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# Domain Name Transfer – Change of Registrar

AEDA-POL-010

Version 1.0

Issue Date 21/04/2008



إدارة أسماء نطاق الانترنت  
Domain Administration

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# Table of Contents

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Document Information .....	iii
Domain Name Transfer – Change of Registrar .....	1
1. Interpretation and Definitions .....	1
2. Purpose .....	1
3. Transfer Policy.....	2
4. Transferee Registrar.....	2
5. Transferor Registrar .....	3
6. Fees on Transfer of Domain .....	4
7. Bulk Transfers by Resellers .....	4
8. Termination of Registrar Accreditation .....	4
9. Standard Transfer Confirmation Message .....	5
10. Standard Transfer Audit Message.....	6
11. Policy review .....	6

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# Document Information

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## Document Status

The status of the document:

<b>Version</b>	1.0
<b>Effective Date</b>	03/08/2008
<b>Status</b>	Current
<b>Issue Date</b>	21/04/2008

# Domain Name Transfer – Change of Registrar

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## 1. Interpretation and Definitions

- 1.1. Except where expressly provided otherwise in this Policy, all terms used in this Policy, and defined in the .aeDA's Common Definition Policy (as amended from time to time) will carry the meaning ascribed to them in that Common Definition Policy.
- 1.2. Except where the context otherwise requires, the following principles will apply in interpreting the terms and words used in this Policy:
  - a) words importing the masculine, feminine or neuter gender include any of them, and the singular includes the plural and vice versa;
  - b) clause or section headings are for ease of reference only and do not affect the meaning of this Policy;
  - c) references to notice mean notice in writing;
  - d) the Schedules and any appendices or annexures form part of this Policy;
  - e) a reference to a Party includes its executors, administrators, successors and permitted assigns; and
  - f) words and expressions importing natural persons include partnerships, bodies corporate, associations, governments, governmental and local authorities and agencies.
- 1.3. The following words were used in this Policy will have the meaning ascribed to them below;

**“Standard Transfer Audit Message”** means a message from a Registrar to the relevant Registrar requesting the Registrant to confirm that a Transfer of Sponsorship from one Registrar to another Registrar, is properly authorised, which Standard Transfer Audit Message will comply in all respects with Section 10 of this Policy;

**“Standard Transfer Confirmation Message”** means a message from a Transferee Registrar in respect to the transfer of Sponsorship of a Domain Name Licence from one Registrar to another, which message shall conform in all respects with Section 9 of this Policy;

## 2. Purpose

- 2.1. The purpose of this Policy is to define the rules for Registrants and Registrars when a Registrant wishes to Transfer the relevant Domain Name Licence from the Registrar of Record to the management or Sponsorship of another Registrar.

- 2.2. This Policy covers the situation where there is a change in the Registrar of Record, and not situations where there is no change to the Registrar of Record. These later situations include:
  - 2.2.1. where a Registered Domain Name is Transferred by the Registrant from one Reseller to another Reseller of the same Registrar;
  - 2.2.2. where a Registered Domain Name is Transferred by the Registrant from a Reseller of one Registrar to the same Registrar; and
  - 2.2.3. where a Domain Name Licence is Transferred from one Registrant to another Registrant.

### **3. Transfer Policy**

All Registrars must ensure that the following principles are reflected in all their respective Registrant Agreements:

- 3.1. Registrants have the right to make an informed choice to Transfer their Domain Name Licence at any time during the Domain Name Licence Period, with no loss of remaining Domain Name Licence Period;
- 3.2. a Registrant has the right to know all the material terms and conditions of the Transfer, including any related costs or charges, before they agree to proceed with the Transfer;
- 3.3. under no circumstances may a Transferee Registrar or a Transferor Registrar impose any fee on the relevant Registrant for that Transfer; and
- 3.4. a Transferor Registrar shall not delay or prevent that Transfer.

To prevent undesirable practices associated with an unauthorised Transfer of a Domain Name Licence from one Registrar to another, the .aeDA has mandated that Registrants be issued with a Domain Name Password at the time of Registration. In addition, the Transfer Request must be confirmed by the Registrant, prior to proceeding with the Transfer.

### **4. Transferee Registrar**

- 4.1. Prior to sending a Transfer Command to the Registry in respect of any Domain Name Licence, the Transferee Registrar must:
  - 4.1.1. receive a written Request for a Transfer from the relevant Registrant that includes a valid Domain Name Password for the relevant Domain Name Licence. The Request must come by letter, facsimile, email or online form from the relevant Registrant. A request made orally whether in person or over the telephone is not acceptable;
  - 4.1.2. use the Domain Name Password to retrieve the full Domain Name Record from the Registry Database;

- 4.1.3. send a Standard Transfer Confirmation Message in the form described in Section 9 of this Policy, by facsimile, letter, or email to the person who has requested the Transfer and to the Registrant listed in the Database (if different from the party requesting the Transfer);
  - 4.1.4. receive an affirmative response from the Registrant contact by letter, facsimile or email; and
  - 4.1.5. enter into a new Registrant Agreement with the Registrant for the remaining term of the Domain Name Licence period, or for a new licence period where requested by the Registrant, where the Transfer is combined with Renewal.
- 4.2. The Transferee Registrar must not provide the means for a Registrant, or a Reseller acting on behalf of a Registrant, to automatically initiate a Transfer Command to the Registry (for example, by submitting an online form that sends a Transfer Command to the Registry). The Transferee Registrar must satisfy the requirements listed in this Policy before initiating the Transfer Command to the Registry.
  - 4.3. The Transferee Registrar must keep full records of the Transfer for inspection by the .aeDA on demand, including copies of the written request for Transfer, the Standard Transfer Confirmation Message and the affirmative response from the Registrant.
  - 4.4. Transfers that have been properly authorised and processed according to the requirements of this Policy and any procedural requirements of the Registry, will proceed two (2) Calendar Days after initiation by the Transferee Registrar (unless the Transfer is accepted earlier by the Transferor Registrar).

## 5. Transferor Registrar

- 5.1. The Registry will notify the Transferor Registrar that a Transfer has been initiated. The Transferor Registrar may send a Standard Transfer Audit Message as defined in this document, to the Registrant, requesting the Registrant to confirm that the Transfer of Registrar is properly authorised.
- 5.2. If the Transferor Registrar sends a Standard Transfer Audit Message, it must send the message once only, and within two (2) Calendar Days of receiving the Transfer notification from the Registry. The Transferor Registrar must not attempt to delay or prevent the Transfer of Registrar. If the Registrant does not respond to the Standard Transfer Audit Message, the Transferor Registrar must not persist in efforts to obtain a response to the message.
- 5.3. If a Transferor Registrar receives a response from the Registrant that the Transfer has not been authorised, the Transferor Registrar may lodge a complaint with .aeDA. The act of lodging a complaint with the .aeDA will not stop the Transfer from taking effect, unless the .aeDA is of the view that to allow the Transfer to proceed would cause harm to the Registrant. Causing harm to the Transferor Registrar's business is not sufficient reason to stop the Transfer.
- 5.4. Should the .aeDA determine that the Transfer has not been authorised by the Registrant in accordance with this Policy, the .aeDA may:

- 5.4.1. allow the Transferor Registrar to initiate a Transfer back to the Transferor Registrar (using the procedure outlined in this Policy); or
  - 5.4.2. reverse the Transfer.
- 5.5. Circumstances under which either of these actions might occur include where the Transferee Registrar, or an appointed Reseller of the Transferee Registrar, has breached the terms and conditions of the Registry-Registrar Agreement in order to secure the Transfer.

## **6. Fees on Transfer of Domain**

- 6.1. The Transferor Registrar must not impose a Transfer fee on the Registrant, or any fee that could reasonably be construed as a Transfer fee.
- 6.2. The Transferee Registrar must not impose a Transfer fee on the Registrant, or any fee that could reasonably be construed as a Transfer fee. If the Transferee Registrar chooses to bundle the Transfer with other service offerings, then the Transferee Registrar must advise the Registrant that the Transfer is free of charge.
- 6.3. If the Registrant chooses to Renew their Domain Name Licence at the same time as Transferring it to the Transferee Registrar, then the Transferee Registrar may charge a Renewal fee. The Transferee Registrar must advise the Registrant that the Domain Name Renewal is optional and is not required as part of the Transfer process.

## **7. Bulk Transfers by Resellers**

- 7.1. Where a Reseller of one Registrar decides to Transfer its business to another Registrar, the Reseller must follow the procedure outlined in this Policy in respect of each registered Domain Name under its management.
- 7.2. The reason for this is that each Registrant has an existing Registrant Agreement with the Transferor Registrar, and this agreement cannot be reassigned to the Transferee Registrar. Each Registrant must enter into a new Registrant Agreement with the Transferee Registrar.

## **8. Termination of Registrar Accreditation**

- 8.1. Where a Registrar has its Accreditation terminated by the .aeDA, all Domain Name Records with respect to Domain Name Licences under its Sponsorship will be Transferred immediately to the .aeDA's management (ie. the .aeDA will be listed as the Registrar of Record in the Registry Database).
- 8.2. The .aeDA will notify the affected Registrants that they must Transfer their Domain Name to another Registrar by following the procedure outlined in this document.

## 9. Standard Transfer Confirmation Message

- 9.1. As required under Section 4.1.3 of this Policy, the Transferee Registrar must send a Standard Transfer Confirmation Message to the person who has requested the Transfer and to the Registrant contact listed in the database (if they are different persons).
- 9.2. The purpose of the Standard Transfer Confirmation Message is to safeguard both the Registrant and the Transferee Registrar by confirming that:
  - 9.2.1. the Transfer request is properly authorised; and
  - 9.2.2. the Registrant has been informed of the material terms and conditions of the Transfer.
- 9.3. The Standard Transfer Confirmation Message must contain the following text

*"Domain Name Transfer – Request for Confirmation*

*Attention: <insert Registrant contact name>*

*Re: Transfer of <insert domain name>*

*The current Registrar of Record for this Domain Name is <insert name of Transferor Registrar>. We have received a request from <insert name of person requesting Transfer> for us to become the new Registrar of Record.*

*You have received this message because you are listed as the Registrant contact for this Domain Name in the Whois database.*

*Please read the following important information about Transferring your domain name:*

*You must agree to enter into a new Registrant Agreement with us. You can review the full terms and conditions of the Agreement at <insert URL>*

*Once you have entered into the Agreement, the Transfer will take place within 2 Calendar Days.*

*If you wish to proceed with the Transfer, please contact us <insert Transferee Registrar contact details> with the following message:*

*"I confirm that I have read the Domain Name Transfer - Request for Confirmation Message. I confirm that I wish to proceed with the Transfer of <insert domain name> from <insert name of Transferor Registrar> to <insert name of Transferee Registrar>."*

*Please note that all Registrars must comply with the .aeDA's Policy <insert URL to .aeDA website>."*



## 10. Standard Transfer Audit Message

- 10.1. As required under Section 5 of this Policy, the Transferor Registrar may send a Standard Transfer Audit Message to the Registrant Contact.
- 10.2. If sent, the Standard Transfer Confirmation Message must contain the following text:

*"Attention: <insert Registrant contact name>*

*Re: Transfer of <insert domain name>*

*We are the current Registrar of Record for this Domain Name.*

*We received notification on <insert date of notification> that you have requested a Transfer to <insert name of Transferee Registrar>. This means that <insert name of Transferee Registrar> will become the new Registrar of Record for your Domain Name on <add 2 Calendar Days to date of notification>.*

*If you have authorised this Transfer, you are under no obligation to respond to this message.*

*If you did not authorise this Transfer, please contact us <insert Transferor Registrar contact details>.*

*Please note that all Registrars must comply with the .aeDA's Policy <insert URL to .aeDA website>."*

## 11. Policy review

The .aeDA may update this Policy at any time in its complete discretion, including for the purpose of clarification.