

## **Rules of the Steering Committee of the Registro.it**

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 4 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 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. 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 Education, University and Research;
- four members representing the Registrars;
- one member representing the user community;
- 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.

The appointment of the Registrar representatives takes place by means of an electoral system with participation of all accredited Registrars, contract holders for the registration of domain names with the Registro .it.

The election of the Registrar representatives to the CIR is prescribed by the Regulations of the election of the Registrar representatives, issued by the Registro .it, and made public on the website of the Registry at <http://www.registro.it>, and also on the RAIN-NG (<http://rain-ng.nic.it>) portal.

The representatives remain in office for 2 (two) years and may be re-elected once only for the following two-year period.

The CIR members are nominated by the Director of IIT in accordance with the results of the election.

The members designated by the Italian Presidency of the Council of Ministers (Department of the Public Function) and by the Ministry of Education, University and Research, participate in the CIR as permanent observers.

The members belonging to the GARR Consortium and the ISOC Association of Italy are designated by their respective committees/bodies.

The members appointed by the GARR Consortium, by ISOC Italy and by the users are nominated by the Director of IIT for a period of 2 (two) years, renewable for a maximum of another two-year period.

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. 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.

### **Art. 6. Role of the members of the CIR**

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

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

Members are not entitled to compensation, tokens, payments or allowances however defined, except for the reimbursement of expenses, after sending documentation to the IIT in accordance with the law.

### **Article 7 – Operations**

The CIR is constituted and may express opinions, upon completion of the process of appointment of members.

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.

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 5, 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 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 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.