

Regulations Supervising and Guidance Internet Protocol Address and Domain Name Registration Management Services

Article 1

These Regulations are promulgated pursuant to Article 20-1 of the Telecommunications Act (hereinafter referred to as this “Act”).

Article 2

The terms of these Regulations are defined as follows:

1. “Internet Protocol Address”: means the address used to identify the location of Internet host in accordance with Internet Protocol Transmission Control Protocol/Internet Protocol (TCP/IP) planned to allocate host addresses.
2. “Domain Name”: means the combination of characters or figures used to map to an Internet Protocol Address, so that Internet users can easily memorize the address of a TCP/IP host .
3. “Domain Name System (DNS in abbreviation)”: means a tree-class frame system with the authorized administration from top to bottom, which system mapped and converted between Domain Name and Internet Protocol Address and other data.
4. “Internet Protocol Address Registration Management Service”: means the service that possesses to manage Internet Protocol Address Registration data of National Internet Registry (NIR in abbreviation) , and to provide a normal operation of Reverse Domain Name System as well as the services of the related registration management.
5. “Domain Name Registration Management Service”: means the service that possesses to manage Domain Name Registration data of .tw Top Level Domain (TLD) or which of other domain name representing the Republic of China, and to provide a normal operation of domain name system as well as the services of the related registration management services.
6. “Registry”: means a juristic person of non-profit organizations who is engaged in the Internet Protocol Address or Domain Name Registration Management Service.
7. “Registrar”: means a juristic person who is engaged in registration services authorized by a Registry .
8. “Registrant”: means a person who contracts with a Registry to use the services of the Internet address or domain name designated by the Registry.

Article 3

The competent authority who supervises and guides the Internet Protocol Address and Domain Name Registration Management Service is the Directorate General of Telecommunications Ministry of Transportation and Communications (hereinafter referred to as the DGT).

Article 4

Obligees who are not approved by International Organizations with obtaining and allocating Internet addresses must not allow engaging to the Internet Protocol Address Registration Management Service ; Obligees who are not approved by International Organizations with “.tw” Top Level Domain (TLD) of the range of Registration Management Service applied or other domain name sufficient to represent the Republic of China must not allow

engaging to the Domain Name Registration Management Service.

International Organizations as referred to in the proceeding paragraph shall be announced by the DGT.

Article 5

A Registry shall submit the service plan and documents including the following subparagraphs one month prior to providing service, and file the new undertaking with the DGT for record:

1. Applicant's name, representative's name and principle office address ;
2. The related certificate photocopies of a corporation or a juridical person and a photocopy of representative's ID card;
3. The documents approved by International Organizations as specified in Article 4;

The service plan as referred to in the proceeding paragraph shall include the following information:

1. Service Category and Description thereof.
2. System and Network Equipment Overview (including a construction of system and network equipment diagram as well as the equipment list at each site) shall illustrate the security and backup measures of the following system:

- (1) Registration Management Service System;
- (2) DNS or Reverse Domain Name System;
- (3) WHOIS Database System;

3. Illustration that describe the interconnecting operation of global Internet ;

The Registry who don't prepare well for recordation information pursuant to the Paragraph 1, the DGT may demand the Registry to make correction within a time limit. Where the Registry fails to supplement the relevant information within the stipulated period of time, the application will not be processed.

If the recordation documents in Paragraph 1 make alteration following record, the Registry shall make alteration and file the alteration to DGT for record within 15 days.

Article 6

The Registry that is engaged in the Registration Management Service of Internet Protocol Address or Domain Name must not be allowed the following acts:

1. To violate Laws or Regulations authorized by Laws.
2. To endanger the interconnection or the operation of the Internet.
3. To endanger the national security or offend against public security.
4. To offend against public order or virtuous customs.

The Registry that is engaged in the Registration Management Service of Internet Protocol Address or Domain Name can't ensure communicating security or provide a fair service; the DGT may demand to make a correction within a time limit.

Article 7

The Registry shall promulgate Service Regulations for its Registration Management Service of Internet Protocol Address and Domain Name and file such Service Regulations to DGT for record 14 days prior to providing service ; The above provisions also apply to amendments to the Service Regulations.

Service Regulations shall be made available in Registry's website and service location for consumer's perusal; If the Service Regulations contains any provision that damages the rights or interests of consumers or are obviously unfair, the DGT demand the Registry to make alternation within a time limit.

Service Regulations in Paragraph 1 shall promulgate the reasonable service conditions and include the following information:

1. The contents of providing service;
2. Schedule of each service charge;
3. Restrictions and conditions of basic information on Registrant;
4. Handling with consumer pleadings;
5. Mechanism to handle with a controversy of the domain name;
6. Others related to rights and interests of consumers;

Article 8

The Registry that provides the service charge standard of Internet Protocol Address or Domain Name Registration Management Service shall be in a break-even basis.

The Registry shall invite experts , scholars, etc. to compose of the tariffic committee to determine the service tariffs and file the service tariffs to DGT for record before going into effect.

Article 9

As for Internet Protocol Address and Domain Name Registration Management Service, the Registry must commission a Registrar to execute them.

The Registry may commission to take effect within 10 days from the next day. A name list of Registrars will be announced and file such list to DGT for record.

Article 10

In order to deal with the controversy in the use or ownership of a domain name for the third party, the Registry shall promulgate the handling procedures of Domain Name controversy in terms of the controversy issue of Domain Name and file the new undertaking to DGT for record. ; The above provisions also apply to amendments to the Code.

As for the handling procedures of Domain Name controversy in the preceding paragraph, the Registry shall commission a professional authority to deal with the controversy issue of the Domain Name.

The determination of the handling procedure of Domain Name Controversy will not affect litigation rights of Registrants or the third party.

Article 11

In order to maintain service duration, the validity, integrity and stability of registration information as well as normal operation, the Registry shall promulgate operation regulations and file the new undertaking with the DGT for record.

The Registry shall file service enforcing achievements for every season to file to DGT for record.

The DGT may dispatch staffs with certificates any time to examine the related equipment and the related

documents of service operation established by the Registry. If necessarily, the DGT may request the Registry to provide the related information. The Registry shall not reject.

Article 12

When deciding to terminate the services, the Registry shall file the new undertaking with the DGT for record 6 months ago before the day to be terminated and notify registrants 3 months ago before the day to be terminated. When deciding to terminate the services, the Registry shall maintain the validity and integrity of registration information, and transfer the related registration to new one without recourse for maintaining the continued service ; If necessary, the DGT may handle with appropriateness.

Article 13

The properties of domain name registration management for government agencies, educational institute or national defense shall be negotiated with the related government organizations by the Registry, but must not interfere with the interconnection operation of global Internet.

The Registry shall file the agreement to DGT for record within 15 days after such an agreement is made in conference.

Article 14

The DGT may guide and assist the Registry to deal with the following information:

1. The study of related policies and technologies on Internet Protocol Address or Domain Name;
2. The promotion of the operation security and efficiency improvement of Internet Protocol Address or Domain Name;
3. Personnel training of related technologies on Internet Protocol Address or Domain Name;
4. The related technology development as well as service plan and popularity on Internet Protocol Address or Domain Name ;
5. The plan and participation of related International conferences and activities on Internet Protocol Address or Domain Name;

Article 15

Before this regulation is promulgated, the Registry who has been engaged in Internet Protocol Address or Domain Name Registration Management Service shall submit the related documents from this Act announced to go into effect within 2 months pursuant to Article 5 and file to DGT for record and within 3 months. The Service Regulations in Article 7 and the handling procedures of Domain Name controversy in Article 10 shall file to DGT for record.

Article 16

Those who violate the regulations shall discipline pursuant to the Regulations.

Article 17

This regulation shall come into force from the date of promulgation.