Rules for registration, use and allocation of domain space in the Kazakhstan segment of the Internet

1.General position

1. These Rules for registration, use and allocation of domain space in the Kazakhstan segment of the Internet (hereinafter - the Rules) are designed in accordance with the Law of the Republic of Kazakhstan dated 11 January, 2007 "On informatization".

2. These rules determine the order of registration, use and allocation of domain space in the Kazakhstan segment of the Internet and distributed to all requests for the allocation of the domain name in Kazakhstan's top level domain names and all subdomains.

3. In these Rules, the following basic terms and concepts:

1) authority in the field of information (hereinafter - the authority) is a state agency exercising leadership in the field of information and e-government;
2) first- level (upper- level) domain name is a domain name, located in the hierarchy of domain name space on a step below the root domain name and being a direct subdomain of the root domain name (RFC-882);
3) domain name is a character (alphanumeric) designation, formed in accordance with the rules of addressing of the Internet, intended to appeal to a named object network and the corresponding specific network address;
4) transfer of domain name is a procedure for changing of Registrar by Registrant;
5) change of domain name information is a procedure for changing any information about domain name on the register except for changing Registrant;
6) transfer of domain name is a procedure for changing of registrant of a domain name;
7) registration of domain name is inclusion by the registrar information about registration of domain names in the register according to the application of the registrant and providing the registrant of authority to manage the information about the domain name;
8) delegating a domain name is implementation of domain name service availability through the transfer of data about it in the Domain Name System (DNS). Be delegated is the availability of the registry information at least two DNS-servers;
9) Domain Name System (DNS) is a distributed database for information about domain names. It contains information about correspondence of domain names and IP addresses, and operates in accordance with RFC-1034, RFC-1035;
10) domain space is a structured hierarchy of domain names;
11) second level domain name is a domain name, located in the hierarchy of domain name space on a step below the first level domain, and being the direct sub-domain name of the first level domain(RFC-882);
12) Kazakhstan top-level domain name is a first level domain name, selected by the international organization ICANN (Internet Corporation for Assigned Names and Numbers) for the benefit of the Republic of Kazakhstan;
13) Administrator of Kazakhstan top-level domain name is a nonprofit governmental organization accredited by the International Organization ICANN (Internet Corporation for Assigned Names and Numbers) at the request of an authorized agency as managing and funding organization that supports the stable operation of Kazakhstan top-level domain name;

14) Kazakhstan segment of the Internet is a complex of information resources and systems deployed on the territory of the Republic of Kazakhstan and used Kazakhstan top-level domains;

15) request is an application of the registrant to the registrar, which contains all the required information for registration (renewal of registration), changes of the previously reported data, transfer or cancel an existing registration of the domain name;

16) root domain name is a top of the hierarchy of the domain space. The root domain name also denotes «.» character (RFC-882);

17) Registrant is an individual or a legal entity who send to the Registrar a request and obligate for the registration (renewal, modification, transfer, cancellation) of the domain name documents and being owns for the registration period, having the rights and responsibilities for managing information about a registered domain name;

18) Register is a centralized complex of databases of all registered domain names in Kazakhstan top-level domain name which contains all the required information in accordance with requests of registrants;

19) Register maintenance is a maintenance of the domain name register, the possibility of making changes to the register by registrars, the delegation of domain names and provide all current information about registered domain names via WHOIS-server;

20) Registry is an organization that is determined by the administrator of Kazakhstan top-level domain name in coordination with the competent authority and the international organization ICANN (Internet Corporation for Assigned Names and Numbers), which maintains the register of Kazakhstan top-level domain name on the Internet;

21) Cancellation of registration is a complete exclusion of domain name information from the register;

22) suspension of registration is a temporary suspension of operability of the domain name (suspension of delegation), without exclusion of the domain name information from the register;

23) renewal is a renewal of domain name registration for a further period;

24) registrar is a legal entity, resident of the Republic of Kazakhstan, accredited by the administrator of Kazakhstan top-level domain name, providing services of domain name registration to the registrants, providing entry of information into the register in accordance with the agreement (contract) concluded between registry and registrar and realizing the rights of the registrant on management of domain name in the registry;

25) third level domain name is a domain name, located in the hierarchy of the domain name space on a step below the second level domain names and being the direct sub-domain of second level domain names (RFC-882);

26) DNS-server is a specialized software (hereinafter - the software) to service the Domain Name System (DNS), working in accordance with RFC-1032, RFC-1034, RFC-1035, RFC-1122, RFC-1133, RFC-1591 and equipment where the software is executed;

27) document RFC is a standard that defines the technical and organizational aspects of functioning of the Internet and received by public organizations Internet Engineering Task Force (IETF) and Internet Engineering Steering Group (IESG);

28) WHOIS-server is a specialized software, intended to obtain information about registered domain names, operating in accordance with RFC-3912, as well as the hardware on which software is executed..

2. The order of registration, use and allocation of domain space of the Kazakhstan segment of the Internet

4. To register a domain name registrant provides an application with accurate and complete information in electronic or written form according to the annex to these Rules. Requirement for the server equipment is its physical location on the territory of the Republic of Kazakhstan. All applications are considered in the order they are received in the registry or registrar.

5. Registrant in the text of the application accepts the text of the agreement of the domain name registration, intended by the registrar, which contains detailed conditions for the provision of services for domain name registration and posted to an online resource of the Registrar.

6. Registrar considers the registrant's request for domain name registration within 10 calendar days of its receipt, and concludes with the registrant agreement on the domain name registration containing the detailed terms of services for domain name registration. Agreement on the domain name registration available on the Internet site of the Registrar.

7. A domain name is registered since the entry of information about it in the register.

8. Domain name registration can be refused if:
1) if the information filed by the registrant in the application for registration is incomplete and / or misleading;
2) if a domain name by the time of the application is already registered;
3) mismatch of the application to the Internet standards: RFC-1032, RFC-1034, RFC-1035, RFC-1122, RFC-1133, RFC-1591;
4) presence of a domain name in the list of reserved domain names referred to in paragraph 18 hereof;
5) presence of an enforceable court decision to ban the use of the domain name;
6) location of server equipment, where online resource with the claimed domain name will be used, outside the Republic of Kazakhstan.
In the cases provided for in this paragraph, the registrar shall send to the registrant a notice of refusal to register a domain name with a statement of reasons for the refusal within 10 calendar days from the date of application receipt.

9. Domain name registration is suspended by registry or registrar in the following cases:
1) detection of incomplete or inaccurate information about the domain name in the application;
2) the presence of the registrant's request to suspend the registration of the domain name;
3) location of the server hardware, where a web site with a registered domain name is used, outside the Republic of Kazakhstan;
4) presence of an enforceable court decision .
In the cases provided for in this paragraph, the registrar shall suspend the registration of the domain name and send notification of suspension for a period not exceeding 10 calendar days if more time is fixed by an enforceable court decision. Before the deadline, the registrant provides additional information or eliminates the cause of suspension.

10. In the case of removal of the cause of suspension or in accordance with enforceable court decision on the reinstatement of registration then domain name registration is reinstated.

11. Cancellation of registration of the domain name is produced in the following cases:
1) if the cause of the suspension of the domain name registration is not eliminated in due time
2) there is an enforceable court decision.
In the case referred to in this paragraph, the registrar promptly makes cancellation of registration , make the appropriate entry in the register and notify the registrant.

12. The Registrant can use the domain name in accordance with the Law of the Republic of Kazakhstan "On informatization" and the present Rules.

13. All disputes regarding the use of domain names between registrants and third party contesting the registration of domain names are resolved in court.

14. In order to prevent possible violations when using the domain name registrant does not use the domain name to create resources that contain information contradicting the Constitution of the Republic of Kazakhstan, the Civil Code of the Republic of Kazakhstan and the Republic of Kazakhstan Law "On Mass Media", including propaganda or agitation of forced change of constitutional order , compromising the integrity of the Republic of Kazakhstan, undermining state security, war, propaganda and agitation of extremism or terrorism, as well as propaganda of narcotics, psychotropic substances, social, racial, ethnic, religious, class and clannish superiority as well as the cult of cruelty and violence.

15.Shared Registry System is based on a three-level model of the relationships: administrator of Kazakhstan domain name top-level, registry;
registrar;
registrant.

16. In the allocation of domain space of the Kazakhstan segment of the Internet administrator of Kazakhstan top-level domain name interacts:
1) with the authority on the administration and development of Kazakhstan top-level domain name;
2)with the international nonprofit organization ICANN (Internet Corporation for Assigned Names and Numbers) on the Administration of Kazakhstan top level domain name;
3) with government agencies (including law enforcement and judicial agencies) of the Republic of Kazakhstan on all issues related to the domain name in Kazakhstan top-level domain name
4) with the registry on the administration and development of Kazakhstan top-level domain name.
Administrator of Kazakhstan top-level domain name controls work of the Registry and accredits Registrars.

17. Administrator of Kazakhstan top-level domain name does not pass the administration function of Kazakhstan segment of the Internet to the Registrar or the Registry.

18. The reserved second level domain names are distributed as follows:
1) COM.KZ - intended to register third level domain names for profit organizations.
2) EDU.KZ - intended to register third level domain names for organizations of Kazakhstan residents who have a license for educational activities;
3) GOV.KZ - intended to register third level domain names for a government of the Republic of Kazakhstan;
4) MIL.KZ - intended to register third level domain names for the agencies of the Ministry of Defence of the Republic of Kazakhstan;
5) NET.KZ – intended to register third level domain names for organizations to provide data services that have the appropriate license authority;
6) ORG.KZ - intended to register third level domain names for profit organizations and projects.

Reserved domain names, with a specific purpose, are determined by the administrator of Kazakhstan top- level domain name in consultation with the competent authority. This information is public and is located on the Internet resource of registry.

19. Registry and registrars distribute domain names in the Kazakhstan segment of the Internet to registrants.

20. Distribution of the second level domain names and the third level domains with the exception of reserved domain names is done on a domain name registration.