australian presence should be able to register any name they wish in com.au and net.au. These submissions point out the current complexity in the rules.<sup>20</sup>

### ***Discussion and recommendation by the Panel***

The Panel notes that it is now uncommon to have such allocation rules amongst the larger global ccTLDs. That said, there was a clear understanding of and appreciation for the .au allocation rules among many of the submissions and much of the feedback received. Those participants believe that allocation rules support trust and confidence in the com.au and net.au namespaces.

The Panel took note of the common themes between the two issues, that is, domain monetisation and allocation criteria. The Panel is of the view that the consumer harm identified in submissions around monetisation are most acute in the context of monetisation as a means to achieve allocation of a domain name.

Sub-para (f) of Rule 2.4.4.2 of the Licencing Rules is controversial among a number of stakeholders who oppose the Domain Name Monetisation practice of putting up monetised links on a website and waiting until a buyer is willing to buy the Domain Name Licence at what was perceived as an inflated price.<sup>21</sup> Criticism of sub para (f) largely emerges from the belief that

---

<sup>20</sup> Submission from Anonymous 7, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-7-1.pdf>; Submission from Anonymous 10, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; ThinkPlace, .au Licencing Review public consultation Report Synthesis, April 2026, p.20

<sup>21</sup> Submission from Anonymous 6, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-6-1.pdf>; Submission from Anonymous 3, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-3.pdf>

there is a misuse of Domain Name Monetisation practices at the expense of small businesses and entrepreneurs. Some of the submissions have raised the issue of scams and fraudulent activities occurring in Australia’s ccTLD and the belief there is a connection with domain monetisation (submissions on scam and fraudulent activities are discussed as a separate issue in 6.7.2).<sup>22</sup>

The Panel notes that the current operation of the allocation rules is a source of concern, as reflected by their inclusion in the terms of reference and stakeholder feedback that they need to be clarified. In addition, unlike the criteria for eligibility that can be checked against a Government database such as the Australian Business Name Register, compliance with the allocation requirements is based on a registrant providing a warranty that they comply at the time of registration. Feedback that the Panel has received about monetised sites, suggests these warranties are often not honoured. This situation undermines trust and confidence in the domain name system and requires increased compliance measures.

It may also be the case that auDA could develop stricter wording around what is permitted in relation to pay per click based registrations by clarifying and improving definitions in the Rules. An example of this might be requirements around what has to be made clear on a site that is for ‘sale’ including contact details. Such measures could improve the level of trust and confidence in the name space and minimise the ‘scam like’ nature of some sites that were brought to the attention of the Panel through the various public consultations.

---

<sup>22</sup> Submission from ACCI, available at <https://files.auda.org.au/documents/ACCI-submission.pdf>; Submission from Master Locksmiths Association of Australasia, available at <https://files.auda.org.au/documents/Master-locksmiths-submission.pdf>; Submission from Fleet Locksmiths, available at <https://files.auda.org.au/documents/Fleet-locksmiths-submission.pdf>

The Panel is not convinced by the argument that there would be a benefit to the Australian community by removing the allocation rules altogether. The likely outcome would be an increase in domain name speculation and investment, leading to the Australian public likely paying more for domain names and increased loss of confidence and trust in com.au and net.au.

The Panel observes that on balance there are more submissions advocating for stricter allocation rules. This is supported by feedback received in online and in person consultations. The Panel notes the difficulty of balancing the interests of all stakeholders. The service definition is likely used by a range of different registrants including for example, corporate registrants who have a larger portfolio of domain names for brand protection. Further, the Panel acknowledges that the trading (transfer) of Domain Name Licences in a free market is consistent with Australia's market economy and international practice.

There is no hierarchy of rights in the .au domain, which means that no person has a better right to a Domain Name Licence in a namespace than another person for example, a person with a trademark does not have a better right than a person with a business name or a person providing a service. Therefore, submissions and feedback contending that registrants who possess a trademark or legal document proving their legitimacy should be prioritised over the others<sup>23</sup> cannot prevail since the Rules do not allow this. Further, the Panel's terms of reference do not allow the Panel to interfere with the principle of no hierarchy of rights which has existed

---

<sup>23</sup> ThinkPlace, .au Licencing Review public consultation Report Synthesis, April 2026, p.10-13

since the creation of the .au domain and is a principle which is consistent across most domains across the world.

The Panel notes the high value that is placed on the com.au (and net.au to a lesser extent) by the Australian community, including business, investors and the public. The Panel believes that allocation rules that are clearer and more transparent will support ongoing trust and confidence in the namespace.

In seeking to find a suitable recommendation for reform, if any, to address the concerns identified by the Panel and through the multi-stakeholder process, the following three options were considered in depth:

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

**RECOMMENDATION 2: The Panel now seeks further views from stakeholders on the three options proposed above to address concerns around monetised sites as a means to achieve allocation.**

### **6.3 Contested .au direct Domain Names**

#### ***Current Practice***

In September 2022, auDA launched a new namespace called .au direct, where a Domain Name Licence can end in just ‘.au’. Registrants with existing Domain Name Licences were given the opportunity to apply for the matching .au direct domain name to their existing third level

domain name (e.g. the registrants of forexample.com.au and forexample.gov.au could apply for forexample.au). Where more than one party applied for the same .au direct domain name, it became contested and could not be allocated. A contested .au direct domain name remains unavailable until all but one applicant has withdrawn their application. The status of priority applications is available via the [priority status tool](#).

.au direct priority applications (e.g. forexample.au) must be renewed annually at which time the eligibility of the registrant to hold the matching (e.g. forexample.com.au) domain name is also re-validated. It is noted that there are approximately 3000 .au direct domain names still in contention.

The relevant rules (which are also referenced in the .au Licensing Rules) are the .au Domain Administration Rules: .au Direct Priority Implementation (.au Direct Priority Rules). The [.au Direct Priority Rules](#) must be reviewed at regular intervals and in that context auDA determined that the Panel was the appropriate body to review the process for resolving contested names.

### ***Contested names survey***

In September 2025, auDA invited all contested name holders to complete a survey on options for resolution of contested names. Respondents were asked to rank different options for resolution, and the three most popular options were:

- Allocate contested names (e.g. forexample.au) to the applicant with the earliest registration date of the matching domain name (e.g. the registration date of forexample.com.au).
- Continue with the current approach for managing contested names. As described above, the name remains unavailable until all but one applicant has withdrawn their application. It is incumbent on the parties to negotiate an outcome.

- Allocate contested names in an auction between the contesting parties.

The outcome of the contested names survey was provided to the Panel for their information and as an input to the review. A summary of results is available on the Panel’s webpage.

### ***Submissions and stakeholder engagements***

Submissions were received from a range of different stakeholder groups, including contested name holders. The resolution of contested names was a topic of great discussion in several of the Panel consultations.

The suggestion of allocating the contested domain name to the earliest registration date of the matching domain name is one that was supported in feedback.

Conversely, there are submissions rejecting the idea of prioritising the earliest registration as this may prioritise domain investors over genuine commercial entities.<sup>24</sup> It has also been submitted that this fails to recognise earlier auDA policies where many com.au registrants were first able to acquire their domain names in the 2002 generic domain auction and the 2005 geographic domain releases<sup>25</sup>, when the matching net.au was already in existence and allocating the contested name on the basis of earliest registration would disadvantage the com.au holder in those contests.

There are some submissions and stakeholder feedback that suggests resolving this issue through a dispute resolution mechanism such as mediation, negotiation etc. in a time bound

---

<sup>24</sup> Submission from ACCI, available at <https://files.auda.org.au/documents/ACCI-submission.pdf>, p.7; Submission from Sedrick, available at <https://files.auda.org.au/documents/Sedrick-LRR25-submission.pdf>.

<sup>25</sup> Submission from Ian Halson 2, available at <https://files.auda.org.au/documents/Ian-Halson-LRR25-submission-2.pdf>

manner.<sup>26</sup> Upon completion of that dispute resolution, if there is still no resolution of contested names then prioritise the earliest registration date of the matching domain name over others.<sup>27</sup>

Strong opposition was expressed to auctioning as a method to resolve the contested names applications because that would likely make it easier for domain investors and large businesses to out-bid small and medium businesses and the general public.<sup>28</sup>

Some submissions recommend maintaining the status-quo and letting the parties in the contested names resolve the disputes in their own time.<sup>29</sup>

---

<sup>26</sup> Submission from Heidi Richards, available at <https://files.ada.org.au/documents/Richards-review-submission.pdf>; Submission from 3V, available at <https://files.ada.org.au/documents/3V-submission.pdf>; Submission from Nexus Polytech, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>.

<sup>27</sup> Contested .au Direct Domain Names – Applicants Feedback 2025, Summary Report, available at <https://files.ada.org.au/documents/auDA-Contested-Domains-Research-2025.pdf>; Submission from Conseek Pty Ltd, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>; Submission from Master Locksmiths Association of Australasia, available at <https://files.ada.org.au/documents/Master-locksmiths-submission.pdf>; Submission from The Law Society of South Australia, available at <https://files.ada.org.au/documents/Law-Society-SA-submission.pdf>; Submission from Geoff, available at <https://files.ada.org.au/documents/Geoff-LRR25-submission.pdf>; ThinkPlace, .au Licencing Review public consultation Report Synthesis, April 2026, p.15.

<sup>28</sup> Submission from Ian Halson 2, available at <https://files.ada.org.au/documents/Ian-Halson-LRR25-submission-2.pdf>; Submission from Master Locksmith Association of Australasia, available at <https://files.ada.org.au/documents/Master-locksmiths-submission.pdf>, p.3-4.

<sup>29</sup> Submission from Ian Halson 2, available at <https://files.ada.org.au/documents/Ian-Halson-LRR25-submission-2.pdf>; Submission from Sedrick, available at <https://files.ada.org.au/documents/Sedrick-LRR25-submission.pdf>; Submission from Anonymous 7, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-7-1.pdf>.

### ***Review and recommendation by the Panel***

The Panel notes the strong views held by many parties in relation to the best resolution of contested names, and the concerns from parties unable to meet a mutual resolution of their contested name.

In terms of international precedent, the Panel notes that InternetNZ recently went through a process of reviewing their approach to what they call conflicted names. InternetNZ had previously offered online mediation and negotiation to resolve conflicted names. In July 2025, they ended all the process of resolution between parties, that is, parties no longer can resolve the conflict and have blocked all the 1,340 domain names from registration. InternetNZ's approach is to continue maintaining the blocked list until the last person standing and if the last person standing does not register by the notified period, then the domain name will be released to the public.<sup>30</sup>

The system for contested names in Australia is different to the set up in New Zealand, as priority applications are managed separately to the related domain names. Another difference is that .au has eligibility and allocation rules which must be met to renew an application for a .au direct Domain Name Licence, with .nz having no such rules. Therefore continuing with the status quo in Australia would not require contested names to be blocked – contesting parties could continue to negotiate resolutions.

---

<sup>30</sup> Section 3 of the Schedule 3 (version2) in the Conflicted Domain Names process (amended 2025), Conflicted Domain Name Policy Review, available at

<https://internetnz.nz/assets/Conflicted-Domain-Names-Consultation-Submissions-2024/Schedule-3-version-2-Conflicted-domain-names-process-2025.pdf> (Accessed on 24.04.2026)

The Panel also referred to the report of the previous auDA Policy Review Panel<sup>31</sup> and reviewed the various methods of addressing contested names that were discussed and that the previous review Panel ultimately deemed unfit, unfair or impractical.

The Panel does not believe there is case to change the current approach to resolution of contested domain names. All the parties in the contest already have a domain name and are desirous of obtaining an additional name. The Panel agrees with the position put in one of the consultations that all contested parties have been paying over several years to be in the contest on the basis clearly stated rules, and to change the rules now would be unfair.

The Panel has not been able to identify any class of contesting parties more deserving than the others. And in fact, the Panel is concerned that a decision on that basis could interfere with the principle of no hierarchy of rights. Therefore, the Panel recommends maintaining the status-quo of the contested name process.

**RECOMMENDATION 3. The Panel recommends continuation of the current process for the contested .au direct name allocation process.**

---

<sup>31</sup> auDA Policy Review Panel, Interim Report, 15 May 2018, available at <https://files.ada.org.au/documents/2017prpauDA-Policy-Review-Panel-Interim-Report-15-May-2015.pdf> , p. 8-10 (Accessed on 24.04.2026)

## **6.4 Fraudulent and bad faith registrations and Reserved Names**

### ***Current Practice***

Under section 2.6.1(3) of the .au Licensing Rules, a reserved domain name is not available to be registered where it may pose a risk to the security, stability and integrity of the .au and global domain name system. Further, section 2.6.4(1) allows auDA to reserve names that pose a threat to the operational security, integrity and utility of the .au domain.

auDA can prevent registration of a reserved domain name under section 2.6.1(3) by placing the domain name on the Reserved Names list as per Rule 2.6.4(1) of the .au Licencing Rules. Rule 2.6.6. of the .au Licencing Rules requires auDA to publish the Reserved Names list on its website. Currently this list is not published by auDA because it may give bad actors information about domain names that are commonly used for scams and in bad faith. The reason for not publishing the list is to prevent further fraudulent or bad faith registrations or copycat registrations.

### ***Submissions and stakeholder engagements***

There were few written submissions received for this issue and all that were received are in support of removing of the requirement to publish the reserved name list as per Rule 2.6.7 of the .au Licencing Rules for the reasons that the publication of list may pose to risk to operational security, integrity and utility of .au domain names.<sup>32</sup>

---

<sup>32</sup> Submission from Conseek Pty Ltd, p. 2-3, available at <https://files.auda.org.au/documents/Conseek-LRR25-submission.pdf>; Submission from Master Locksmiths Association of Australasia, p. 4, available at

Indicative pulse checks conducted through the facilitated stakeholder engagements indicate that there may be mixed views on the issue. A small majority of respondents supported not publishing the reserved name list, though there was also strong support for seeing the list published.<sup>33</sup>

The submissions suggest various methods of alternative accessibility of the information on reserved list and to keep the practice of reserved list transparent. It is suggested that auDA could publish criteria for reservation, decision making and timeframes rather than the list itself.<sup>34</sup> auDA could also publish 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.<sup>35</sup>

### ***Recommendation by the Panel***

The Panel believes the submissions made and feedback received support the proposition that the requirement under the Rule 2.6.7 of the .au Licencing Rules of publishing the reserved list of domain name should be removed.

---

<https://files.ada.org.au/documents/Master-locksmiths-submission.pdf>; Submission from The Law Society of South Australia, p.2, available at <https://files.ada.org.au/documents/Law-Society-SA-submission.pdf>; Submission from Anonymous 10, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; Submission from National Anti-Scam Centre, available at <https://files.ada.org.au/documents/NASC-submission.pdf>; Submission from Nexus Polytech, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>.

<sup>33</sup> ThinkPlace, .au Licencing Review public consultation Report Synthesis, April 2026, p.25

<sup>34</sup> Submission from Conseek Pty Ltd, p. 2-3, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>; Submission from 3V, available at <https://files.ada.org.au/documents/3V-submission.pdf>

<sup>35</sup> Submission from Conseek Pty Ltd, p. 2-3, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>.

Instead of the list, auDA should consider publishing the specific criteria based on which it decides to put a domain name in that list and in a timely manner release aggregate metrics, such as number of Reserved Names, number of reversals of registrations that are being or have been reviewed, and average time taken from detection to reservation.

**RECOMMENDATION 4.1. Remove the requirement under Rule 2.6.7 of the .au Licencing 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.**

## **6.5 Complaints process for domain name audits**

### ***Current practice***

This section considers two issues – 1. complaint process for audits and 2. the definition of a person affected by a decision in a complaint. Both matters relate to procedural fairness in auDA’s complaint handling process provided in [Part 3](#) of the Licensing Rules.

### **6.5.1 Complaint process for audits**

As per Rules 2.16 of the Licensing Rules, auDA audits domain names regularly to ensure that registrants comply with the .au Licensing Rules and to ensure the stability, integrity and reliability of the Domain Name System. The current complaint procedures in Part 3 of the .au Licensing Rules do not refer to a process for complaints arising from an auDA audit.

auDA accepts complaints resulting from audit actions as a practice and manages them in accordance with the complaint provisions, in Part 3 specifically sub-para 1 of Rule 3.4 of the Licensing Rules, by raising the complaint with the Registrar of Record. auDA has requested that the Panel consider recommending amendments to the complaints process in Part 3 to ensure that it explicitly accommodates complaints arising from audit actions initiated by auDA.

### ***Suggestions and stakeholder engagements***

Most of the submissions made to the Panel suggest including the audit activities within the complaint process. However, the submissions suggest different underlying reasons. There are fewer written submissions about this issue. Even during the stakeholder engagements, it was observed that fewer participants showed strong interest in this issue. Presumably, this stems from the fact that the issue engages questions of procedural fairness and transparency in auDA's internal working and practices and matters that carry significance to the immediate parties involved in the complaints processes. A number of submissions similarly highlight these broader public interest concerns.

### ***Recommendation by the Panel***

Despite the omission of specific words to allow complaints arising from an audit, the Panel observes that auDA allows parties affected by the audits to make a complaint under the current complaint processes in Part 3.

The Panel notes that the written submissions support auDA's practice to include audits within the complaints process. The Panel agrees with the submissions and feedback to the review that auDA should ensure that parties affected by the audits which are an integral part of auDA's compliance activities, have a channel to raise any complaints regarding these

audits. As one submission pointed out, the unique nature of internet and fast-growing nature of .au domain names, it is relevant to include them in a complaints process ensuring transparency and procedural fairness. Further, the Panel is of the view that complaints originating from audits should be formally included in the complaints process. This will improve accountability and trust in auDA's audit process and protect rights of the registrants. This will also support the effectiveness of the audit process.

Therefore, considering the submissions and engagements, the Panel recommends that the complaints process in Part 3 of the .au Licensing Rules be amended to include complaints derived from audits performed by auDA.

### **6.5.2 Complaint escalation and standing**

This issue deals with the requirement of being an 'affected person' for the purpose of internal and/or external reviews within the complaints process in Part 3 of the Licensing Rules.

A person affected by a decision made by auDA may apply for an internal review of that decision by a review officer at auDA (Rule 3.6.1), and a person affected by a decision made by auDA within an internal review may apply for external review of that decision by the License Review Panel (Rule 3.8.1).

In practice, auDA has interpreted these provisions broadly in allowing complainants in these situations to escalate complaints for internal review and/or external review. This is illustrated in two decisions issued by the Licence Review Panel in [australianaviation.com.au](https://australianaviation.com.au)<sup>36</sup> and

---

<sup>36</sup> [australianaviation.com.au](https://files.auda.org.au/documents/LRP-20230206-australianaviation.com.au.pdf) and Applicant. Decision 9 March 2023. Licence Review Panel. <https://files.auda.org.au/documents/LRP-20230206-australianaviation.com.au.pdf>

fordpro.com.au.<sup>37</sup> In each case the respective Licence Review Panellist questioned whether the applicant in their case had standing to be considered a person ‘affected by’ an auDA decision, that is, how was the applicant affected by the decision any more than any other member of the public?

In each case, the application for escalation came not from a registrant but from a third party with an interest in obtaining the disputed domain name. The Licence Review Panel noted the apparent lack of standing but did not interfere with the position taken by auDA that the applicant met the requirements to apply for external review.

### **Suggestions and stakeholder engagements**

For the second sub-issue on complaint escalation and standing, the majority of submissions suggest broadening the scope of the complaint escalation process to people beyond the strictly legal definition of a person ‘affected’ by a decision. This would ensure that not only registrants or registrars benefit from the complaints process but the whole community due to the intricate nature of the internet<sup>38</sup>, and improving auDA’s integrity and transparency in decision making<sup>39</sup>. Some submissions oppose this approach because by broadening the scope of a ‘person

---

<sup>37</sup> *Fordpro.com.au and Lisa Egan and Egan Tsiaples*. Decision 27 June 2025. Licence Review Panel. <https://files.ada.org.au/documents/LRP-20250627-fordpro.com.au.pdf>

<sup>38</sup> Submission from Nexus Polytech, p.18, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>; Submission from Anonymous 10, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; Submission from ACCI, p.8, available at <https://files.ada.org.au/documents/ACCI-submission.pdf>; Submission from 3V, p.5, available at <https://files.ada.org.au/documents/3V-submission.pdf>; Submission from Conseek, available at <https://files.ada.org.au/documents/Conseek-LRR25-submission.pdf>.

<sup>39</sup> Submission from Nexus Polytech, p.18, available at <https://files.ada.org.au/documents/Nexus-Polytech-submission.pdf>.

affected by a decision’ the rules would give a third-party opportunity to impact a registration of a domain name by escalating the complaint process through multiple review stages. One submission suggested that would risk turning the complaint regime into a secondary acquisition channel rather than a genuine compliance and review mechanism.<sup>40</sup> Another submission suggests making it clear how the interests of an ‘affected person’ are different from that of the general public when making a complaint.<sup>41</sup>

### ***Recommendation by the Panel***

The Panel had taken into consideration not only the submissions and stakeholder engagements but also the two decisions of the Licence Review Panel (the LRP) on this issue. In each case the decision-making panelist noted that it was not apparent how the applicant met the definition of an affected person, however as auDA had accepted them as a person who was entitled to escalate their complaint the LRP did not challenge their standing.

The written submissions, as observed by the Panel, argue for protecting the interest of all Australians and not just registrants or registrars due to the intricate nature of the internet. Some submissions also point out that allowing people to make complaints will improve integrity of the rules and robustness and transparency in the complaint process. The Panel agrees with this position.

---

<sup>40</sup> Submission from The Law Society of South Australia, p.3, available at <https://files.auda.org.au/documents/Law-Society-SA-submission.pdf>

<sup>41</sup> Submission from Master Locksmiths Association of Australasia, p.4, available at <https://files.auda.org.au/documents/Master-locksmiths-submission.pdf>

There are also submissions opposing this for two reasons: first, that some people may take advantage of this leeway and use the process for their benefit; and second, by allowing everyone to complaint to auDA, the complaint process will be overburdened and may delay the delivery of decisions. However, the Panel notes that auDA is currently working to the broader definition, therefore there may be no challenge to the complaint process through increased complaint numbers. auDA's current position also reflects a consumer focused approach to resolving complaints. Therefore, considering the submissions and engagements, the Panel recommends that the current 'pro consumer' approach that auDA takes in practice be better reflected in the Rules.

**RECOMMENDATION 5.1 The Panel recommends that the complaints process in Part 3 of the .au Licencing Rules include complaints in relation to audits performed by auDA.**

**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 Licencing Rules such that they can demonstrate an interest in the domain name adequately.**

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

### ***Current Practice***

The .au Licencing Rules have unique business processes regarding the domain lifecycle compared to the licencing rules of other jurisdictions especially the generic top-level domains (gTLDs). auDA, following public and industry feedback, has identified some key differences in domain lifecycle rules, such as renewal period, grace periods and notification practices. The table below lists differences between key domain lifecycle rules.

.au Licensing Rules Review 2025 – Panel Draft Report

<b>.au lifecycle</b>	<b>gTLD Style Lifecycle</b>	<b>Explaining the issue and what is the impact</b>
90 days renewal window (refer Rule 2.14.1).	No server Renew Prohibited hold	Currently, a registrant with a .au Domain Name Licence cannot renew their licence more than 90 days before renewal date, to help address the issue of unsolicited renewal notices being sent to registrants at any time of a domain name lifecycle. If the 90 days window is removed, the registrant could renew whenever they want, provided within the maximum period of the licence (that is, 5 years).
3 days cooling off period (added grace period) (refer Rules 1.4: Definitions and 2.15.4)	5 days cooling off period (added grace period)	Increase the cooling off period for domain name registration (the period in which a new domain name can be cancelled with no fee) from current 3 days to 5 days. Note that the <a href="#">registrar agreement</a> (clause 18.2(f)) now limits the ability for registrars to receive refunds to 10% of the volume of names registered during the month, which limits the ability of registrants to register high volumes of domain names to test for network traffic during the cooling off period.
Client Delete (3 days) and policy delete (14 days) redemption periods *	Standard Delete with 30 days redemption period	Currently there are different redemption periods that apply to a domain name that has been cancelled. Apply one consistent timeframe to all deletions. Registrant can redeem domain name in this period subject to meeting the .au licencing rules at the time of redemption.

## .au Licensing Rules Review 2025 – Panel Draft Report

1 day pending purge Hold Period (time between redemption period and purging) *	5 days Pending Delete Period	After redemption period ends, there is a one-day redemption hold period where the domain name is published in a <a href="#">drop list</a> , before the name is purged from the registry. A 5-day period allows more time for the public to see what names will be purged from the registry on the daily <a href="#">drop list</a> . This hold period only applies to expiring domain names, not deleted domain names.
--	------------------------------	---

\*The domain purge rules are not in the .au Licensing Rules but can be found in the [Domain Renewal, Expiry and Deletion Policy](#) which has expired on 11 April 2026. It is proposed that information about the domain purge rules be incorporated to the .au Licensing Rules.

### **Submissions and stakeholder engagements**

All the submissions agree that the four rules (as mentioned in the above table) should be amended to align with common international practices to improve registrant protections and reduces ambiguity.<sup>42</sup> ThinkPlace conducted short pulse check surveys on this issue during consultations, with responses also suggesting that most participants would like to see the four rules on domain lifecycle aligned with common global practices.<sup>43</sup>

---

<sup>42</sup> Submission by ACCI, available at <https://files.auda.org.au/documents/ACCI-submission.pdf>; Submission by The Law Society of South Australia, available at <https://files.auda.org.au/documents/Law-Society-SA-submission.pdf>; Submission by 3V, available at <https://files.auda.org.au/documents/3V-submission.pdf>; Submission by Anonymous 7, available at <https://files.auda.org.au/documents/Anonymous-LRR25-submission-7-1.pdf>; Submission by Conseek, available at <https://files.auda.org.au/documents/Conseek-LRR25-submission.pdf>; Submission by Ian Halson 2, available at <https://files.auda.org.au/documents/Ian-Halson-LRR25-submission-2.pdf>; Submission by Master Locksmith Association of Australasia, available at <https://files.auda.org.au/documents/Master-locksmiths-submission.pdf>; Submission by Heidi Richards, available at <https://files.auda.org.au/documents/Richards-review-submission.pdf>; Submission by Anonymous 10, available at <https://files.auda.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; Submission by Nexus Polytech, available at <https://files.auda.org.au/documents/Nexus-Polytech-submission.pdf>.

<sup>43</sup> ThinkPlace, .au Licensing Review public consultation Report Synthesis, April 2026, p.25.

Submissions and stakeholder engagements from small businesses and their associations highlight the negative impact of the current domain lifecycle rules. This is illustrated in a submission by the Australian Chamber of Commerce and Industry (ACCI) with the following case study:

**Case Study** *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.*

**Discussion and recommendation of the Panel**

The Panel believes registrars operating in Australian and international jurisdictions will benefit from aligning the .au domain lifecycle to gTLD rules as they would no longer have to maintain different business practices based on the difference in domain rules. Similarly, registrants with domain names in different domains would benefit from the alignment as they would have more time to undertake administrative formalities for their domain such as renewals.

Increasing timeframes for cooling off, deletion and purging periods supports consumer protection in giving registrants extended periods of time to make decisions and take action in relation to their domain names. Importantly, the changes address practices that stakeholders and the public have told the Panel impact their ability to hold on to their domain names.

The Panel notes that the purge hold period/pending delete period is an aspect of the domain name lifecycle that is not reflected in the .au Licensing Rules. Along with the changes to process, the Panel recommends that this phase of the domain name lifecycle is referenced and explained in the .au Licensing Rules.

The Panel recommends amending the four rules of the .au domain lifecycle to align with common international practices.

**RECOMMENDATION 6: The Panel recommends amending the following rules regarding the domain lifecycle:**

- a) Remove the 90-days renewal window within Rule 2.14.1 of the .au Licencing Rules and allow registrant to renew domain licences anytime during the lifetime of the domain 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 Licencing Rules;**
- c) Amend the redemption periods and apply a consistent deletion period with 30 days redemption period (to standardise along the lines of international best practices); and**
- d) Increase the pending/hold period from 1 day to 5 days (time between the redemption and purging of the domain name).**

## **6.7 Additional issues**

During the review process, additional issues were brought to the Panel’s attention, either through written submissions or at consultations. These issues are outlined below. In accordance with the terms of reference, raising additional issues was encouraged in the call for submissions. The community will have the opportunity to discuss and make submissions on these additional issues when consultation on the draft report commences. The submissions that raised these additional issues are available to read on the Panel’s webpage.

## 6.7.1 Improving privacy in WHOIS database

### ***Current practice***

The [public WHOIS service](#) is a standard feature of domain name systems around the world. The purpose of the WHOIS service is to allow users to query a domain name to find out the identity and contact details of the registrant. Data about each domain name registration is collected from the registrant by the registrar and submitted to the registry. The .au WHOIS service displays a subset of the full registry data for each domain name (known as the 'WHOIS data').<sup>44</sup> Data fields for street address, telephone, facsimile numbers of .au registrants are not displayed in order to comply with the *Australian Privacy Act 1988 (Cth)*.<sup>45</sup> The numerical business identifier of a registrant is intended to be the publicly available government issued identifier such as an ABN number, an ACN number, and an incorporated association number. The public can look up further information about the registrant on the relevant public Government registers such as the Australian Business Register (<https://abr.business.gov.au/>). The Registrant ID is not intended for information associated with personal identity documents such as a driver's licence or passport. Registrants are not expected to keep identity information such as drivers licence or passport information once the identity of a registrant has been validated.

In addition to references to registry data and the WHOIS fields in the .au Licensing Rules, the Panel notes that auDA also has a separate WHOIS Policy, the current version of which was approved by the auDA Board on 5 February 2026.

---

<sup>44</sup> Clause 3.1 of the WHOIS Policy, 2025-11, 5 February 2026, available at <https://files.ada.org.au/documents/2025-11-WHOIS-Policy.pdf>

<sup>45</sup> Clause 4.2 of the WHOIS Policy, 2025-11, 5 February 2026, available at <https://files.ada.org.au/documents/2025-11-WHOIS-Policy.pdf>

Schedule A of the WHOIS policy mentions displaying the Registrant Contact Name, Registrant Contact ID, etc, Registrant Contact email, etc. The information mentioned about a registrant fulfils the requirement to identify and contact.

### ***Submissions and stakeholder engagements***

There are diverging views regarding privacy protection in the WHOIS database. There are few submissions promoting the protection of privacy of the registrants and limiting the exposure of personally identifiable information (PII) of the registrants.<sup>46</sup> Since the WHOIS is a public database and can be accessed by anyone, one submission identified that there is a risk of PII being misused by bad actors to create copycat websites to trick or scam the customers of that domain.<sup>47</sup> Another submission mentions the importance of the WHOIS to provide enough information about a registrant of a domain name for the purpose of communication and accountability.<sup>48</sup> The Panel heard feedback from parties holding contested names that the contact information in the WHOIS is useful to reach out to the other party to reach a resolution.

### ***Recommendation by the Panel***

The Panel observes the diverging views to privacy protection in the WHOIS database.

---

<sup>46</sup> Submission by Anonymous, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission.pdf>; Submission by Anonymous 10, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-10-1.pdf>; Submission by Anonymous 8, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-8-1.pdf>

<sup>47</sup> Submission by Anonymous 8, available at <https://files.ada.org.au/documents/Anonymous-LRR25-submission-8-1.pdf>

<sup>48</sup> Submission by Cooper D'Andilly, available at <https://files.ada.org.au/documents/Cooper-DAndilly-LRR25-submission-1-1.pdf>

The Panel agrees that the WHOIS policy must strike a balance between the privacy rights of the registrants and the needs of stakeholders to access information about the registrants that have legal responsibility for the use of Domain Name Licences. The Panel accepts that the disclosures in the WHOIS Policy support auDA's compliance with the Australian Privacy Principles and as a result the disclosure of registrant information on the WHOIS is not a breach of auDA's privacy obligations. The objective of the WHOIS Policy is 'to allow users to query a domain name to find out the identity and contact details of the registrant'.

The Panel notes that at Rule 2.18.13 of the .au Licensing Rules there is an ability to suppress information on the WHOIS registry if that information is also suppressed on the Australian Business Register (ABR). This provides protection for individuals whose personal information is suppressed on the ABR for person safety reasons.

Further, in the .au Domain Administration Rules: Registrar (Registrar Rules), Rule 2.8.1 states that registrars must inform a person applying for a Domain Name Licence of the option to use role-based descriptions for the registrant, administration and technical contact names. For example, rather than including the name of an individual, the registrant contact could be CEO, and the registrant contact email address could be ceo@forexample.com.au. While the personal details are not published, they are provided to the registrar and auDA, which makes them available, for example, for law enforcement activity.

The Panel is of the view that this approach balances the need for registrants to have options to mask their personal information, which still providing an avenue for members of the public to know which entity holds a Domain Name Licence and how to contact them.

The Panel recommends that the .au Licensing Rules be amended to include information, along the lines of section 2.8.1 of the Registrar Rules, about how registrants can use role-based descriptions in the WHOIS to limit publication of personal information.

## **6.7.2 Including scams within the scope of the .au Licensing Rules**

### ***The issue***

The Panel recognises that online scams are a rapidly developing concern and the .au domain is not immune. For example, the submission by NASC explains how criminals consistently target vulnerabilities to perpetrate scams and undermine the integrity of the .au domain through various means such as exploiting expired domains and misuse of Australian Business Numbers (ABNs).

Other stakeholders raised the issue of scam websites that might still meet the .au Licensing Rules and the need to take swifter action when Domain Name Licence registrations are identified as deceptive or fraudulent. It is also suggested that fraudulent registrations are exploiting trust in the .au and require proactive monitoring.

### ***Current position***

Rule 2.11.16 of the Licensing Rules provides that a person must not use the Domain Name License to facilitate any conduct which is illegal, unlawful or fraudulent under the Australian law.

If found out that the license is used to facilitate any conduct which is illegal, unlawful or fraudulent, the license will be cancelled as per Rule 2.16.10 of the Licensing Rules.

Rule 2.17 of the Licensing Rules allows auDA to suspend or cancel a domain name or take any other necessary action when it is in the public interest. Public Interest is defined in the Licensing Rules, within Rule 1.4, as: *...a concern common to the public at large or a significant portion of the public, which may or may not involve the personal or proprietary rights of individual people.*

In order to suspend or cancel a domain name under the Public Interest Test, auDA must have received a request from an enforcement body or an intelligence agency.

### ***Discussion and recommendation***

The Panel notes the two options suggested by NASC for amendment to the .au Licensing Rules to support scam prevention:

Option 1: Introduce a new licensing rule in Part 2 of the auDA Rules that specifies “scams” as a distinct, additional prohibited use of a .au domain, defined in accordance with the Federal Government Scams Prevention Framework and related guidance.

Option 2: Expand the existing definition of “DNS Abuse” in the .au Licensing Rules to expressly include scams, alongside malware, botnets, pharming, phishing and spam (when spam serves as a delivery mechanism for the other forms of DNS Abuse listed in the definition).

The Panel notes the data provided by NASC and believes auDA should consider whether they can play a greater role in protecting Australians from devastating financial and personal impacts of scams. However, the Panel does not see it as auDA’s role, as the registry, to determine whether a particular domain constitutes a scam. Specifically, the Panel agrees that *“domain registries [like auDA] should not be arbiters of what is ‘illegal’ versus ‘protected’ online content. Only competent authorities such as regulators, courts, and state actors are responsible for content-related decisions”*.<sup>49</sup>

Therefore, the Panel does not support the option of including scams as a prohibited use of a domain name as suggested in option one.

---

<sup>49</sup> Article 19, Damming a River to catch a fish: Why DNS must enable expression and not silence it, available at [https://www.article19.org/wp-content/uploads/2026/04/ARTICLE-19\\_DNS-Abuse\\_FINAL\\_30.04.26.pdf](https://www.article19.org/wp-content/uploads/2026/04/ARTICLE-19_DNS-Abuse_FINAL_30.04.26.pdf), p.29-30 (last accessed on 19.05.2026)

The Panel also looked at the possibility of including scams within DNS abuse as suggested by NASC. The Panel notes that auDA has the authority and technical resources to combat DNS abuse and has a proactive approach to identify and resolve that abuse.

auDA works to mitigate threats to the .au domain posed by DNS abuse and as a result the .au domain is one of the most secure top-level domains globally.<sup>50</sup> Further auDA acknowledges an initiative such as the Scams Prevention Framework (SPF) reflects a comprehensive approach to strengthening consumer protections and assigning greater responsibility to entities in mitigating online harms.<sup>51</sup> But incorporating scams as a DNS abuse would mean broadening the scope of DNS beyond the standard international definition, for example the ICANN definition, which includes botnets, malware distribution, pharming phishing and spam (when spam serves as a delivery mechanism for the forms of DNS Abuse listed).

These categories are limited to incidents that are predominantly technical in nature and largely easily identifiable. ICANN does this deliberately to limit registries acting as content moderators. The Panel accepts that auDA has developed the technical expertise to deal specifically with DNS abuse. The Panel does not agree with disturbing the internationally agreed definition of DNS abuse and believes that identifying and addressing online scams is not directly analogous to dealing with DNS abuse. Therefore it does support the option of including scams in the definition of DNS abuse.

---

<sup>50</sup> auDA blog 29 July 2025 <https://www.auda.org.au/news-insights/blog/tackling-scams-and-ransomware-audas-role-in-mitigating-dns-abuse/>

<sup>51</sup> auDA Blog 29 July 2025 <https://www.auda.org.au/news-insights/blog/tackling-scams-and-ransomware-audas-role-in-mitigating-dns-abuse/>

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.

Acknowledging the fast moving nature of scams particularly with the rapid development of AI technology, the Panel strongly recommends that this issue be included in the terms of reference for the next review of the .au Licensing Rules in three years' time.

**RECOMMENDATION 7: The Panel recommends that the current approach to scams under the .au Licensing Rules be retained, and further, auDA should work with NASC to continually refine the approach to dealing with scams in the .au.**

### **6.7.3 Adequate communication to registrants regarding renewals or cancellation of domain name licenses**

#### ***The issue***

During discussions about the review of domain name lifecycle rules the Panel identified a related issue, which concerns the process of a registrar contacting a registrant to notify them that their domain name will be cancelled or is expiring.

#### ***Submissions and stakeholder engagements***

During the stakeholder engagements, one key point of distress for some stakeholders was the complaint that they failed to receive a notification of renewal from their registrars and as a result the domain name expired and was registered by a third party, sometimes by a domain investor who would offer to sell the domain name at an inflated price. When a registrant does

not receive notification of expiry or cancellation of a domain name the consequences can be significant as illustrated by the following case study from ACCI<sup>52</sup>:

**Case study: 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.*

**Current position**

The .au Licensing Rules require a registrant to ensure that their contact details are up to date.

The .au Licensing Rules provide inadequate information about registrar obligations in those circumstances. Sub-para 8 of the 2.16 of the .au Licensing Rules states that, in relation to a licence suspension on the grounds of Public Interest or to comply with a court order or Australian law, auDA and the registrar are not required to provide notice to the registrant when suspending the license. This can be interpreted that there is an implied duty to provide notice to the registrant in other circumstances, despite not being clearly stated in the .au Licensing Rules.

---

<sup>52</sup> Submission from ACCI (pg 9), available at <https://files.ada.org.au/documents/ACCI-submission.pdf>

On the other hand, Rule 2.12.2 of the .au Domain Administration Rules: Registrars explicitly requires the registrar to notify the registrant contact at least 30 calendar days prior to the expiration of the licence.

An earlier policy Complaint (Registrant Eligibility) Policy (2004-01) provides guidance to registrars on steps they should take in notifying a registrant that their eligibility details are not updated (which could result in licence being cancelled). As per the Guidance provision 5.2 of this policy stated that: *'The registrar must contact the registrant to request that they update their eligibility details within 14 calendar days. The registrar must use reasonable commercial endeavours to contact the registrant (for example, if an email bounces, the registrar should attempt to contact the registrant by phone or fax).'*

Additionally, Schedule B of Section 2 of the .au Dispute Resolution Policy (auDRP) sets out different approaches to communicate with a respondent to ensure they get notice of a case (a case which could result in cancellation of their domain name).

### ***Proposed approach and recommendation***

The Panel's rationale for its approach on this issue is that it is sensible to try to deal with the source of complaints rather than later in the process. The Panel suggests taking action addressing any failures by registrars to meet the existing obligations to contact registrants, as well as an uplift in their obligations. This can be achieved by clearly specifying in the .au Licensing Rules when and in what circumstances a registrar should contact a registrant when a licence is expiring or being suspended or cancelled.

Registrars potentially have access to registrant information in addition to the information in the WHOIS, as they hold account information for their customers. The Panel is of the view that prior to the expiry of a licence, where the licence has not been renewed and there is no contact from the registrant, notice of the pending expiry should be sent to the account contact via the

available contact details (e.g. email and potentially SMS). Registrars can also have a system in place that allows registrants to update their contact details regularly and send reminders to registrants to update their details. ICANN's Registration Data Accuracy (RDA) practice expressly enables this, and the Panel considers it to be good practice.<sup>53</sup> The practice also allows for the validation and verification of important details, such as email addresses and phone numbers, to ensure that this information is accurate.<sup>54</sup>

**RECOMMENDATION 8: 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.**

#### **6.7.4 Exemption from eligibility rules to retain com.au after retirement**

##### ***The issue***

Registrants who cease being a commercial entity after holding their com.au Domain Name Licence for a significant period of time (typically when they retire) complain that they lose their longstanding digital identity because they no longer meet the requirements of the .au Licensing

---

<sup>54</sup> Keeping Registration Data Accuracy, ICANN, 2 November 2023, available at <https://www.icann.org/resources/pages/registration-data-accurate-2023-11-02-en> (Accessed on 20.05.2026)

Rules.<sup>55</sup> They argue that the .au Licensing Rules should be amended to allow them to retain their domain name.<sup>56</sup>

### ***Current practice***

Under section 2.10 of the .au Licensing Rules, a person applying for or renewing a Domain Name Licence warrants that they meet and will continue to meet the allocation and eligibility criteria in the .au Licensing Rules for the duration of the licence.

### ***Proposed approach and recommendation***

The Panel appreciates the importance of a digital identity and the commercial history that may attach to a Domain Name Licence. The Panel also notes that over the life of a com.au Domain Name Licence, the same licence can be held by different commercial entities at different times.

The Panel must strike the balance between the needs of individual licensees and the objectives of the .au Licensing Rules which is to promote and protect the integrity, trust and confidence in the .au domain. Rule 2.14 of the .au Licensing Rules states clearly that to renew a domain licence, the registrant must continue to satisfy the Eligibility requirements of the namespace, with no provision for exception. This means that to continue holding a com.au licence, the registrant must continue to be a commercial entity.

---

<sup>55</sup> Submission from Parnell et al (Shoalhaven submission), available at <https://files.ada.org.au/documents/Shoalhaven-submission.pdf>; Submission from James Mills, available at <https://files.ada.org.au/documents/Mills-review-submission-1.pdf>

<sup>56</sup> Submission from Parnell et al (Shoalhaven submission), available at <https://files.ada.org.au/documents/Shoalhaven-submission.pdf>; Submission from James Mills, available at <https://files.ada.org.au/documents/Mills-review-submission-1.pdf>

The Panel notes the unique role of the com.au (and net.au) namespaces within .au. Many of the Panel’s conversations with stakeholders and the public have centred around the identity of com.au as a trusted commercial space in Australia, with specific reference to the rules that underpin that trust. In fact, multiple submissions suggested tightening the rules in the com.au namespace because of both its importance to commercial entities and a desire to avoid risk and improve cybersecurity within the namespace.

The Panel notes that auDA has a compliance posture which supports auDA in working with registrants to reach compliance with the .au Licensing Rules. Accordingly, rather than changing the rules for the com.au and net.au namespaces to accommodate a new, non-commercial class, the Panel recommends that auDA should work with the relevant registrants to transition to a different namespace where they meet the eligibility criteria.

**RECOMMENDATION 9: 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.**

## **7. Statement of Compliance with the Terms of Reference**

The Panel has undertaken this review in accordance with the terms of reference, which require the Panel to undertake a review of the .au Licensing Rules to ensure they continue to provide the greatest benefit for the Australian community.

The Panel has had reference to:

1. The relevant principles and procedures set out in the auDA corporate policy Process for the Development and Review of auDA Published Policies (Policy Development Policy).

## .au Licensing Rules Review 2025 – Panel Draft Report

2. The importance of maintaining trust in the .au and confidence in its integrity, security and resilience.
3. Promotion of competition, fair trading and consumer protection to facilitate equitable access to .au domain names.
4. The role and responsibilities of auDA as articulated in the Terms of Endorsement and the [Agreement with ICANN](#).

In accordance with the Policy Development Policy, which sets out the policy review process for a Policy Advisory Panel, the Panel has:

- Been appointed following a public expression of interest process
- Developed and published a stakeholder engagement plan
- Been guided by the eight principles of policy development
- Met regularly and published its meeting agenda and minutes on the Panel webpage
- Consulted widely with the Australian community, holding four online town hall events and four in person events
- Used consultations with the public and stakeholders to identify feasible options for achieving policy objectives
- Received written submissions via an online consultation process and published them on the Panel webpage
- Adopted a consensus approach to developing policy recommendations

## .au Licensing Rules Review 2025 – Panel Draft Report

- Drafted a report which sets out the draft recommendations of the Panel and the rationale for accepting or not accepting some stakeholder input



The Panel will provide an opportunity for the public to comment on the Panel's draft report to the auDA Board.


## APPENDIX A: Consultation



### Key dates

- **September 2025** – auDA Board approved for the Panel to carry out the review under the [Terms of Reference](#).
- **23 September 2025** – the Panel Chair attended the monthly online registrar briefings held by auDA
- **24 September 2025** – lunchtime session open to the public at the Australian Internet Governance Forum in Adelaide.
- **14 November 2025** – presentation on the review at the auDA Registrar Summit.
- **November 2025** – Issues Paper released. [Read the paper](#).
- **11 December 2025** – virtual town hall to explore some of the key issues identified as part of the Review to date, following from an introductory town hall held in November. Watch the recording of the second virtual town hall.
- **27 November 2025** – introductory public town hall webinar. [Watch the recording](#).

	<ul style="list-style-type: none"><li>• <b>25 February – 25 March 2026</b> – in-person consultation events in Canberra, Sydney, Brisbane and Melbourne</li><li>• <b>2 –3 March 2026</b> – Online virtual town hall events</li></ul>
	<p><b>Methodology</b></p> <ul style="list-style-type: none"><li>• Written submissions invited to inform the issues paper, respond to the issues paper, and in response to the preliminary recommendations report.</li><li>• Public online sessions</li><li>• In-person workshop events in four major centres</li><li>• One-on-one meetings with key stakeholders</li></ul>
	<p><b>Number of participants</b></p> <p>114 attendees at our in-person consultation events in Canberra, Sydney, Brisbane and Melbourne, including representatives from:</p> <ul style="list-style-type: none"><li>○ Registrars</li><li>○ Government</li><li>○ Employer and Small Business peak bodies</li><li>○ Consumer advocates</li><li>○ auDA Members</li></ul>

	<ul style="list-style-type: none"><li>• 159 participants at our webinars and virtual town hall events in September, December and March</li></ul>
	<p><b>Submissions received</b></p> <p>34 written submissions received in response to Issues Paper (31 published)</p> <p>Written submissions are listed at Appendix B and are published on auDA's website <a href="https://www.auda.org.au/consultations/au-licensing-rules-review-2025-consultation/">https://www.auda.org.au/consultations/au-licensing-rules-review-2025-consultation/</a>.</p>

## APPENDIX B: List of submissions received

Author	Sector
3V Pty Limited	Small and medium business
Australian Chamber of Commerce and Industry	Business association/representative
Anonymous 1	
Anonymous 2	
Anonymous 3	
Anonymous 4	
Anonymous 5	
Anonymous 6	
Anonymous 7	
Anonymous 8	
Anonymous 9	
Anonymous 10	

.au Licensing Rules Review 2025 – Panel Draft Report

Braidsdale	General Public
Conseek Pty Limited	Small and medium business
Container Homes Pty Limited	Small and medium business.
Cooper D'Andilly	General Public
David Bull	General Public
Geoff ****	General Public
Heidi Richards	Legal sector
Ian Halson x 2	General Public
James Mills	General Public
Law Society of South Australia	Law Association
Locksmith Nominees Pty Limited	Small and medium business
Master Locksmiths Association of Australasia	Trade association
Michael Parnell and others	General Public
National Anti-Scam Centre	Government sector

.au Licensing Rules Review 2025 – Panel Draft Report

Nexus Polytech Pty Limited	Small and medium business
Sedrick	General Public
Steven de Vroom	General Public
Steven Haigh	General Public