

**Overview of proposed changes (Underlined is new, strike through is deleted).**

Section	Clause	Reason for amendment	Text
Interpretation	1 - “Domain Name Holder”.	<p>The .nz Register and DNC query search tool refers to ‘registrant’ and the definition refers to ‘domain name holder’.</p> <p>Definition of ‘domain name holder’ in rules proposed to be updated to match current practice.</p>	<p>Domain Name Holder means the person <u>or lawfully constituted entity named on the .nz Register and identified in the ‘Registrant Name’ field as the result of a Query Search via the DNCL website domain lookup tool named on the .nz Register as the</u> <del>‘Domain Name Holder Contact’</del> and includes a prospective Domain Name Holder if the context requires</p>
Operational Rules - Optional features of .nz domain names - Privacy Option	Clause 6.2.3	<p>The DNC are observing a large number of domain names with the Privacy Option in place and where the eligibility criteria has not been met.</p> <p>Rules updated that the Privacy Option is only available to those who meet the criteria.</p>	<p>If an applicant seeking to register a domain name on the .nz Register or a Domain Name Holder at any other time tells their Registrar that they want to opt in to the <u>Privacy Option</u>, the Registrar must direct InternetNZ to apply the Privacy Option in relation to the .nz domain name <u>if the applicant or Domain Name Holder meets the eligibility criteria in clause 6.2.1.</u></p>

Operational Rules - Domain Name Holder Obligations	Clause 8.2.6	<p>A Registrar or Reseller can not register domain names in their own name unless using the domain name themselves.</p> <p>The requirement for a direction from a domain name holder is already in clause 8.2.5.c.</p> <p>Rules updated to make the drafting more clear. Duplication removed.</p>	<p>A Registrar <u>or Reseller must not</u> <del>can</del> register or update a domain to <u>be registered in its own</u> name <del>without a direction from a Domain Name Holder</del> <u>if unless</u> the Registrar <u>or Reseller</u> intends to use the domain name itself. <del>A registrar does not intend to use a domain name itself if it intends to</del> <u>A Registrar must not</u> enter into a lease, licence or any other arrangement with a third party <del>for whose benefit the domain name would be managed resulting in the Registrar or Reseller registering a domain name in that Registrar or Reseller's own name but held for the benefit of that third party.</del></p>
Operational Rules - Domain Name Holder Search	Clause 10.2.29	<p>Clause 10.2.26 allows a member of the public to make Domain Name Holder Search requests, as well as Domain Name Holders. As currently worded, a ban can only be applied to Domain Name Holders who misuse the information but member of the public should also be subject to a potential ban.</p>	<p>If DNCL considers, on reasonable grounds, that <del>a Domain Name Holder</del> <u>any person</u> has misused the information arising from a Domain Name Holder Search request, it can ban <del>the Domain Name Holder</del> <u>that person</u> from making another request for any period DNCL considers appropriate.</p>
Procedures and requirements -	Clause 10.3.1(i)	<p>The details shown under the current query search offered by DNC</p>	<p>InternetNZ or DNCL will make the following details available....</p>

Information Management		provides 'Registrant Contact Details' but this is not reflected in the rules.  Rules updated to match current operational practice.	i. Domain Name Holder Contact Details ( <u>or Registrant Contact Details, as the case may be</u> ).
Operational Rules - Removing authorisation	Clause 11.2.5	The clause refers to connecting to InternetNZ when it should say the .nz Register  Rules updated to remove typo.	The Commissioner can remove a Registrar's authorisation if the Registrar:  a. Has not connected to <del>InternetNZ</del> <u>the .nz Register</u> ....
Operational rules - Investigation of enquiries between the Domain Name Holder and Registrar	Clause 12.2.4	The clause refers to seeking information after having determined a breach has happened. It should allow collection for the purpose of investigation.  Rules updated to be more effective.	If DNCL determines that a party has <del>not complied with and/or</del> <u>breached or likely breached</u> a .nz Rule or associated agreement or contracts, it may request [information etc].
Operational rules - Enforcement - actions in relation to domain name holders	Clause 12.2.17	The clause does not allow for compliance locking during an investigation. This is needed, for example, to stop a domain name expiring and being released to the market during an investigation.  Rules updated to be more effective.	The Commissioner can impose a Compliance Lock when a .nz domain name has been sanctioned: <u>or to preserve the position of a Party using the Dispute Resolution Service or during an investigation</u> . A locked .nz domain name cannot be amended in any way by the Registrar (including being transferred, cancelled or released).

	Schedule 3	Content that makes up schedule 3 is currently a cross reference to a retired policy.  Rules updated to be more accessible.	Clause 9 and 10 of the retired operations and procedures policy to be copied into .nz rules as schedule 3 and the clauses consequently re-numbered.
	Clause 5.2.1, 10.2.13, 10.2.17, 10.2.20, 10.2.25, 10.2.26(b), 10.3.6(b)(i), 10.3.11(f), 12.2.20(a), 12.2.23(c).	Minor grammar changes	

**\*Capitals are used to refer to terms that are defined.**