# Decision No (119/2012)
## Domain Names Regulation

Pursuant to the Telecommunications Regulatory Act issued by Royal Decree No. 30/2002;

The Industrial Property Rights Law issued by Royal Decree No. 67/2008,

The Executive Regulation of the Industrial Property Rights Law issued by Ministerial Decision No. 105/2008;

The Executive Regulation of the Telecommunications Regulatory Act issued by Decision No. 144/2008; and

The Authority's Board of Directors, approval on 13/8/2012 in its meeting No. 19/2012.

Based on the exigencies of the public interest;

## It is decided

| Article 1: | The annexed provisions shall have effect in relation to the regulation of domain names. |
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| Article 2: | Any provision contradicting or conflicting with the provisions of the attached Regulation is hereby repealed. |
| Article 3: | This Decision shall be published in the Gazette and shall become operative from the date following its publication. |

**Mohammed bin Hamed al-Rumhy**
**Chairman of the Telecommunications Regulatory Authority**

Issued on: 9<sup>th</sup> Shawwal 1433 A.H.

Corresponding to: 27<sup>th</sup> August 2012 A.D.

## Domain Names Regulation

## Chapter One

## Definitions and General Provisions

**Article (1):**

In the application of the provisions of this Regulation, the terms and expressions used herein shall express the exact meaning exhibited in both Telecommunications Regulatory Act & its Executive Regulation, whereas the following terms and expressions shall have the meanings shown against each, unless the text otherwise requires:

1- **ICANN**: An International non-profit organization responsible for distributing Internet Protocol (IP) Address blocks to regional internet registries, maintaining registries of Internet Protocol Identifiers, and the management of the top-level domain (TLD) space (DNS root zone) which is the records system of domain names for both the generic Top-Level Domains (gTLDs) and country code Top-Level Domains (ccTLDs).

2- **Domain Name**: A simple identification label or memorable address of an entity or a person on the Internet that consists of letters or letters and numbers together.

3- **Generic Top-Level Domains (gTLDS):** General Top-Level Internet domain names such as (.org, .net, .com).

4- **Country Code Top-Level Domains (ccTLDS):** Internet Top-Level domain names which are symbolized by two letters related to the concerned country such as (.sa for Saudi Arabia,, .eg for Egypt, .om for Oman).

5- **Second-Level Domain (SLD):** Domain name(s) that fall directly under the Top-Level Domains such as (domainname.om (domainname would be the second-level domain) or hp.co.om (the co being the second-level domain).

6- **Third-level Domain (3LD):** A domain that is a subdomain of a Second-level Domain (example; mouse.org.om mouse is the third-level domain or mickey.mouse.om where mickey is the third level domain).

7- **.om:** Is the two letter country code top-level (ccTLD) domain name for the Sultanate of Oman.

8- **عمان.:** Is the Arabic Top-Level Domain name for the Sultanate of Oman's International Domain Name.

9- **Zone:** In relation to domain names is what the Top-Level and Second-Level domains are called within the DNS (Domain Name Service) System with relation to the registry. Example: .om is the cctld and the primary zone for Oman .org.om is a second-level domain zone for organizations in Oman.

10- **Registry:** Is the entity that holds the information related to registered domain names and the policies related to the registering of domain names under its control.

11- **Registry System:** An information technology system consisting of software programs, computer equipment such as servers, network equipment such as switches, routers, and firewalls,, all configured for the  entering, storing, and dissemination of domain name information.

12- **Registry Database:** Is a part of the registry system designed to save and store all .om and عمان. information entered into the registry system related to the domain names.

13- **Registration:** Is the entering, saving and  storing of the domain name and its associated information in the Registry System.

14- **Cancellation of registration:** Is the cancelling of a domain name registration resulting in the removal of the domain name from the Registry System.

15- **Zone File:** Is the file that contains the information related to domains registered under that zone (Example; .om Zone File will contain information about all domain names registered under that zone and the org.zone file will contain the information about all domain names registered under this zone.

16- **Accredited Registrar:** An entity or business authorized by the Authority, upon successfully completion of the accreditation process, to conduct Domain Name Registration transactions in accordance with Domain Name policies and signed Accreditation Agreement. These transactions include; receiving and approving domain name registration applications, registering the domain name, conduct domain transfers, suspensions, cancellations and other related services as specified in the Accreditation agreement.

17- **Loosing Registrar:** An accredited registrar that a domain name is being transferred from, during a domain name transfer.

18- **Gaining Registrar:** An accredited registrar that a domain name is being transferred to, during a domain name transfer.

19- **Registration Applicant:** An entity or business submitting a completed application form for domain name registration to an accredited registrar.

20- **Registrant:** A registration applicant that has had their submitted application approved and the domain name registered in the registry system by the registrar.

21- **WHOIS Service:** Is a service provided by the registry and registrars for providing domain name ownership and other related information about a domain name.

22- **Password:** Is a combination of letters, numbers, and special characters put together and provided to the registrant, at the time of registration, to be used by the registrant when requesting domain name transfers, or other domain name information updates or ammendments.

23- **Prohibited Names:** These are words specified by the Authority which may not be registered as domain names for legal, moral, cultural, and technical reasons or for any other reasons considered by the Authority as stipulated in Article (5) of this policy.

24- **Registrar–Registrant Agreement:** An agreement between the Accredited Registrar and the Registrant which stipulates the rules and conditions for domain name registration as well as the rights and obligations of both parties.


## Article (2):

The Authority is responsible for the management of the Oman country code top-level domain name ".om" and the IDN Top-level domain name "عمان." zones to include the ccTLD second-level domain name zones of org.om, gov.om, edu.om, com.om, co.om, med.om, net.om, mil.om, pro.om, and museum.om as well as any other gtld as ccTLD second-level domain name zones. In doing so, the Authority:

1- May modify the rules, instructions and guidelines for the administration of the aforementioned domain name zones.

2- Will approve registrars for accreditation and publish a list of accredited registrars in the Authority's website or by any other means deemed necessary to disseminate this information.

3- May monitor the accredited registrars and registrants to check their compliance with the policies, rules, instructions and guidance related to the Sultanate of Oman domain names.

4- Will publish the decisions of terminating the accreditation of the accredited registrars in the Authority's website or by any other means deemed necessary to disseminate this information.

5- Will take action concerning appeals and complaints that are submitted by accredited registrars, the registrants, or any concerned parties in matters related to implementing the provisions of this Regulation, without prejudice to the provisions of the Industrial Property Act and its executive regulation.

**Article (3):**

 The Authority is responsible for the management of the Domain Name Registry operations which includes overseeing the registrars management of  the domains under their sponsorship within the ".om" primary, ".om" second-level and  the "عمان." domain name zones and shall not permit access to the registry system, either partially or in full, except for accredited registrars conducting daily operations or an official entity presenting legal justification.

**Article (4):**

The authorised entities to gain access according to the provision of Article (3) of this Regulation shall observe the following:

1- The access shall be within the limits of the authorised purpose.

2 - Maintain the confidentiality of information obtained from the access and not make such information available for any third party without the prior written consent of the Authority.

3- Take all necessary procedures to ensure safe access and prevent unauthorized access to the domain records mentioned in Article (3) of this Regulation.

4- Delete the data obtained from the access once the data has served the purpose for which it was obtained.

## Article (5):

The Authority is responsible for identifying the prohibited names such as the following:

1- The current Generic Top-Level Domains (gTLDS) such as (gov , edu , net , org , com , info , biz , aero) or those to be created in the future by ICANN.
2- All the Country Code Top-Level Domains (ccTLDS) such as (uk , my , kr , jp , ca , ae , ye).
3- Geographical names: the names of countries, wilayats , provinces and cities such as: (Saudi , Egypt , Dhofar , Paris , Arabia).
4- Governmental and official names and titles.
5- Words which are contrary to the public order or morality or social traditions or religious beliefs.
6- Names of tribes in the Sultanate of Oman.
7- Technical names and terms for the Internet which if used as domain names may constitute a risk to the operational safety of the internet such as (http-www, http, html, www, WHOIS).
8- The general words such as (hotel , car , reservation….etc).

## Article (6):

The Authority may, upon request from the concerned parties, agree to allow the registration of a domain name that contains one or more prohibited words provided that sufficient evidence is furnished  to the Authority that the prohibited word or words to be included in the domain name does not conflict with the purpose of the prohibition.

## Article (7):

The domain name under the top level (.om) shall take one of the following forms:

1- (Domainname.zone).Top-level zone .om
2- (Domainname.zone).second-level zone (.org.om, .com.om)

**Article (8):**

The domain name under the .om top and second level zones must consist of a set of Latin letters or combination of Latin letters and numbers and be not less than two or not more than sixty three characters in length. The domain name may include a hyphen (-) provided it is not at the begining or at the end of the domain name.

**Article (9):**

The domain name under the top level (‫عمان‬.) shall take the following form:

‫عمان‬.DomainName

**Article (10):**

The domain name under the top level (‫عمان‬.) must consist of a set of Arabic alphabets or a combination of Arabic alphabets and Arabic or Indian numerals and be not less than two or not more than sixty three characters in length. The domain name may include a hyphen (-) provided it is not at the start or at the end of the domain name.

## Chapter Two

## The Accredited Registrar

**Article (11):**

The accreditation of a registrar is done upon submitting an application to the Authority after attaching all the documents specified in the Registrar Accreditation Agreement. The Authority shall decide upon such applications within three (3) months from the date of the application. Not deciding upon the application within the said period of time shall be considered a rejection of the application

**Articles (12):**

On issues for which there is no special text in this regulation, the terms and conditions of the Registrar Accreditation Agreement shall apply, concerning registrar accreditation, suspension, and cancelation of registrars and the registrar responsibilities and duties.

**Article (13):**

The Accredited Registrar shall comply with the following:

1- Include in the Registrar-Registrant Agreement text stating the approval of the Registrant that his data stated in Article (37) of this Regulation is available for the public via WHOIS Service.
2- Maintain the confidentiality of the information provided by the Registrant and shall not use this information for anything other than those related to operational purposes.
3- Keep records and files stated in the Registrar Accreditation Agreement during the accreditation term and 5 years thereafter.
4- In case of termination of the Accreditation Agreement for any reason stated in the Accredited Registrar Agreement, the Registrar shall:
   a- Notify the registrants of the termination of the accreditation.

b- Coordinate with another accredited registrar, identified by the Authority, to complete the transfer of registered domain names under their sponsorship.

## Chapter Three

## Provisions of Domain Names Registration

**Article (14):**

To register a domain name under the two top-level zones (.om) and (عمان.), the applicant shall be one of the administrative system units of the state, companies or institutions, professional or non-governmental organizations, associations or nonprofit institutions that have been licensed by the competent authorities in the Sultanate to practice activities as the case may be, and the applicant shall meet the terms stated in the Registrar-Registrant Agreement that is approved by the Authority.

**Article (15):**

To register a domain name under the two domain zones (.co.om), (.com.om) the applicant shall be a company or a registered business enterprise in the Sultanate that meets the terms stated in the agreement form of the Registrar-Registrant Agreement, and if the company's head office is located outside the Sultanate, it shall have an authorized agent in the Sultanate that meets the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (16):**

To register a domain name under the domain (.edu.om), the applicant shall be a public or private educational institution that is certified by a competent authority in the Sultanate such as the Ministry of Higher Education, the Ministry of Education or the

Ministry of Manpower and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (17):**

To register a domain name under the domain (.gov.om), the applicant shall be one of the administrative system units of the state that meets the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (18):**

To register a domain name under the domain (.net.om), the applicant shall be licensed by law to provide telecommunications services in the Sultanate and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (19):**

To register a domain name under the domain (org.om), the applicant shall be a public utility institution (non-profit) such as non-governmental organizations that have been licensed by law to perform their activities in the Sultanate and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (20):**

To register a domain name under the domain (.museum.om), the applicant shall be a governmental entity that owns or runs a museum, or a private entity that has been licensed by the competent authorities in the Sultanate to own or run a museum, and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (21):**

To register a domain name under the domain (.pro.om), the applicant shall be a professional union or association such as the associations of doctors, lawyers and engineers, or a member in such associations that are licensed by law to practice their activities in the Sultanate, and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (22):**

To register a domain name under the domain (med.om), the applicant shall be a governmental or private health institution such as hospitals, medical clinics, radiology centers, and laboratories that is licensed by law to practice its activities in the Sultanate and shall meet the terms stated in the agreement form of the Registrar-Registrant Agreement.

**Article (23):**

The Authority determines the documents to be attached to the application for the domain name registration and publish a statement of such documents on its website, and the Accredited Registrar shall include the content of that statement in the agreement form of the Registrar-Registrant Agreement.

**Article (24):**

The domain name registration shall be by request made by the registration applicant to the Accredited Registrar attached with all documents specified by the Authority and set out in the agreement form of the Registrar-Registrant Agreement. The Accredited Registrar shall decide upon the application within a period not exceeding five (5) business days from the date of submitting the application, taking into account the priority criterion stipulated in Article (26) of this Regulation.

**Article (25):**

The Accredited Registrar shall verify that the registration applicant meets all terms and documents stipulated in this Regulation and the Registrar-Registrant Agreement.

**Article (26):**

The Accredited Registrar shall order the registration applicants that satisfy the requirements according to the precedence of their applications as per the time and date of submission.

**Article (27):**

The Accredited Registrar shall reject the registration request of any domain under the two top levels (.om) and (عمان.) if the application does not meet the terms laid down in this Regulation, the Registrar-Registrant Agreement and the instructions issued by the Authority in this respect, and shall notify the applicant of the same.

**Article (28):**

The term for the registration of a domain name is at least one year and no more than five years subject to renewal upon request by the Registrant for period or periods not less than one year and no more than five years, provided that an application for renewal is to be filed within 90 days prior to the expiration of the registration or previous renewal.

**Article (29):**

 In the event the registration of the domain name has been expired without being renewed, the domain name shall be suspended for a period not exceeding thirty (30) days during which the Registrant may not use it or introduce any amendments thereon. The suspension shall be ceased if the Registrant during the aforementioned period takes the necessary renewal procedures, however if such period has been

expired and no renewal action has been taken, the registration shall be considered null and the Registrant has no right to use the domain name save only under a new registration according to the provisions of this Regulation and the considerations of priority rules stipulated in Article (26) thereof.

**Article (30):**

The Registrant is not the owner of the domain name, accordingly he may not sell, waive, or dispose it in any way.

**Article (31):**

The Chief Executive of the Authority may, under a decision published via the website of the Authority or another media, amend the dates prescribed in Articles (24, 28, 29, 34, 37, 38) of this Regulation from time to time, as public interest considerations dictate.

## Chapter Four

### Transferring, suspending and cancelling the registration

**Article (32)**

The registration of the domain name may not be transferred from one registrant to another except in the following circumstances:

1- Merging the Registrant Company in another entity.
2- Transferring of the industrial property right that the domain name constitutes an integral part of it from one registrant to another.
3- In the execution of a judicial ruling or a decision issued by the World Intellectual Property Organization (WIPO) or other competent authorities.

### Article (33)

If any of the two transferring cases described in items (1) and (2) of Article (32) of this Regulation has been found, the following procedures must be followed in order to transfer the registration of the domain name:

1- Submitting an application by the Registrant to the Accredited Registrar in order to transfer the registration to another person with the statement of the reasons behind the same.

2- Submitting a letter from the person to whom the registration is to be transferred to the Accredited Registrar reflecting his acceptance to transfer the registration and approval of all the terms and provisions.

3- The person to whom the registration is to be transferred signs the Registrar-Registrant Agreement.

### Articles (34)

The Registrant is entitled to transfer his registration of the domain name to another accredited registrar by filing an application with this accredited Registrar incorporating his password, and the Registrar shall decide upon the transfer application within three (3) days of the application date and notify the Registrant of the decision.

The first accredited Registrar may not object the transfer or take any actions or measures to prevent or delay the completion of the transfer.

### Article (35)

Without prejudice the provision of the second paragraph of Article (34) of this Regulation, the first accredited registrar may, through a written notice, verify the desire of the Registrant to transfer the registration to another accredited registrar, and there shall be no legal consequences in the absence of any response from the Registrant to the written notice.

**Article (36)**

No fees or amounts may be collected from the Registrant for the transfer of the registration of the domain name to another accredited registrar.

**Article (37)**

The Accredited Registrar shall cancel the registration of the domain name upon request from the Registrant; and return all the registration fees to the Registrant if the cancellation request is submitted within three working days from the registration date.

In all cases, the cancellation is considered effective only after five days from the cancellation request date without being withdrawn, however if the cancellation request is withdrawn during that period, the cancellation request shall be considered null.

**Article (38)**

The Authority itself, or through accredited registrars, may suspend or cancel any domain name registered under the two top levels (.om) and (عُمـان), if it is found that the domain name does not meet the prescribed terms or if it incorporated a prohibited name which is considered a violation of the provisions of this Regulation, and the Registrant may submit an appeal to the Authority against this decision within 14 days from the date of suspension or cancellation, however, in the absence of the appeal or if the appeal is rejected, the registration shall be considered terminated.

# Chapter Five

# (WHOIS Service)

**Article (39)**

The Authority shall provide WHOIS service of defining the domain names, taking into consideration enabling the user to access the system that is connected to the registry database to review the following information:

**First**: domain name registration data

1. Domain name.
2. Name of the Accredited Registrar.
3. Date of last amendment.
4. Information about the server.

**Second**: Registrant data

1. Name
2. Associated entity.
3. Postal address
4. Phone number.
5. Fax number.
6. E-mail address.

**Third:** Details of the technical contacts

1. Name
2. Organization/company
3. Postal address
4. Phone number.
5. Fax number.
6. E-mail address.

**Article (40)**

The user shall not use the information acquired from WHOIS Service to communicate with the Registrants for unlawful purposes or for advertising, marketing or any other commercial purposes.

**Article (41)**

In the event of changing his data, the Registrant shall notify the Accredited Registrar with the new data within thirty (30) days of the amendment date, and the Accredited Registrar shall update that data in the WHOIS Service within five working days of notification date.