

auDA PUBLISHED POLICY**Policy Title:** REGISTRANT WARRANTIES POLICY**Policy No:** 2005-03**Publication Date:** 15/03/2005**Status:** Replaced by Policy No 2008-07**1. BACKGROUND**

- 1.1 This document sets out auDA's policy on:
- a) the warranties that a registrant must make when applying to register or renew the registration of a domain name; and
 - b) the way in which registrars must bring such warranties to the attention of a registrant when the registrant applies to register a domain name.

2. PURPOSE OF POLICY

- 2.1 auDA's Registrar Agreement requires all Registrant Agreements to contain a statement by the registrant that the registrant meets, and will continue to meet, the eligibility criteria for a domain name. If a registrant ceases to meet such criteria, then the domain name can be cancelled by either the Registrar or auDA.
- 2.2 In November 2004, auDA accepted a recommendation by the Name Policy Review Panel that the registrant warranty statement should be strengthened, and should include a more explicit warning about the consequence of false warranty.

3. MANDATORY WARRANTIES

- 3.1 By making an application to register a domain name or to renew the registration of a domain name, a registrant makes, and will be taken to have made, the warranties set out in Schedule A. The warranties are made to the relevant registrar and to auDA.
- 3.2 The warranties are continuing warranties, and they continue to apply for the duration of the domain name licence. They are not affected by the registration or renewal of the domain name.

4. REGISTRANT WARRANTY STATEMENT IN ALL APPLICATION FORMS

- 4.1 Domain Name Suppliers (that is, a Registrar or a Reseller) must ensure that the registrant warranty statement set out in Schedule B (or in a form substantially similar to that set out in Schedule B) appears prominently on all domain name applications or renewal forms.
- 4.2 If applications for domain names are submitted:
- a) electronically, the registrant warranty statement must appear prominently immediately above the button to be used to submit the application; or
 - b) on paper, the registrant warranty statement must appear prominently immediately above the signature panel for the registrant.

- 4.3 The registrant warranty statement must appear in bold, in a font size of at least 10 point, in a strong contrasting colour to the background colour.

5. AMENDMENT TO MANDATORY PROVISION – REGISTRANT AGREEMENT

- 5.1 In addition to the registrant warranties set out in the mandatory provisions for Registrant Agreements (see Schedule B of the Registrar Agreement – clause 8), all Registrant Agreements must also contain the mandatory provision set out in Schedule C below.