

.au Licensing Rules Review

Public consultation – Call for submissions



The Policy Advisory Panel has released this consultation paper to assist stakeholders to provide feedback to the .au Licensing Rules review 2025.

This paper includes:

- the scope and process of the review
- matters about which we are seeking comment and information
- how to make a submission.

November 2025

Acknowledgment of Country

The Policy Advisory 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 external Policy Advisory Panel (Advisory Panel) was convened by auDA 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 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](#).

Call for submissions

The Advisory Panel has released this call for submissions to assist individuals and organisations to prepare submissions to the review.

Participants in the review of the [.au Licensing Rules](#) are not limited to raising issues detailed in this paper or in the Terms of Reference. The Advisory Panel would like to hear about any other issues relating to the .au Licensing Rules that you feel should be considered by this review.

Key dates (indicative)

Formation of Panel: 10 September 2025

Due date for public submissions: 31 March 2026

Release of Interim Report: May 2026

Final Report to auDA: July 2026

How you can contact us

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About this consultation

As administrator of the .au country-code Top Level Domain (ccTLD), auDA is required to periodically undertake a multi-stakeholder review of the Licensing Rules for the .au to ensure they provide the greatest benefit for the Australian community.

In 2025 the auDA Board resolved to commence a review of the .au Licensing Rules and appointed an external Policy Advisory Panel ('Advisory Panel'). Terms of Reference were developed for the review following a public consultation process.

The Advisory Panel has been asked to investigate and make recommendations on the following identified issues relating to the effective and fair operation of the .au Licensing Rules:

1. Allocation rules for the com.au and net.au namespaces.
2. Domain name monetisation in the com.au and net.au namespaces (currently prohibited in the org.au, asn.au, id.au, edu.au and the State and Territory Namespaces).
3. Contested .au Direct domain names (auDA has provided the Advisory Panel with the outcome of a survey of contested .au Direct domain name holders for consideration as a submission to the review).
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 Advisory Panel encourages and will consider any additional .au Licensing Rules issues that may be raised through consultation and submissions.

The Advisory Panel has been asked to submit a final report to the auDA Board in July 2026.

How you can contribute

The consultation paper is calling for submissions on the issues already identified, in addition to any additional .au Licensing Rules issues that you would like to bring to the Advisory Panel. The Advisory Panel welcomes comments, suggestions and data on all .au Licensing Rules issues.

Participants are asked to make submissions by 31 March 2026. Your contribution does not need to be a formal document, and we welcome views through the submission section on our website. Further information on how to make a submission is at the end of this document.

The Review is keen to hear from stakeholders including:

- The Australian community
- Domain name consumers
- Registrars and resellers
- Federal and state governments including government regulators
- Business peak bodies
- Consumer peak bodies
- Indigenous communities and their business peak bodies
- Academia including students
- Registry operators
- Legal professional
- Internet communities.

Key issues for public consultations

Issue 1: Allocation rules for .com.au and .net.au namespaces

To register a domain name in the com.au and net.au namespaces, a registrant must be a commercial entity, have an Australian presence and meet the allocation requirements. Allocation relates to the question of whether the domain name matches the legal name of the registrant, the name of the registrant's business or trademark, or the name of a service, goods, events, activities or premises provided by the registrant – see Rule 2.4.4 (2) of the [.au Licensing Rules](#).

For example, the domain name 'ABC.com.au' matches the registrant's personal name 'ABC', company name 'ABC Ltd', business name or trademark 'ABC', or matches the name of a service 'ABC' that the registrant provides.

The Advisory Panel notes that the data, complaints and feedback provided by auDA indicates some support for a stricter and narrower interpretation of Rule 2.4.4.

There is feedback that the allocation provisions, in particular that a domain name be, in accordance with Rule 2.4.4(2)(f), a Match or Synonym of the name of:

- service that the Person provides;
- goods that the Person sells (whether retail or wholesale);
- an event that the Person registers or sponsors;
- an activity that the Person facilitates, teaches or trains;
- premises which the Person operates

are unclear and difficult to comply with.

There is also feedback suggesting there be no allocation rules only Rule 2.4.4 (1) – that the registrant be a commercial entity.

Question for consultation: 1. Should the allocation rules require a closer match between a com.au or net.au domain name and registrant's name or business name, or should there be less requirements?

- 1.1 Whether a com.au or net.au domain name should only be allocated solely on the basis of [sections 2.4.4\(2\)\(a\) to \(e\)](#)?
- 1.2 Should the allocation requirements under 2.4.4(2) be removed from the .au Licensing Rules?
- 1.3 Should the Registrant be able to meet the allocation requirement of provision of a service (section 2.4.4(2)(f)(i)) through the establishment of a monetised website? (see issue 3 for further discussion of monetisation)?
- 1.4 Should the requirements of 'Match or an Acronym' and 'Match or Synonym' (as those terms are defined in [section 1.4 Definitions](#) of the .au licensing rules) for .au be replaced with the old requirement for a 'close and substantial connection' (as this term was used in the 2012 version of the licensing rules – [Guidelines on the Interpretation of the Policy Rules for Open 2LDs](#) (section 11)) with the domain name?

Issue 2: Domain name monetisation in .com.au and .net.au

Domain Name Monetisation means an application for a domain name licence by a person or entity with the sole purpose of selling, leasing or holding the domain name to generate revenue

Under Rule 2.4.13 of the .au Licensing Rules, domain name monetisation is prohibited in all namespaces except com.au, net.au. Monetisation is a way for a registrant to meet the com.au and net.au allocation rules, for example through the provision of pay-per-click websites where revenue is earned through the use of proprietary [advertising systems](#) or domain parking where advertising is published on the parked domain name.

The Advisory Panel notes strong and conflicting views on domain name monetisation in the com.au and net.au namespaces and wishes to hear from the community on whether domain name monetisation is a valid way for a registrant to meet the allocation rules in com.au and net.au. (There have been no strong views expressed about monetisation in .au direct and it is not included in this issue).

For instance, the Panel has received feedback that the domain name monetisation rule could be changed to:

- explicitly allow monetisation under clause 2.4.4(2)(f)(i), or
- explicitly disallowing monetisation under clause 2.4.4(2)(f)(i) in that there is no provision of a service

Question for consultation: 2. Should a domain name continue to be able to be registered for monetisation in com.au and net.au?

Issue 3: Contested .au direct domain names

In September 2022 auDA launched a new namespace called .au direct, where a domain name can end in just .au – e.g. forexample.au. Registrants with existing domain names were given the opportunity to apply for the matching .au direct domain name to their existing third level domain name (e.g. forexample.com.au or forexample.gov.au). Where more than one party applied for the same .au direct domain name, it became contested and could not be allocated (the name is held in Priority Hold status).

Under the current rules, a contested .au direct domain name remains unavailable until all but one applicant have withdrawn their application. For example, as of Nov 2025, there are currently four registrants that have applied for arts.au: arts.edu.au, arts.com.au, arts.net.au and arts.gov.au. The status of priority applications is available via the [priority status tool](#).

.au direct applications (e.g. forexample.au) must be renewed annually where the eligibility of the registrant to hold the matching (e.g. forexample.com.au) domain name is validated, and at the time of publishing this report in November 2025 there were approximately 3000 .au direct domain names still in contention.

In September 2025 auDA asked 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:

1. Allocate contested names (e.g. forexample.au) to the applicant with the earliest registration date of the matching domain name (e.g. forexample.com.au). Note this is not the date on which an application was lodged for the .au direct name (e.g. forexample.au).
2. 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.

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

A summary of the full survey results is available on the Advisory Panel's [webpage](#).

We want to hear from members of the community, in addition to contested name holders, about the best option for resolution/future management of contested .au direct names.

Question for consultation: 3. How should contested names be dealt with in future?

Issue 4: Fraudulent and bad faith registrations and reserved names

One type of bad faith and fraudulent registration is the deliberate misspelling of domain names to mislead and misdirect consumers (e.g. example-bank.com.au as a misspelling of examplebank.com.au), so they are more susceptible to scams. For example, the deliberate misspelling of a bank domain name to redirect consumers to a fake website. These domain names are usually cancelled on the basis that information provided at the time of registration of the licence is untrue ([clause](#) 2.10.1(1) and [clause](#) 2.16.10 (1)), but they can also be cancelled under the .au Licensing Rules for posing a risk to the security, stability or integrity of the .au domain ([clause](#) 2.16.10(8)).

auDA can prevent subsequent registration of the domain name by placing the domain name on the [reserved names list](#) (Rule 2.6.4(1)) but is required to publish the list on the auDA website. auDA currently does not publish this list of domain names, on the grounds that it provides bad actors with information about the type of names that are commonly used for scams, and which misspellings have not yet been placed on the reserved names list.

The Advisory Panel is interested in feedback on auDA's current practice and whether this practice should be reflected in a change to the .au Licensing Rules that removes the requirement for this list to be published.

Question for consultation: 4. Should the requirement that reserved names that pose a risk to the operational security, integrity and utility of the .au domain be published on the website be removed from the .au Licensing Rules?

Issue 5: Complaint process for domain name audits

This issue encompasses two issues with the wording of the complaints process in [Part 3](#) of the .au Licensing Rules:

1. The current complaint process does not include reference to complaints initiated in response to audit activity by auDA; and
2. The requirement for an applicant for internal and/or external review to be an “affected person”.

Complaint process for audits

When making a complaint, a person must ensure that the complaint only refers to the responsibilities or obligations of a registrant or registrar under the auDA Rules.

This requirement does not capture complaints about actions taken as a result of a domain name audit by auDA. Based on the principles of natural justice, auDA accepts complaints resulting from audit actions, and manages them in accordance with the complaint provisions in Part 3 by raising the complaint with the Registrar of Record ([clause 3.4.1](#)).

auDA has requested that the Advisory Panel review the complaints process in Part 3 to ensure that it explicitly accommodates complaints arising from audit actions initiated by auDA.

Complaint escalation and standing

The complaints process in Part 3 of the .au Licensing Rules has several escalation points:

- After first making their complaint to the registrar, a person may apply to auDA for a review of the registrar’s decision ([Clause 3.5.1](#))
- A person “affected by” a decision made by auDA may apply for an internal review of that decision by a review officer at auDA ([Clause 3.6.1](#))

- A person “affected by” a decision made by auDA where there has been an internal review may apply for external review of the decision by the Licence Review Panel ([Clause 3.8.1](#)).

auDA has interpreted these sections broadly in allowing complainants to escalate complaints to internal review and external review.

In two decisions issued by the Licence Review Panel, [australianaviation.com.au](#)¹ and [fordpro.com.au](#)², the respective Licence Review Panellists questioned whether the applicant in their case had standing to be considered a person “affected by” 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.

In each case, 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.

The Advisory Panel will review the wording and intent of the complaints process and auDA’s current approach, and consider whether a change should be made, either to the .au Licensing Rules or to auDA’s processes.

¹ *australianaviation.com.au and Applicant*. Decision 9 March 2023. Licence Review Panel.
<https://files.auda.org.au/documents/LRP-20230206-australianaviation.com.au.pdf>

² *Fordpro.com.au and Lisa Egan and Egan Tsiaples*. Decision 27 June 2025. Licence Review Panel.
<https://files.auda.org.au/documents/LRP-20250627-fordpro.com.au.pdf>

Question for consultation: 5. Should there be changes to the complaints wording and/or processes in .au Licensing Rules to reflect audit action complaints and to reflect an applicant's standing to escalate a complaint?

5.1. Should the descriptions and processes under Part 3 of the .au Licensing Rules explicitly include complaints arising out of the audit process?

5.2. Should the description of "affected person" in Part 3 of the .au Licensing Rules be changed to align with auDA's current process?

5.3. Alternatively, should auDA change its approach to align with the description of an "affected person"?

Issue 6: Alignment of selected rules in .au with equivalent rules in generic top-level domains (gTLDs) (such as .com)

The .au Licensing Rules has unique business processes compared to the licensing rules of other jurisdictions especially the generic top-level domains (gTLDs). Industry feedback has highlighted some key differences in business processes with respect to the .au domain name lifecycle, between the Australian context and other jurisdictions like gTLD as detailed in the table below.

The Panel is also keen to hear from stakeholders who may have further examples of opportunities to align with best practice and approaches.

.au lifecycle	gTLD Style Lifecycle	Explaining the issue and what is the impact
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 registrar agreement (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.
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 drop list , 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 drop list . This hold period only applies to expiring domain names, not deleted domain names.

*These rules are not in the .au Licensing Rules but can be found the: [Domain Renewal, Expiry and Deletion Policy](#). It is proposed that they be incorporated into the .au Licencing Rules.

Question for consultation: 6. Should auDA align selected business practices and rules with gTLD rules?

6.1. Should auDA amend the four rules in the above table to align them with gTLD rules, and ensure all the amended rules are in the .au Licensing Rules?

6.2 Are there other international best practices and approaches, besides what is discussed, that could bring .au Licensing Rules into alignment with international domain name lifecycle rules?

References

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

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

How to make a submission

Submissions should be lodged using the submissions button on the Advisory Panel's [webpage](#) or via email: rulesreview25@auda.org.au

Publishing submissions

- Each submission, except for any attachment supplied in confidence, may be published on the Advisory Panel's website shortly after receipt, and will remain there indefinitely as a public document.
- The Advisory Panel reserves the right to not publish material on its website that is offensive, potentially defamatory, or clearly out of scope for the review in question.

Copyright

- Copyright in submissions sent to the Advisory Panel resides with the author(s), not with the Advisory Panel.
- Do not send us material for which you are not the copyright owner – such as pictures, photos and newspaper articles – you should just reference or link to this material in your submission.

In confidence material

- This is a public review, and all submissions should be provided as public documents that can be placed on the Panel's website for others to read and comment on. However, information which is of a confidential nature, or which is submitted in confidence can be treated as such by the Advisory Panel, provided the cause for such treatment is shown.
- The Panel may also request a non-confidential summary of the confidential material it is given, or the reasons why a summary cannot be provided.
- Material supplied in confidence should be clearly marked 'IN CONFIDENCE' and be in a separate attachment to non-confidential material.

- You are encouraged to contact the Advisory Panel for further information and advice before submitting such material.

Privacy

- For privacy reasons, all **personal** details (e.g. home and email address, signatures and phone numbers) will be removed before they are published on the website.

Technical tips

- The Advisory Panel prefers to receive submissions as a Microsoft Word (.docx) files. PDF files are acceptable if produced from a Word document or similar text-based software. You may wish to search the internet on how to make your documents more accessible or for the more technical, follow advice from Web Content Accessibility Guidelines (WCAG) 2.0: <https://www.w3.org/TR/WCAG20/>
- Do not send password protected files.
- Track changes, editing marks, hidden text and internal links should be removed from submissions.
- To minimise linking problems, type the full web address (for example, <https://www.referred-website.com/folder/file-name.html>).

Due date for submissions

Please send submissions to the Panel by 31 March 2026.

Thank you

The Advisory Panel thanks you for your engagement with the review process and your contribution to ensuring that the .au Licensing Rules remain relevant and effective and continue to provide the greatest benefit for all Australians.