

auDA PUBLISHED POLICY

Policy Title: POLICY RULES AND GUIDELINES FOR COMMUNITY GEOGRAPHIC DOMAIN NAMES (CGDNs)

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1. BACKGROUND

- 1.1 This document sets out the policy rules and guidelines for the registration of community geographic domain names (CGDNs) within the Australian state and territory second level domains (2LDs): act.au, qld.au, nsw.au, nt.au, sa.au, tas.au, vic.au, wa.au.
- 1.2 The policy rules and guidelines were initially developed by a National Reference Group (NRG) in 2004 comprising representatives from all levels of Australian government and other community stakeholders. The NRG supervised a 12 month pilot project which trialled the allocation and use of CGDNs with three regional communities. Following the work done by the NRG, auDA has updated the policy and guidelines for implementation purposes.

2. PURPOSE OF CGDNs

- 2.1 auDA has created the CGDNs in order to preserve Australian geographic names for use by the relevant local community. The aim is to provide an intuitive, standardised naming system to enable better access to local community, tourism and business information and to facilitate social and economic benefits to Australian communities.
- 2.2 CGDNs may only be registered as 3LDs (eg. carlton.vic.au) and their use is restricted to community websites that reflect community interests such as local business, tourism, historical information, culture, sporting groups, local events and news.

3. POLICY RULES AND LICENCE CONDITIONS

- 3.1 There are no proprietary rights in the domain name system (DNS). A registrant does not "own" a domain name. Instead, the registrant holds a licence to use a domain name, for a specified period of time and under certain terms and conditions.
- 3.2 The terms and conditions of a CGDN licence are set out in:
 - a) this document;
 - b) the registration application and subsequent registration agreement; and
 - c) any other of auDA's Published Policies that are applicable.
- 3.3 The policy rules and guidelines for CGDNs are contained in Schedules A-C of this document. Schedule A explains what type of geographic name may be registered as a CGDN. Schedule B sets out the eligibility criteria for registering a CGDN. Schedule C specifies the CGDN licence conditions.
- 3.4 It is the responsibility of auDA to preserve the integrity of the .au domain by ensuring that the policy rules and licence conditions are applied correctly and enforced as necessary. auDA reserves the right to revoke any domain name licence

that has been granted, or subsequently held, in breach of the relevant policy rules or licence conditions.

4. ROLE OF .AU COMMUNITY DOMAINS PTY LTD (auCD)

- 4.1 auCD is a not-for-profit company acting as trustee of the .au Community Domains Trust, which was established by auDA in 2006. More information about auCD is available on the auCD website at <http://www.aucd.org.au>.
- 4.2 auCD has two roles:
 - a) to assess CGDN applications for compliance with the policy rules and guidelines; and
 - b) to provide support services to help local communities register their CGDN and create and maintain their community website.
- 4.3 All CGDN applications must be lodged with auCD for assessment and approval. auCD does not provide domain registration services. If approved by auCD, the CGDN applicant must register their domain name with an auDA accredited registrar that offers service for CGDNs.
- 4.4 If auCD rejects an application for a CGDN, auCD must provide the applicant with written reasons why their application was unsuccessful and, where appropriate, information about how to amend their application to comply with the policy rules and guidelines.
- 4.5 CGDN applicants are encouraged, but not required, to use the support services provided by auCD to help them register their domain name and create and maintain their community website portal.
- 4.6 auCD does not have authority to set or change policy for CGDNs, or to handle complaints and disputes about CGDNs.

5. COMPLAINTS AND DISPUTES

- 5.1 Where an application for a CGDN is rejected by auCD, the applicant may lodge a complaint with auDA using the contact details on the auDA website at <http://www.auda.org.au>. auDA will only review auCD's decision in circumstances where the applicant can show that auCD made an error of fact, or was manifestly negligent in performing its duties.
- 5.2 Where a person believes that the registrant of a CGDN is in breach of the CGDN policy rules or licence conditions, that person should lodge a complaint with auDA using the contact details on the auDA website at <http://www.auda.org.au>.
- 5.3 If auDA believes that there are genuine grounds for complaint, auDA will contact the registrant and give them a reasonable opportunity to respond to the complaint. Where appropriate, auDA will also contact auCD.
- 5.4 If there has been a breach of the policy rules or licence conditions, auDA will allow the registrant to take action to rectify the breach if possible. If the registrant is unable to rectify the breach, auDA will instruct the registrar of record to delete the domain name. The domain name will not be transferred to the complainant. If the complainant wants to license the CGDN, they must lodge an application with auCD.

6. REVIEW OF POLICY

- 6.1 auDA will review the policy rules and guidelines for CGDNs in 2007 to ensure that they are workable and meet user needs.

SCHEDULE A

CGDNs AVAILABLE FOR REGISTRATION

Policy 1:

Registrants may only license a domain name that is an addressable locality within an Australian state or territory, as defined by the Committee for Geographical Names in Australasia (CGNA).

Guideline 1:

Addressable localities are places or locations where populations reside as defined by the Committee for Geographical Names in Australasia (CGNA), which is the authority for geographic naming in Australia. In general, addressable localities are towns, cities and suburbs.

Where a suburb, locality, town or city name is duplicated within the same state or territory, the name will be hyphenated with the name of the Local Government Area, town or city to which an association is deemed. An example is the locality of Red Hill in Queensland, and the suburb of Red Hill in Brisbane; the domain name for the town of Red Hill would be redhill.qld.au, the domain name for the suburb of Red Hill would be redhill-brisbane.qld.au. The CGNA would determine the appropriate hyphenated name for any duplicate names within the state/territory 2LD.

Any disputes regarding the names of addressable localities would be referred to the CGNA for consideration by the appropriate state/territory Geographic Names Board.

Geographic names that are non-addressable localities and/or are regarded as names of cultural significance (such as the Murray River, the Great Barrier Reef and capital city names) will not be included in the initial release of CGDNs. auDA will consider the allocation and use of non-addressable locality names and names of cultural significance at an appropriate time in consultation with the CGNA and other relevant stakeholders.

SCHEDULE B

ELIGIBILITY CRITERIA FOR CGDNs

Policy 2(a):

To be eligible to license a CGDN, the registrant must be:

- i) a legally registered, not-for-profit entity
(company limited by guarantee, incorporated association or registered cooperative);
and
- ii) representative of the local community for the purpose of holding the domain name licence.

Guideline 2(a)(i):

Evidence of legal registration and not-for-profit status

Applicants must provide valid registration details for the not-for-profit entity (eg. company name and ACN) accompanied by a copy of its constitution and current membership, including the names of members and the community/ interest group/s they represent.

Guideline 2(a)(ii):

Evidence of local community representation

“Representative” is defined as membership which includes a reasonable cross-sample of the local residing population reflecting the variety of interests of those residing in the local area. Members can evidence residing status either as a business or residential address.

“Of the local community” is defined as the population physically residing in the physical place, geographic location or area as geographically bounded by its name and local area by the relevant state/territory Geographic Names Board and as it is recorded on the CGNA national register for geographic names.

Applicants must demonstrate their representation of the local community through membership. This can be done in the following ways:

- The applicant is recommended, in most cases, to have a minimum of 8 members.
- Members must represent a broad range of community interests and groups. Groups may include, but are not limited to: special community sector interest groups, sporting clubs and groups, hobby groups and clubs, tourism, business, historical clubs/societies, education, charities, not-for-profits, media, arts, culture, entertainment, spirituality/religious, aboriginal, multicultural, women, men, seniors, youth, parents, etc.
- The applicant is recommended, in most cases, to provide that members should be the elected or most appropriate representatives of their particular community of interest group.
- Members can be drawn from adjoining address locality communities if the applicant declares such membership creates a true representation of the local area. Membership from such a local area can only be from adjoining address localities and these must be included in the organisation’s relevant rules, policies or constitution in relation to membership. Such an inclusion of membership does not give the organisation automatic or exclusive rights to all adjoining address locality domain names (refer to Policy 2(c)).

Policy 2(b):

Individual persons, commercial (for-profit) entities and government bodies are not eligible to license a CGDN.

Guideline 2(b):

As stated in policy 2(a), only a legally registered, not-for-profit entity with representative members from a broad cross-section of the local community is eligible to register a community geographic domain name.

The purpose of policy 2(b) is to clarify that individual persons, commercial (for-profit) entities and government bodies are not eligible to register a CGDN.

Under this rule local councils are not eligible to register CGDNs on their own behalf. However, auDA recognises the special role of local councils as active and representative members of the local community. Therefore, as part of the local community, councils are encouraged to be involved in developing this local public asset through membership of the applicant entity. In fact, in many cases the council may be the driving force to create and seek membership for the applicant entity.

Policy 2(c):

There is no restriction on the number of domain names that may be licensed by a single registrant, provided that it meets the eligibility criteria for each domain name.

Guideline 2(c):

This rule relates to instances where the local communities in a number of adjoining addressable localities wish to form a single representative entity to manage the CGDNs and community portal website/s for the whole group. It aims to assist in effective and efficient use of resources across smaller communities which share geographic boundaries and similarities in a particular geographic area.

This rule does not allow an entity to apply for a range of CGDNs in non-adjoining areas where the entity is clearly not "representative of the local community" as per policy 2(a).

An entity that wishes to register and manage a number of CGDNs and associated websites, must demonstrate local support and representation from within each address locality.

SCHEDULE C

CGDN LICENCE CONDITIONS

Policy 3(a)

The domain name licence period is fixed at 2 years.

Guideline 3(a):

This means that when a domain name is registered or renewed, it has a fixed expiry date 2 years from the date of registration or renewal. For example, if a domain name is registered or renewed on 1 January 2007, the expiry date is 1 January 2009.

Domain names may be renewed a maximum of 90 calendar days before the expiry date.

Policy 3(b)

The registrant must use the domain name solely for the purpose of operating a community website.

Guideline 3b):

"Solely for the purpose"

The registrant must use the domain name solely for the purpose of operating a community website on behalf of the local community. The domain name must not be used for the interest or benefit (commercial or otherwise) of an individual person or single entity.

Community website

The website must be developed for the benefit of the entire local community, including all communities of interest within the local community. As the website is developed for and on behalf of the community, it must remain accurate, relevant and up-to-date.

As a guideline, website content should include but is not limited to: community events, local business directory, community directory, general information about the community, local news and a community feedback facility.

To provide evidence of the applicant's ability to establish and maintain the website for the local community in an effective and timely manner, the applicant should demonstrate what methods of funding would be developed to fund the website and its maintenance. Support and revenue sources may include government or non-government funding, sponsorship, website advertising, monetary and in-kind donations and contributions.

Policy 3(c)

The registrant may only transfer their domain name licence to another entity if that other entity is eligible to hold the domain name under the policy rules.

Guideline 3(c):

There may be circumstances where a registrant is no longer willing or able to hold the CGDN (for example, if they cannot afford to operate the community website) but there is another suitable entity within the local community that could take over the CGDN licence and website operation.

In such cases, the proposed new registrant would need to demonstrate that it meets the eligibility criteria before the CGDN licence could be transferred.

The purpose of this rule is to ensure that CGDNs are only registered to entities that comply with the policy rules at the time of registration and throughout the licence period.

Policy 3(d)

The registrant must not create sub-domains within the CGDN for the purpose of issuing them to third parties.

Guideline 3(d):

A registrant must not create sub-domains for the purpose of issuing them to third parties. For example, the registrant of richmond.nsw.au must not create a sub-domain such as plumber.richmond.nsw.au for the purpose of issuing it to a local plumbing business to use separately from the community website.

This rule does not prevent a registrant from creating sub-domains for its own use as part of the community website. For example, the registrant of richmond.nsw.au may create a sub-domain such as plumber.richmond.nsw.au in order to provide a listing of all plumbing businesses in the local area as part of the community website.

The purpose of this rule is to ensure that the use of a CGDN can be protected and controlled by the registrant for the benefit of the local community.

Policy 3(e)

To renew a CGDN licence at the end of the 2 year period, the registrant must demonstrate:

- i) that it still meets the eligibility criteria; and
- ii) it is using the domain name to operate a community website.

Guideline 3(e):

A registrant may only renew its domain name licence if it continues to comply with the policy rules, specifically 2(a), 2(b) and 3(b).

The renewal process is not intended to be onerous for the registrant. If there has been no change to the registrant's status during the licence period, then the registrant must simply warrant that it meets the eligibility criteria and is operating a community website. If there has been a change to the registrant's status that might affect its ability to hold the domain name licence, then the registrant must provide further information to demonstrate eligibility.