

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT,
(CAP.306)

REGULATIONS

(Made under section 165)

THE ELECTRONIC AND POSTAL COMMUNICATIONS (DOMAIN NAMES
MANAGEMENT) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

- Citation **1.** These Regulations may be cited as the Electronic and Postal Communications (Domain Names Management) Regulations, 2020.
- Interpretation **2.** In these Regulations, unless the context otherwise requires-
- Cap. 306 "accredited registrar" means a legal entity that has been accredited by the Authority to register, delete, add, modify or change domain names under .tz domain space;
- Cap. 172 "Act" means the Electronic and Postal Communications Act;
- "Authority" means the Tanzania Communications Regulatory Authority (TCRA) established under the Tanzania Communications Regulatory Authority Act;
- "Central Registry" means a database of Domain Names, their holders and other persons maintained by the Authority and used by the Accredited Registrars as the source for Domain Name registration in the .tz zone maintained by the primary name server;
- "contact" means the record of a specific person maintained in the Central Registry and may be administrative, technical or in the holder's role;
- "country code" means two letter codes for names of countries defined by International Organisation for Standard (ISO) in its standard ISO 3166-1;
- "delegation signer" means a resource record that is inserted at a zone to indicate that the delegated zone is digitally

signed and that the delegated zone recognizes the indicated key as a valid zone key for the delegated zone;

"Director General" means the Director General of the Tanzania Communications Regulatory Authority;

"domain name" means a unique name that identifies internet resources such as websites that is registered as second level and/or third level domain under .tz ccTLD;

"holder" means the registered owner of domain name;

"key set" means a record file containing at least one Delegation Signer record according to RFC 4034 intended for secure delegation of the domain name by means of the DNSSEC technology and at least one technical contact;

"Name Server Set" means a record file containing at least two name servers and at least one technical contact;

"pricelist" means a price-list of services provided by the Authority as itemized in the Second Schedule to these Regulations;

"request for comments" means a formal document from the Internet Engineering Task Force (IETF), the Internet Research Task Force (IRTF), the Internet Architecture Board (IAB), or from independent authors in the form of a memorandum describing methods, behaviours, research, or innovations applicable to the working of the internet and internet-connected systems;

"Second Level Domain Name" or "SLD" means domain name after the .tz top level domain.

Domain names

3.-(1) A company, Government, Non-Governmental Organizations, society, partnership or community registered and conducting business in Tanzania which requires domain name shall be required to register and use domain names with .tz country code.

(2) Subject to subregulation (1), a registered domain name shall be used for all official correspondences unless the Authority proves that it is technically not possible.

(3) The registration of domain names shall be performed by the accredited registrars.

(4) Subject to subregulation (3), the accredited registrar shall be-

(a) a registered company or firm with a permanent address in United Republic; or

(b) accredited registrar by an Internet Corporation for Assigned Names and Numbers (ICANN).

**PART II
ACCREDITATION OF REGISTRAR**

- Application for accreditation shall-
- 4.**-(1) A person who intends to be accredited registrar shall-
- (a) apply to the Authority by filling in an application set out in the First Schedule; and
 - (b) be required to pay accreditation and administration fees prescribed in the Second Schedule to these Regulations.
- (2) An application for accreditation shall be accompanied by the following documents-
- (a) business profile;
 - (b) certified copy of company registration certificate; or
 - (c) proof of ICANN accreditation; and
 - (d) any other document as the Authority may direct.
- (3) The Authority may, after scrutiny the application submitted, accredit an applicant to be an accredited registrar.
- (4) Where the applicant fails to comply with the application requirements stipulated in this regulation, the Authority may reject the application or order for corrections if the errors are minor.
- Annual fees
- 5.** The accredited registrar shall pay to the Authority annual fees and any other regulatory fees as stipulated in the Second Schedule to these Regulations.
- Suspension
- 6.**-(1) A registrar's accreditation may be suspended where the accredited registrar-
- (a) defaults in paying the annual fees or any other regulatory fees; or
 - (b) submits to the Authority any information that are in non-compliance with these Regulations.
- (2) Suspension shall not exceed a period of one week and where a registrar is suspended more than once within a month, the Authority may terminate the registrar's accreditation.
- Termination
- 7.**-(1) A registrar's accreditation may be terminated where the registrar-
- (a) fails to fulfil or comply with the requirements of these Regulations;
 - (b) has made changes in the Central Registry without

notifying the respective holders of domain names;
or

(c) has breached the principles of protecting the holder's personal data.

(2) Where a registrar's accreditation is terminated, domain names registered through the registrar shall not be terminated but their holders shall be required to designate other accredited registrar.

Appeals

8. A registrar who is aggrieved by the decision of the Authority under regulation 6 or 7 may appeal to the Fair Competition Tribunal.

PART III

REGISTRATION OF DOMAIN NAMES

Application for
domain name
registration

9.-(1) An applicant for a .tz country code domain name shall apply to an accredited registrar.

(2) Subject to subregulation (1), the requirements for .tz domain name registration shall be-

(a) a duly filled domain name registration application form; and

(b) payment of all domain name registration fees or any other service in connection with such registration.

(3) A registrar shall after receiving an application under subregulation (1), communicate with the applicant and verify the identification details within two working days.

(4) After verification and being satisfied with the applicant's details, the registrar and applicant may enter into an agreement for registration and management of domain names.

(5) The agreement under subregulation (4) shall contain the following mandatory terms and conditions-

(a) a provision for the applicant's consent that the Authority shall have powers to access the domain name holder's data;

(b) any party may at any time terminate its agreement with the other party after the other party has grossly breached the agreement;

(c) the defined conditions under which the holder of domain name may change the registrar;

(d) provisions requiring parties' compliance to these Regulations, Technical Specifications and guidelines issued by the Authority.

(6) The registrar shall submit the applicant's

information stipulated in the Third Schedule to the Central Registry for domain name activation and registration.

(7) Upon full registration, the Authority shall assign the use of the registered domain name to the registered holder.

(8) The domain name registration fees set out under subregulation (2) shall not exceed the amounts specified in the Second Schedule to these Regulations.

(9) The registered domain names shall maintain the following conditions:

- (a) only characters [a-z, 0-9, -];
- (b) the maximum length of not more than 63 characters;
- (c) not begin or end with " - " character; or
- (d) not contain two characters " - " in sequence.

Assignment
criteria and
naming
standards

10. Domain names assignment criteria and naming standards shall be in accordance with the Fifth Schedule to these Regulations.

Domain name
transfer

11.(1) Domain name may be transferred to a new holder upon written request to the Authority through the registrar.

(2) Subject to subregulation (1), the registrar shall submit to the Authority the request for transfer, and the Authority may register and keep records of the domain name transfer.

(3) The registered holder shall not be entitled to any refund of the paid fees or any part thereof after the domain name transfer.

(4) The transfer of the domain name shall not affect the original day of expiration.

Validity of
domain name

12.(1) A registered domain name shall be valid for a period of one year subject to renewal.

(2) Upon its expiry, a registered domain name may be renewed through the registrar.

(3) A registered domain name may be renewed for several years upon payment of renewal fees for not more than five years at once.

(4) Where a registered domain name has not been renewed before or by the expiration day, it shall enter a "protection period" of thirty days from the expiration day.

(5) Where a domain name is not renewed within the protection period specified under subregulation (4), the domain

name shall be cancelled.

Grounds for
cancellation of
the domain
name

13. A registered domain name may be cancelled where-

- (a) a request for cancellation is submitted to the Authority by the holder through the Registrar;
- (b) where the domain name has expired and is not renewed within the protection period;
- (c) it is identical or confusingly similar to a name whose right is recognised or established by national laws;
- (d) it has been registered by a holder who has no rights or legitimate interest on it;
- (e) it was registered primarily for the purpose of being sold to the person whose right is legally recognised or established in Tanzania;
- (f) it has been registered for the purpose of preventing its real holder, who is legally recognized or established in Tanzania from reflecting that domain name in a corresponding domain name;
- (g) it was registered primarily for the purpose of disrupting the business of a competitor;
- (h) it was intentionally registered for attracting the internet or website users for commercial gains by creating a likelihood of confusion with the domain name corresponding to a rightful holder who is legally recognised or established in Tanzania;
- (i) it is a personal name for which there is no demonstrable link between the holder and the domain name registered;
- (j) the information kept in relation to the domain name in the Central Registry is untrue, incomplete or misleading.

Obligations of
registrar

14. A registrar, in exercising his duties under these Regulations, shall have the following obligations-

- (a) not disclosure of personal data of the registered domain name holders to any third party unless required by legal enforcement organs;
- (b) ensuring that a correct configuration of technical infrastructure is used in communications with the Authority;
- (c) providing to the Authority an active contact telephone number staffed on a 7 days' x 24 hours' x 365 basis, which will be used to solve technical and operation issues;

- (d) ensuring that personal data stored in the Central Registry is not accessible, disclosed or published without a consent of a person whom that data concerns.

**PART IV
CENTRAL REGISTRY**

Requirement to maintain Central Registry

- 15.**-(1) The Authority shall administer and maintain a Central Registry for the management of domain names.
- (2) The Central Registry shall be used to keep all the information and data stipulated in the Third, Fourth and Fifth Schedules to these Regulations.
- (3) The Registrar may use all the services provided by the Authority in the Central Registry.

Communication of systems with Central Registry

- 16.**-(1) A Registrar shall create an information system to communicate with the Central Registry.
- (2) The information system referred to under subregulation (1) shall be connected with the Central Registry up to the level of external routers of the Authority.

Public information services not to access Central Registry

- 17.**-(1) The Registrar shall adopt all the measures for ensuring that public information services cannot be used to access or acquire data from the Central Registry either in a bulk manner or by automated means.
- (2) Where the data stored in the Central Registry is marked as not accessible through public information services, the Registrar shall make sure that such data are not accessible.

Change of domain name data

- 18.**-(1) The Authority may change or modify domain name data in the Central Registry, in accordance with the Third Schedule to these Regulations, upon written request by the holder through the accredited registrar.
- (2) Subject to subregulation (1), an accredited registrar may submit to the Authority a request to change or modify data and the Authority may register and keep records of such change or modification.
- (3) A registered holder shall not be entitled to any refund of the paid fees or any part thereof after the Domain Name data change or modification.
- (4) The change or modification of the domain name data shall not affect the original day of expiration.

Operation of

- 19.** The Central Registry shall be operated in

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Central Registry accordance with the best practices of the Internet Corporation for Assigned Names and Numbers (ICANN) and Internet Standards.

**PART V
TECHNICAL ADVISORY COMMITTEE**

Establishment of Technical Advisory Committee

20.-(1) The Director General shall establish the .tz ccTLD Technical Advisory Committee composed of-

- (a) a Chairman;
- (b) two members from the Authority;
- (c) two members from the Registrars' Community;
- (d) one member from the Ministry responsible for communications;
- (e) one member from the internet society; and
- (f) one member from the academic, research and development institution.

(2) The Committee shall coordinate the inclusive usage policy development process of the domain names management as per the policy development guidelines published by the Authority.

(3) The Committee shall be responsible for the development and reviews of the operational guidelines for the domain names management as per national laws, regulations, ICANN's best practices and internet standards.

(4) The developed policies and guidelines shall be approved by the Authority management and Board.

**PART VI
GENERAL PROVISIONS**

Records

21.-(1) A registrar shall keep records of the registered domain names and all the holder's details and provide the same to the Authority upon request.

(2) Subject to subregulation (1), the Registrar shall within fourteen days of receiving a request under subregulation (1) submit to the Authority the source documents used in the verification of the holder's information and data either in electronic or written form.

(3) The registrar shall verify the accuracy of all the information and data provided by a holder before submitting them to the Authority.

(4) A registrar shall archive all the information and data for at least five years after the end of the contractual relationship with the holder.

Disclosure of information

22. The Authority or any person employed by the Authority shall not disclose any information or data received or obtained during the exercise of functions or powers under these Regulations unless required by any law enforcement agency, court of law or lawfully constituted tribunal.

Complaint handling

23.-(1) A holder of a registered domain name who is aggrieved by the decision of the accredited registrar, may file a complaint to the Authority.

(2) Upon receiving a complaint under these Regulations, the Authority shall serve the accredited registrar with a copy of the complaint and require a reply within seven days.

(3) Subject to subregulation (2), after the reply, the Authority shall summon the parties, conduct hearing and give its decision within fourteen days.

(4) A party who is not satisfied with the decision of the Authority may appeal to the Fair Competition Tribunal.

Disputes between domain names holders

24.-(1) A disputes between domain name holders or domain name holder and a third party shall be handled by any of the dispute resolution providers authorised by the Authority.

(2) A list of the authorised dispute resolution providers together with their guidelines shall be published on the Authority's website.

(3) The Authority shall implement the decision made by a dispute resolution provider.

(4) A party aggrieved by the decision of the dispute resolution provider may seek redress to the court of law.

Offences and penalty

25.-(1) A person who contravenes any of the provisions of these Regulations commits an offence and shall, on conviction, be liable to a fine of not less than five million shillings or to imprisonment for a term of not less than twelve months or to both.

(2) Notwithstanding subregulation (1), the Director General may, where a person commits an offence under these Regulations and such person admits commission of the offence in writing, compound such offence and accept from that person a sum of money not exceeding the amount of the fine prescribed for the offence.

FIRST SCHEDULE

(Made under regulation 4(1)(a))

THE UNITED REPUBLIC OF TANZANIA

**TANZANIA COMMUNICATIONS REGULATORY AUTHORITY
 ISO 9001:2015 CERTIFIED**



APPLICATION ACCREDITATION AS REGISTRAR

| SECTION I: GENERAL INFORMATION | | | |
|--|---|------------|-------------------------------|
| 1.1 | Name of the Applicant | | |
| 1.2 | Registered physical and Postal Address | | |
| 1.3 | Administrative Contact | Telephone: | |
| | | Email: | |
| 1.4 | Technical Contact | Telephone: | |
| | | Email: | |
| 1.5 | Uniform Resource Locator | | |
| SECTION II: ADMINISTRATIVE CONDITIONS | | | |
| 2.1 | Availability of the 24x7 contact telephone(s) | YES | NO |
| 2.2 | Technical competence in the registration process and DNS hosting | YES | NO |
| 2.3 | Running secure DNS servers that are available 99% with at least one Secondary as per RFC 2182 | YES | NO |
| 2.4 | Average response time to clients' requests | 1-2 hours | 2-3 hours more than 4hours |
| 2.5 | Immediate update of the WHOIS database in case there are changes | YES | NO |
| 2.6 | Assets not subjected to bankruptcy proceeding | YES | NO |

SECTION III: DOCUMENTS REQUIRED TO BE SUBMITTED

1. Please attach the company business profile clearly detailing the following
 - (a) The experience in DNS and DNS Server management
 - (b) At least two (2) DNS Servers that the company manages or uses
 - (c) A list of domain names (with details) hosted on the Name Servers
 - (d) Availability of static Public IP addresses to be used to access the .tz Registry
2. Provide a list of staff that will be providing registry services to the holders of domain names. A very brief profile of at least two staff should be availed in a separate sheet sighting on:
 - (a) Relevant technical capabilities in managing and administering DNS systems;
 - (b) Working experience (in years) on registry related activities and
 - (c) Registrars' training attended (if any).
3. Business profile
4. Certified copy of Certificate of incorporation or registration
5. Certified copy of Memorandum of Articles of Association

SECTION IV: DECLARATION

I declare that the information given above is true to the best of my knowledge and I will be liable for any false information provided.

Name _____ Designation _____

Signature of Authorised person and official stamp

Date _____

SECOND SCHEDULE

(Made under regulations 4(1)(b), 5, and 9(8))

FEE

| SN | Description | Registrar Prices [TZS] | Registrar's Commission [TZS] | Registry Fees [TZS] |
|-----------|---|-------------------------------|-------------------------------------|----------------------------|
| 1 | Annual Registrar Accreditation and Administration Fee | 100,000 | - | 100,000 |
| 2 | Domain name registration fee (except .sc.tz) | 25,000 | 6,250 | 18,750 |
| 3 | Domain name registration fee for .sc.tz | 12,000 | 3,000 | 9,000 |
| 4 | Domain name renewal fee (except .sc.tz) | 25,000 | 6,250 | 18,750 |
| 5 | Domain name renewal fee for .sc.tz | 12,000 | 3,000 | 9,000 |
| 6. | Domain name transfer fee | 25,000 | - | 25,000 |
| 7. | Domain name restoration fee | 40,000 | 10,000 | 30,000 |
| 8. | Domain name locking fee | 25,000 | - | 25,000 |
| 9. | Second Level domain name registration fee | 100,000 | 25,000 | 75,000 |
| 10. | Second Level domain name renewal fee | 100,000 | 25,000 | 75,000 |

THIRD SCHEDULE

(Made under regulations 15(2) and 18(1))

Table 1: Changing Domain Name Information

| Item name | Contact entitled to confirm the change |
|------------------------|--|
| Domain Name | Cannot be changed |
| Holder | Contact in the role of Holder |
| Administrative Contact | Holder, Administrative Contact |
| Registrar | Holder, Administrative Contact |
| Name server Set | Holder, Administrative Contact, Technical Contact for the existing Key Set |
| Key Set | Holder, Administrative Contact, Technical Contact for the existing Key Set |
| Transfer | Holder and the new Holder |
| Termination | Holder |

Table 2: Changing Contact Information

| Item name | Contact entitled to confirm the change |
|--------------------------------------|---|
| Identifier | Cannot be changed |
| Other data (exclusive of Identifier) | Relevant Contact |

Table 3: Changing Name Server Set Information

| Item name | Contact entitled to confirm the change |
|------------------|---|
|------------------|---|

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| | |
|-------------------|-------------------|
| Identifier | Cannot be changed |
| Technical Contact | Technical Contact |
| Name server | Technical Contact |
| Termination | Technical Contact |

Table 4: Changing the Key Set data

| Item name | Contact entitled to confirm the change |
|-------------------------------|--|
| Identifier | Cannot be changed |
| Technical Contact | Technical Contact |
| Delegation Signer (SD) record | Technical Contact |
| Termination | Technical Contact |

FOURTH SCHEDULE

(Made under regulations 9(6) and 15(2))

| Domain Name | Data name | Data description | Obligatory | Concealable |
|----------------|--------------|----------------------------------|------------|-------------|
| | Name | Domain Name | Yes | No |
| | Holder | Holder's Identification | Yes | No |
| | NSSet | Name server Set | No | No |
| | Admin | Administrative ID Contact (list) | No | No |
| | KeySet | Key Set | No | No |
| Contact | Org | Name of company or organization | Yes | No |
| | Name | Name | Yes | No |
| | Email | Email | Yes | Yes |
| | Notify Email | Email notification | No | Yes |

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| | | | | |
|-----------------------|------------|--|-----|-----|
| | Voice | Telephone | No | Yes |
| | Fax | Fax | No | Yes |
| | Vat | VAT (Tax Identifier) | No | Yes |
| | Address | Address – street (list of 3 items maximum), city, Country code | Yes | No |
| | Ident | Identification – a pair (type and number of the identifier) | No | Yes |
| Nameserver Set | DNS | DNS list (2 min, 9 max) | Yes | No |
| | Tech Admin | Tech Contact (list) | Yes | No |
| Key Set | DS | Delegation Signer record according to RFC 4034 | Yes | No |
| | Tech Admin | Tech Contact (list) | Yes | No |

FIFTH SCHEDULE

(Made under regulations 10 and 15(2))

Domain Names Assignment Criteria and Naming Standards

- (a) Domain Names must conform to RFC 1034, RFC 1035, RFC 1122, RFC 1123 and any RFC superseding or amending these.
- (b) The assignment criteria for registration under third level domain category;
 - (i) .<name>.co.tz for any entity including registered company or business entity.
 - (ii) .<name>.or.tz for non-profit making organizations.
 - (iii) .<name>.go.tz Restricted domain for Tanzania Government entities as recognized through parliament or on production of a letter from relevant Permanent Secretary of the relevant government Ministry where the holder belongs.
 - (iv) .<name>.ac.tz Restricted domain for tertiary academic or technical institutions with relevant accreditation.
 - (v) .<name>.ne.tz for network of people or hardware.
 - (vi) .<name>.mil.tz Restricted domain for Tanzania Military entities recognized by the Ministry responsible for Defence;
 - (vii) .<name>.sc.tz Restricted domain for schools that are elementary, primary and secondary level institutions;
 - (viii) .<name>.info.tz for domains that provide information on a particular subject;
 - (ix) .<name>.tv.tz for use by content curators, filmmakers and TV stations;
 - (x) .<name>.mobi.tz for mobile solutions creators and providers;
 - (xi) .<name>.hotel.tz for accommodation and hospitality providers; and
 - (xii) .<name>.me.tz for individuals.
- (c) The assignment under second level domain category. <name>.tz is for premium domain for registered business company or entity.

Dodoma,
15th October, 2020

ISAACK A. KAMWELWE
Minister for Works, Transport
and Communications