

**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.
Article 2:	Any provision contradicting or conflicting with the provisions of the attached Regulation is hereby repealed.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 in charge of distributing address domains in the Internet Protocol, assigning this Protocol IDs (identifiers) and managing the records system of domain names in both generic Top Level Domains (gTLDs) and country code Top Level Domains (ccTLDs).
- 2- **Domain Name:** is the address of an entity or a person on the Internet that consists of codes which may be letters or numbers or letters and numbers together.
- 3- **Generic Top-Level Domains (gTLDs):** The top level of the general Internet domain names such as (.org , .net).
- 4- **Country Code Top-Level Domains (ccTLDs):** The top level of the Internet domain names which are symbolized by the two letters related to the concerned country such as (.sa , .eg).
- 5- **Second Level System (2LD):** is a domain that falls directly under the generic and country code Top Level Domains such as (domainname.om).
- 6- **Third level System (3LD):** is a domain which includes in its configuration a region that falls under the generic and country code Top Level Domains such as (domainname.gov.om).
- 7- **.om:** is the top level for Sultanate of Oman's code.

- 8- **.عمان**: is the Arabic name for the top level of Oman' code.
- 9- **Region**: is a Sub-sector from the domain name which falls under the generic and country code Top Level Domains.
- 10- **Registry**: is the file of the information related to registered domain names.
- 11- **Registry System**: is a set of computer programs and means of information technology such as servers, distribution and switch units, and equipment related to firewalls and the software installed on such devices which are prepared to enter , store and save data.
- 12- **Registry Database**: is a database created by the Authority in the Registry System to enter, store and save all information related to the domain name.
- 13- **Registration**: is entering, storing and saving the domain name in the Registry.
- 14- **Cancellation of registration**: is removing the domain name from the Registry.
- 15- **Region File**: is the file that contains records of a particular region.
- 16- **Accredited Registrar**: refers to a person or entity authorised by the Authority, according to Registrar Accreditation Agreement , to receive and decide upon applications for registration of internet domain names, and to provide other related services, namely registration, transfers, suspensions, cancellations and take all actions related thereto within the limits of the powers specified in this agreement.
- 17-**The First Accredited Registrar**: Each approved registrar who is moved from him a domain name registration.
- 18-**The Second Accredited Registrar**: each approved registrar who is transferred to him a domain name registration.
- 19-**Registration applicant**: anyone applies to an accredited registrar with a request for a domain name registration according to a form prepared for this purpose.
- 20-**Registrant**: any registration applicant who received approval for his request.
- 21-**WHOIS Service**: providing all information related to the registration of domain names such as registered domain names and their respective owners and any other identifying information about them by the Domain Names Administration at the Authority.

- 22-**Password:** a set of codes consists of letters or numbers, or letters and numbers together provided automatically to the registrant to be used for making amendments to the domain name.
- 23-**Prohibited names:** words specified by the Authority which may not be registered as domain names for legal, moral, cultural or technical reasons or for any other reasons that are considered by the Authority as stipulated in Article (5) of this Regulation.
- 24-**Registrar–Registrant Agreement:** is a an agreement between the Accredited Registrar and the Registrant which stipulates the conditions and rules for registration and the rights and obligations of the two parties.

### **Article (2):**

The Authority is solely responsible for the management of the top level Internet domain name “.om” and “عمان.” In doing so, the Authority may:

- 1- Set rules, instructions and guidelines for the aforesaid domain names administration.
- 2- Approve the accredited registrars and publish a list of their names in the Authority’s website or by any other means.
- 3- Monitor the accredited registrars and registrants to check their compliance with the rules, instructions and guidance related to the respective domain names.
- 4- Publish the decisions of terminating the accreditation of the accredited registrars in the Authority’s website or by any other means.
- 5- Take action concerning appeals and complaints that are submitted by accredited registrars or registrants or any concern party in any matter related to implementing the provisions of this Regulation, but without prejudice to the provisions of the Industrial Property Act and its executive regulation.

### **Article (3):**

The Authority is solely responsible for the management of the operations of the domains’ records of the top level Internet domain name “.om” and “عمان.”, and shall not permit any access, either partially or in full, save only if the access requesting party is a provider of secondary servers for the two mentioned domains or an official entity according to legal justifications.

**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 purposes.
- 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 solely 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- 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 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 register a domain name that contains one or more prohibited words provided that a 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- (Domain name.om).
- 2- (Domain name.region.om).

**Article (8):**

The domain name under the level (.om) consists of a set of Latin alphabets not less than two and not more than sixty three characters or the equivalence to this number of both Latin alphabets and numerals. The domain name may include a hyphen (-) provided it is not at the start or at the end of the name.

**Article (9):**

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

- (Domain name.om).

**Article (10):**

The domain name under the top level (.om) consists of a set of Arabic alphabets not less than two and not more than sixty three characters or the equivalence to this number of Arabic alphabets and Arabic or Indian numerals. The domain name may include a hyphen (-) provided it is not at the start or at the end of the name.

## Chapter Two

### The Accredited Registrar

#### **Article (11):**

The accreditation of the 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 ,terms and conditions of the Registrar Accreditation Agreement shall apply concerning accreditation mechanism, suspension and cancelation of registrars and their responsibilities and duties.

#### **Article (13):**

The Accredited Registrar shall comply with the following:

- 1- Include a text in the Registrar-Registrant Agreement 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 them for purposes other than those related to operational purposes.
- 3- Keep records and files stated in the (Registrar Accreditation Agreement) during his 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 his registrants of the termination of the accreditation.

- b- Coordinate with the accredited registrars who are identified by the Authority to complete the transfer of his registered domain names.

### **Chapter Three**

#### **Provisions of Domain Names Registration**

##### **Article (14):**

To register a domain name under the two top levels (.om) and (ﻭﻟﺪﻭﻡ), 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 agreement form of the Registrar-Registrant Agreement that is approved by the Authority.

##### **Article (15):**

To register a domain name under the two domains (.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 (ﻮﻡﺪﻮﻥ) 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 by itself , or through accredited registrars, may suspend or cancel any domain name registered under the two top levels (.om) and (عُطْن), if it is found that the domain name does not meet the prescribed terms or if it incorporated a banned names 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 telecommunication technicians:

- 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.