



Rules of the advisory Steering Committee of the Registro .it

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The Institute of Informatics and Telematics (IIT) of the National Research Council (CNR), Italian Registry (ccTLD - country code Top Level Domain .it), hereafter Registro .it:

Whereas

1. at the Institute of Informatics and Telematics of the CNR, the Registro .it operates in accordance with a specific delegation, issued in 1987 by IANA/ICANN (<http://www.iana.org>, <http://www.icann.org>), formalized today by means of a written agreement;
2. the registration and management of domain names in the Italian country code Top Level Domain is therefore the specific task of the Registro .it, which focuses its activities on the adoption of fair rules and behavior, which are transparent and technologically advanced, in the interest of its interlocutors;
3. pursuant to art. 15 "Numbering, assigning domains names and addresses" of the Italian legislative decree No. 259 dated August 1, 2003 (Electronic Communications Code), The Ministry of Economic Development controls the assignment of all national numbering resources and the management of the national numbering plan, ensuring that all electronic communication services that are publicly available are assigned numbers and adequate blocks of numbers. The Ministry also oversees the assignment of domain names and addresses";
4. domain names are a service of the information society. They represent a technical resource that can be easily used by citizens, businesses, organizations, which allows the network to be accessed and its full potential exploited;
5. in this regard and in order to report the technical function of domain names, it is useful to note what is stated in recital 3) of EC Regulation 733/2002 on the implementation of .eu top-level domains, where it is stated that *"TLDs are an integral part of the Internet infrastructure. They are an essential element of the global interoperability of the World Wide Web ('WWW' or 'the Web'). The connection and presence permitted by the allocation of domain names and the related addresses allow users to locate computers and websites on the Web. TLDs are also an integral part of every Internet e-mail address"*;
6. the management of the Internet is based on the principles of non-interference, self management and self-regulation;
7. the Registro .it has a set of rules and procedures for the registration and management of domain names in the ccTLD.it, as well as alternative methods of dispute resolution (<http://www.registro.it>). These are rules and procedures that the Registro.it, Registrars (i.e. the technical intermediaries), and Registrants must follow when carrying out their activities;
8. the management of the Registro .it keeps account of the abovementioned principles of self-regulation referred to in paragraph 6 above, in accordance with the laws and EU

directives with regard to the information society;

9. the Registro .it operates by means of the synchronous registration system which enables the Registrar, according to the contract undersigned with the Institute of Informatics and Telematics, Registro .it, to carry out, subject to accreditation, within the context of the delegation and with the conditions established in the aforementioned contract, the technical activities of registration of domain names for the users;
10. in March 2004 a decree by the director of IIT led to the creation of the advisory body called the "Committee for the registration rules of domain names in the ccTLD .it", otherwise known as the Rules Committee, which is responsible for setting out the rules of Registration for the assignment and management of domain names in the ccTLD .it and is guided by the principles of fairness, transparency and equal access to the service;
11. the Rules Committee involved the participation of representatives of the Local Internet Community (LIC), both belonging to the public and private sectors, in order to enlist the contribution of the experience and knowledge of operators, necessary to balance the system. In particular, also a member of the GARR network and a member of the "Internet Society - ISOC Italy" participated;
12. by virtue of supervisory functions concerning the assignment of domain names and addresses, referred to in paragraph 3 above, the Rules Committee has always had the participation of the Director of the Higher Institute for Communications and Information Technologies (ISCOM);
13. within the context of the reorganization of the Rules Committee, IIT-CNR decided to replace the Rules Committee with a new body, referred to as *Comitato Consultivo di Indirizzo del Registro .it (Steering Committee of Registro .it)*, with Italian acronym CIR, which operated, succeeding the Rules Committee, until 31/12/2014;
14. given the previous experience of more than ten years, there is the necessity to revise the CIR which, in harmony with the principle of "*multistakeholderism*", recent technical evolutions, and also legislative modifications introduced into this specific sector, must introduce a different method of representation of all interested parties;
15. both in the EU and Italy there is considerable legislation to protect consumers/users, see in this respect the Consumer Code, Legislative Decree 106/2005, which leads to the need for a careful examination of the elements of this new legal protection. To this end, a specialized group of users that had earlier participated in the work of the Rules Committee appears to be useful within the aforementioned Steering Committee.

Given the above, the Institute of Informatics and Telematics, the Registro .it adopts:

the following regulations on the establishment, function and composition of the Steering Committee of the Registro .it whose *Premises* are an integral and substantial part. The Director is committed to ensuring smooth operations.

Art. 1. Advisory Steering Committee of the Registro .it

At the Institute of Informatics and Telematics of the Italian National Research Council (IIT) a Steering Committee of the Registro .it (hereafter the CIR) is set up, which is an advisory body of the Registro .it.

Art. 2. Aims

The CIR gives non-binding advisory opinions on matters described in Article 3, with the purpose of improving the operation of the service regarding the registration of domain names on the Internet pertaining to the Registry, in the light of the principles of fairness, transparency, equal access to the service, and the rights of third parties and consumers.

The Registry has responsibility for adopting measures pertaining to the advice of the CIR.

Art. 3. Tasks

The CIR has the following tasks:

- I. to give advice on the Rules of assignment and management of domain names in the ccTLD .it and the Regulations on the resolution of disputes in the ccTLD .it;
- II. to give advice on the Procedures for Dispute Resolution, on the criteria for the accreditation of Service Providers of out-of-court settlements of disputes (PSRD/DRSPs), as well as on ethical considerations;
- III. to bring to the attention of the Registry topics of future relevance or influence to the growth of .it, including matters related to the dissemination and promotion of .it itself;
- IV. to give advice for the improvement of the services offered, and also to overcome the digital divide in the interests of the general public;
- V. to give advice on the proposed contracts to be submitted by the Registry to its Registrars
- VI. to promote events in relation to issues of general importance relating to the Registro .it;
- VII. to carry out a proactive role in presenting to the Registro .it issues of research or development which are of general interest to Registrars and which pertain, in a general sense, to the sector in which they operate and whose outcome is of common benefit to all;
- VIII. to express opinions with regard to data treatment, with the aim of its correct implementation within the context of the registration and maintenance of domain names, in accordance with current legislation.

Art. 4. Membership

The CIR is made up of:

- ☐ one member appointed by the Ministry of Economic Development (MiSE) – Higher Institute for Communications and Information Technology (ISCOM);
- ☐ one member appointed by the Italian Presidency of the Council of Ministers (Department of the Public Function);
- ☐ one member appointed by the Ministry of University and Research;
- ☐ one member appointed by the Agency for Digital Italy (AgID);
- ☐ two members representing two associations of the operators in the sector (Registrars);
- ☐ two members representing operators in the sector (Registrars);
- ☐ one member representing the user community appointed by the National Council of Consumers and Users (CNCU);
- ☐ one member appointed by the Internet Society – ISOC Italy;
- ☐ one member representing the GARR Consortium;
- ☐ two members representing the Registro .it.

The representative of the Ministry of Economic Development (MiSE) participates in the framework of the supervisory functions assigned to the said ministry.

Members appointed by the Presidenza del Consiglio dei Ministri (Dipartimento della Funzione Pubblica) and by the Ministry of University and Research participate in the CIR as permanent observers.

With the exception of the members indicated by the Ministries and those representing the .it Registry, the members of the CIR shall hold office for a term of 2 (two) years and may only be confirmed once.

This obligation also expires in respect of the other members participating in the CIR, when the representative function is entrusted to the President of the represented organisation.

The designation of the two associations representing operators of the sector (Registrar) shall be determined by the Registry on the basis of their greater representativeness. To this end, the Registry will invite the President of the designated Registrar associations to join the CIR. In the event that a President is unable or unwilling to become a member, he may appoint a member of his association.

The members representing the two Registrar associations are appointed by the Director of the IIT.

The appointment of the two representatives of the operators of the sector (Registrar) takes place, on the other hand, according to an elective system in which all the accredited Registrars, holders of a contract for the registration of domain names with the Registro .it, participate. The Registrars belonging to the two associations of the operators in the sector, whose representative sits on the Steering Committee, may participate in the process of electing the Registrars only as voters but not as candidates.

The election of the Registrar representatives in the CIR, is based on the "Rules for the election of the representatives of Registrars within the Steering Committee of the Registro .it", issued by the Registro.it and made public on the Registry's website at the address <http://www.registro.it>, as well as on the RAIN-NG portal (<http://rain-ng.nic.it>) available to the Registrars.

The winners of the elective process are appointed by the Director of the IIT.

The members representing the Agency for Digital Italy (AgID), of the GARR Consortium, of ISOC Italia and the CNCU, designated by the respective reference bodies, are appointed by Director of the IIT.

The two members of the Registro .it are nominated by the Director of IIT with specific procedure.

For the discussion of specific issues the CIR may be integrated with experts of public or private bodies nominated by the Director of IIT, also on proposal of the President of the CIR. These may participate, without right of vote, in the work of the CIR throughout its duration or for single meetings.

The CIR has a secretary made available by the Registro .it, with the task of minuting meetings and carrying out the necessary secretarial activities.

Art. 5. Term of duration, expiry and reconstitution of the CIR

The duration of the CIR is set at two years from the date of the formal establishment of the CIR by the Director of the IIT.

The first meeting of the CIR must be convened by the Director of the IIT within 30 days of above provision.

The CIR performs the consultative functions assigned to it until the end of its term of office and must be reconstituted within that period. To this end, the elective procedures for the appointment of the representatives of the Registrars' operators must be initiated at least 90 days before the expiry of the CIR itself. Similarly, the procedures for nominating members of the other institutions must start within the same timeframe.

Where (for justified reasons) it was not possible to ensure the reconstitution of such body within the deadline established above, the CIR will remain in office in the composition in existence for a maximum of 45 days starting from the aforementioned expiry date.

Art. 6. President

Within the CIR, a President is elected by a majority vote from among the members that do not belong to the Registry. The President can be reappointed for a maximum of two mandates.

To fulfil his/her duties, the President may employ a Secretary who is chosen from the members of the CIR.

The President convenes CIR meetings and defines the order of the day; such meetings may be proposed by the Committee members. Notice must be given at least eight days before the date fixed for the meeting and can also be submitted by (uncertified) email.

If the President is absent from a CIR meeting, the CIR shall first vote, as the first item on the agenda, on a simple majority basis, on who shall chair the meeting.

The CIR President's term of office shall terminate in the event of:

- a) resignation, permanent impediment or death;
- b) a no-confidence vote on the part of the simple majority of the CIR.

In such cases there will be new elections for the President, voted on a simple majority basis during the course of the same meeting in which the President's term of office is terminated, or the IIT Director will convene a new CIR meeting within 30 days to elect the President, with this being the first item on the agenda of that meeting.

Art. 7. Role of the members of the CIR

The members of the CIR are consultants of the CNR Institute of Informatics and Telematics for the activities concerning the registration of domain names in the ccTLD .it as experts.

Members are not entitled to any remuneration, tokens, fees or allowances, however defined, with the exception of the reimbursement of travel expenses, subject to the submission of relevant documentation to the IIT in compliance with the relevant legal regulations.

Article 8 – Operations

The CIR is considered as having validity as long as there are no fewer than 7 (seven) members in office. For the meeting to be valid there must be at least six members who hold office. Resolutions are taken on a majority basis from those present. In the event of an equal number of votes being cast, then the President shall cast the deciding vote. The decisions taken must be minuted.

In the event of resignation, impediment or death of a member of the CIR elected representative of the professionals of the sector (Registrar), the person who has received the highest number of votes among the non-elected persons shall be appointed as replacement and, if there are non-elected with equal votes, the eldest of the non-elected persons shall be appointed. If there are no Registrar representatives in the ranking list, the Registry will arrange for a new election procedure among the Registrars in the same manner as indicated for the election of the CIR representatives in order to fill vacancies.

In the event of resignation, impediment or death of a member of the CIR who is not an elected representative of the operators in the sector (Registrars), the Director of the Registry, after hearing the opinion of the CIR, will substitute him in order to maintain unchanged the composition of the CIR as indicated in art. 4 of the Regulation.

In the event that a member of the CIR does not attend meetings for three consecutive meetings, the CIR by simple majority takes note of the impediment and votes in order to ask the Registry to request that the member be removed and substituted according to the procedure indicated in

the preceding paragraphs.

The CIR normally meets four times a year. The meeting is convened by the President, who shall determine the order of the day in accordance with Article 6, paragraph 3.

The meetings may also be held by teleconference or videoconference, with electronic voting in accordance with the related regulations. Where, in the opinion of a simple majority of the CIR, a major issue requires explicit and immediate approval, or where there has been a need for further investigation and an opinion on such matters is considered urgent, the President may request each member to give their opinion either in writing or by e-mail.

Should a member of the CIR be personally involved in a conflict of interest in relation to a resolution adopted by the Committee, he/she is obliged to state this conflict on record and to abstain from any specific resolution.

The CIR takes resolutions on a simple majority basis, without further formalities, and then notifies the Director of IIT of such resolutions in writing.

The coming into effect of the decisions of the Registry is made public through a notice from the Director of IIT on the Registry's website, beginning 30 days following publication. The notice referred to in this paragraph is also sent to the Registrars' distribution list.

In the event that the Director of IIT needs to take urgent decisions with regard to the registration service, he/she can without delay inform the CIR. In this case, the period of thirty days from the notice on the Registry's website, for the resolutions come into effect will be reduced at the discretion of the Director.

The CIR will be asked to express their views on the Director's decisions at the next possible meeting.

An audit on the activities of the CIR will be carried out at the end of the year by agreement between the Director of IIT and the President. The findings will be presented at the annual meeting of the Registrars.

The minutes of the meetings are posted on the Registry's website.

Art. 9 Dissolution of the CIR

The CIR may be dissolved by the Director of the IIT in the following cases:

- a) impossibility of ensuring the normal functioning of the Committee;
- b) lack of the legal number of members for four consecutive calls.