Bangladesh Telecommunication Regulatory Commission

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Domain Administration Guidelines for .bd and .বাংলা

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Bangladesh Telecommunication Regulatory Commission

Domain Administration Guidelines for .bd and .বাংলা

1 INTRODUCTION

1.1 These guidelines are aimed to provide systematic management of domain name spaces under the .bd ccTLD and .বাংলা (dot Bangla) IDN ccTLD. Guidelines, instructions, conditions, suggestions contained in this document are meant to give appropriateness, relevance and fairness for applying registration, continuation and dispute resolution of domain name services.

1.2 Registry Operator, Registrar(s) and all Registrants must comply with these guidelines, as amended from time to time by .bd and .বাংলা Domain Regulator. If there is an inconsistency between these guidelines and any agreements performed under these guidelines, then these guidelines will prevail to the extent of that inconsistency.

1.3 These guidelines may be withdrawn, revised, updated, or amended from time to time, according to Section 30 of the Bangladesh Telecommunication Regulation Act, 2001.

2 COMMENCEMENT

2.1 These guidelines shall come into effect from the date of issuance by Bangladesh Telecommunications Regulatory Commission (BTRC).

2.2 Any action undertaken so far regarding the management, operation and registration of .bd and .বাংলা domain shall be considered to be valid under these guidelines. Existing registrant (who received and have been actively using .bd and .বাংলা domain namespace prior to the issuance of these guidelines) shall be allowed a cooling-off period of 06 (six) months to comply with any applicable provisions under these guidelines.

3 OBJECTIVES

These guidelines are aimed to-

3.1 ensure transparent, responsive, accountable, accessible, and efficient management and registration process;

3.2 improve the utility of the .bd and .বাংলা ccTLD for all Bangladeshi entities;

3.3 promote consumer protection, fair trading and competition;

3.4 provide those protections necessary to maintain the integrity, stability, utility and public confidence in the .bd and .বাংলা ccTLD;

3.5 express registration terms and conditions in objective and not subjective terms;

3.6 implement clear, predictable and reliable complaint processes; and

3.7 preserve the fundamental principles of no proprietary rights in a domain name, first come, first served, and no hierarchy of rights.

4 DEFINITIONS

Domain Regulator: Domain Regulator means the Regulatory Authority for the .bd and .বাংলা (dot bangla) ccTLDs and for any other ccTLDs of Bangladesh. The Domain Regulator shall perform the following tasks (but not limited to) - i) develop and implement guidelines related to DNS operation, administration and management; ii) resolution of complaints and disputes; iii) issuing instructions and directives for secure, efficient and quality-ensured operation of the ccTLD systems; and iv) any other regulatory measures related to DNS operation, management and administration. Bangladesh Telecommunications Regulatory Commission (BTRC) shall act as the Domain Regulator.

ccSLD Extension: Country code second-level domain extension refers to the part of the domain name that is composed of generic Top-level Domain (gTLD) accepted by Domain Regulator (For example, .com, .net, .org etc.) and ccTLD. As for example, ccSLD extensions of .bd are .com.bd, .org.bd etc.

ccTLD: Country Code Top Level Domain; .bd and .বাংলা are ccTLD for Bangladesh.

ccTLD Manager: ccTLD Manager means the designated ccTLD Manager for .bd and .বাংলা ccTLDs as per IANA database. Posts and Telecommunications Division (PTD) is the ccTLD manager for .bd and .বাংলা ccTLDs.

Domain Name: Any domain name ending in .bd and .বাংলা; Domain names are composed of at least two levels: Second-level domain and Third-level domain.

Domain String: User-selectable part of the Second-level or Third-level domain names. As for example, 'example' is the domain string in the domain names- example.com.bd or example.বাংলা.

Government: Government of the People's Republic of Bangladesh.

Guideline: This Domain Administration Guidelines for .bd and .বাংলা and its subsequent revision(s).

ICANN: The Internet Corporation for Assigned Names and Numbers is a nonprofit organization responsible for coordinating the maintenance and procedures of several databases related to the namespaces and numerical spaces of the Internet, ensuring the network's stable

and secure operation.

IDN: Internationalized Domain Names (IDNs) enable people around the world to use domain names in local languages and scripts. IDNs are formed using characters from different scripts, such as Bangla, Arabic, Chinese etc.

Registrant: A registrant is an individual/ entity who registers a domain name.

Registrar: A Registrar is an entity that manages the reservation of internet domain names with .bd and .বাংলা ccTLD. The Registrar must be accredited by Domain Regulator (i.e. BTRC). The Registrar shall operate in accordance with these guidelines and under the guidance and supervision of the Domain Regulator (i.e. BTRC).

Registry: Registry means the primary and secondary name servers and WHOIS servers, a database containing the Registry Data and a mechanism for accessing that data, in relation to a namespace.

Registry Operator (RO): A Registry Operator is the organization that will maintain the master database (registry) of all domain names registered in the particular ccTLD (.bd /.বাংলা). RO will receive requests from Registrar(s) to add, delete, or modify domain names, and will make the requested changes in the registry. RO will also operate the ccTLD's authoritative name servers and will generate the zone file.

Registry Data: Registry Data means all data maintained in electronic form in the Registry, including:

(1) Registrant contact information;
(2) technical and administrative contact information;
(3) WHOIS data;
(4) all other data submitted by Registrar(s) in electronic form; and
(5) any other data concerning particular registration or name servers maintained in electronic form in the Registry database.

Second-level Domain: A second-level domain is a domain that is directly below the ccTLD. For example, "btrc.bd" is a second-level domain of the .bd ccTLD.

Sunrise Period: The sunrise period is a reserved timespan during which trade/service mark holders may preregister names that are the same or similar to their trademarks/service marks in order to prevent registering a domain name with bad intention to profit from the goodwill of a trademark or service-mark holder.

Third-level Domain: A third-level domain name is the part of a domain name that comes before the country code second-level domain (ccSLD) extension. As for example, btrc.com.bd is a third-level domain of the .bd ccTLD.

WHOIS: This refers to a database, which stores the registration information of domain names, displayed publicly and used for querying information.

Person: A person means - a government entity, a local government organization, a company/business/private/non-government organization legally registered in Bangladesh, an incorporation/ association/ cooperation registered with appropriate government entity, foreign legal entity, a natural person who is 18 years or older.

5 ADMINISTRATION OF .BD AND .বাংলা DOMAIN

5.1 Bangladesh Telecommunications Regulatory Commission (BTRC), according to Section 30 of the Bangladesh Telecommunication Regulation Act, 2001, shall act as the Regulatory Authority (herein referred as Domain Regulator) for .bd and .বাংলা domain related all issues.

5.2 BTRC reserves the right to amend these guidelines, with the approval from Posts and Telecommunications Division (PTD), at any time for public interest. BTRC shall be able to instruct the Registrar(s) and Registrants to follow specific instruction under certain situations which are not covered by these guidelines or which may be required to address emerging needs.

5.3 Posts and Telecommunications Division (PTD) is the ccTLD manager (owner) for .bd and .বাংলা domains. BTRC, with approval from PTD, shall appoint suitable entity(s) as Registry Operator to operate the Registry(s) for .bd and .বাংলা ccTLDs.

5.4 The Registry Operator shall provide name resolution services (connecting domain names with their associated IP addresses) and shall maintain the critical infrastructure needed to complete DNS queries. Registry Operator shall also provide registration services to Registrar(s) (as and when applicable), which can include creating or cancelling domain names, updating a name server and more. The Registry Operator shall manage Registry Data for all Registrant and domain name allocation. Information about the registrant as well as contacts for technical and administrative issues related to a domain name can be queried via the WHOIS, a directory service to be maintained by the Registry Operator .

5.5 BTRC shall appoint Registrar(s) to ensure the efficient management of the .bd and .বাংলা domain with approval from PTD. The terms and duration of such appointment shall be decided by BTRC.

5.6 BTRC shall instruct the Registry Operator and Registrar(s) to ensure that DNS root of the .bd and .বাংলা. domains are properly secured. BTRC may issue additional directives, as and when required, regarding DNS root authentication and security.

5.7 BTRC shall issue instruction from time to time to the responsible Registry Operator /Registrar(s) for the secured and efficient use, management and operation of the .bd and .বাংলা. domains and infrastructure of the Registry.

5.8 BTRC shall develop a collaborative platform with the industry stakeholders and Registrar(s) for the promotion, efficient operation and easy and secure usage of the .bd and .বাংলা. domains.

6 APPOINTMENT AND RESPONSIBILITY OF REGISTRY OPERATOR AND REGISTRAR

6.1 Upon the issuance of these guidelines, BTRC shall assign Registry Operator and Registrar(s) for the management and operation of .bd and .বাংলা with the approval from the PTD.

6.2 Use of each domain name is subject to registration and/or annual maintenance fees unless otherwise approved by BTRC. The fee and maintenance structure should follow international best practices and should promote innovation, easiness as well as proper economic value.

6.3 The Registry Operator and Registrar(s), as appointed by BTRC, shall prepare standard operating procedure (SOP) for their operation and shall submit it to BTRC for approval. Once it is approved by BTRC, the SOP shall come into effect and domain name registration can be conducted under such SOP. The SOP shall also include, as and when applicable, detailed payment modality for the applicant/registrant.

6.4 The SOP, fees and payment modality may be amended with prior approval from BTRC.

6.5 The Registry Operator and Registrar(s) should maintain up to date software/application to run the DNS along with other security best practices applied to the infrastructure and hardware. All security updates and patches should be applied in time.

6.6 The Registry Operator should provision 'Anycast' DNS to host .bd and .বাংলা authoritative DNS instance at multiple locations for reducing latency, better load-sharing and protection against DDoS. The 'Anycast' DNS instances can be hosted at NIX, BdREN Data Center, National Data Center or at any other suitable data center with approval from BTRC.

6.7 The Registry Operator should implement DNSSEC for .bd and .বাংলা ccTLD as well as for all the second-level domains such as .com.bd, .net.bd, .gov.bd etc. It should also make the DNSSEC service available to the third-level domain subscribers. The Registry Operator should maintain the DNSSEC chain of trust with the Root Zone. The signatures and keys should be updated as and when required following the DNSSEC operational best practices. The Registrar(s) should make the DNSSEC service available for the subscribers.

6.8 The Registry Operator and the Registrar(s) should regularly organize training, workshops and awareness events for the registrants and stakeholders regarding .bd and .বাংলা domain usage and scope.

6.9 The Registry Operator and the Registrar(s) shall actively monitor the security status and abuse related to domain name usage and in the event of any incident, shall act appropriately for the resolution.

6.10 The Registry Operator and the Registrar(s) shall abide by and implement the security and management guidelines and standards of PTI and IANA for Domain Name System

(DNS), specifically which are applicable for the top-level domain names.

6.11 BTRC shall guide and work with the Registry Operator and Registrar(s) to make the registration system flexible, user-friendly and easily accessible for the registrants. Establishing collaborative platform with the Registry Operator, Registrar(s) and the internet industry in this respect shall be encouraged.

7 APPLICATION AND REGISTRATION PROCEDURE

7.1 A person or its legal representative must apply to the Registrar for a registration and must use the Registrar's form.

7.2 An application must include:

7.2.1 the legal name of the person applying;

7.2.2 contact details for the person, including telephone, email and address for service of documents;

7.2.3 details of the administrative and technical contacts including full postal, phone and email addresses;

7.2.4 evidence that the person satisfies the Bangladeshi presence requirement and any applicable eligibility and allocation criteria;

7.2.5 the domain name being applied for;

7.2.6 the registration period applied for;

7.2.7 agreement to the registration terms and conditions; and

7.2.8 the payment of the registration fee.

7.3 A Person applying for a registration must have a Bangladeshi presence. Where a Person is applying for a registration on behalf of a related corporate body, the related corporate body must satisfy the Bangladeshi presence requirement.

7.4 A person must not use a proxy or privacy service to apply for a registration. Rather, a person may appoint a legal representative (example: through power of attorney) to apply on its behalf.

7.5 A registration will be issued on a first come, first served basis. Where there are competing applications for a registration with the same domain name in a namespace, it will be the first complete application received by the Registrar that will be accepted.

The date and time of receipt by the Registrar shall be the sole reference point.

7.6 A registration does not confer any proprietary interest in the domain name.

8 APPLICABILITY

8.1 These guidelines shall be applicable for both of .bd and .বাংলা domain.

8.2 The syntax rules and specific clauses shall be applicable for .bd domain where it is specified.

8.3 For domain registration under .বাংলা, only second level domain shall be permitted to register. However, considering emerging requirements, BTRC may amend this provision as and when required.

9 ALLOCATION CRITERIA FOR .bd DOMAIN NAMESPACE

.bd direct namespace

9.1 .bd direct domain names will be allocated according to first come first serve basis subjected to the fact that no such name is registered nor has been applied for registration as a third level domain name. For example: the existing registrant of *getyour.com.bd* will have the priority to register for *getyour.bd.*

9.2 The priority policy for registering .bd direct domain names shall be valid for one year from the date of issuance of these guidelines.

9.3 Domain name registration directly under .bd and .বাংলা domains shall be available and open following syntax and other applicable rules under these guidelines.

.com.bd and *.net.bd* namespace

9.4 A person applying for a registration in the com.bd and net.bd namespaces must be

9.4.1 a commercial entity; and

9.4.2 the domain name applied for must be:

9.4.2.1 a match of the person's company, business, statutory or Personal name; or

9.4.2.2 an acronym of the person's company, business, statutory or Personal name; or

9.4.2.3 a match of the person's Bangladeshi Trade Mark; or

9.4.2.4 a match to or an acronym of a name of a related corporate body or

9.4.2.5 a match or an acronym of a name of:

9.4.2.5.1 a partnership of which the person is a partner;
9.4.2.5.2 a trust of which the person is a trustee; or

9.4.2.6 a match or synonym of the name of:

9.4.2.6.1 a service that the person provides;
9.4.2.6.2 goods that the person sells (whether retail or wholesale);
9.4.2.6.3 an event that the person registers or sponsors;
9.4.2.6.4 an activity that the person facilitates, teaches or trains;
9.4.2.6.5 premises which the person operates

and which that person is providing at the time of the application.

9.5 If a person has established a Bangladeshi presence by relying on a Bangladeshi Trademark, the domain name must be an exact match to the words which are the subject matter of the Bangladeshi Trademark.

.org.bd namespace

9.6 A person applying for a registration in the org.bd namespace must be:

9.6.1 a non-government organization or not for profit entity; and

9.6.2 the domain name applied for must be:

9.6.2.1 a match to or synonym of the name of:

9.6.2.1.1 a service that the person provides;
9.6.2.1.2 a program that the person administers;
9.6.2.1.3 an event that the person registers or sponsors;
9.6.2.1.4 an activity that the person facilitates, teaches or trains;
9.6.2.1.5 premises which the person operates;
9.6.2.1.6 an occupation that its members practice;

and which that person is providing at the time of the application; or

9.6.2.2 a match of the person's legal name, business or statutory name or the name of the unincorporated association; or

9.6.2.3 an acronym of the person's legal name, business name, or statutory name; or

9.6.2.4 a match of the person's Bangladeshi Trademark; or

9.6.2.5 a match to the name of a trust of which the person is a trustee.

.id.bd namespace

9.7 A person applying for a registration in the id.bd namespace must be:

9.7.1 a natural person; and

9.7.2 the domain name being applied for must be:

9.7.2.1 a match to a person's legal name, first name or surname;

9.7.2.2 an acronym or abbreviation of the person's legal name, first name or surname; or

9.7.2.3 a nickname of the person supported by legal/official document.

.info.bd namespace

9.8 Any Individual or Entity intending to disclose some information according to registrant's legitimate interest in the electronic form may register domain name under this extension.

.gov.bd namespace

9.9 Ministries, Divisions, Departments, Commissions, Authorities, Autonomous bodies, Government owned company, constitutional entities, local government bodies, certain training institutes formed under government/semi-governments/departments entities, may register domain under this extension.

9.10 Domain name registration involving this level shall be restricted and strictly controlled.

.mil.bd namespace

9.11 Military organizations of the People's Republic of Bangladesh, for example- Bangladesh Army, Bangladesh Navy, Bangladesh Air Forces may register domain under this extension.

9.12 Domain name registration involving this level shall be restricted.

.edu.bd or .ac.bd namespace

9.13 A person applying for a registration in the edu.bd or ac.bd namespace must be a recognized education or training entity operating as:

(1) a Government School;
(2) a Non-Government School;
(3) a Pre-school;
(4) a Registered Training Organization;
(5) a Higher Education Institution;
(6) an Education and Care Services (Childcare) Provider;
(7) a Body Serving Overseas Students;
(8) a Government Body related to education;
(9) an Industry Organization related to education;
(10) an Academic research organization;
(11) an Association related to educational/academic institutes/activities;
(12) an Entity Delivering Non-Accredited Training; or
(13) an Entity Not Otherwise Listed, but credibly related to education and academia.

9.14 The domain name applied for must be:

(1) an exact match to the name of the person;
(2) be substantially and closely connected to the name of the person;
(3) an acronym or abbreviation of the name of the person; or
(4) the name of or a name with a semantic relationship to the name of a project or program which the person is the owner or principal administrator.

9.15 The domain name applied for must not:

(1) be comprised of only Generic Education and Training Terms;

(2) be a personal name, except where the personal name is that of the person;

(3) express a value judgement or political message; or

(4) otherwise, be deemed to compromise the reputation or effective operation of edu.bd namespace or ac.bd namespace.

District and Area Namespaces in .bd Domain

9.16 A person applying for a registration in a District or Area namespaces must be:

9.16.1 a non-profit entity; and

9.16.2 a local government body formed and operating within the area to which the namespace relates; or

9.16.3 act on behalf of a community group residing in a locality in the area to which the namespace relates.

9.16.4 the domain name applied for must be:

(a) a match of the person's legal name, business name or statutory name; or

(b) an acronym of the person's legal name, business name or statutory name; or

(c) a match to the Person's Bangladeshi Trademark; or

(d) if a community group, the geographical name of the place in which the community resides.

9.17 A person who is a non-profit entity can apply for and hold a registration on behalf of a community group that is not a local government body.

9.18 If the applied domain name is a match of any administrative area name, approval from related local government body will be required to register such name. (for example: to register the domain name with the exact name of 'XYZ' union, approval will be required from XYZ Union Parishad).

9.19 If foreign entities want to apply for registration through a local representative, proper legal document from their country of origin will be required to be submitted with their application.

9.20 Provision of 9.15, 9.16, 9.17 and 9.18 shall also be applicable for .বাংলা domain namespace registration.

10 PROHIBITION ON DOMAIN NAME MONETISATION

10.1 Domain Name Monetization is prohibited in the *org.bd*, *id.bd*, *edu.bd* and in the *District and Area namespaces*.

10.2 A person must not apply for a registration in the *org.bd*, *ac.bd*, *edu.bd* and the *District and Area namespaces* for the sole purpose of transferring that registration to another person.

11 DOMAIN NAME AVAILABILITY

11.1 A domain name will be available where:

(1) it is not already registered as a domain name in the namespace applied for;

(2) it is not a reserved name; and

(3) it complies with the syntax criteria for domain names in the namespace.

11.2 A person must not apply to register a name which is deceptively similar to a namespace in the .bd and .বাংলা ccTLD.

11.3 A domain name is deceptively similar to a namespace if it so nearly resembles that namespace that it is likely to deceive or cause confusion to users of the internet.

11.4 A name is deceptively similar to a namespace, where the name omits or repeats a letter contained in the name of a second level namespace in the .bd and .বাংলা ccTLD.

NOTE: For example: comm.bd is deceptively similar to the name of the com.bd namespace and co.bd is also deceptively similar to com.bd.

12 RESERVED NAMES

12.1 The following categories of reserved domain names are not available to be registered as a domain name:

12.1.1 a word, acronym or abbreviation that is restricted or prohibited under a Bangladeshi law;

12.1.2 a name or abbreviation of a Bangladeshi area, including the word 'Bangladesh'; or

12.1.3 names that may pose a risk to the security, stability and integrity of the .bd and .বাংলা and global Domain Name System;

12.1.4 names that directly match with the name of a government agency of Bangladesh.

12.2 A person may apply for the registration of a name whose use is prohibited under Bangladeshi law, if:

12.2.1 the person is a statutory authority for whom the name has been restricted for their use;

12.2.2 the person has governmental consent to use the name and a copy of that consent is provided to Registrar and BTRC; or

12.2.3 the person is not captured by the relevant prohibition.

12.3 The registration of a reserved name may result in the suspension or cancellation of a registration depending upon the circumstances.

12.4 BTRC may reserve names:

12.4.1 that pose a risk to the operational security, integrity and utility of the .bd and .বাংলা domain;

12.4.2 where it is necessary for the proper administration of government;

12.4.3 for future use by the Domain Regulator of.bd and .বাংলা ccTLD for operational purposes or as second level domains;

12.4.4 which are requested to be reserved by a competent government agency for the use of the government;

12.5 The Registrar(s), with prior approval from BTRC, may reserve names if such is required for national interest.

12.6 The Registrar(s) must not approve any name for use as a future second level domain where the name is already registered.

12.7 The Registrar(s), upon the approval from BTRC, must publish all the names which are proposed to be reserved for future use on the Registrar's website.

12.8 The Registrar(s) shall not register any domain name, even if it fulfills all other criteria, which contain obscene or offensive language.

13 SYNTAX REQUIREMENTS FOR .bd

13.1 A domain name must comply with the following syntax requirements:

a. be at least two characters long;

b. contain only letters (a-z), numbers (0-9) and hyphens (-), or a combination of these;

c. start and end with a number or a letter, not a hyphen; and

d. not contain hyphens in an unusual position which may create confusion.

14 SYNTAX REQUIREMENTS FOR .বাংলা

14.1 A domain name must comply with the following syntax requirements:

a. be at least two characters long;

b. contain only letters (অ-ৎ), numbers (০-৯) and hyphens (-), or a combination of these;

c. start and end with a number or a letter, not a hyphen; and

d. not contain hyphens in an unusual position which may create confusion.

15 DECLARATION BY THE APPLICANT

15.1 A Person makes the following information to the Registrar, when applying for or renewing a registration:

15.1.1 that the information provided by the person to the Registrar is true, accurate, and complete;

15.1.2 that the person meets, and will continue to meet, the eligibility and allocation criteria specified in these guidelines, for the duration of the registration;

15.1.3 that the name, abbreviation or acronym used as a domain name is not a reserved name;

15.1.4 that the name is not deceptively similar to the name of a namespace in the ccTLD;

15.1.5 that the person is not providing a proxy or privacy service;

15.1.6 that the person will not, and does not, use the registration for any purpose that is unlawful, illegal or fraudulent under Bangladeshi law;

15.1.7 the person acknowledges that the registration will be suspended or cancelled by the Registrar if any of the information specified above is found to be untrue, inaccurate or incomplete.

16 APPLICABLE RULES FOR THE REGISTRANT

Contractual Capacity

16.1 A Registrant must continue to be a person to hold a registration.

16.2 A registration is deemed to be cancelled by the Registrar, 30 (thirty) calendar days from the date the person ceases to exist.

16.3 A person cannot transfer a registration on or after the date the registration is deemed to be cancelled by the Registrar.

Bangladeshi Presence

16.4 A person must continue to have a Bangladeshi presence throughout the registration period.

16.5 A registration will be cancelled by the Registrar where a Person no longer has a Bangladeshi presence through any type of legal representation.

Namespace Eligibility

16.6 A person must remain eligible to hold the registration for a namespace throughout the registration period. If the person is no longer eligible, the registration may be suspended or cancelled by the Registrar.

Accuracy of Registration Data

16.7 A Person must ensure that their information is complete, true and accurate throughout the registration period.

16.8 A person must inform the Registrar of any changes to the information used to apply for or renew a registration.

Sub-domains

16.9 A person may create sub-domains under its registration, subject to the person ensuring that:

a. any party using the sub-domain name meets the Bangladeshi presence, and any eligibility criteria applying to that registration;

b. the sub-domain is not used for any illegal, unlawful or fraudulent conduct; and

c. the sub-domain is not sold or leased under its registration to any person.

16.10 Where a Person creates a sub-domain under their registration and that sub-domain contravenes paragraph 16.9, the Registrar may suspend or cancel that person's registration.

Third Party Use

16.11 A person must not rent, lease, sub-registration or permit the use of the registration by another person, unless that person is a legally related corporate body with a Bangladeshi presence.

16.12 A person must not grant or purport to grant collateral using their registration or the associated domain name.

Prohibited Uses

16.13 A person must not use the registration to facilitate any conduct which is illegal, unlawful or fraudulent under Bangladeshi law.

16.14 A person must not use or inadvertently allow their domain name to be used to compromise the integrity, stability and security of the .bd and .বাংলা and global DNS.

16.15 The registration will be cancelled where:

a. the Registrant is convicted of a criminal offence under a Bangladeshi law; and

b. the registration using that domain name was instrumental in committing that offence.

16.16 BTRC may ask the Registrar(s), to suspend or cancel a registration or to take any other action on the request of law enforcement agency, security agency or any other competent government organization or when BTRC considers it is in the public interest to do so.

17 REGISTRATION TRANSFERS

Transfers - Change of Registrant

17.1 A Registrant may transfer their registration through the Registrar to a person provided that:

17.1.1 the Registrant is eligible to hold the registration at the date of transfer;

17.1.2 the person meets the Bangladeshi presence requirement and any applicable eligibility and allocation criteria;

17.1.3 the transfer request by the Registrant is in writing to the Registrar;

17.1.4 the registration is not subject to any complaint process under these guidelines, dispute resolution or court proceedings; and

17.1.5 the registration term has not expired.

17.2 The person to whom the registration is being transferred must:

17.2.1 at the date of the transfer, satisfy the Bangladeshi presence and any eligibility and allocation criteria for the namespace;

17.2.2 enter into a new Registration with the Registrar;

17.2.3 specify the new registration period; and

17.2.4 pay the new registration fee.

17.3 The Registrar(s) must:

17.3.1 before transferring the registration, determine that the Registrant remains

eligible to hold the registration and the person to whom the registration is being transferred satisfies the Bangladeshi presence and any eligibility and allocation criteria;

17.3.2 transfer the registration within seven calendar days of the request; and

17.3.3 do so in accordance with these guidelines.

17.4 On transfer, the Registrant's registration is terminated, and the person to whom the registration is being transferred must enter into a new Registration with the Registrar.

17.5 Failure to transfer the registration in accordance with the provision of the guidelines will result in the cancellation of the registration.

17.6 A fraudulent transfer of a registration will result in the registration transfer being cancelled by the Registrar.

Domain Synchronization

17.7 If a Registrant has multiple registrations with different expiry dates, then the Registrant may alter the expiry dates to one date by reducing the registration term.

NOTE: For example, if the Registrant has two registrations with expiry dates of 10 January 2024 and 28 September 2024 respectively, then they may be synchronized by reducing the registration term of the latter to 10 January 2024.

17.8 A Registrant is not entitled to a refund of the registration fee if the term of the registration is reduced under paragraph 17.7.

18 REGISTRATION RENEWAL AND EXPIRATION

18.1 A Registrant may apply to the Registrar to renew the registration 60 calendar days prior to expiry date provided that the Registrant:

18.1.1 continues to be a person eligible for the registration and domain name allocation;

18.1.2 agrees to the registration terms and conditions;

18.1.3 decides the new registration period; and

18.1.4 pays the required registration fee.

18.2 The Registrar will renew the registration, where the Registrar is satisfied that the person continues to meet the eligibility and allocation criteria for a registration in the namespace.

18.3 The term of the new registration will commence on the expiry date of the old registration.

Expired Registrations

18.4 A Registrant whose registration has expired may apply to the Registrar to renew the registration within 30 calendar days from the registration expiry date provided that the Registrant:

(1) continues to be a person eligible for the registration and domain name allocation;

(2) agrees to the registration terms and conditions;

(3) nominates the new registration period; and

(4) pays the required registration fee.

18.5 If a registration is not renewed by submitting a renewal request before the expiry, the domain name will become available to the public on a first come, first served basis.

18.6 The term of the new registration will commence on the expiry date of the old registration.

19 CANCELLATION, SUSPENSION AND RESTORING A REGISTRATION

19.1 A Registrant may cancel its registration at any time during the registration period by giving written notice to the Registrar.

19.2 The Registrar shall cancel the registration within three calendar days of receiving the written notification from the Registrant.

19.3 Where a Registrant cancels a registration, then the Registrant may request that the Registrar restore a cancelled registration within five calendar days from the date the registration was cancelled by the Registrar.

19.4 The Registrant must pay the Registrar the required restoration fee even it request for the cancellation of the registration.

19.5 The Registrar(s), may suspend or cancel a registration where:

(1) any of the warranties made by the Registrant at the time of applying for or renewing a registration are found to be untrue, inaccurate or incomplete;

(2) the Registrant has failed to comply with the Registrant obligations;

(3) it is in the public interest; or

(4) BTRC or the Registrar(s) must comply with a court order or an instrument made under Bangladeshi law.

19.6 A registration will be suspended in the following circumstances:

(1) the information provided at the time of applying for or renewing a registration is incomplete;

(2) where a reserved name has been registered;

(3) where the Registrant information has not been updated within 14 (fourteen) calendar days of the Registrant becoming aware of the requirement for a change;

(4) where a sub-domain under the registration does not comply with these guidelines;

(5) where the Registrant has not complied with these guidelines and the non-compliance is not of a severity that warrants the cancellation of a registration;

(6) where it is in the public interest; or

(7) in order to comply with a court order or Bangladeshi law.

19.7 A registration which has been suspended will not resolve in the DNS and the registration cannot be transferred.

19.8 A Registrant whose registration has been suspended has 30 calendar days to rectify the information deficit or non-compliance issue.

19.9 A registration will be cancelled in the following circumstances:

(1) the information provided at the time of registration or renewal of a registration is untrue;

(2) the Registrant is not eligible to hold the registration;

(3) the registration is being used to facilitate conduct which is illegal, unlawful or fraudulent under Bangladeshi law;

(4) the name registered is a reserved name and the person is not entitled to use that name;

(5) the Registrant has permitted the use of the registration to a person who is not a legally related Bangladeshi corporate body;

(6) where it is in the public interest;

(7) to comply with a decision made under a dispute resolution process;

(8) the registration or domain name poses a risk to the security, stability or integrity of the .bd and .বাংলা domain; or

(9) to comply with a court order.

19.10 A cancelled registration cannot be transferred or updated.

19.11 The Registrar reserves the right to restore a registration which has been cancelled, only in the circumstances where a new registration with that domain name has not been issued to another person.

20 AUDIT AND COMPLIANCE MONITORING

20.1 BTRC, from time to time, may undertake compliance monitoring activities in order to ensure that Registrar(s) and Registrants comply with these guidelines.

20.2 These compliance activities will include, but not limited to:

20.2.1 Audits of the Registrar(s) data;

20.2.2 review of complaints or complaint data; and

20.2.3 audit of the registration process.

21 PUBLIC INTEREST

21.1 BTRC may direct the Registrar(s) to suspend or cancel a registration or take any necessary action, when it is in the public interest.

21.2 A public interest objective is:

(1) the proper administration of government;
(2) the judicial system;
(3) public health and safety;
(4) national security;
(5) the prevention and detection of crime and fraud;
(6) consumer protection;
(7) the economic wellbeing of Bangladesh;
(8) complying with Bangladesh's obligations under international law;
(9) the integrity, stability or security of the Domain Name System.

21.3 The Registrar, as directed by BTRC, may suspend, cancel or otherwise deal with a matter relating to a registration in the public interest, without giving notice to the Registrant.

21.4 The Registrar must specify the suspension period of the registration.

22 CORRECTION OF REGISTRAR DATA

Correction of Registrant Information

22.1 A Registrant may request the Registrar to correct information relating to the Person recorded as the Registrant.

22.2 A Registrant may only request such a correction where:

(1) the inaccuracy has arisen through a genuine error made in good faith by the Registrant in supplying information to the Registrar; or

(2) the inaccuracy has arisen through a genuine error made in good faith by the Registrar in recording the Registrant information;

and only in the following circumstances:

(3) the Registrant submitted or through error the Registrar recorded, inaccurate data at the time of registration;

(4) the registration was incorrectly registered by the Registrar to the wrong party;

(5) where otherwise authorized by BTRC.

22.3 Any request must be made within 14 calendar days of the registration being recorded in the Registrar data.

Updating of Registrar Data

22.4 A Registrant may request a Registrar to update other information, which is not Registrant information, relating to their registration at any time, providing that the request is in writing and indicates the relevant field which must be updated.

22.5 The Registrar(s) must update the Registrar data within 07 (seven) calendar days of receiving the request from the Registrant.

22.6 A Registrant may apply to Registrar for a search of registrations issued using the Registrant's details.

22.7 The Registrar(s) shall publish all required forms for the Registrants to apply for correction and update of the registration data.

22.8 The Registrar(s), as directed by BTRC, may provide information on a registration:

(1) To the law enforcement agencies based on their written demand;
(2) for the purpose of a claim under these guidelines; or
(3) as a result of court proceedings.

23 WHOIS PROVISIONS

23.1 The Registry Operator and Registrar(s) shall maintain updated protocol features related to WHOIS service. With prior approval from BTRC, the Registrar(s) shall use a specific form which would be used to disclose registrant information to the WHOIS domain.

23.2 BTRC may direct the Registrar(s) about any restriction on providing information of any registrant to the WHOIS domain.

24 LIMITATION OF LIABILITIES AND INDEMNITY

24.1 To the fullest extent permitted by law, BTRC, the Registry Operator or the Registrar(s) will not be liable to the Registrant for any direct, indirect, consequential, special, punitive or exemplary losses or damages of any kind (including, without limitation, loss of use, loss of profit, loss or corruption of data, business interruption or indirect costs) suffered by the Registrant arising from, as the result of, or otherwise in connection with,

any act or omission whatsoever of BTRC, Registry Operator or Registrar(s), its employees, agents or contractors.

24.2 The Registrant agrees to indemnify, keep indemnified and hold BTRC, the Registry Operator and the Registrar(s), its employees, agents and contractors harmless from all and any claims or liabilities, arising from as a result of, or otherwise in connection with, the Registrant's registration or use of its .bd or .বাংলা domain name.

25 COMPLAINTS AND DISPUTES

25.1 A person/registrant must:

(1) make the complaint to the Registrar;
(2) ensure that the complaint only relates to the responsibilities or obligations of a Registrant or Registrar under these guidelines; and
(3) make the complaint in the manner or form as required by the Registrar.

25.2 A registration which is deemed to be cancelled under these guidelines cannot be the subject matter of a complaint.

25.3 Any decision made by the Registrar or BTRC under these guidelines in relation to the suspension or cancellation of a registration cannot be the subject of a complaint.

25.4 For complaint, a person/Registrant should:

25.4.1 Lodge its complaint with the Registrar in written or through online complaint form. The Registrar shall publish this complaint form for the use of the Registrants.

25.4.2 Upon receiving the complaint, the Registrar shall solve it within 21 calendar days. When it is not possible to solve it within 21 days, the Registrar should communicate with the Registrant explaining the cause of delay and expected time required to solve it.

25.4.3 If the decision/resolution of the Registrar is not acceptable to the Registrant, it can submit a subsequent appeal to review the decision with justification. The Registrar shall get back to the Registrant with its decision on the appeal within 14 calendar days.

25.4.4 If the decision from the Registrar is not acceptable to the Registrant with proper justification, it may appeal to BTRC for review of the Registrar's decision. In such a case, the decision from BTRC shall be binding to all parties.

25.4.5 A person must not apply to BTRC unless all avenues of redress with the Registrar have been exhausted.

25.4.6 An application for review must be lodged with BTRC within the following timelines:

25.4.6.1 a decision to cancel a registration – 15 (fifteen) calendar days from the date the Registrar made the decision;

25.4.6.2 a decision to suspend a registration – within 28 (twenty-eight) calendar days from the date the Registrar made the decision; and

25.4.6.3 for all other matters - 28 (twenty-eight) calendar days from the date the Registrar made the decision (based on the person's appeal) or failed to make a decision; and

25.4.6.4 the application should be in the approved form as specified by BTRC.

25.5 Section 25.4 does not limit the right of a person to pursue a cause of action under Bangladeshi law.

25.6 In the event of a dispute in the registration process and in the use of the Domain Name, BTRC shall act as the arbitrator to solve the dispute between Registrant and Registrar. BTRC, as and when required, may also ask opinions from experts from the industry or academia for the resolution of any such disputes.

26 PROTECTION OF PESONAL DATA

26.1 The Registrar is responsible to maintain the Registrant's personal data in the form of electronic documents that are kept confidential and stored in a Data Center and/or Disaster Recovery Center under the jurisdiction of the law of Bangladesh.

26.2 The Registrar(s) must take necessary steps to maintain the security and integrity of all facilities where the personal information is stored to protect the personal information from misuse, disruption and loss from unauthorized access.

26.3 The Registrants can request changes, revocation or withdrawal of all their personal data contained in the electronic system of the Registrar(s).

27 AMENDMENTS

These guidelines may be revised and updated as and when necessary for smooth management of the domain name systems.

02/01/2024

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