

***Proposal to modify the registration policy of the
.madrid TLD: specification 12***



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1 OBJECTIVE

El Registro **.madrid**, tiene la intención de modificar, las políticas de registro del dominio **.madrid** enumeradas en la Especificación 12 de su Acuerdo de Registro, para las condiciones de registro en relación a los contactos administrativos de los dominios **.madrid**.

Este requisito se incluyó en la presentación de la candidatura para la aprobación del dominio **.madrid**, como parte de un conjunto de materiales y condiciones que debían regir el dominio a nivel técnico, legal y administrativo.

The **.madrid** Registry intends to modify the .madrid domain registration policies, included in Specification 12 of its Registration Agreement. The change proposed will eliminate the requirement to have an administrative contact in the Madrid area.

This requirement was included in the submission of the .madrid gTLD application as part of a set of materials and conditions that should govern the domain at a technical, legal and administrative level.

The .madrid TLD bid was presented in 2012. At that time, the requirement of physical presence was considered an appropriate international practice, as a condition that made it possible to ensure some type of geographic link between the domain registrant and the geographic territory represented. In the case of the .madrid TLD, the geographical territory is the Community of Madrid.

Currently, the administrative contacts for .madrid domains must have a physical presence in the Community of Madrid. This presence is demonstrated by the indication of the postal address in the Community of Madrid during the domain application process.

The .madrid domain registration policies listed in Specification 12 of your Registration Agreement contains:

“...To facilitate validation, registrants are required to state their intended use of the registered domain name. A false statement of intended use is an indication of bad faith and can be the basis for the suspension of the domain name.

Registrants are further required to have an administrative contact in the Madrid area.
This is verified in part automatically (through the postal code in the administrative contact

record and by a human eyes review pre-validation or post-validation). The administrative contact may be any person or entity having received and accepted the mandate to act as such for the respective domain. (The registrar may act as administrative contact.) Any communications addressed to the administrative contact are deemed to have been brought to the attention of the domain holder. Validation checks include machine and human verification of address accuracy..."

The reason for this update is that the requirement that the administrative contact has a physical presence in the Community of Madrid was an error that occurred during the application period, when this registration authority debated different formulas in the gTLD application process.

It was never the intention of the Government of the Community of Madrid to require such physical presence, and this was only included as a possibility, following outdated CCTLD practices.

As of today, it is no longer considered necessary to maintain these types of requirements. Madrid Digital, as the Registration Authority, considers that requiring an administrative contact with physical presence in the Community to register a .madrid domain by individuals or companies from outside our territory, who have or want to have any link with Internet users living in the Community of Madrid, is a condition that does not respond to the current reality of domain registration processes.

The interest of consumers and Internet users in the Community is also adequately protected by the conditions of use of the .madrid domain, which includes the faculty of Madrid Digital to suspend those domains that may be used fraudulently.

2 CONSULTATIONS CONDUCTED

ICANN has a procedure in place that allows registry operators to modify the Community Registry Policies, listed in Specification 12 of the corresponding Registry Agreement. This Registration Authority, in accordance with the procedure indicated, has carried out the following actions:

A. Request to ICANN.org

On July 31, 2019, an application is submitted, with the intention of modifying specification 12 for preliminary review under the following conditions:

“Eligibility

*Two types of conditions must be fulfilled for the right to register a TLD name. These are:
(A) community membership (bona fide presence in the Madrid area) and
(B) the additional requirements that:*

- i. the presence in Madrid area and use of domain are generally accepted as legitimate*
- ii. the presence in Madrid area and use of domain are conducive to welfare of the Madrid area;*
- iii. the presence in Madrid area and use of domain are commensurate to role and importance of domain;*
- iv. presence in Madrid area and use of domain are based on good faith at registration and thereafter.*

The change the Registry Operator is promoting is very simple: to remove the requirement that the domain name admin contact must have physical address in the Madrid area.

1.2. What is the motivation and rationale for this Change Request?

The rationale for the update is that the requirement for the admin contact to have physical presence in the Madrid region was an oversight during the application period. It was never the intention of the Government of the Region of Madrid to require said physical presence, and this was only included as a possibility, following some - outdated - cctld practices.

1.3. What are the benefits to the TLD Community of the Community gTLD Change?

The change does not affect the community itself, but would benefit it by removing this unnecessary requirement.

1.4. What potential detriment would there be to the existing TLD Community as a result of the Change Request? If any, identify the group and explain what measures would be adopted to minimize the potential detriment.

No detriments are foreseen by the Government of the Region of Madrid

1.5. What are the benefits to the Registry Operator of the Community gTLD Change?

See answer to Q 1.4 above

1.6. Please explain if this Community TLD Change will broaden or narrow the eligibility and/or name selection requirements. Please explain why you believe this Community TLD Change will not excessively broaden or narrow current eligibility and/or name selection requirements.

Eligibility will remain unaffected, as eligibility concerns registrants, and the physical presence requirement only concerns administrative contacts.

2. Consultation

2.1. Please describe with specificity your consultations with the TLD Community, experts, representative governing bodies and/or others (e.g., TLD registrants, end users). What were the quantity, nature, and content of the consultations?

No consultation has been conducted, as this is purely a correction of an editing oversight.

2.2. Please provide supporting documentation of this consultation.

N/A

2.3. What policies and/or procedures did the Registry Operator follow in development of the Community gTLD Change? If applicable, please describe the Community gTLD's rules or standards that govern these types of changes.

N/A

2.4. Did you conduct your own public comment period? If yes, please describe the results and explain the outcome, if any, on the proposed Community gTLD Change.

N/A

2.5. Did you consult with the ICANN community, experts, and/or others? What were the quantity, nature, and content of the consultations?

N/A

2.6. Please provide supporting documentation of the TLD Community's support.

3. Specification 12 Provisions

3.1. Please list the relevant Specification 12 provisions impacted by the Community gTLD Change. "Registrants are further required to have an administrative contact in the Madrid area."

4. Contract Amendments

4.1. Please provide the draft contractual amendment for the Community gTLD Change.

5. Timeline

5.1. Please describe the timeline for implementation of the Community gTLD Change. as soon as it is approved

5.2. If approved, please explain how the changes would be communicated to the TLD Community. No changes need be communicated as the sunrise has just started.

6. Other

6.1. Please describe any other relevant information related to the Community gTLD Change.

None

6.2. Please provide any other supplementary documentation related to the Community gTLD Change.

N/A

6.3. Please describe if this Community gTLD Change Request will require updates to any other contractual or policy obligations to implement the change if this Change Request is approved.

This requires a change in the Specification 12 of the Registry Agreement to eliminate the following sentence:

"Registrants are further required to have an administrative contact in the Madrid area."

The following inquiries were made::

18/08/2019 – - ICANN is requesting a video call to inquire about the change request

27/08/2019 – ICANN meeting, with the Registry authority, to analyze the steps we must take in relation to this matter.

As a conclusion, of the meeting held and taking into account that the intention to modify this formal aspect of Specification 12 of the Contract, does not affect the eligibility of domain applications, and

with the aim of submitting this proposal for public comment change to the community, the following actions have been carried out:

B. Communication to .madrid accredited registrars

On December 3, 2019, all accredited registrars with the .madrid Registry were informed of the intention to modify, with effect from January 2020, the registration conditions for administrative contacts of .madrid domains.

For this reason, Madrid Digital, as Registration Authority, opens a period of 30 days - from the publication of this communication - to give an audience to all users who want to comment on the matter.

C. Publication on the .madrid Registry Operator website

On December 3, 2019, the information on said modification was published on the Registry's website.

<https://dominio.madrid/es/pages/normativa.html>

A period of 30 days is opened - from the publication of this communication - to give an audience to all users who want to comment on the matter.

During the indicated period, the following consultations were made:

FECHA	REGISTRADOR	PREGUNTA - CONSULTA
2019-12-03	CSC GLOBAL	Nuestra comprensión de esto: .madrid propone eliminar los requisitos de nexa a la Comunidad de Madrid: a. Ser residente de la Comunidad de Madrid. b. Realizar actividades ocupacionales, personales, comerciales o culturales en la Comunidad de Madrid. c. Estar relacionada directa o indirectamente con la Comunidad de Madrid ¿Es correcto nuestro entendimiento? ¿Esta propuesta afecta las fases de lanzamiento?

FECHA	REGISTRADOR	PREGUNTA - CONSULTA
		¿Estos cambios propuestos entrarán en vigencia en enero de 2020? (Suponiendo que no haya comentarios de lo contrario).
2019-12-03	UNITED-DOMAINS	<p>Dear Registry,</p> <p>Does this mean that all domains that will be registered at the GA launch, will need to have an Admin-C with address in Madrid?</p> <p>What happens if they don't comply? Do they have to wait until January to register their domain name?</p> <p>We were not aware of this requirement until now.</p>
2019-12-04	ASCIO	<p>Dear Registry Team,</p> <p>thank you for the information.</p> <p>I have a question regarding your announcement and hope that you can help/explain:</p> <p>Please tell me where in the previous documentation I can find the eligibility criteria for administrative contact of a .madrid domain?</p> <p>I can clearly see the Eligibility requirements for the registrant in "madrid_registratio_agreement.pdf" document (please click on the link below to open):</p> <p>4.1 Eligibility requirements 4.1.1 Nexus with the .madrid community To register and renew the ".madrid" generic domain name, you must be an individual or legal entity that at the time of registration and during its validity meets any of the following conditions: a) Be resident in the Comunidad of Madrid; b) Perform a professional, personal, commercial or cultural activity in the Comunidad of Madrid; or</p> <p>c) Have a direct or indirect nexus with the Comunidad of Madrid.</p> <p>I can not find eligibility criteria for administrative contact saying, that administrative contact must have a physical presence in the Community of Madrid.</p>
2019-12-05	INTERNETX	Regarding the change of restriction for the administrative contact for .mardid domain names: we are in favor of dropping the restriction as it would open the domain registrations for a bigger group of people if the local adminc is no longer required. A lot of people and companies are interested in the city of Madrid and the new TLD .madrid either because they travel and want to share their experiences or because they have clients there etc. without necessarily living there.
2020-01-06	COMLAUDE	Further to your notification below, please could you help to confirm if the registration conditions for administrative contacts of .madrid domains are to be updated and if so, on which date?

FECHA	REGISTRADOR	PREGUNTA - CONSULTA
2020-02-17		
2019-12-07	HEXONET (No es Registrador de .madrid)	I heard that local presence for administrative contact of .madrid domain name will no longer be required starting on January 2020. But I also see that the local presence is not currently required upon registration, as long as one the other 2 requirements is fulfilled (see https://dominio.madrid/en/pages/faqs.html#faq2). Is it possible to register a .madrid domain name before January 2020 without a local presence?

We can conclude from the few responses provided by the community regarding this matter that there is no opposition to this change. The inquiries received have focused exclusively on clarification requests about the intention of this Registration Authority.

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