

auDA PUBLISHED POLICY**Policy Title:** REGISTRAR ACCREDITATION APPLICATION FORM**Policy No:** 2009-02**Publication Date:** 16/06/2009**Status:** Current**1. BACKGROUND**

- 1.1 This document sets out the application form and process for entities that wish to be accredited by .au Domain Administration Ltd (auDA) as an auDA Accredited Registrar, to provide registrar services in the open .au second level domains (2LDs). At the time of publication, the open 2LDs are asn.au, com.au, id.au, net.au and org.au.
- 1.2 In order to accredit you as a registrar, auDA must be satisfied that you:
 - a) demonstrate knowledge of the Australian DNS and auDA's Published Policies;
 - b) have the capability to interact with the registry using EPP and/or a web interface, in accordance with the technical specification of the registry operator; and
 - c) have the capability to provide services to registrants in accordance with the Registrar Agreement and the Code of Practice, and in compliance with applicable Published Policies.
- 1.3 auDA will not enter into more than one Registrar Agreement with the same entity. Where an applicant is a related entity of an auDA Accredited Registrar, we will consider the application on its own merits.
- 1.4 auDA will not enter into a Registrar Agreement with an entity that does not own and operate its own registrar systems, except in the case where an applicant is a related entity of an auDA Accredited Registrar and intends to use the same systems as that registrar.

2. PRE-REQUISITES FOR ACCREDITATION

- 2.1 Please review all Published Policies and the Code of Practice (available on auDA's website at <http://www.auda.org.au/policy>), as well as the Registrar Agreement, prior to submitting this application. Failure to meet the requirements as set out in those documents will result in your application being rejected.
- 2.2 As a pre-requisite for lodging an accreditation application with auDA, you must have had **at least 6 months continuous experience as an appointed reseller of an auDA Accredited Registrar**. auDA may, at its own discretion, agree to waive this requirement if you are able to demonstrate an alternative, equivalent level of experience.
- 2.3 Clause 16 of the Registrar Agreement requires you to "opt-in" to the *Privacy Act 1988*. More information about your obligations under the Privacy Act is available on the Australian Privacy Commissioner's website at <http://www.privacy.gov.au> or on the Privacy Hotline number 1300 363 992.

- 2.4 Note for foreign (non-Australian) companies: It is an auDA requirement that foreign companies must:
- a) hold an Australian Registered Body Number (ARBN) and be registered as a foreign company with the Australian Securities and Investment Commission (ASIC). More information is available on the ASIC website at <http://www.asic.gov.au/asic/asic.nsf/byheadline/Foreign+Companies?opendocument>; and
 - b) hold an Australian Business Number (ABN) and be registered with the Australian Taxation Office (ATO) for goods and services tax (GST). More information about ABN and GST registration is available on the ATO website at <http://www.taxreform.ato.gov.au>.

3. INSTRUCTIONS FOR COMPLETION

- 3.1 The accreditation application package comprises:
- a) auDA's Registrar Accreditation Application Form (this document); and
 - b) auDA's Registrar Agreement.
- A PDF version of the Registrar Agreement can be downloaded from auDA's website.
- 3.2 You must provide complete and accurate responses to the questions contained in Sections A, B and C of the application form. Your responses must be typed and legible. Please provide your responses on separate paper, answering each question in a numbered paragraph corresponding to the number of the question. If there is no response available for a particular question, please indicate that fact next to the number corresponding to the question.
- 3.3 You must send the following documents to auDA:
- a) the completed application form, signed by you;
 - b) two copies of the Registrar Agreement, signed by you and undated; and
 - c) a cheque payable to auDA for AUD\$2,200.00 (inc. GST), being auDA's accreditation application fee.
- 3.4 The Registrar Agreement is **non-negotiable**. You should obtain independent legal advice with respect to your obligations under the Registrar Agreement before you sign it.
- 3.5 The accreditation application fee is **non-refundable**.
- 3.6 All documents and payment should be sent to auDA at the following address:
- Industry Liaison Officer
.au Domain Administration Ltd
114 Cardigan Street
CARLTON VIC 3053
AUSTRALIA
- An application sent via facsimile or email will not be accepted.
- 3.7 If you have any questions about the application form, the Registrar Agreement or the accreditation process in general, please contact auDA's Industry Liaison Officer by email to accreditation@auda.org.au.

4. PROCESSING THE APPLICATION

- 4.1 All information provided as part of your application will be treated as highly confidential by auDA staff. The board of auDA has no role in processing or approving your application.
- 4.2 Your application will not be considered to be complete if it:
- a) is missing information;
 - b) on its face contains misleading or false information;
 - c) is defective in any way; or
 - d) is not accompanied by the signed copies of the Registrar Agreement and fees specified above.
- 4.3 If your application is not complete for any of the above reasons, we will advise you by email. You must provide any missing information, correct any deficiencies and complete your application within 10 business days from the date the email is sent by auDA, or your application will be deemed to have been withdrawn and will not be processed further.
- 4.4 By lodging your application, you give auDA the right to verify the accuracy and completeness of the information you have provided in your application. We also have the right to satisfy ourselves that you can function as a registrar in accordance with the terms and conditions of the Registrar Agreement, the Code of Practice and other Published Policies. We will contact you directly if we require clarification or additional information.
- 4.5 You may withdraw your application at any time by giving notice to auDA by email. Withdrawing an application will not prejudice your ability to submit a new application to auDA. If you decide to re-apply, you will need to re-submit all documentation and fees.
- 4.6 After reviewing your application and conducting any necessary follow-up inquiries, we will inform you by email of its decision to grant you provisional accreditation or not.
- 4.7 If we decide not to grant you provisional accreditation, we will provide you with reasons as to why your application was unsuccessful. An unsuccessful application will not prejudice your ability to submit a new application to auDA.

5. PROVISIONAL ACCREDITATION

- 5.1 Once you have received provisional accreditation from auDA, you will be authorised to access the registry system for testing purposes.
- 5.2 In order to proceed to full accreditation, you must pass the 3 separate tests described below. A failed test will not prejudice your ability to re-take the test. There is no limit on the number of times that you may undertake each test. auDA will provide staff training to provisionally accredited registrars on request, to assist in preparation for the policy and regulatory tests.
- 5.3 Provisional accreditation is valid for 12 months. auDA may, at its own discretion, agree to extend your provisional accreditation beyond 12 months if there are good reasons for doing so. If your provisional accreditation expires, you will be required to re-apply (ie. resubmit your accreditation application and pay another accreditation application fee).
- 5.4 Please Note: auDA may change the registrar accreditation criteria from time to time. If any changes are made to the registrar accreditation criteria during the

period that you are provisionally accredited, we will advise you of the changes and allow you additional time to comply if necessary.

Registry interface test

- 5.5 The interface test is set and assessed by the registry operator. It is designed to test your general DNS knowledge as well as your technical proficiency at dealing with the registry system.
- 5.6 If you fail this test, you will receive a failure notice from the registry operator giving the reasons for failure. If you dispute the reasons for failure, you may appeal to auDA.

Policy test

- 5.7 The policy test is set and assessed by auDA. It is designed to test whether you can correctly apply policy compliance checks to .au domain name applications.
- 5.8 If you fail this test, you will receive a failure notice from auDA giving the reasons for failure. If you dispute the reasons for failure, you may appeal to auDA's Chief Executive Officer.

Regulatory test

- 5.9 The regulatory test is set and assessed by auDA. It is designed to test your ability to comply with your obligations under the Registrar Agreement, the Code of Practice and other Published Policies. As part of this test, we will conduct an audit of your website and at least one site inspection of your premises.
- 5.10 If you fail this test, you will receive a failure notice from auDA giving the reasons for failure. If you dispute the reasons for failure, you may appeal to auDA's Chief Executive Officer.

6. FULL ACCREDITATION

- 6.1 Once you have passed the 3 tests described in section 5, we will advise you by email that you have received full accreditation. You will also receive an invoice for the amount of AUD\$3,300 (inc GST), being auDA's annual Registrar Licence Fee as set out in the Registrar Agreement.
- 6.2 Once we have received payment of the Registrar Licence Fee, we will send you a fully executed copy of the Registrar Agreement for your records.
- 6.3 Until you have received a fully executed copy of the Registrar Agreement, you must not:
- a) act or hold yourself out as an auDA Accredited Registrar;
 - b) provide or offer to provide, or state or imply that you are authorised to provide, any Registrar services within the .au open 2LDs;
 - c) identify yourself as an "auDA Accredited Registrar" or by any term suggesting similar reference, or use directly or indirectly, in any manner whatsoever auDA's name or any trade or other identifying mark owned or used by auDA.
- 6.4 We will announce that you are an auDA Accredited Registrar and publish your name and website details on the list of auDA Accredited Registrars on auDA's website. If you would prefer to postpone the announcement of your accreditation, you must give notice to auDA by email.
- 6.5 auDA will provide you with an official logo to signify that you are an auDA Accredited Registrar. The logo should be displayed prominently on your website and on any printed materials that you provide to your customers.

- 6.6 Please Note: You will not be permitted to commence registrar operations until you have signed the Registry-Registrar Agreement with the registry operator.

SECTION A: GENERAL INFORMATION

- A.1 Name and address of applicant.
- A.2 For Australian companies: Australian Company Number (ACN) and Australian Business Number (ABN).

For foreign companies: Australian Registered Body Number (ARBN) and Australian Business Number (ABN).
- A.3 Telephone and facsimile numbers and email address of applicant.
- A.4 Website URL of applicant.
- A.5 Name of applicant's contact person. This is the person who auDA will deal with regarding all registrar accreditation matters. For foreign companies, this should be your local Australian agent.
- A.6 Telephone and facsimile numbers and email address of contact person, if different from A.3.
- A.7 Names of all directors, officers and senior management staff of applicant's current or proposed business entity.
- A.8 Name and address of applicant's principal bank or financial institution.
- A.9 Name and telephone number of contact person at applicant's bank or financial institution.
- A.10 Particulars of Service for the applicant, as required in Schedule C of the Registrar Agreement.

SECTION B: BUSINESS INFORMATION

The information requested in this section is required by auDA in accordance with its responsibility to protect and promote:

- a) the stability and integrity of the Australian DNS;
- b) the efficient and effective operation of the domain name registration system; and
- c) the rights and interests of consumers (registrants).

Please provide the most complete answers possible to the following questions, explaining all capabilities in detail. Supporting documentation may be supplied where appropriate.

There are no "right" or "wrong" answers to the questions. The information you provide will depend on the type and size of registrar business you operate (or propose to operate), and will therefore vary between applicants. auDA will evaluate your answers based on accepted industry practice and benchmarks.

If you require assistance in answering the questions, please contact auDA's Industry Liaison Officer by email to accreditation@auda.org.au.

- B.1 As a pre-requisite for lodging an accreditation application with auDA, you must have had at least 6 months continuous experience as an appointed reseller of an auDA Accredited Registrar. Please describe your current reseller operations including:
 - number of domains currently under management (all TLDs)
 - average number of monthly registrations (all TLDs)
 - other related services that you provide (eg. web hosting).
- B.2 For which open 2LDs (asn.au, com.au, id.au, net.au, org.au) do you propose to provide registrar services?
- B.3 What volume of 2LD domain name registrations do you reasonably project to handle each month?
- B.4 What management, communication and information processing systems do you have to handle your projected volume of registrations per month?
- B.5 What systems and procedures do you have to handle policy compliance checks for registrations?
- B.6 What systems and procedures do you have to handle customer billing?
- B.7 How many staff, what systems and procedures do you have to handle all customer inquiries and support services, including customer requests for changes in registration data?
- B.8 How many staff, what systems and procedures do you have to handle customer complaints?
- B.9 What is your capability for maintaining electronic copies of all transactions, correspondence and communications with auDA, the registry operator and customers for at least the length of the Registrar Agreement?
- B.10 What is your capability for providing information systems security procedures to prevent systems hacks, break-ins, data tampering and other disruptions to your business?
- B.11 Please list any of your related entities that hold auDA registrar accreditation.

- B.12 Please list any other TLD registrar accreditations that you or your related entities hold (eg. ICANN accreditation).
- B.13 Clause 14.3 of the Registrar Agreement specifies the insurance cover that you must hold. Please attach a current and valid certificate of insurance. If you do not currently have insurance, please attach evidence of insurability (or the intent to insure) from an insurance company.
- B.14 Clause 16 of the Registrar Agreement requires you to “opt-in” to the *Privacy Act 1988*. Please state whether you have done this. (If not, please note you will be required to do so before you achieve full accreditation.)
- B.15 Have any of the directors, officers or relevant staff of your business entity been convicted of a serious offence (ie. one that carries a penalty of imprisonment for five years or more on first conviction)?

SECTION C: WARRANTY

By signing this application form, you:

- a) warrant that all the information contained in this application form, and all supporting documents included with this application form, are true and accurate to the best of your knowledge;
- b) warrant that you have read and understood auDA's Registrar Agreement, the Code of Practice and Published Policies of auDA;
- c) give auDA permission to perform a credit search on you or your company;
- d) give auDA permission to contact third parties, investigate, request and obtain additional information and documentation, and otherwise verify the information contained in this application; and
- e) waive liability on the part of auDA for its actions in verifying the information provided in this application, and on the part of any third parties who provide truthful, material, relevant information about you as requested in this application form.

Full Legal Name of Applicant

Signature

Name

Position

Date