



Proposal for Second Level Domain Name Registration under .mt

Public Consultation Report

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Executive Summary

A public consultation was held between 1-30 June 2016 on NIC(Malta)'s proposal to allow direct second level domain name registration under the *.mt* top-level country domain for Malta. A total of 46 e-mails were received in response to the call for public feedback on the proposed changes in the domain name registration policy.

The largest percentage of the feedback received (41.3%) is from organizations or individuals who are very much interested in registering either their corresponding second level domain (2LD) name or a new one. A further 30.4% of respondents have directly indicated agreement with the proposed policy. Considering that those that have indicated interest in registering a 2LD name are implicitly also agreeing with the new policy implies that a staggering 71.7% of the respondents are agreeing with the new proposed policy. Only 4.3% of respondents are outright against the introduction of 2LD name registration. The remaining 24% of respondents provided feedback on the proposed new policy without expressing an opinion as to whether or not they are in favour of the introduction of direct 2LD names under the *.mt* top-level country domain, or have expressed agreement conditional on some changes in the proposed policy. It should therefore be clear that there is widespread support to the proposed new domain name registration policy.

A number of respondents (10.9%) have expressed some form of concern regarding the additional cost that they will incur with the introduction of 2LD name registration. Another participant has suggested that the new pricing structure should be announced before or when the new policy is launched. NIC(Malta) has already committed itself to revise downwards registration and renewal fees once the impact of the new policy can be adequately assessed. The effective launch date of the new policy should also be announced at least three months earlier, as recommended by the Telecommunications Providers, in order to enable operators to amend their processes accordingly.

A small number of respondents (8.7%) have insisted that *.com.mt* registrants should be given preference over the other holders doing away with conflicts in this case. However, we do not believe that the received feedback warrants a change in the proposed policy in this respect. One respondent has suggested to include another possibility of resolving conflicts through a decision of a Court of Law on the right of use of a given domain name.

The draft policy may also require some tweaking with respect to existing 3LD name registrants of *net*, *com*, *org*, *edu* or *gov* Registered Labels. There was also a suggestion how to deal with conflicts in the case of domain name registration after 1 June 2016 and before the new policy is launched. Some concerns were raised regarding Search Engine Optimisation when two domain names (in this case: the 3LD name and the corresponding 2LD one) point to the same website. However, this issue should not be a big problem once registrants are informed how to deal with it.

1. Introduction

The Network Information Centre Malta, also known as NIC(Malta) or the Malta Internet Foundation, a non-profit foundation which is the registry for the .mt top-level country domain for Malta, initiated a public consultation on its proposal to allow direct second level domain name registration under .mt. The consultation document was published on 1 June 2016 on NIC(Malta)'s website at <https://www.nic.org.mt/2LD>. The consultation period ended on 30 June 2016. A copy of the consultation document can be found in Appendix A. The proposed draft *Domain Name Registration Policy* was also published together with the updated *Terms and Conditions*. These are given in Appendices B and C respectively. In addition, a Frequently Asked Question (FAQ) section was made available at <https://www.nic.org.mt/2LD/faq> to better explain the proposed changes. This is reproduced in Appendix D.

A link to the consultation document was prominently shown on the front page of NIC(Malta)'s web site at <https://www.nic.org.mt> as shown in Appendix E. A news item was also inserted at https://www.nic.org.mt/news/2016-06-01_Proposal_for_Second_Level_Domain_Name_Registration_under_.mt/. This is reproduced in Appendix F. A press conference was held on 1 June 2016 where the proposed draft policy was briefly outlined and the public consultation period announced. The press-release issued during the press conference is reproduced in Appendix G. The press conference was featured in some sections of the press, in particular, on the main eight o'clock evening news bulletin on TVM, which is the public broadcaster in Malta. In addition, paid adverts announcing the proposed draft policy and the public consultation were placed in the following local newspapers on 6 June 2016: *In-Nazzjon*; *L-Orizzont*; *Malta Independent*; and *Times of Malta*. A copy of the advert placed is shown in Appendix H.

An e-mail was also circulated to Handle contacts of Holders and Agents for all existing domains. The circulated e-mail is reproduced in Appendix I.

Separate consultation meetings were held with representatives of the Malta Communications Authority; the Ministry of Economy, Investment and Small Business; the Malta Information Technology Agency, Telecommunications Providers (GO, Melita, and Vodafone); The Malta Chamber of Commerce, Enterprise and Industry; and the General Retailers and Traders Union. In addition, a public consultation meeting was held on 13 June 2016 at the University of Malta campus.

Feedback on the proposed draft policy was requested to be sent to 2LD@nic.org.mt or NIC(Malta), University Campus, Msida MSD 2080, Malta by 30 June 2016.

2. Feedback received

A total of 46 e-mails were received in response to the call for public feedback on the proposed changes in the domain name registration policy. Five of these were actually sent to help@nic.org.mt but are still included here since they relate to the proposed policy. No feedback was received by postal mail. A summary of the feedback received is reproduced in Table 1.

The results are summarised graphically in Figure 1. As one can observe the largest percentage of the feedback received (41.3%) is from organizations or individuals who are very much interested in registering either their corresponding 2LD name or new ones. Next up is feedback that directly indicates agreement with the proposed policy (30.4%). Considering that those that have indicated interest in registering a 2LD name are implicitly also agreeing with the new policy implies that a staggering 71.7% of the respondents are agreeing with the new proposed policy. Only 4.3% of

respondents are outright against the introduction of 2LD name registration. Note that some of the respondents have included more than one comment, and therefore the percentages shown in Figure 1 do not add up to 100%.

We also note that very positive feedback was received on the proposed changes in our one-to-one meetings held with the various stakeholders.

No.	Feedback
1	Leave as is because proposed change could facilitate more hacking
2	No objection conditional that our entity is given first preference to register under .mt
3	No objection conditional that .com.mt have exclusive right to .mt. Registration of .mt cheaper if already registering .com.mt
4	Interested to move from .com.mt to .mt
5	Article 6.1 should be redrafted
6	Agree with proposed changes
7	Interested to register corresponding 2LD domain
8	On line registration of .mt domains
9	Interested to register corresponding 2LD domain
10	Existing Holder of a 2LD label that is registered at the third level raised the question as to whether the entity would be eligible to register the corresponding 2LD name.
11	Interested in registering new 2LD name
12	Expensive to register two domain names to protect name
13	We are so happy this is finally going to happen!!
14	As a member in the ICANN working groups, I can indeed state that this is a very smart step!
15	Interested to move from .com.mt to .mt
16	Agree with proposed changes
17	Does not approve because .com isn't just a directory but it's a trend of the internet browsing
18	Agree conditional that .com.mt have exclusive right to .mt.
19	Interested in registering new 2LD name
20	Interested in registering new 2LD name
21	Interested in registering new 2LD name
22	Agree with proposed changes
23	Agree conditional that .com.mt have exclusive right to .mt. Interested in registering new 2LD name
24	Agree with proposed changes. 2LD should be registered for free.
25	Interested in registering new 2LD name
26	Interested in registering new 2LD name
27	Agree with proposed changes
28	Interested in registering new 2LD name. First come first served preference for 2LD domain during pre-launch period
29	People who own the .com.mt domain, should also have the .mt included with the same handle
30	Interested in registering new 2LD name
31	Nothing to worry about. You can apply for myname.mt instead of myname.com.mt
32	Agree with proposed changes
33	Interested in registering new 2LD name
34	Agree with proposed changes
35	Agree with proposed changes
36	Interested in registering new 2LD name
37	Agree with proposed changes

No.	Feedback
38	Interested in registering new 2LD name
39	Agree with proposed changes
40	Interested in registering new 2LD name
41	Interested in registering new 2LD name
42	Interested in registering new 2LD name
43	Agree with proposed changes
44	Agree with proposed changes. Propose 3-month publicly-announced lead time. Propose also to resolve conflict through decision of a Court of Law. Ideal if new pricing structure announced prior or together with launch of new policy.
45	Not big fan of proposal. Queries impact on SEO.
46	Queries impact on SEO. Extend free 2LD registration for Legacy Holders indefinitely

Table 1: Summary of feedback received

One must note that a good number of the received communications may not have been intended as a direct form of feedback. These are mostly cast as queries with some sort of statement added in. For this reason, it was decided that the names of participants and the verbatim feedback received are not published.

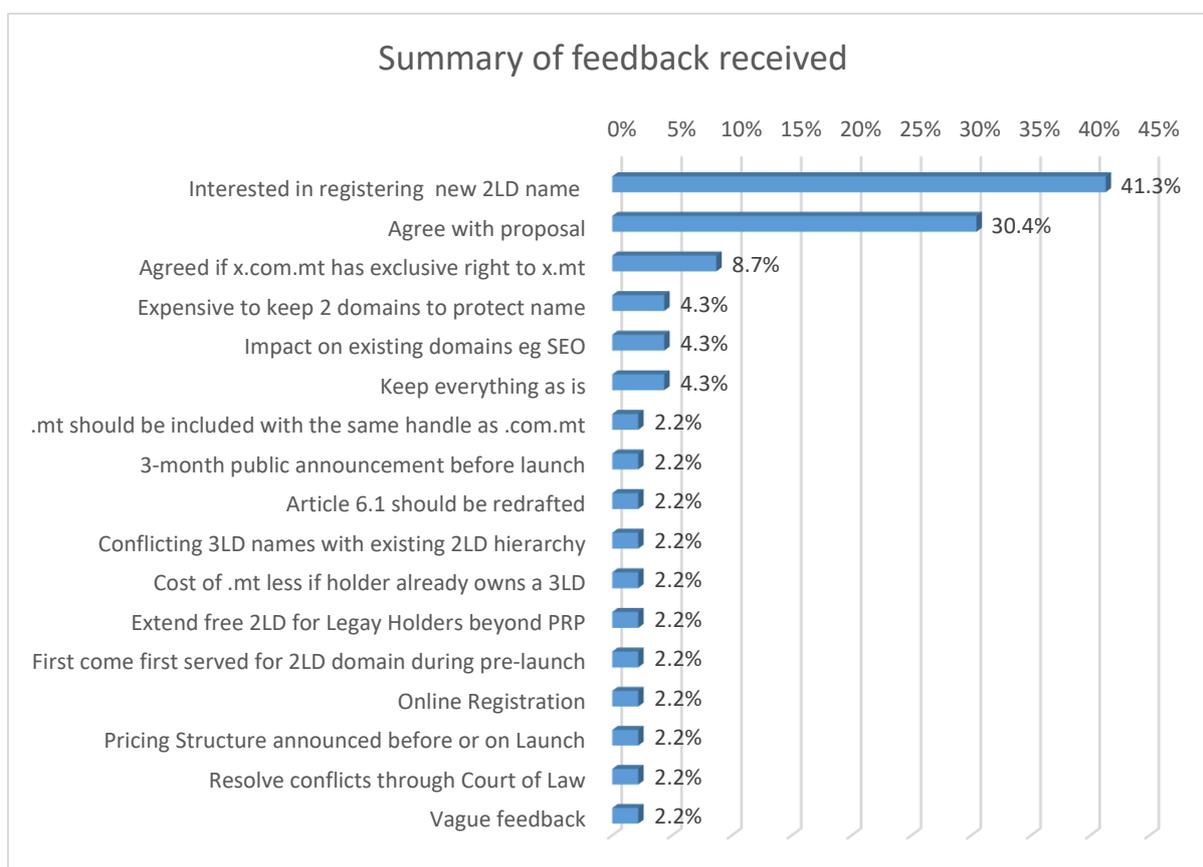


Figure 1: Graphical view of summary of public feedback

One respondent (representing 2.2%) has suggested to extend the free registration of corresponding 2LD names indefinitely beyond the Preferential Registration Period. A further 4.3% have remarked that it is going to be expensive to protect their registered domain name, since this would entail doubling their current registered names. Another respondent has suggested to include the registration of the 2LD name in the same handle as that of the corresponding 3LD name. This is of

course related to cost, but also, maybe, to a concern in the administrative overheads incurred by the registrants. So definitely additional cost is a concern, as had already in fact been flagged by NIC(Malta) in its proposal. So much so that NIC(Malta) had already committed itself to revise down the registration fees once the impact is properly assessed. Another entity has recommended that the new pricing structure should be announced before or together with the Launch of the new policy.

In our meeting with the Telecommunications providers, it was suggested that the providers are given at least a three-month notice period before the policy is launched in order for them to make the necessary changes to their processes to handle the new policy change. One of the providers suggested that this pre-notice period is announced publicly.

A number of respondents (8.7%) have conditioned their approval of the new policy if this is amended such that preference will be given to existing Holders of *.com.mt* 3LD names compared to other holders. The level of response on this point does not warrant any changes to the proposed policy, which NIC(Malta) has already considered to be the fairest with respect to all players. One should recall that one important aspect of the draft policy is that in the case of a conflict, none of the conflicting parties will get the new 2LD name and the status quo is maintained in their case. This is the least damaging scenario for all parties concerned.

One entity has suggested that conflicting domain names may also be resolved by a Court of Law's (or some other competent body) decision showing that one of the parties has the right of use of such a domain name.

A holder of a 3LD name with a registered label which is currently one of the hierarchical 2LD names under *.mt* has queried whether he would still be entitled to register the corresponding 2LD name. This is clearly not possible since the existing hierarchical 2LD names are going to be retained.

One respondent has requested that article 5.9(3) of the *Domain Name Registration Policy* be amended so that conflicts are not generated when two or more registrants register the same Registered Label during the period between the Legacy and Launch dates, suggesting instead that preference is given on a first-come-first-served basis.

Another respondent has stated that Article 6.1 should be amended. However, it is not clear if the respondent is referring to the article in the *Domain Name Registration Policy* or to the one in the *Terms and Conditions*. It is not clear what is wrong with any of these articles. The respondent did not reply when queried to clarify his statement.

Two respondents (4.3%) have raised concerns regarding the effect of having two domain names pointing to the same webpage in the case of Search Engine Optimisation (SEO). This might be an issue if not handled properly. Several authors¹ indicate that the only safe way to promote multiple domain names pointing to a single website is to use 301-redirects to the primary domain on all the secondary domains.

¹ See for example <https://support.google.com/webmasters/answer/93633?hl=en> or <https://www.hostway.com/web-resources/search-engine-optimization/can-i-use-more-than-one-domain-with-my-web-site-for-seo/> or <https://www.hochmanconsultants.com/multiple-domains-seo-with-301-redirects/>

Appendix A – Consultation Document on New Domain Name Registration Policy for the .mt namespace

NIC(Malta) is proposing changes in the way domain names are registered in the .mt namespace. With this proposal, it would become possible to register domain names at the second level, directly to the left of the .mt country top-level domain name. For example, it would become possible to register *myname.mt*. Registrations at the third level, as at present, would remain possible.

In order to ensure that changes to the existing registration policy bring the maximum benefits to existing and future registrants whilst causing the minimum possible disruption, a Preferential Registration Period is being proposed. During this period, existing registrants would have their corresponding second level domain name automatically blocked such that no one else can register this name. For example, the registrant of *myname.org.mt* would have the corresponding second level domain name *myname.mt* blocked. Furthermore, unless there is a conflict on the blocked name, an existing registrant may register and start using the corresponding second level domain name free of charge throughout the Preferential Registration Period. After the Preferential Registration Period, normal registration and renewal fees would apply. It is being proposed that this Preferential Registration Period would be effective for three years from the time that the new policy is adopted in order to give adequate time for registrants to decide whether or not to register the corresponding second level domain name. Furthermore, in order to ensure a level playing field, registrants of new second level domain names would be offered the possibility to register and renew for free a corresponding third level domain name, if this is available, for the entire duration of the Preferential Registration Period. For example, an educational entity that registers *myname.mt* during this period, may also opt to register *myname.edu.mt* for free during the Preferential Registration Period. NIC(Malta) is also committing itself to revise downwards registration and renewal fees once the impact of the new policy can be adequately assessed.

The following are the main reasons for the proposed new policy:

- **More choice** – Through the proposed policy NIC(Malta) would be offering more choice to existing and future registrants in the .mt namespace.
- **Simpler, shorter names** – Domain names under .mt would no longer require an additional three letter second level domain name, resulting in shorter and snappier names. The focus of the domain name can be on your organisation's preferred branding.
- **Avoids inappropriate labelling** – Some domain names do not quite fit within the existing hierarchical structure which categorises a domain name as being either commercial (.com.mt), non-profit organisation (.org.mt), internet service provider (.net.mt), educational (.edu.mt) or governmental (.gov.mt). Thus, for example, individuals may register their personal domain names without any hindrance.
- **Follows similar changes in the wider Internet** – Other countries have adopted similar changes to their policies, such as for example in the United Kingdom (.uk) and New Zealand (.nz). In addition, IANA has recently introduced a large number of generic top-level domain names which are bound to increase in the future. Therefore, this new policy is also being proposed so that .mt remains relevant in the evolving Internet.

The proposed new draft [Domain Name Registration Policy](#) together with the corresponding amended [Terms and Conditions](#) for registering a new domain name can be found [here](#). In addition an FAQ is available [here](#) to explain better the proposed changes.

Please send any feedback on these proposed changes via e-mail to 2LD@nic.org.mt or in writing to *NIC(Malta), University Campus, Msida MSD2080, Malta*. **Feedback is to be received by not later than 30 June 2016.** A public consultation meeting is going to be held on Monday 13 June 2016 at 6pm in [Hall E, M.A. Vassalli Conference Centre – Gateway Building, University](#). Unless you specifically state otherwise, you are consenting to your name as well as your feedback to be made publicly available by NIC(Malta).

Appendix B – Domain Name Registration Policy

1. Definitions

“*domain name*” is a string that identifies a realm of administrative autonomy, authority or control within the Internet. The domain name has a number of labels at different levels as shown in Figure 2. The rightmost label is the Top Level Domain (TLD). In the case of the .mt domain name space the TLD is a country code TLD (ccTLD). The next label moving to the left is the second level domain (2LD). Similarly the next label to the left (if it exists) is the third level domain (3LD).

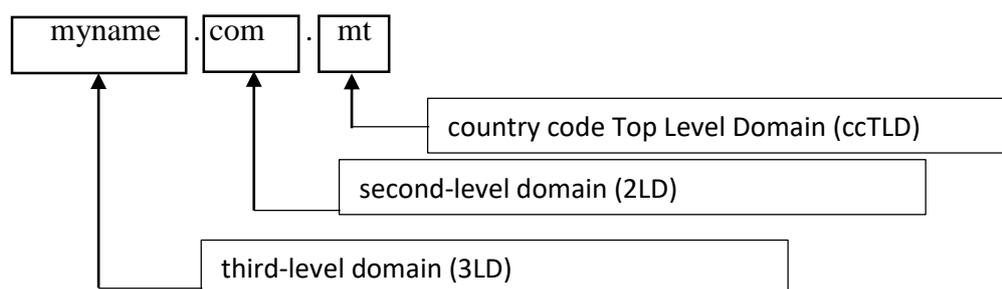


Figure 2

“*2LD*” is an abbreviation of “second-level domain”.

“*3LD*” is an abbreviation of “third-level domain”.

“*Registered Label*” shall refer to the left-most label in the registered domain name. E.g. the Registered Label of *myname.com.mt* is *myname*.

“*Legal Entity*” shall refer to any natural person, or any legal person created and recognised as such under national law, European Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations.

“*Holder*” shall refer to the registrant of a domain name, that is, the legal entity who has been granted the right to use the domain by NIC(Malta) and who accepts all associated legal consequences.

“*Legacy date*” shall refer to 1 June 2016 at 00:01 Hours, which coincides with the commencement of the consultation period on 2LD name registration under .mt in addition to the continued use of legacy 3LD names.

“*Launch date*” shall refer to *YYY* at 00:01 Hours, which is the date when 2LD name registration under .mt was launched under the revised Domain Name Registration Policy.

“*Cut-off date*” shall refer to *ZZZ* at 00:01 Hours, unless otherwise specifically extended by a clause within this policy. This is the date following which preferential treatment afforded to Holders of domain names following the introduction of 2LD name registration under .mt expires. This is 3 years from Launch date.

“**Preferential Registration Period**” shall refer to the period of time between the Launch and Cut-off dates.

“**Legacy Holder**” shall refer to a Holder of a duly registered 3LD name on the Legacy date.

“**Legacy 3LD name**” shall refer to a 3LD name which on the Legacy date was duly registered.

“**corresponding 2LD name**” of a 3LD name shall refer to a 2LD name with the same Registered Label as that of the 3LD name, e.g. the corresponding 2LD name of *myname.com.mt* is *myname.mt*.

“**corresponding 3LD name**” of a 2LD name shall refer to a 3LD name with the same Registered Label as that of the 2LD name, e.g. a corresponding 3LD name of *myname.mt* is *myname.com.mt*.

“**blocked domain name**” shall refer to the non-registered 2LD name with the same Registered Label as that of a Legacy 3LD name and which, during the Preferential Registration Period, is blocked from being registered except by the Holder of the corresponding Legacy 3LD name.

“**conflicted domain name**” shall refer to a blocked domain name that is blocked by two or more distinct Holders.

“**main domain name**” shall refer to the domain name for which the Holder is paying a registration fee. If a Holder has more than one domain name with the same Registered Label (e.g. *myname.com.mt* and *myname.org.mt*), then the main domain name shall refer to any one of these names.

“**paired domain name**” shall refer to the domain name which the Holder has registered and for which no registration fees are due during the Preferential Registration Period. The paired domain name is the corresponding 2LD or 3LD name, as the case may be, of the Holder’s main domain name.

“**prohibited domain name**” shall refer to a domain name which is not allowed to be registered under this policy.

2. Applicability

- 2.1 The clauses contained within this Policy document form an integral part of the Terms and Conditions regulating the registration of Domain Names in the .mt domain name space. The provisions of this Policy shall take precedence over the Terms and Conditions in cases of conflict between the two documents.

3. Structure of the .mt Domain Name Space

- 3.1 Registration of new domain names may be made at the second level (e.g. *myname.mt*) or at the third level (e.g. *myname.com.mt*).

- 3.2 Third level domain (3LD) name registrations must be made under one of the following second level domain (2LD) names:

2LD name	Prospective Holder (Registrant) must
com.mt	operate on a commercial basis, e.g. <i>limited liability companies</i>
org.mt	operate on a non-profit basis, e.g. <i>charities, foundations</i>
net.mt	be a provider of Internet related network services, e.g. <i>ISPs</i>
edu.mt	be an education institution recognized by the Ministry of Education in Malta
gov.mt	be a Government of Malta entity

- 3.3 3LD name registrations under gov.mt are delegated to the Government of Malta.
- 3.4 NIC(Malta) reserves the right to add additional 2LD names (under which 3LD names may be registered) to the list given in Clause 3.2 or to amend this list in the future.

4. Eligibility Criteria

- 4.1 To register a 3LD name (e.g. *myname.com.mt*), the prospective Holder must be the legal entity that will be using the domain name and is required to declare the right to use the Registered Label of the domain name (e.g. *myname*) as a Full Trade Mark or Trade or Business Name in accordance with Maltese Law.
- 4.2 To register a 2LD name (e.g. *myname.mt*), the prospective Holder must be the legal entity that will be using the domain name. Furthermore, the Holder promises that
- (1) by registering and/or using the domain name in any way, the Holder will not infringe intellectual property rights and other third party rights;
 - (2) the Holder is entitled to register the domain name;
 - (3) the Holder will not use the domain name for any unlawful purposes.
- 4.3 There is no requirement for the Holder to be established in Malta.
- 4.4 The following domain names are not allowed to be registered at any level under this policy: *mil; mt; co; myname; malta; registry; dnssec; dns; ns; whois; domain; domains*. These are referred to as *prohibited domain names*.
- 4.5 NIC(Malta) reserves the right to amend, from time to time, the list of prohibited domain names at its full discretion.
- 4.6 The list of 2LD names provided in Appendix A have been registered prior to the enactment of this new policy allowing direct 2LD name registration.

5. Preferential Registration Period

- 5.1 The Preferential Registration Period runs between the Launch and Cut-off dates. This period is being introduced in order to facilitate the introduction of 2LD name registration in the .mt name space.
- 5.2 All current Holders of duly registered 3LD names as on the Legacy date (referred to as *Legacy Holders of Legacy 3LD names*) will automatically have the corresponding 2LD name blocked for a period of 3 years from Launch date (i.e. up to the Cut-off date) free of charge, provided that the Legacy Holder continues to renew the corresponding legacy 3LD name during this period. A blocked domain name is not an active domain name. No one, except the corresponding Legacy Holder, can register a blocked domain name. E.g. the Holder of *myname.com.mt* as on the Legacy date will have *myname.mt* automatically blocked up to the Cut-off date.
- 5.3 A domain name conflict is said to exist if two or more distinct Legacy Holders are blocking the same 2LD name. E.g. the Legacy Holders of *myname.org.mt* and *myname.com.mt* both block *myname.mt*. In this case *myname.mt* is said to be a conflicted domain name. For the avoidance of doubt, domain names which are registered to the same Legacy Holder shall not give rise to a conflict.
- 5.4 The Legacy Holder of a Legacy 3LD name has up to the Cut-off date to register the corresponding non-conflicted 2LD name. Registration of the corresponding 2LD name during this period is free of charge and can be continued to be renewed, if desired, free of charge up to the Cut-off date provided that the Holder continues to pay the standard renewal fees corresponding to the legacy 3LD name. The legacy 3LD name in this case shall be referred to as the Holder's *main domain name*, whereas the corresponding 2LD name shall be referred to as the Holder's *paired domain name*.
- 5.5 A Legacy Holder of a 3LD name stops blocking the corresponding 2LD name if
 - (1) the blocked 2LD name is not in conflict and is not registered by its Legacy Holder before the Cut-off date; or
 - (2) the Legacy Holder submits in writing to NIC(Malta) that he/she no longer wants to block the 2LD name and is releasing the blocked 2LD name so that it can be registered by anyone; or
 - (3) the registration of the corresponding legacy 3LD name is terminated in terms of Clause 13 of the Terms and Conditions.
- 5.6 A conflicted 2LD name will remain blocked (and in conflict) indefinitely as long as there are two or more Legacy Holders that are still blocking it.
- 5.7 The website conflict.nic.org.mt may be used to determine whether a domain name is *available* to be registered; or is already *registered*; or whether it is *blocked* or *conflicted*. A domain name may also be indicated as being *prohibited* as per Clause 4.4. Contact details of the Holder or the Administrative Agent are also made available through the *whois* service. These contact details may be used to contact the

Holder or the relative Administrative Agent of conflicting 2LD names to resolve the conflict.

- 5.8 In the case of conflicted 2LD names, if at any time only a single Legacy Holder remains blocking the name, then the 2LD name no longer remains in conflict and the remaining Legacy Holder is free to register the corresponding 2LD name. NIC(Malta) will inform the remaining Holder by e-mail that the 2LD name is no longer in conflict. In this case Clause 5.4 shall apply with the exception that the cut-off date is the later of ZZZ or one year following the date that the domain name becomes non-conflicted.
- 5.9 A Holder of a 3LD name who has registered the domain name after the Legacy date but before the Launch date may fall into one of the following categories:
- (1) If the corresponding 2LD name is blocked by a Legacy Holder and remained so till the Launch Date, then the Holder will have no rights over the corresponding 2LD name and shall be considered as a Holder who has registered the domain name after the Launch Date; or
 - (2) If the corresponding 2LD name is not blocked by some other Holder, then the Holder shall, as far as all other clauses in Section 5 are concerned, be considered also a Legacy Holder; or
 - (3) If the Registered Label is also registered by another Holder in the period between the Legacy and Launch dates and the corresponding 2LD name is not blocked by some other Legacy Holder then the corresponding 2LD name is said to be in conflict and as far as all other clauses in Section 5 are concerned, the Holder shall be considered also a Legacy Holder.
- 5.10 Holders of 3LD names who are also NIC(Malta) Board Members, or Members of NIC(Malta) Executive Committee or Consultants to NIC(Malta) or employees of NIC(Malta) and/or the IT Services of the University of Malta who have been in any way involved in the drafting of this Domain Name Registration policy will only be considered Legacy Holders for domain names registered before 17th December 2014². These Holders may also be considered as Legacy Holders of a 3LD name registered between 17th December 2014 and the Launch date if the corresponding 2LD name does not conflict with that of any other Holder.
- 5.11 When registering new 2LD names during the Preferential Registration Period, Holders may also opt to register, for free, one corresponding 3LD name satisfying Clause 3.2, if this is available for registration. The Holder can also continue to renew this 3LD name free of charge up to the Cut-off date. The new 2LD name in this case shall be referred to as the Holder's *main domain name*, whereas the corresponding 3LD shall be referred to as the Holder's *paired domain name*. For the avoidance of doubt, should the Holder opt not to register the corresponding 3LD name, then this name remains freely available to be registered by third parties.

² This is the date when NIC(Malta) decided to start formulating a policy that allows 2LD name registration in the .mt name space.

- 5.12 If during the Preferential Registration Period both the main and paired domain names are transferred to another Holder, then all rights and obligations with respect to both these domain names pertaining to the original Holder are transferred to the new Holder.
- 5.13 If during the Preferential Registration Period a Legacy 3LD name, which has its corresponding 2LD name still blocked, is transferred to another Holder, then all rights and obligations pertaining to this Legacy 3LD name are transferred to the new Holder.
- 5.14 If during the Preferential Registration Period the main or paired domain name (but not both) is transferred to a different Holder, or these are both transferred to two different Holders, then the Preferential Registration Period ceases to apply to any of these domain names. For the avoidance of doubt, standard renewal fees will apply as from the transfer date for all relative domain names by both the original Holder and/or new Holders irrespective of the rights granted to the original Holder by clauses in Section 5.
- 5.15 For the avoidance of doubt, standard registration fees apply for the registration of any domain name beyond the Cut-off date. Pro-rata rates will apply if the renewal date is before the Cut-off date but the renewal period exceeds the Cut-off date.
- 5.16 During the Preferential Registration Period, a Holder may opt not to renew the main domain name. In this case, standard renewal fees shall apply to the paired domain name and the main domain name becomes available for registration by third parties. Standard renewal fees shall become effective from the expiry date of the main domain name.
- 5.17 In cases where the Legacy Holder has, on Legacy Date, more than one main domain name with the same Registered Label (e.g. *myname.com.mt* and *myname.net.mt*), the following provisions shall also be applicable notwithstanding the applicability of all the clauses in Section 5:
- (1) The term ‘main domain name’ in Clause 5.4 shall refer to any one of these names held by the same Legacy Holder with the same Registered Label;
 - (2) Clause 5.12 shall only be applicable if all domain names with the same Registered Label are transferred to another Holder.
 - (3) Clause 5.14 shall only be applicable if the Legacy Holder transfers all of the domain names or the paired domain name.
 - (4) The standard renewal fees as stipulated in Clause 5.16 shall only apply to the paired domain name if the Holder opts not to renew all such domains.

6. Other Conditions

- 6.1 NIC(Malta) shall not register any domain name which is identical to an already registered domain name or which is blocked or in conflict or prohibited.
- 6.2 Holders of 2LD names are not permitted to sell, or otherwise make available, third level registrations under their registered name to other legal entities. Provided that an

entity may make its 2LD name available to its holding, subsidiary, parent or sister company or to an entity which forms part of its corporate structure.

- 6.3 Standard registration and renewal fees for domain name registration in the .mt domain name space are published at www.nic.org.mt. NIC(Malta) reserves the right to amend these fees from time to time.

Current version: 2.0
Dated: YYY

Previous version: 1.0
Dated: 9 May 2006

Appendix A: List of 2LD names already registered

Entity	Already registered 2LD name
University of Malta	unimt.mt
Government of Malta	mygov.mt
Parlament ta Malta	parlament.mt parliament.mt
Government of Malta	chogm2015.mt
Government of Malta	eu2017.mt

Appendix C – Terms and Conditions

By registering a domain name under .mt, the Holder ("you") enter into a contract of registration with NIC(Malta) ("we" or "us") on the following Terms and Conditions.

These Terms and Conditions are effective from midnight, YYY.

1. Processing the domain name registration form

- 1.1 We shall process the domain name registration form and consider whether or not to register the domain name applied for in accordance with the Domain Name Registration Policy.
- 1.2 Domain names are registered on a first come, first served basis. Until we confirm that the domain name applied for has been registered there is no guarantee that the domain name has been accepted and registered.
- 1.3 If we accept your domain name registration form and confirm registration of the domain name, we shall, subject to the provisions of condition 9 below, enter the domain name and the contact details of the Holder and Agents in the *whois*. It is the responsibility of the Holder to ensure that accurate information has been provided and to inform NIC (Malta) when any change to the information occurs.

2. Appointment of Agents

- 2.1 Holders can either appoint other parties to act as Administrative, Billing or Technical Agents on their behalf, or alternatively take on any of these Agent roles directly themselves.
- 2.2 An Administrative Agent shall be appointed by the Holder to liaise with NIC(Malta) about administrative aspects of the domain including appointment and changing of the Billing and Technical Agents. Administrative Agents shall either appoint other parties to act as Billing or Technical Agents, or alternatively shall take on any of these other Agent roles directly themselves. The Administrative Agent contact details shall always show on the *whois* service and may be the only contact point for a domain if the Holder's and other Agents' details do not show.
- 2.3 A Billing Agent shall be appointed by the Holder or Administrative Agent to deal with payments for the domain. The Billing Agent shall be alerted when payments are due for the domain and shall be responsible for effecting payments in a timely manner. VAT charges for a domain depend on the country where Billing Agent is established and on whether Billing Agent has quoted a VAT number to NIC(Malta).
- 2.4 A Technical Agent shall be appointed by the Holder or Administrative Agent to maintain technical information (e.g. nameservers) that permit regular functioning of the domain.

3. Exclusions and limitations of liability

- 3.1 We accept no liability whatsoever for any damages suffered as a result of your taking any action in respect of a domain name prior to receiving confirmation from us that the domain name you applied for has been registered.
- 3.2 You are solely and exclusively responsible for the domain name selected and applied for. Registration of a domain name does not confer any legal rights to that name. By registering a domain name, we do not determine the legality of the domain name registration or otherwise examine whether that registration or use of a domain name may infringe any rights of a third party.
- 3.3 As Holder of the domain name you are further responsible for the actions and/or negligence of your employees, affiliates and any other third parties brought in by you (including but not limited to your Administrative Agent, your Billing Agent and your Technical Agent).
- 3.4 To the fullest extent permitted by law, and except to the extent that loss or damage is caused directly by our gross negligence or wilful misconduct and subject to the following sub-condition, we shall not be liable to any person, including but not limited to you or any of your employees and Agents, for any loss or damage that may be suffered.
- 3.5 Whilst we have undertaken reasonable precautions to ensure that our systems are as secure as possible, the Internet remains an insecure medium of communication. We shall not accept any responsibility whatsoever for damages suffered as a result of unauthorised access by any third party to the data contained on our site or transmitted to you over the Internet.
- 3.6 We shall not be held liable for any direct or indirect damages resulting from the disruption or malfunction of the DNS service.
- 3.7 In no event shall we be liable for any increased costs or expenses, any direct or indirect loss of profit, business, contracts, revenues, or anticipated savings, any error or omission in the *whois*, any loss of registration and/or use of the domain name, or any special, indirect or consequential damage of any nature whatsoever.
- 3.8 In any event, any liability that we may incur shall in no case exceed the amount of one year's registration fee.

4. Indemnity

- 4.1 You hereby agree to defend, indemnify and hold us and the University of Malta as well as our respective officers, employees and agents harmless for any loss or damage as well as from any and all legal and judicial costs resulting from any claim, action or demand arising out of or related to the registration or use of the domain name or as a result of a breach by yourself of any of these Terms and Conditions.
- 4.2 Such claims shall include, without limitation, those based upon intellectual property, trade mark or service mark infringement, unfair competition, libel, slander, defamation, injury to reputation, racial or religious abuse, or other unlawful

behaviour. Without prejudice to the generality of the preceding sub-condition, should it eventually transpire that you are not entitled to use the trade mark, trade or business name indicated in the domain name registration form in accordance with Maltese law, then you accept that:

- a. you will assume full responsibility for any damages which we might suffer arising out of legal disputes in respect of the said trade mark, trade or business name under Maltese law; and
- b. we may delete the offending domain name indefinitely.

5. Resolution of disputes arising between yourself and third parties

- 5.1 Any dispute over the rights to use a particular domain name between you and any third party after the proposed domain name has been registered should be settled between you and the third party in question using any of the ordinary remedies afforded by law. We shall in no manner adjudicate on any disputes.

6. Refusal to register a domain name

- 6.1 We reserve the right to refuse to register a proposed domain name.

7. Warranties

- 7.1 You hereby warrant that you have obtained the consent of any individual whose personal data is to be made available under *whois* in accordance with these Terms and Conditions. In regard to any Administrative Agent whom you may appoint, you further warrant that prior to obtaining such consent from him or her you have further clearly explained to him or her (and he or she consented) that the Administrative Agent's contact details will always be made available through the *whois* service.
- 7.2 You further warrant that all the details that have been or that you may in future submit to us are true and correct and that you will keep them up to date.
- 7.3 You further warrant that you are fully entitled to register the domain name applied for and that by registering or using such domain name you will not knowingly infringe the intellectual property rights of any third party. This warranty shall continue to have effect notwithstanding any surrender, cancellation or transfer of the domain name.
- 7.4 You further warrant that the role of Administrative Agent for a given domain is properly maintained at all times.
- 7.5 Any person signing this form on your behalf represents and warrants that he or she has been fully empowered by you to execute this form and that you have taken all necessary action to authorize execution of this form by him or her.

8. The *whois* service

- 8.1 Unless you indicate otherwise as per condition 8.2, you hereby agree to the publication, through the *whois* service, of your contact details including personal details, as submitted to us by yourself. For further details about the purposes and usage possibilities of the *whois* service, please see <http://www.nic.org.mt/whois>.

- 8.2 If you do not wish your contact details to be made available through the *whois* service, you may indicate this either:
- a. during registration by ticking the appropriate box and appointing an Administrative Agent whose details would appear on your behalf; or
 - b. by sending e-mail to datacontroller@nic.org.mt
- 8.3 You hereby fully agree that your Administrative Agent has the right to access, at any time, your full contact details as well as those relating to any Billing and Technical Agents whom you may further appoint.
- 8.4 If you appoint any Agent then the warranty laid down in condition 7.1 above shall apply.

9. Data Protection

- 9.1 Insofar as any information relating to yourself or to your Agents, if any, constitutes personal data for the purposes of the Data Protection Act 2001, we shall only process this data in the manner and for the purposes stated in this condition.
- 9.2 We shall only process such personal data as follows:
- (1) Subject to the provisions of the preceding condition, such data will show under *whois*, whose purposes and usage possibilities are described at <http://www.nic.org.mt/whois>.
 - (2) We may further wish to contact you by telephone, by post or by e-mail in order to provide you with information about a new product or service that we may offer from time to time. Should you not wish to receive any such information, you may inform us by ticking the appropriate opt-out box appearing in the online registration forms.
- 9.3 We shall not transfer any personal data relating to you or any of your Agents to any third party (other than between you and any of your Agents) without your prior written consent or that of the particular Agent, as the case may be, unless we are obliged or authorized to do so by or under any law in which case we shall still inform you accordingly. For the avoidance of doubt, written consent can be provided by means of an electronic communication.
- 9.4 You may access or modify any of your personal details that we process. Similarly, any of your agents may access or modify any of their respective personal details that we process. In most cases this is possible online. Otherwise, requests for access or modification, signed by the data subject to whom the data relates, should be made to:

Data Controller
NIC(Malta)
University Campus
Msida - MSD 2080
Malta (Europe)

10. Right to use the domain name

- 10.1 The right to use a domain name is granted to you alone and not to any of your Agents. In the event that you revoke authority for any of your Agents to act on your behalf, you will retain the right to use the domain name.

11. Severance

- 11.1 Each of the provisions of these Terms and Conditions is severable from the others and if at any time one or more of such provisions, is or becomes illegal, invalid or unenforceable, the validity, legality and enforceability of the remaining provisions of these Terms and Conditions shall not in any way be affected or impaired.

12. Waiver

- 12.1 No time which we may extend to you nor any waiver by us of any breach by you of any provision of these Terms and Conditions shall affect our rights and powers hereunder.

13. Termination

- 13.1 You may surrender registration of the domain name at any time by giving us 14 days prior notice in writing. No refunds are possible in such cases.
- 13.2 We reserve the right at any time, for good cause, and in any event upon any breach by you of any of these Terms and Conditions, to immediately revoke the domain name from registration. No refunds are possible in such cases.
- 13.3 Without prejudice to the generality of the preceding sub-condition, failure to effect payment of fees for a domain name and infringement of third party rights may, at our discretion, result in the suspension or revocation of that registration. For the avoidance of doubt, we do not adjudicate and decide upon any alleged infringements of third parties. No refunds are possible in such cases.
- 13.4 If an Administrative Agent renounces his role, the Holder must assign a substituting Administrative Agent. The lapse of the Administrative Agent's role that is not rectified by the Holder may, at our discretion, result in the suspension or revocation of the domain. No refunds are possible in such cases.

14. Electronic correspondence

- 14.1 Any and all correspondence between you or your agents and us, including but not limited to advice, bills, invoices, receipts, and statements, shall not be denied its validity on the ground that it is carried out electronically (e.g. by e-mail to the address that you specify).

15. Domain Name Registration Policy

- 15.1 The Domain Name Registration Policy forms an integral part of the Terms and Conditions regulating the registration of Domain Names in the .mt domain name space.

16. Amendments to these Terms and Conditions

- 16.1 We reserve the right to make modifications to these terms and conditions and to the Domain Name Registration Policy at any time. In such event, we shall post the amended Terms and Conditions and/or the Domain Name Registration Policy in a prominent place on this website.
- 16.2 You should review this website regularly in order to be aware of any such amendments.

17. Assignment

- 17.1 Except with our prior written consent you shall not assign any rights and obligations that you may have in accordance with these Terms and Conditions.

18. Governing law and jurisdiction

- 18.1 These Terms and Conditions shall be governed and construed in accordance with the Laws of Malta
- 18.2 We and you irrevocably submit to the jurisdiction of the Maltese courts in the event of any dispute in relation to these Terms and Conditions.

Current version: 2.0
Dated: DD MMMM YYYY

Previous version: 1.0
Dated: 9 May 2006

Appendix D – Frequently Asked Questions

FAQ – Consultation on *.mt* registrations

This FAQ addresses common questions arising from the proposed changes in the Domain Registration process under the *.mt* name space. Consequently, these should be read in conjunction with the proposed new Domain Name Registration Policy and the related proposed amended Terms and Conditions. A consultation document was published on 1 June 2016 and interested parties are being requested to send in their feedback on the proposed changes by 30 June 2016. Further details may be found at <http://www.nic.org.mt/2LD>.

General Information

1. What is NIC(Malta)?

The Network Information Centre Malta, also known as NIC(Malta), is a non-profit Foundation which is responsible for the *.mt* top-level country domain for Malta. NIC(Malta) is the registry for *.mt* domain names. The responsibilities include the

- creation and implementation of a domain naming policy for *.mt*;
- maintenance of the *.mt* nameservers;
- promotion of the *.mt* domain;
- registration of new domain names.

2. What is a domain name?

A domain name, such as for example *myname.com.mt*, acts like an address and identifies a particular entity in the Internet.

3. What is a second/third level domain name?

A domain name can be split into a number of levels. The country code top level domain name is *.mt*. A second level domain name, e.g. *myname.mt* is one where the registered label *myname* is at the second level, immediately to the left of *.mt*. A third level domain name, e.g. *myname.com.mt* is one where the registered label *myname* is at the third level. In the case of *.mt* the second level label is a fixed three-letter name that gives an indication of the type of organisation that has registered the label *myname*. This could be one of the following:

- ***.com.mt*** – an entity that operates on a commercial basis e.g. *limited liability company*
- ***.org.mt*** – an entity that operates on a non-profit basis e.g. *charity, foundation*
- ***.net.mt*** – a provider of Internet related network services e.g. *ISP*
- ***.edu.mt*** – an education institution recognized by Ministry of Education in Malta
- ***.gov.mt*** – a Government of Malta entity.

4. What is the registered label?

The registered label is that part of the domain name that the Holder selects as part of his/her domain name and with the proposed changes can be at either the second or third level. As an example, a Holder can register the label *myname* either at the second level – *myname.mt* or at the third level – *myname.com.mt*. Note that in the case of third level domain names, the assignment of the second level name (*com, org, edu, net, gov*) is dictated by the type of organization registering the name.

5. **What is a corresponding domain name?**

Two corresponding domain names have the same registered label, one in the second level and the other in the third level. For example, *myname.com.mt* and *myname.mt* are two corresponding domain names.

6. **What is meant by the term “Holder”?**

The Holder refers to the registrant of a domain name, that is, the legal entity who has been delegated the right to use the domain by NIC(Malta) and who accepts all associated legal consequences.

Consultation Process

7. **What is this public consultation about?**

NIC(Malta) is proposing to change the way domain names are registered in the *.mt* name space. Currently it is only possible to register domain names at the third level under one of the designated second level names, i.e. under *.com.mt*; *.org.mt*; *.net.mt*; *.edu.mt* or *gov.mt*. With this proposal it would also be possible for anyone to register directly a name under *.mt*. The existing third level registration would also be retained. Thus, for example, if one wishes to register the name *myname*, in addition to being able to register it as, say, *myname.com.mt*, one would also be able to register it as *myname.mt*. NIC(Malta) is conducting this public consultation so as to ensure that changes to the existing registration policy bring the maximum benefits to existing and future registrants whilst causing the minimum possible inconvenience. The proposed new policy may be found at <http://www.nic.org.mt/2LD>.

8. **How can I provide feedback on the proposed changes?**

The consultation document is available at <http://www.nic.org.mt/2LD>. This includes a copy of the proposed new policy. Feedback on the proposed new policy may be sent via e-mail to 2LD@nic.org.mt or in writing to NIC(Malta), University Campus, Msida MSD2080, Malta. Furthermore, a public consultation meeting will also be held. Further details about this meeting will be announced in the press.

9. **For how long will the consultation period run?**

Feedback will continue to be accepted until 30 June 2016.

10. **What will happen after the consultation period?**

Once the feedback is processed, NIC(Malta) will determine whether to adopt the proposed policy, or adopt an amended version, or seek further consultations or decide to retain the existing policy. It is planned that this process will be completed by the end of 2016.

11. **Why is NIC(Malta) proposing this change?**

The following are the main reasons for the proposed new policy:

- **More choice** – Through the proposed policy NIC(Malta) would be offering more choice to existing and future registrants in the *.mt* name space.
- **Simpler, shorter names** – Domain names no longer would require an additional three letter second level domain name, resulting in shorter and snappier names. The focus of the domain name could be on your organisation’s preferred branding.
- **Avoids inappropriate labelling** – Some domain names do not quite fit within the existing hierarchical structure which categorises a domain name as being used either by an entity operating on a commercial basis (*.com.mt*), non-profit organisation (*.org.mt*), internet service provider (*.net.mt*), educational

(*.edu.mt*) or governmental (*.gov.mt*) entity. Thus, for example, individuals may register their personal domain names without any hindrance.

- **Follows similar changes in the wider Internet** – Other countries have adopted similar changes to their policies, such as for example *.uk* and *.nz*. In addition, IANA has recently introduced a large number of generic top-level domain names which are bound to increase in the future. Therefore, this new policy is also being proposed so that *.mt* remains relevant in the evolving Internet.

12. [When would the new policy be adopted?](#)

Once the feedback is processed, NIC(Malta) will determine whether to adopt the proposed policy, or adopt an amended version, or seek further consultations or decide to retain the existing policy. It is planned that this process will be completed by the end of 2016.

Existing Domain Names

13. [Would the existing domain names remain valid?](#)

Yes, existing domain names would remain valid. One could still continue to renew existing third level domain names such as for example *myname.com.mt*. One could even continue to register new third level domain names.

14. [I have a domain name registered under .com, would this change affect me?](#)

No, this would not affect you. This proposed new policy applies only for domain names registered under *.mt*.

15. [I already have a registered .mt domain name, how would this proposed change affect me?](#)

If, say, you have *myname.com.mt* registered under your name, you could continue to normally hold and renew this name now and in the future. In addition, during the Preferential Registration Period, the name *myname.mt* would become blocked so that no one else could register this second level domain name. Furthermore, if no one else is blocking this name (hence the name is not in conflict), you could register *myname.mt* for free for the whole duration of the Preferential Registration Period. After the Preferential Registration Period normal registration fees would apply.

16. [Would it cost me more to continue renewing my existing domain name?](#)

No, the renewals fees for existing domain names would remain the same. NIC(Malta) is also committing itself to revise downwards the domain name registration fees once the impact of this policy change can be adequately assessed.

17. [What is a Legacy Holder?](#)

A Legacy Holder is the Holder of a duly registered domain name before 1 June 2016.

18. [Should I register the blocked domain name corresponding to my existing third level domain name?](#)

If you are the Holder of a legacy third level domain name (registered before 1 June 2016), say *myname.com.mt*, then the corresponding second level domain name (*myname.mt*) would become automatically blocked during the Preferential Registration Period. However at the expiry of this period, any remaining blocked non-conflicting domain names would become available for anyone to register on a first-come first-served basis. Therefore, if you wish to start using the new second level domain name version or if you wish to protect the domain name at the second level, then you have to register the corresponding second level domain name before the expiry of the Preferential Registration Period.

Preferential Rights to Existing Domain Holders

19. What is the Preferential Registration Period?

The Preferential Registration Period starts from the date that the new policy is launched (the *Launch Date*) for a period of three years. During this period, any existing and validly registered third level domain name that has been registered before 1 June 2016 (e.g. *myname.com.mt*) would have its corresponding second level domain name (e.g. *myname.mt*) blocked. Non-conflicted blocked domain names may only be registered by the Holder of the corresponding third level domain name. For example, only the Holder of *myname.com.mt* may register *myname.mt* during the Preferential Registration Period (assuming that this is not conflicted). Also, the additional registration of *myname.mt* would be free of charge for the whole duration of the Preferential Registration Period as long as *myname.com.mt* remains validly registered. In addition, during the Preferential Registration Period, new Holders who register a second level domain name (e.g. *myname.mt*) are also entitled to register for free a corresponding third level domain name that the Holder may qualify for (e.g. *myname.com.mt*), if this is available.

20. What is a blocked domain name?

A blocked domain name is a second level domain name that cannot be registered during the Preferential Registration Period except by the Holder who has a corresponding third level domain name. Every third level domain name which is duly registered and that has been registered before 1 June 2016 (e.g. *myname.org.mt*) would have its corresponding second level domain name (e.g. *myname.mt*) automatically blocked for the whole duration of the Preferential Registration Period. Note that a blocked domain name still cannot be used until this is registered. If a blocked and non-conflicting domain name is not registered before the expiry of the Preferential Registration Period, then this would become available for registration by anybody on a first-come first-served basis.

21. Do I need to do anything to block the corresponding second level domain name?

No, if you are the Holder of say *myname.org.mt*, then *myname.mt* would be automatically blocked for the entire duration of the Preferential Registration Period.

22. What is a conflicted domain name?

A conflicted second level domain name is one that is blocked by more than one Holder. For example, the Holders of *myname.org.mt* and *myname.com.mt* both block *myname.mt*. In this case the conflicted second level domain name cannot be registered by anyone. This conflicted state remains true as long as there are more than two Holders blocking the name, even beyond the Preferential Registration Period.

23. How can I register my corresponding second level domain name?

During the Preferential Registration Period, you would be able to register the corresponding second level domain name at any time free of charge, as long as this is not conflicted. Renewal fees would also be free for the entire duration of the Preferential Registration Period (pro rata). After the Preferential Registration Period, no second level domain names would remain blocked (except conflicted names), and these would become available for registration by anyone on a first-come first-served basis.

24. How can I check if the domain name that I am blocking is not conflicted?

Once the new policy is launched, you would be able to check the status of a domain name by accessing <http://conflict.nic.org.mt>. A domain name may be shown in anyone of the following states:

- **Available** – the domain name is available by anyone on a first-come first-served basis.

- **Registered** – the domain name is already registered by a Holder and is not available for registration.
- **Blocked** – the domain name is blocked by a Holder of a corresponding third level domain name. This is not available for registration during the entire duration (as long as it remains blocked) of the Preferential Registration Period except by the Holder of the corresponding third level domain name
- **Conflicted** – the domain name is blocked by two different Holders and cannot be registered.
- **Prohibited** – the domain name is not allowed to be used due to some technical or other reason.

25. [I have a conflicted domain name, what can I do to register it?](#)

You cannot register a conflicted domain name as long as this remains in the conflicted state. You would be able to use NIC(Malta)'s service available at <http://conflict.nic.org.mt> to determine who are the other Holder/s that are causing the conflict. If the other Holder/s stop registering the domain name that is causing the conflict, or submit in writing that they are renouncing their right to continue blocking their corresponding second level domain name such that only you remain blocking the corresponding second level domain name, then this becomes available for registration by you. If a conflicted domain name becomes available, the remaining Holder has either one year from the date that this becomes available or until the end of the Preferential Registration Period – whichever date comes later, to decide whether or not to register this name until this becomes available to other parties on a first come first served basis.

26. [I have registered my domain name on or after the 1 June 2016 but before the new policy is launched, what is my status?](#)

This depends on the particular name that you have registered. If your registered label does not conflict with any other domain name, then for all intents and purposes your registration would be considered on par with those registered before 1 June 2016. On the other hand if your registered label is the same as another registered before 1 June 2016, then the registered name would be considered as if it was registered after the launching of the new policy and no new conflicts are registered for the corresponding second level domain name. Another possibility is that two or more Holders register a conflicting domain name on or after the 1 June 2016 but before the new policy is launched. In this case the name is considered in conflict.

For example, you register *myname.com.mt* sometime on or after 1 June 2016 and before the new policy is launched. If no one else has registered *myname.org.mt* or *myname.edu.mt* or *myname.net.mt* or *myname.gov.mt*, then *myname.mt* becomes blocked and you would be able to register this name during the Preferential Registration Period when the new policy is launched. If on the other hand, say, someone else had registered *myname.org.mt* before 1 June 2016, then you would have no entitlements over *myname.mt*. In this case only the Holder of *myname.org.mt* would be able to register *myname.mt* during the Preferential Registration Period. For the third case, if one Holder registers *myname.org.mt* and another Holder registers *myname.com.mt* during this period, then *myname.mt* will become conflicted when the new policy is launched.

New Domain Name Registration

27. [Who is eligible to register a domain name under .mt?](#)

Any legal entity may register a domain name under *.mt*. There are no restrictions regarding the nationality or location of the entity. The policy puts some legal requirements on the potential Holder such as for example not to infringe the intellectual property rights of third parties.

28. [Should I register at the second level, third level or at both levels?](#)

This depends on your particular circumstances and needs. If you wish to show the status of your organisation, then it might be a good idea to register under the appropriate second level hierarchal domain. For instance, if your organisation is a non-profit one and you wish to underline this, then you may consider registering *myname.org.mt*. If on the other hand you are, say, a commercial entity and do not wish to have clutter in your Internet branding, then you may wish to opt for *myname.mt*. Also, if your domain name does not naturally fit under any of the existing second level names, say you are registering a personal domain name, then your natural choice is to register directly at the second level. You may also wish to protect the use of the domain name. In which case it makes sense to register under both the second and third level (say *myname.com.mt* and *myname.mt*). Note that the existing rules of registration at the third level would still continue to be enforced. So, for example, if you are commercial entity you would not be allowed to register *myname.org.mt* which is reserved for a non-profit organisations.

29. [Why should I register in the .mt domain name space?](#)

There could be several reasons why one would register a domain name in the *.mt* name space, including but not limited to:

- The *.mt* name space enjoys a good reputation. Websites bearing this name are perceived to be dependable.
- You identify your domain name with Malta.
- The required name is not available under other top-level domains such as *.com*.
- You wish to protect your name also in the *.mt* name space.

30. [I want to register a new .mt domain name, how would this proposed change affect me?](#)

With the proposed policy change, if you wish, say, to register the name *myname* and you are a commercial entity, then you have the option to register either *myname.com.mt* or *myname.mt* (if they are available). If you register *myname.mt* you may also optionally register and renew for free *myname.com.mt* for the entire duration of the Preferential Registration Period. After the Preferential Registration Period normal registration and renewal fees would apply.

31. [Would it cost me more to register new domain names at the second level?](#)

No, the registration fees for new domain names at the second and third level would be the same. However, NIC(Malta) is also committing itself to revise downwards the domain name registration fees once the impact of this policy change can be adequately assessed.

32. [Can I register a blocked domain name?](#)

You can only register a blocked domain name if you are also the Holder of the corresponding third level domain name, otherwise this is not possible during the Preferential Registration Period. For example, if *myname.mt* is blocked (and not conflicted) and you are the Holder of *myname.org.mt*, then you may register *myname.mt* at any time for free during the Preferential Registration Period.

33. [Can I register a conflicted domain name?](#)

No, this is not possible as long as this remains in the conflicted state.

34. [How do I check if I can register a second or a third level domain name?](#)

The status of a second or a third level domain name may be determined by accessing <http://conflict.nic.org.mt>. A domain name may be shown in anyone of the following states:

- **Available** – the domain name is available by anyone on a first-come first-served basis.
- **Registered** – the domain name is already registered by a Holder and is not available for registration.

- **Blocked** – the domain name is blocked by a Holder of a corresponding third level domain name. This name is not available for registration during the entire duration (as long as it remains blocked) of the Preferential Registration Period except by the Holder of the corresponding third level domain name
- **Conflicted** – the domain name is blocked by two different Holders and cannot be registered.
- **Prohibited** – the domain name is not allowed to be used due to some technical or other reason.

Important dates in the New Policy

35. What is the Preferential Registration Period?

The Preferential Registration Period starts from the date that the new policy is launched (the *Launch Date*) for a period of three years. During this period, any existing and validly registered third level domain name that has been registered before 1 June 2016 (e.g. *myname.com.mt*) would have its corresponding second level domain name (e.g. *myname.mt*) blocked. Non-conflicted blocked domain names may only be registered by the Holder of the corresponding third level domain name. For example, only the Holder of *myname.com.mt* may register *myname.mt* during the Preferential Registration Period (assuming that this is not conflicted). Also, the additional registration of *myname.mt* would be free of charge for the whole duration of the Preferential Registration Period as long as *myname.com.mt* remains validly registered. In addition, during the Preferential Registration Period, new Holders who register a second level domain name (e.g. *myname.mt*) are also entitled to register for free a corresponding third level domain name that the Holder may qualify for (e.g. *myname.com.mt*), if this is available.

36. What is the Legacy Date?

The Legacy Date is 1 June 2016 at 00:01 Hours and is the date when NIC(Malta) initiated the Public Consultation period on the proposed draft domain registration policy for the *.mt* name space. In order to avoid speculation, any new third level domain names registered after this date which would lead to a conflict with existing ones would not be afforded any of the additional rights granted during the Preferential Registration Period. By way of example, if *myname.org.mt* was registered before 1 June 2016, and someone else registers *myname.com.mt* on or after 1 June 2016, then the Holder of *myname.com.mt* would not have any entitlement over *myname.mt*.

37. What is the Launch Date?

The Launch Date is the date when the new policy would be launched and becomes effective.

38. What is the Cut-off Date?

This is the date following which preferential treatment afforded to Holders of domain names during the Preferential Registration Period expires. For most Holders, it is the end of the Preferential Registration Period. This is 3 years from Launch date. For the special case of Holders that had a conflicted domain name that had been eventually released by all other conflicting Holders, the Cut-off date may be extended by up to a maximum of one year following the date when the conflict would have been resolved, if this is later than the expiry of the Preferential Registration Period.

Appendix E – NIC(Malta) Website Front Page



Network Information Centre Malta

.mt domains

You are using **IPv4** from

[[about](#)] [[.mt domains](#)] [[contact us](#)] [[news](#)] [[whois](#)]

[login](#)
[register](#) [handle](#)
[register .mt domain](#)
[whois](#)

Welcome to .mt

Malta's presence on the Internet

.mt is the country code top-level domain (ccTLD) for Malta.

If you are new to .mt domains refer to information section on the right. To apply for a new .mt domain first check availability of the domain below and follow instructions from there.

Domain availability

Check the availability of domain:

.com.mt

News

[Proposal for Second Level Domain Name Registration under .mt](#)

Information

Domain Registration Policy
 Eligibility & Structure of .mt
 Terms and Conditions

Handles

Roles
 Holder
 Administrative Agent
 Billing Agent
 Technical Agent

Fees
Payments

[Privacy Policy](#) | [Terms and Conditions](#)

Appendix F – Published News Item

1st June 2016, 00:01

Proposal for Second Level Domain Name Registration under *.mt*

NIC(Malta) is proposing changes in the way Internet domain names are registered under *.mt*, the top-level country domain for Malta. With this proposal, it would become possible to register domain names at the second level, directly to the left of the *.mt*. For example, it would become possible to register *myname.mt*. Registrations at the third level, as at present, such as *myname.com.mt*, would remain possible.

The following are the main reasons for the proposed new policy:

- **More choice** – Through the proposed policy NIC(Malta) would be offering more choice to existing and future registrants of *.mt* domains.
- **Simpler, shorter names** – Domain names under *.mt* would no longer require an additional three letter second level domain name, resulting in shorter and snappier names. The focus of the domain name can be on the registrant's preferred branding.
- **Avoids inappropriate labelling** – Some domain names do not quite fit within the existing hierarchical structure which categorises a domain name as being either commercial (*.com.mt*), non-profit organisation (*.org.mt*), internet service provider (*.net.mt*), educational (*.edu.mt*) or governmental (*.gov.mt*). Thus, for example, individuals may register their personal domain names without any hindrance.
- **Follows similar changes in the wider Internet** – Other countries have adopted similar changes to their policies, such as for example in the United Kingdom (*.uk*) and New Zealand (*.nz*). In addition, IANA has recently introduced a large number of generic top- level domain names which are bound to increase in the future. Therefore, this new policy is also being proposed so that *.mt* remains relevant in the evolving Internet.

A Public Consultation Document has been published and can be found at www.nic.org.mt/2LD.

The proposed new draft Domain Name Registration Policy together with the corresponding amended Terms and Conditions for registering new domain names are included within the consultation document. To facilitate the transition to the new system of registration, a Preferential Registration Period is being proposed. During this period special rights would be given to existing and new registrants of *.mt* domain names. Further details are available in the Public Consultation Document.

Feedback on these proposed changes is being solicited from interested parties via e-mail to 2LD@nic.org.mt or by postal mail to *NIC(Malta), University Campus, Msida MSD 2080, Malta*, by 30 June 2016. A public consultation meeting will also be held on Monday 13 June 2016 at 6pm in [Hall E, M.A. Vassalli Centre – Gateway Building, University](#).

The Network Information Centre (Malta), also known as NIC(Malta), is a non-profit Foundation which is responsible for the *.mt* top-level country domain for Malta. NIC(Malta) is the registry for *.mt* domain names.

Website: www.nic.org.mt

1st June 2016, 00:01

[Privacy Policy](#) | [Terms and Conditions](#)

Appendix G – Press Release issued on 1 June 2016



Network Information Centre (Malta)
 University Campus
 Msida MSD 2080
 Malta, Europe
 +356 2340 8000, info@nic.org.mt

Press Release – 1 June 2016

Proposal for Second Level Domain Name Registration under *.mt*

NIC(Malta) is proposing changes in the way Internet domain names are registered under *.mt*, the top-level country domain for Malta. With this proposal, it would become possible to register domain names at the second level, directly to the left of the *.mt*. For example, it would become possible to register *myname.mt*. Registrations at the third level, as at present, such as *myname.com.mt*, would remain possible.

The following are the main reasons for the proposed new policy:

- **More choice** – Through the proposed policy NIC(Malta) would be offering more choice to existing and future registrants of *.mt* domains.
- **Simpler, shorter names** – Domain names under *.mt* would no longer require an additional three letter second level domain name, resulting in shorter and snappier names. The focus of the domain name can be on the registrant's preferred branding.
- **Avoids inappropriate labelling** – Some domain names do not quite fit within the existing hierarchical structure which categorises a domain name as being either commercial (*.com.mt*), non-profit organisation (*.org.mt*), internet service provider (*.net.mt*), educational (*.edu.mt*) or governmental (*.gov.mt*). Thus, for example, individuals may register their personal domain names without any hindrance.
- **Follows similar changes in the wider Internet** – Other countries have adopted similar changes to their policies, such as for example in the United Kingdom (*.uk*) and New Zealand (*.nz*). In addition, IANA has recently introduced a large number of generic top-level domain names which are bound to increase in the future. Therefore, this new policy is also being proposed so that *.mt* remains relevant in the evolving Internet.

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The Network Information Centre (Malta), also known as NIC(Malta), is a non-profit Foundation which is responsible for the *.mt* top-level country domain for Malta. NIC(Malta) is the registry for *.mt* domain names.

NIC(Malta) is a service name of the Malta Internet Foundation.

Appendix H – Advert placed in local newspapers



Public Consultation

Second Level Domain Registration under *.mt*

NIC(Malta) is proposing changes to its domain name registration policy that would enable the registration of second level domain names, such as

myname.mt

Details on these changes may be found at
www.nic.org.mt/2LD

**A public consultation meeting will be held on
Monday 13 June 2016 at 6pm in
Hall E, M.A. Vassalli Conference Centre - Gateway Building, University**

You can provide feedback about these proposed changes by sending an email to 2LD@nic.org.mt or by postal mail to
NIC(Malta), University Campus, Msida MSD 2080, Malta.

Feedback will be accepted until 30 June 2016

If you are the holder of a *.mt* domain name or are thinking of registering one, these changes may affect you. Your feedback is therefore very important to us.

Appendix I – Circulated e-mail to Existing Holders and Agents

Subject: Proposed Changes to Regulations on .mt Internet Domains

As has been announced in the press, NIC(Malta) has initiated a public consultation on proposed changes in the domain name registration process in the .mt namespace. Specifically, it is being proposed that it would become possible to register domain names directly under .mt. That is, one would also be able to register directly [myname.mt](#). Registrations at the third level, such as [myname.com.mt](#), would remain possible. A transition period is also being proposed so as to give additional rights to existing registrants in order to facilitate the introduction of this new system. These proposed changes may also affect you. It is therefore very important that you go through the proposed changes and provide us with your feedback. We would like to know if you agree with the proposed changes or whether you would like to see changes in the proposal. Further details may be found at:

<https://www.nic.org.mt/2LD>

Feedback will continue to be accepted until 30 June 2016.

Furthermore, a public consultation meeting is going to be held on Monday 13 June 2016, at 6pm in Hall E, M.A. Vassalli Conference Centre - Gateway Building, University. A presentation explaining the salient points of the proposed draft Second Level Domain Name Registration policy will be given. This will be followed by a Question and Answer session. You are invited to attend this meeting.

Kind regards

NIC(Malta)
.mt registry