

## Rules of the Steering Committee of the .it Registry

The Institute of Informatics and Telematics (hereafter, IIT) of the Italian National Research Council (hereafter, CNR), the Italian Registry ccTLD (country code top level domain) .it:

### Given that:

- 1) the Italian Registry of domain names on the Internet, ccTLD.it operates at IIT, in accordance with the delegation issued in 1987 by IANA/ICANN (<http://www.iana.org>, <http://www.ican.org>) and now formalized in a written agreement;
- 2) the registration and management of domain names in the Italian country code is therefore the specific task of the Registro.it, which focuses its activities on the adoption of fair rules and behaviour, which are transparent and technologically advanced, in the interest of all its interlocutors;
- 3) pursuant to art. 15 "*Numbering, assigning domains names and addresses*" of the Italian legislative decree No. 259 dated August 1, 2003 "*1. 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 large 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 Italian Registry 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) on 2 July 2009 the synchronous registration system came into force and became operative on 28 September 2009;
- 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 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), in order to enlist the contribution of the experience and knowledge of operators in the industry and members chosen from Internet service providers, including four representing the holders of a contract with the Registry of the ccTLD.it, as provided by

the respective organizations that are most representative of the interests of Registrars. The composition of this body was subject to later changes;

- 12) the Rules Committee has always had the participation of a representative of the Higher Institute for Communications and Information Technologies (ISCTI) formally indicated by the relevant authorities;
- 13) the GARR network is the Italian Research & Education Network (NREN), by virtue of its scientific expertise has always had a member in the Rules Committee;
- 14) the "Internet Society - ISOC Italy" has for many years played a useful role in the development of the Internet in Italy and a representative of this association has participated continuously in the work of the Rules Committee;
- 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 has participated in the work of the Rules Committee;
- 16) as part of the reorganization of the advisory bodies in relation to the assignment of domain names, the IIT-CNR has provided an opportunity to wind down the Rules Committee and to create a new body called the Steering Committee of the .it Registry;

#### **adopts:**

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

### **Article 1. Steering Committee of the .it Registry (CIR)**

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

### **Article 2. Aims**

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The CIR advises on matters within its jurisdiction, as 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 the responsibility to adopt measures pertaining to the advice of the CIR.

### **Article 3. Tasks**

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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, including through ad hoc work groups set up in accordance with Article 7;

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 dot

it, including matters related to the dissemination and promotion of dot it itself, for the improvement of the services offered, and also to overcome the digital divide in the interests of the general public;

IV. to give advice on the proposed contracts to be submitted by the Registry to its technical intermediaries;

V. to give advice on the promotion of work groups on specific matters referred to in this article;

VI. to promote events in relation to issues of general importance relating to the Registry. As part of the tasks defined in this article, the CIR provides, by means of resolutions which may be integrated with specific technical documentation, advices related to activities of the Registry of the ccTLD.it within the IIT. These guidelines are subject to examination by the director of IIT in accordance with the procedure set out in Article 8.

## Article 4. Membership

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The CIR is made up of:

- One member appointed by the Ministry of Economic Development (MiSE) - Higher Institute For Communications and Information Technology (ISCTI);
- Four members representing the Registrars;
- One member appointed by the Internet Society - ISOC Italy;
- One member representing the user community;
- One member from GARR (the Italian Network of University and Research);
- Two members representing the Registry.

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

The four organizations representing the Registrars are selected by the Registry on the basis of their having the highest level of representation among Registrars.

To this end, the Registry will invite the presidents of the Registrar associations that are designated to be part of the CIR. Likewise, the presidents of the other organizations mentioned in the first clause of this article will also be invited.

In the event that a President is unable or does not intend to be part of the CIR, he/she may delegate a member of his/her organization.

The intent of the CIR is to operate at the highest profile in order to ensure that it can exploit any opportunity in terms of scientific and technological knowledge. To this end, two members nominated by the bodies of the Central Administration of the State in the areas of scientific and technological research and digitization and innovation of the Civil Service, participate in CIR as permanent observers, based on the skills of each organization.

The members of the CIR, with the exception of representatives of the ministries concerned, are appointed by the Director of IIT, on the basis of nominations referred to above and with the prior authorization of the organizations to which they belong.

The CIR has a two-year term starting from the formal appointment in the manner indicated in clause 4 of this article. On specific matters of public interest, the CIR can request the participation of experts

from public and private organizations. These experts are appointed by the Director of IIT, and with prior authorization from the organizations to which they belong. They may take part in individual workgroups, become part of the CIR for its entire duration, or just for individual meetings. In this case the request for their participation may be made by the Director of IIT, the President of the CIR, or the coordinator of the workgroups.

Experts participate without the right to vote in any organism in which they participate.

The CIR has a secretary, who is made available by IIT, who takes the minutes and carries out any other secretarial tasks.

## Article 5. President

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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 until 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 email (not certified).

## Article 6. Role of members of the CIR

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The members of the CIR are Internet experts, and consult the IIT with regard to domain name registration in the ccTLD.it.

They hold office for two years from the date of appointment.

External Members are entitled to reimbursement of travel expenses, after sending documentation to the Registry/IIT-CNR, as well as an attendance fee for consulting activities carried out, in compliance with the law. No other fees will be refunded to them, and the IIT shall have no further obligations in this respect.

## Article 7. Work Groups

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The work groups (hereafter WGs), if appointed, are agents of the CIR, and can be set up to propose effective technical solutions in the areas referred to in Article 3.

In their work the WGs should be as streamlined and efficient as possible in order to achieve the objectives, for a period, as a rule, of not more than six months.

The members of the WGs are selected from the representatives of the Registrars as defined in Article 4, third clause, or a person delegated by them. They are appointed by the Director of IIT upon the proposal of the President of the CIR.

The coordinator of the WG, is appointed by the Director in consultation with the President of the CIR.

The Director, on the recommendation of the President, may nominate experts with proven experience to become members of the WGs, even if such experts are not part of the Registry or the CIR.

The WG, through its Coordinator, reports to the CIR.

The WG is convened by the Coordinator, on the basis of a schedule of meetings established by mutual agreement among the members of the WG. The schedule must be notified both to the President and the Director of the IIT. The convening of the meetings must take place, as a rule, at least eight days before the date fixed for the meetings themselves.

The meetings may also be held by teleconference or videoconference, with electronic voting in accordance with the related regulations.

The minutes of the WG meetings should be drawn up within 15 (fifteen) days from the date on which the meeting took place. The approval of the minutes should be forwarded to the President of the CIR within five days of being approved.

If on receipt of the minutes referred to in the preceding paragraph, the President deems them to be of sufficient importance he/she may convene the CIR immediately, except as provided in Article 5, Paragraph 3.

The meeting of the CIR, dedicated to examining the matters compiled by the WG, is open to all members of the WG itself in order to allow the most effective and rapid assessment of what is being proposed. The President of the CIR may refer the matter to the WG for further investigation and clarification with a view to its subsequent delivery to the CIR.

For matters referred to in Article. 3, paragraph 1, point I, a specific WG will be set up to ensure the preparation and updating of the regulations so as to better accommodate the rules and procedures for the allocation and maintenance of domain names in the ccTLD.it, as well as on the resolution of disputes.

In order to produce the most effective definition of the rules and procedures, as defined above, this WG should be considered permanent. Representatives of the Registrars as defined in Article 4, third paragraph, or a person delegated by them are entitled to participate in this WG.

For the examination of the contractual aspects of the Registry, a WG will also be set up in order to obtain opinions about the proposal itself and also ensure compliance with the regulatory and technical provisions.

Representatives of the Registrars can be involved in this WG, as defined in Article. 4, third paragraph, or a person delegated by them.

External members of the WG shall be reimbursed for travel expenses, after sending documentation to the Registry, as well as an attendance fee for consulting activities carried out in compliance with the law. No other fees will be refunded to them, and the IIT shall have no further obligations in this respect.

## Article 8 – Operations

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The CIR is set up effectively and may express opinions on the appointment of its members by the Director of IIT.

The CIR is considered as having validity as long as there are no less than 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 of 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 drafted in the minutes.

The CIR normally meets four times a year, unless expressly requested by the Director of IIT or the President of CIR. The meeting is convened by the President, who shall determine the order of the day in accordance with Article 5, paragraph 3.

Meetings can be proposed to the President by a number equalling at least one fifth of the CIR, stating in writing the reasons for convening the meeting. Upon the President's establishing the urgency of the request, he / she shall forthwith call a meeting.

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 Director then has a period of 20 days in which he/she can reject the resolution, on the basis of good reasons, for subsequent review by the CIR. Following this review, the CIR notifies the Director of IIT again, and the Director can then reject the resolution within a maximum of 15 days on the basis of good reasons, including unavailability of resources at the IIT. Should the Director accept the CIR's resolution, then he/she will arrange for the resources necessary and start the process, so as to provide, within 30 days, written feedback regarding the timing and manner of execution.

The process of actuating the decisions of the Registry is made public through a notice from the Director of IIT on the Registry's website, beginning on the thirtieth day 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 to be actuated shall 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 year end 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.