Conformity to Electronic Addressing Plan(Draft)

Content of the Electronic Addressing Plan	Applicant's Feedback	Applicant's Comment
Myanmar Electronic Addressing Plan		
Final Draft		
Section I – Title, Extent, Commencement, Variation & Legal Effect		
1. Short title, extent and commencement:		
a. This Directive shall be called "Myanmar Electronic Addressing Plan" or in short "Electronic Addressing Plan".		
b. The Directive shall cover application for and use of Electronic Addresses, i.e. IP Addresses, Autonomous System Numbers (ASN) and Domain Names. This Directive shall further set the framework conditions for agencies that assigns domain names under the ".mm" country code Top Level Domain (ccTLD) assigned to the Republic of the Union of Myanmar.		
c. This Directive shall come into effect from the date it is issued and shall continue for such time until revised, varied or replaced by the Department.		
2. Variation & Revocation: The Department may at any time review, add to, vary or revoke this Directive in whole or in parts in accordance with the provision of Chapter 7 of the Law		
3. Legal effect of this Directive:		
a. This Directive shall be applicable for all Licensee, all Registrars and all persons and entities which are entitled to apply for and to use Electronic Addresses, IP Addresses, Autonomous System Numbers (ASN) and Domain Names.		
b. If any provision of this Directive is held to be unlawful, all other provisions will remain in full force and effect.		
Section II – Definitions		
4. Definitions: In this Directive, unless the context otherwise requires:		
a. " **".mm" Country Code Top Level Domain** " or " **".mm" ccTLD** " means the ccTLD ".mm" which has been designated in ISO 3166-1 to the Republic of the Union of Myanmar.		
b. "**".mm" Domain Name**" means a Domain Name under the ".mm" ccTLD.		
c. "**Address**" means a string or combination of digits and symbols that identifies an instance in the Internet.		
d. "**Asia-Pacific Network Information Center**" or "**APNIC**" means the Regional Internet Registry administering IP Addresses for the Asia Pacific.		
e. "**ASN Assignment Holder**" means a person or an entity in the Republic of the Union of Myanmar which was assigned one or several ASN.		
f. "**Application Service**" shall have the meaning as defined in the Licensing Rules.		
g. "**Autonomous System**" or "**AS**" means one or a group of IP networks operated by one or more network operators that has a single and clearly defined external routing policy.		
h. "**Autonomous System Number**" or "**ASN**" means a unique two-byte or four-byte number associated with an Autonomous System ("AS"). The ASN is used as an identifier to allow the AS to exchange dynamic routing information with other Autonomous Systems. ASN are allocated to regional Registries by the IANA, which is APNIC for the Asia-Pacific region.		
i. "**Complainant**" means a third party that lodges a complaint against a Respondent in accordance with a specific dispute resolution process the Registrant is subject to.		
j. "**Country Code Top Level Domain**" or "**ccTLD**" means a domain in the top level of the global DNS assigned according to the two-letter codes as defined in the ISO 3166-1 Standard "Codes for the Representation of Names of Countries and Their Subdivisions – Part 1: Country codes".		
k. "**Department**" means the Posts and Telecommunications Department under the Ministry.		
l. "**Domain Name**" means a Name which enables a user of the Internet to access an entity in the Internet		
m. "**Domain Name System**" or "**DNS**" means the hierarchical naming system built on a distributed database for computers, services, or any resource connected to the Internet, associating various information with Domain Names assigned to each of the participating entities including but not limited to translation of Domain Names meaningful to humans into the numerical identifiers associated with networking equipment for the purpose of locating and addressing these devices worldwide.		

n. "**Electronic Address**" means either IP Addresses, Autonomous System Numbers (ASN) consisting of a sequence of numbers or Domain Names consisting of a name or a sequence of numbers. IP Addresses operate with the Internet Protocol (IP), ASN operate with Border Gateway Protocols (BGP) and Domain Names operate with DNS Protocols to locate devices or groups of devices in the internet.		
o. "**Internationalized Domain Name**" means a Domain Name that contains at least one label that is represented, in whole or in part, in a language-specific script or alphabet, such as Arabic, Chinese, Cyrillic, Myanmar, Tamil, Hebrew or the Latin alphabet-based characters with diacritics or ligatures, such as French.		
p. "**Internet**" means a global computer network providing a variety of information and communication facilities, consisting of interconnected networks using standardized communication protocols.		
q. "**Internet Assigned Numbers Authority**" or "**IANA**" means a function of ICANN responsible for the allocation of globally unique names and numbers that are used in Internet Protocols including but not limited to Generic Top Level Domain Name (gTLD), Sponsored (sgTLD), Internationalized Domain Names (IDN).		
r. "**Internet Corporation for Assigned Names and Numbers**" or "ICANN" means a nonprofit private corporation that oversees global IP Address allocation, autonomous system number allocation, root zone management in the Domain Name System (DNS), media types, and other Internet Protocol-related symbols and Internet number.		
s. "**Internet Protocol**" or "**IP**" means a set of rules governing the format of data sent over the Internet or other networks.		
t. "**IP Address**" means a number identifying each sender or receiver of information sent across the Internet using the Internet Protocol. Two versions of IP Addresses are differentiated:		
i. "**Internet Protocol version 4 Address**" or "**IPv4 Address**" means an IP Address used in the Internet Protocol version 4 which uses 32-bit Addresses.		
ii. "**Internet Protocol version 6 Address**" or "**IPv6 Address**" means an IP Address used in the Internet Protocol version 6 which uses 128-bit Addresses.		
u. "**IP Address Assignment Holder**" means a person or an entity in the Republic of the Union of Myanmar which was assigned one or several IP Addresses.		
v. "**ISO 3166**" means the international standard "Codes for the Representation of Names of Countries and Their Subdivisions" maintained by the ISO 3166 Maintenance Agency.		
w. "**ISO 3166-1**" means the part "Country Codes" of the ISO 3166.		
x. "**Law**" means the Telecommunications Law of the Republic of the Union of Myanmar, 2013.		
y. "**Licensee**" shall have the meaning as defined in the Law and in the Licensing Rules.		
z. "**Ministry**" means the Ministry of Transport and Communications (MOTC) of the Republic of the Union of Myanmar.		
aa. "**Name**" means the human recognizable format of identifying an Electronic Address usually comprise words and/or alphabets.		
bb. "**Name Server**" means a server in the Internet which resolves a Domain Name to a physical IP Address.		
cc. "**Primary Name Server**" means a Name Server which provides the authoritative resolution of a Domain Name to a physical IP Address for a particular level in the Domain Name hierarchy.		
dd. "**Provider or Center**" means Domain Name Dispute Resolution Provider or Centre ("Provider" or "Centre") for ".mm" ccTLD as defined in Clause 24.		
ee. "**Registered Data**" means data regarding the Registrant and Registrant's enterprise required in connection with applications and notices of modification.		
ff. "**Register**" means any one of the Registers established or maintained by the Department for the purposes of Chapter 7 of the Law.		
gg. "**Registrant**" means a person or an entity who or that has registered a ".mm" Domain Name.		
hh. "**Registrar**" means a person or an entity that has made an agreement with a Registry for the right to send in applications and notices of modification to the Registry on behalf of Registrants or for holders of domains under the ".mm" ccTLD.		
ii. "**Registry**" means an entity that by agreement with the Department or by authorization of the Department is entitled to assign domain names under the ".mm" ccTLDs..		
jj. "**Second Level Domain Name**" means a Name at the second level of the global Domain Name hierarchy.		
kk. "**Secondary Name Server**" means a Name Server which provides redundancy to the Primary Name Server, which can be queried if an instance of the Internet is unable to reach the Primary Name Server.		
ll. "**Third Level Domain Name**" means a Name at the third level of the global Domain Name hierarchy.		
mm. "**WHOIS**" means a query and response protocol that is widely used for querying databases that store registered users or assignees of Domain Names.		
Section III – IP Addresses		
5. Provision of IP Addresses:		

a. IP Addresses shall be obtained from the APNIC following its open assignment policies or through holders of IP Address assignments located in the Republic of the Union of Myanmar subject to conditions set out in this Directive.		
b. IP Address assignment holders		
i. which are incorporated in the Republic of the Union of Myanmar under the relevant law as Myanmar or Foreign Company; or		
ii. who are permanent residents in the Republic of the Union of Myanmar; and		
iii. who have been issued with IP Addresses by APNIC;		
shall within thirty (30) working days after IP Addresses were assigned to this IP Address Assignment Holder submit required information as specified by the Department from time to time in accordance with Clause 7a to the Department manually or electronically or as otherwise directed by the Department.		
c. All IP Address Assignment Holders shall be entitled to provide these IP Addresses to third parties on a permanent basis (e.g. fixed IP Address) for use in the Republic of the Union of Myanmar.		
d. The provision of IP Addresses by IP Address Assignment Holder to third parties shall be conducted in a fair, reasonable, equitable and non-discriminatory manner and third parties shall be assigned with unique public IP Addresses. In case IP Address Assignment Holders define roles and responsibilities in relation to use of provisioned IP Addresses, then these roles and responsibilities shall be fair, reasonable, equitable and non-discriminatory.		
6. Conditions of Use:		
a. Notwithstanding anything to the contrary in any conditions of use imposed by APNIC, the holder of any IP Addresses shall comply with the following conditions of use as set out in Clause 6b subject but not limited to any other conditions referred in this Direction.		
b. The use of any IP Address shall be subjected to the following conditions:		
i. The use of any IP Address shall be subject to this Directive;		
ii. The IP Addresses issued shall not be charged, sold, auctioned, traded or transferred otherwise than as permitted under this Directive;		
iii. Comply with the conditions imposed by APNIC to the extent that they are not contrary to the conditions of this Directive, the Law and any other laws, rules and regulation as the case may be; and		
iv. IP Addresses that have been issued to third parties shall not be suspended or cancelled by the provider except:		
(a) where the end-user has not complied with defined roles and responsibilities of the IP Address Assignment Holder to which the IP Addresses relate, including timely payment of charges associated with the service;		
(b) in compliance with instructions from the Department; or		
(c) upon the third party's request.		
7. Retention of Information:		
a. IP Address Assignment Holder shall keep or retain the following information:		
i. the IP Address Assignment Holder's use of IP Addresses issued by APNIC;		
ii. the assigned IP Addresses; and		
iii. the identity of each third party the IP Address Assignment Holder issued IP Addresses to.		
b. The Department may request IP Address Assignment Holder to submit information in accordance with Clause 7a to the Department manually or electronically or as otherwise directed by the Department.		
Section IV - Autonomous System Numbers (ASN)		
8. Provision of ASN: ASN used in the Republic of the Union of Myanmar shall be obtained from APNIC following its open assignment policies subject to conditions set out in this Directive or as the Department otherwise determines.		
Section V - Domain Names		
9. No Retrospective Effect:		
a. The provisions of this Section shall not have retrospective effect and shall not nullify any valid Domain Names which have been assigned prior to the effective date of this Directive in accordance with Clause 1c of this Directive, unless the assignment was obtained dishonestly or in bad faith.		
b. Valid Domain Names assigned prior to the effective date of this Directive shall be protected for the period of one years after designation of a Registry. It shall be the responsibility of the Registry which is determined by the Department in accordance with Clause 10c of this Directive to electronically contact the holder of valid Domain Names assigned prior to the effective date of this Directive not later than nine months after its determination as Registry to inform the holders of Domain Names assigned prior to the effective date of this Directive that they shall reregister the Domain Names within one year of the designation of the Registry.		
c. The Registry shall provide with its electronic information to holder of Domain Names assigned prior to the effective date of this Directive the examples of at least two Registrars which they could use for the reregistration process.		

d. The Registry shall send electronically on a monthly basis the electronic information to the holder of Domain Names registered prior to the effective date up to one year after designation of the Registry unless the holder of Domain Names registered prior to the effective date of this Directive has reregistered the Domain Names.		
e. If the holder of Domain Names registered prior to the effective date of this Directive has not reregistered the Domain Names registered prior to the effective date of this Directive within one year from designation of the Registry, then the Registry shall suspend the Domain Names. The suspended Domain Names shall be reserved for a period of three months after suspended and the holder of Domain Names registered prior to the effective date of this Directive shall be permitted to reregister the Domain Names within these three months the Domain Names are reserved.		
f. If the holder of Domain Names registered prior to the effective date of this Directive does not reregister within the period of one year and three months from the date of designation of the Registry then the Registry shall cancel and delete the Domain Names registered prior to the effective Date of this Directive and the Domain Names shall be open for registration by any third party subject to the Clauses 12, 13, 14, 16 and 17.		
10. Duties of the Department:		
a. In accordance with ISO 3166-1 which designates the ".mm" ccTLD to the Republic of the Union of Myanmar and in accordance with Chapter 7 of the Law, the Department shall direct rules and regulation on allocation and usage of the ".mm" ccTLD and all Domain Names under the ".mm" ccTLD.		
b. Apart from the ".mm" ccTLD Domain Names applied for and/or already in existence the Department may, from time to time, determine rules for the assignment of Domain Names under the ".mm" ccTLD. Rules for assignment of Domain Names shall be subject to public consultation and shall be designed that they ensure high technical quality, are non-discriminatory, promote predictability, protect personal data and consumer interests, promote the interests of Internet users, individually and as a group, and promote national interests and allow for international developments in the Internet.		
c. The Department may determine from time to time a third party to operate and administer the ".mm" ccTLD which shall not be entitled to act as a Registrar. The Department may define the conditions to be met by the Registry and may issue a public call for tender in order to designate the Registry.		
d. The activities of the Registry shall be subject to authorization by the Department. The authorization shall be for a specific time period and may be subject to renewal. The Registry shall not transfer its activities to another entity without prior approval by the Department.		
e. The Department may amend the provisions of the authorization of the Registry or contract with the Registry prior to expiry if there is a change in circumstances or in the law and such amendment is necessary to protect overriding public interests.		
f. The Department shall exercise supervision of the Registry to ensure compliance with the Law and this Directive.		
g. If the Registry fails to satisfy the requirements of the Law or this Directive, then the Department may order the Registry to remedy unlawful conditions or may order operations to cease within a specified time limit.		
h. If the Registry terminates its registration activities, whether voluntarily or by order pursuant to this Directive, or for other reasons, all Registered Data shall be transferred to the Department or to a new Registry.		
i. The Registry's duties may be taken over by the Department until a new Registry is established. In this case, the Department shall take over the Registered Data free of charge and shall in turn transfer these data to the new Registry free of charge.		
j. The Department shall decide whether operations in the interim period shall take place in accordance with the rules of the Registry being terminated, and the rules concerning the complaints board, or whether new rules shall be adopted.		
k. The Department may from time to time appoint Registrars. The Registry shall delegate parts of the registration process in accordance with Clause 20, 21, 23 and 25 , including forwarding applications and alteration notices on behalf of applicants for, and Registrants of, Domain Names, to the Registrars.		
11. Rights and Obligations of the Registry		
a. The Registry's duties shall include but shall not be limited to the following.		
i. The Registry shall install, manage and update the technical infrastructure required for the allocation and management of the ".mm" ccTLD while taking the necessary precautions to ensure reliability, accessibility, availability, security and operability of the infrastructure;		
ii. The Registry shall provide reliable and professional operation of the Domain Name System within the ".mm" ccTLD in accordance with the applicable technical standards;		
iii. The Registry shall manage domain names within the national country code domain and shall implement rules for assignment of Domain Names under the ".mm" ccTLD as directed by the Department;		
iv. The Registry shall install, administer and update a central public database providing any interested persons with guaranteed real-time access to information about domain name holders while taking necessary precautions to ensure reliability, accessibility, availability, security and operability of the infrastructure;		
v. The Registry shall ensure that the infrastructure in accordance with Clause 11ai and 11aiv conforms to the state of the art and is compatible with international standards used for the domain name system; and		

vi. The Registry shall in the context of its duties to allocate and manage domains, work towards the stability of the Domain Name System.		
b. The Registry shall promote competition between Registrars by granting all Registrars the same terms and treating Registrars in a non-discriminatory manner.		
c. The Registry may charge a fee to the Registrars. Fees charged by the Registry to Registrars shall be fair, based on costs and approved by the Department.		
d. The terms of the standard contract between the Registry and the Registrars shall be non-discriminatory and may be reviewed by the Department from time to time.		
e. The Registry shall ensure that electronic copies are kept of all Registered Data, for at least five years.		
f. The Registry shall safeguard privacy of personal information regarding Registrants of Domain Name in accordance with national data protection laws, once effective.		
g. The Registry shall be responsible to incorporate all Registered Data in accordance with Clause 9,Clause 10h and Clause 10i of Domain Name Registrations prior to date of appointment of the Registry into the Registry.		
12. Categories of ".mm" ccTLD: Domain Names under the ".mm" ccTLD may comprise any alphanumeric character and multilingual characters. Domain Names under the ".mm" shall be categorized as follows:		
a. **"Second Level ".mm" Domain Names"** are Second Level Domain Names under the ".mm" ccTLD open to all eligible parties;		
b. **"Third Level ".mm" Domain Names"** are Third Level Domain Names under Second Level ".mm" Domains open to all users;		
c. **"Internationalized ".mm" Domain Names"** are Internationalized Second Level Domain Names which are open to all user once the Department unreserved them;		
d. **"Reserved Second Level ".mm" Domain Names"** are Second Level ".mm" Domain Names which are reserved by the Department from time to time for specific usage or for specific user pursuant to Clause 13 of this Directive; and		
e. **"Sensitive Second Level ".mm" Domain Names"** are Second Level ".mm" Domain Names which contain Sensitive Names pursuant to Clause 15 of this Directive. Sensitive Names may be exempted by the Department from time to time from usage.		
13. Reserved Second Level ".mm" Domain Names:		
a. The following Second Level ".mm" Domain Names shall be reserved for special usage:		
i. "**.com.mm**" shall be reserved for commercial organizations or activities;		
ii. ".biz.mm" shall be reserved for commercial organizations or activities;		
iii. "**.net.mm**" shall be reserved for commercial organizations or activities;		
iv. ".pro.mm" shall be reserved for commercial organization or activities;		
v. "**.org.mm**" shall be reserved for non-profit or charitable organizations or activities which do not qualify for other categories;		
vi. "**.edu.mm**" shall be reserved for educational institutions of the Republic of the Union of Myanmar;		
vii. "**.name.mm**" shall be reserved for Myanmar individual's personal use;		
viii. ".per.mm" shall be reserved for Myanmar individual's personal use;		
ix. "**.gov.mm**" shall be reserved for government departments or agencies; and		
x. "**.hluttaw.mm**" shall be reserved for the Parliament of the Republic of the Union of Myanmar reflecting the threefold Parliament Structure of the national Parliament consisting of Pyidauungsu Hluttaw, Pyithu Hluttaw, Amyotha Hluttaw and the State & Region Hluttaw.		
b. The following Second Level ".mm" Domain Names shall be reserved and shall not be available for registration until the Department has unreserved the same. The Department may amend the following listed Third Level ".mm" Domain Names from time to time.		
i. "**.info.mm**";		
ii. "**.shop.mm**";		
iii. "**.taxi.mm**";		
iv. "**.museum.mm**"; and		
v. "**.aero.mm**";		
vi. Any other Name approved by ICANN or by the Department.		
c. Internationalized ".mm" Domain Names shall be reserved and shall not be available for registration until the Department has unreserved the same.		
d. Upon the release of the reservation by the Department of the Second Level ".mm" Domain Names pursuant to Clause 13b, the Department may specify the purpose, for which the Second Level ".mm" Domain Names within each Second Level ".mm" Domain Names can be used, the eligibility criteria for a Registrant and/or such other relevant matters.		
14. Principally Reserved Names: The following Names shall be reserved and shall not be available for registration for the public:		

a. **Country / State / Province / District / City / Town / Village Tract / Ward / Village Name and related short codes as for example YGN for** : Names by themselves containing country or state or province or district or city or town or village tract or ward or village Names or well-known Names such as "Myanmar", "Shan", "Mandalay", "Inle Lake", etc. or the Myanmar language equivalents shall be reserved. Related Domain Names may only be applied for by the relevant authority, or persons who have been duly authorized by the relevant state authority.		
b. **Names related to the Government of the Republic of the Union of Myanmar and related short codes and abbreviations** such as "Ministry of Transport and Communications" with the short code MOTC and variations thereof or any other words or non-Latin characters (or a combination of such non-Latin characters) that may suggest a link to the Government, or the Myanmar language equivalents shall be reserved.		
c. **Names related to Religions**: Names by themselves containing words in either English or Myanmar language, that are sensitive to the main religions in Myanmar such as "Buddha", "Buddhism", "Hindu", "Islam", "Christianity", etc. shall be reserved.		
d. **Names related to Banks or Finance Companies including short codes** by themselves or as part of a label, contains the words "bank" or "finance company" (or any derivative of the words in any language) shall be reserved. Only parties who have prior written approval from Central Bank of Myanmar may apply for these Domain Names.		
e. **Geographical Names including short codes** by themselves containing Names, in English or Myanmar language of inter-governmental organizations or country Names shall be reserved.		
f. **Regulated Names including short codes**: Regulated Names means Names prescribed by statute which may only be used subject to the necessary qualifications, consents, licenses and / or permissions having been obtained from the relevant government ministry, department, agency or regulatory authority, as may be applicable to the Registrar. Government agencies and / or regulatory authorities shall be able to request the de-registration or suspension of certain ".mm" Domain Names that fall within their jurisdiction and are in breach of a statutory provision of the law. The requests made shall be based on the requesting party's legal authority and shall subject to the oversight of the Department.		
g. **Trademark Names**: The Third Level ".com.mm", ".biz.mm", ".pro.mm", ".net.mm", ".org.mm" or ".edu.mm" Domain Names containing Trademark Names registered under the Myanmar Trademark Law, once it is effective, or any subsequent law of the Myanmar Trademark Law, or any bylaw, rules and regulations of the Trademark Law shall be reserved for the owner of the Trademark unless the Third Level ".com.mm", ".biz.mm", ".pro.mm", ".net.mm", ".org.mm" or ".edu.mm" Domain Names containing a Trademark were already registered by a third party prior Trademark Name registration under the Myanmar Trademark Law.		
15. Sensitive Names means Names which may be considered scandalous, obscene, offensive, indecent and/or contrary to public norms of the Republic of the Union of Myanmar, or Names which give the connotation that such Names are directly or indirectly obscene and scandalous. For the purpose of interpretation, a Name shall be considered to be:		
a. **"obscene"** where it relates to a perversion of sex or sexual activities running counter to accepted standards of morals;		
b. **"offensive"** where it hurts the feelings of groups within the society, including but not limited to, where it comprises of derivatives and colloquialisms of words that are offensive, including:		
i. derogatory terms referring to people;		
ii. racial or ethnic slurs;		
iii. religious slurs;		
iv. sneering sexual (identity/preference) remarks;		
v. undesirable reference towards culture, society or community;		
vi. vulgar or crude expressions that refer to the anatomy, bodily function, body by-products and gender.		
16. Validity of Domain Names:		
a. All Domain Names shall be valid for one (1) year from the date of registration and may be renewed annually or any other period that may be determined from time to time by the Department.		
b. Renewal of the registration is subject to the Registrant continuing to meet the eligibility criteria pursuant to Clauses 18c, 18d, 18g, 18h, 18i, or 18j of this Directive and subject to conditions of registration.		
17. Eligible Domain Names under the ".mm" ccTLD:		
a. A Domain Name under the ".mm" ccTLD may comprise any alphanumeric character and multilingual characters such as Myanmar language script character.		
b. All ASCII ".mm" Domain Names shall:		
i. be at least 2 (two) character long, but subject to such length as may be technically feasible;		
ii. contain only letters (a-z), numbers (0-9) and hyphens (-), or a combination of these; and		
iii. start and end with a letter, not a hyphen.		
c. All non-ASCII ".mm" Domain Names shall:		
i. be at least (two) 2 characters long but subject to such length as may be technically feasible;		
ii. contain only Myanmar script character, numbers (0-9) and hyphens (-), or a combination of these; and		

iii. start and end a Myanmar script character, not a hyphen.		
18. Eligibility Criteria for the Assignment of Domain Names under the ".mm" ccTLD:		
a. All applicants shall either be Myanmar entities or individuals, or foreign entities or individuals with valid proof of identification and valid addresses in the Republic of the Union of Myanmar as defined under the eligibility criteria for Second Level ".mm" Domain Name registrations pursuant to Clause 18c.		
b. All applicants shall either be Myanmar entities or in the case of natural persons, at least permanent residents of the Republic of the Union of Myanmar as defined under the eligibility criteria for each Third Level Domain Name Registrations pursuant to Clauses 18d - 18j.		
c. To be eligible for being assigned a Second Level ".mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the following criteria:		
i. An individual of eighteen (18) years of age or above and holder of a valid passport or national identity card of the Republic of the Union of Myanmar;		
ii. An individual of eighteen (18) years of age or above living outside of the Republic of the Union of Myanmar and holding a valid passport or national identity card of the Republic of the Union of Myanmar;		
iii. A foreign individual of eighteen (18) years of age and above holding a valid passport with proof of residence in the Republic of the Union of Myanmar;		
iv. A Foreign or Myanmar company incorporated under the relevant law of the Republic of the Union of Myanmar;		
v. A Regional Office registered under the relevant law of the Republic of the Union of Myanmar;		
vi. A society registered pursuant to the relevant law of the Republic of the Union of Myanmar;		
vii. A foreign embassy;		
viii. A foreign office approved by the Ministry of Foreign Affairs;		
ix. A professional firm, such as law, audit, architect and real estate firms registered under the relevant law of the Republic of the Union of Myanmar either with or established in accordance with the respective statute or body governing that professional firm;		
x. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute;		
xi. A trade union established pursuant to the relevant law of the Republic of the Union of Myanmar;		
xii. Religious entities approved or accredited or registered by relevant bodies in the Republic of the Union of Myanmar;		
xiii. Myanmar government aided primary and/or secondary schools (including vocational schools);		
xiv. Universities under the administration of the Ministry of Education of the Republic of the Union of Myanmar;		
xv. Private schools and private higher educational institutions established or licensed pursuant to the relevant law of the Republic of the Union of Myanmar;		
xvi. Educational institutions accredited / registered by a relevant government department/agency of the Republic of the Union of Myanmar; or		
xvii. A ministry, a government department or agency, a state government department or agency, or a local authority department or agency of the Republic of the Union of Myanmar.		
d. To be eligible for being assigned a Third Level ".biz.mm", ".com.mm", or ".net.mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the criteria of Clause 18di - 18dvi and the criteria of Clause 18dvii and Clause 18dviii:		
i. A Foreign or Myanmar company incorporated under the relevant law of the Republic of the Union of Myanmar;		
ii. A Regional Office registered under the relevant law of the Republic of the Union of Myanmar;		
iii. A professional firm, such as law, audit, architect and real estate firms registered under the law of the Republic of the Union of Myanmar either with or established in accordance with the respective statute or body governing that professional firm;		
iv. A foreign office approved by the Ministry of Foreign Affairs of the Republic of the Union of Myanmar;		
v. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute; or		
vi. The owner of a Trademark registered in the Republic of the Union of Myanmar; and		
vii. The Domain name in the ".biz.mm", ".com.mm", or ".net.mm" Domain shall:		
a) exactly match, acronym or abbreviation of the Registrant's company or trading name, organization or association name or trademark; or:		
b) be otherwise closely and substantially connected to the Registrant.		
viii. Registrations in the ".biz.mm", ".com.mm", or ".net.mm" Domain shall be used or intended to be used primarily for bona fide business or commercial purposes. Bona fide business or commercial use shall mean the bona fide use or bona fide intent to use the domain name or any content, software, materials, graphics or other information thereon, to permit Internet users to access one or more host computers through the DNS to exchange goods, services, or property of any kind in the ordinary course of trade or business, or to facilitate (i) the exchange of goods, services, information, or property of any kind; or, (ii) the ordinary course of trade or business.		
e. To be eligible for being assigned a Third Level ".pro.mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the criteria of Clause 18ei - 18iv and the criteria of Clause 18ev and Clause 18evi:		
i. A Foreign or Myanmar company incorporated under the relevant law of the Republic of the Union of Myanmar;		

ii. A Regional Office registered under the relevant law of the Republic of the Union of Myanmar; or		
iii. A foreign office approved by the Ministry of Foreign Affairs of the Republic of the Union of Myanmar; and		
iv. A professional firm, such as law, audit, architect and real estate firms registered under the law of the Republic of the Union of Myanmar either with or established in accordance with the respective statute or body governing that professional firm;		
v. The Domain name in the ".pro.mm" Domain shall:		
a) exactly match, acronym or abbreviation of the Registrant's company or		
trading name, organization or association name or trademark; or:		
b) be otherwise closely and substantially connected to the Registrant.		
vi. The Domain name fulfills the requirement of Clause 18dviii.		
f. To be eligible for being assigned a Third Level ".org.mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the following criteria:		
i. A foreign embassy;		
ii. A trade union established pursuant to the relevant law of the Republic of the Union of Myanmar;		
iii. Religious entities approved or accredited or registered by relevant bodies of the Republic of the Union of Myanmar;		
g. To be eligible for being assigned a Third Level ".edu.mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the following criteria:		
i. Myanmar government aided primary and/or secondary schools (including vocational schools);		
ii. Universities under the administration of the Ministry of Education of the Republic of the Union of Myanmar;		
iii. Private schools and private higher educational institutions established or licensed pursuant to the relevant law of the Republic of the Union of Myanmar; or		
iv. Educational institutions accredited/registered by a relevant government department/agency of the Republic of the Union of Myanmar; or		
h. To be eligible for being assigned a Third Level ".name.mm" or ".per.mm" Domain Name under the ".mm" ccTLD, the applicant shall meet at least one of the Clause 18hi - 18hiii and the Criteria 18hiv:		
i. An individual of eighteen (18) years of age or above and holder of a valid passport or national identity card of the Republic of the Union of Myanmar;		
ii. An individual of eighteen (18) years of age or above living outside of the Republic of the Union of Myanmar and holding a valid passport or national identity card of the Republic of the Union of Myanmar; or		
iii. A foreign individual of eighteen (18) years of age and above holding a valid passport with proof of residence in the Republic of the Union of Myanmar;		
iv. Domain names in the ".name.mm", or ".per.mm" Domain shall:		
a) exactly match, acronym or abbreviation of the Registrant's name; or		
b) be the name of a fictional character in which the Registrant have trademark or		
service mark rights; or:		
c) be otherwise closely and substantially connected to the Registrant.		
i. To be eligible for being assigned a Third Level ".gov.mm" Domain Name under the ".mm" ccTLD, the applicant shall provide a recommendation letter from the Ministry and shall meet at least one of the following criteria:		
i. A ministry of the Republic of the Union of Myanmar;		
ii. A government department or agency of the Republic of the Union of Myanmar;		
iii. A state government department or agency of the Republic of the Union of Myanmar;		
iv. A local authority department or agency of the Republic of the Union of Myanmar; or		
v. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute.		
j. To be eligible for being assigned a Third Level ".hluttaw.mm" Domain Name under the ".mm" ccTLD, the applicant shall be a national Parliament of the Republic of the Union of Myanmar		
i. Pyidauungsu Hluttaw;		
ii. Pyithu Hluttaw;		
iii. Amyotha Hluttaw or		
iv. a State or Region Hluttaw (Parliament) within the Republic of the Union of Myanmar.		
k. The Department may amend the eligibility criteria pursuant to the Clauses 18c - 18j of this Directive from time to time.		
19. Assignment of Domain Names under the ".mm" ccTLD: All Domain Names under the ".mm" ccTLD are assigned by the Department directly or through the Registry to eligible parties pursuant to the Clauses 18c - 18j of this Directive. Parties are required to satisfy the eligibility criteria pursuant to the Clauses 18c - 18j of this Directive and such other criteria as may be specified by the Department.		
20. Application for Registration of a Domain Name under the ".mm" ccTLD:		

a. An application for the registration of a Domain Name under the ".mm" ccTLD shall be in the format as required by the Department or the Registry and shall be accompanied by at least the following information ("**Registered Data**") or as otherwise specified by the Department or the Registry:		
vii. the applicant's name, postal address, e-mail address, telephone number, and if available, fax number;		
viii. the name of the person authorized by the applicant for contact purposes in case the applicant is not a natural person;		
ix. the IP Addresses of the Primary Name Server and Secondary Name Server(s) for the Domain Name and the corresponding names of the Name Servers;		
x. name, postal address, e-mail address, telephone number, and, if available, fax number of:		
(a) the technical contact for the Domain Name;		
(b) the administrative contact for the Domain Name;		
(c) the billing contact for the Domain Name;		
xi. the relevant supporting documents to demonstrate the eligibility criteria for the Domain Name under which the assignment is applied for; and		
xii. any remark concerning the Domain Name which should appear in the WHOIS directory.		
b. An application shall be deemed to have been made upon the Registrar receiving the completed application form with all the required Registration Data.		
c. Applicants for registration of Domain Names under the ".mm" ccTLD shall furnish a personal statement affirming as a minimum that registration and use of the name applied for:		
i. is not contrary to the assignment rules;		
ii. is not contrary to national law		
iii. does not conflict with the rights of a third party; and		
iv. does not unrightfully give the impression of pertaining to public administration or the exercise of public powers.		
d. The applicant shall grant the Department or the Registry in this personal affirmation the right to recall the assigned domain name if it is obvious that the assignment was contrary to Clause 20b.		
e. If a Registrant of a Domain Name owner does not pay the fees agreed to by contract with the Registrar or Registry, the domain name shall revert to the Registry.		
21. Powers, Duties & Obligations of Registrars on Application:		
a. The Department may appoint from time to time one or more Registrars to assist the registration, billing and renewal of ".mm" Domain Names for and on behalf of the Department. With appointment, Registrars shall enter into standard agreements with the Registry. The duties of the Registrar may include modification of registration data, cancellation or suspension of Domain Names and transfer of the Domain Names in accordance with this Clause 21 and with Clause 23 and 25.		
b. The Registrar may charge a fee for any applications for the registration, renewal, suspension, transfer and usage of a ".mm" Domain Name.		
c. The Registrar shall verify and register the ".mm" Domain Name applied for upon ensuring that the application complies with this Directive, the stipulated requirements of the Registrar and any other rules prescribed by the Department.		
d. A ".mm" Domain Name application shall be refused by the Registrar if:		
i. the ".mm" Domain Name is reserved or contains Reserved Names pursuant to Clause 14 of this Directive;		
ii. the ".mm" Domain Name contains Sensitive Names pursuant to Clause 15 of this Directive;		
iii. the Domain Name is identical and registered by others;		
iv. the applicant has not provided the necessary date in accordance with Clause 20a;		
v. the applicant has not provided the personal statement in accordance with Clause 20c or Clause 23d; or		
vi. the applicant does not fulfill the eligibility criteria in accordance with Clause 18;		
e. If the application of a ".mm" Domain Name is refused, then the Registrar shall give written notice to the applicant of its decision and the reason(s) for such decision. Where the rejected applicant requests for additional information relating to the refusal, the Registrar may impose a fee prior to fulfilling such request.		
22. Availability of Registration Data:		

a. Except for the supporting documents submitted or verified online, together with the relevant application form and in line with prevailing data protection law at all time, the Registration Data shall be available to the public and shall appear in the WHOIS directory which shall be accessible on-line unless the Department otherwise instructs.		
b. The Registrar shall submit electronically all relevant Domain Name Registration Data including documents submitted or verified online by the Registrar and the application form of the Registrant and all data in accordance with the processes defined in this Directive. The Registrar shall respect suitable data protection standards within the electronic submission process.		
23. Rights and Obligations of Registrant & Registrars:		
a. **Conditions of Registration**: The Registrar shall ensure that the registration of any ".mm" Domain Name by a Registrant is subject to the following conditions:		
i. the Registrant warrants that the Registration Data and all other information submitted for the application of registration is complete, true and accurate;		
ii. the registration of the Domain Name is governed under the terms and conditions as contained in the Registration Agreement which shall be subject to approval by the Department; and		
iii. the registration of the Domain Name follows any provision of the Law or any subsidiary legislation made under the Law in relation to the registration or any relevant other written laws.		
b. **Incomplete, Incorrect or Inaccurate Information**:		
i. The Registrar shall be authorized by the Department to set in place a process to receive and process complaints that have been lodged against any ".mm" Domain Name that are alleged to have been registered based on incomplete, incorrect or inaccurate information.		
ii. The Registrar may lock a Domain Name if the Registrar receives independent evidence or becomes aware with fulfilling its duties in accordance with Clause 23diii that the Registrant has provided incomplete, incorrect or inaccurate information during the registration, renewal or modification of the ".mm" Domain Name.		
iii. Where, in accordance with the process set in place under Clause 23bi by the Registrar, it is established that the Registrant has neglected, failed and/or refused to update or substantiate any type of license and/or authorization required from the relevant government ministry, department, agency or regulatory authority, the Registrar is authorized to suspend the relevant ".mm" Domain Name in accordance with the said process.		
iv. If the Registrar has locked or suspended a Domain Name under Clause 23bi or Clause 23bii, then the Registrar shall raise a complaint to the Panel under Clause 24aiii. If the Panel confirms that a Domain Name Registration or renewal was based on incomplete, incorrect or inaccurate information, then the Registrar shall cancel the registered Domain Name. The Registrar shall reserve the Domain Name for a period of six month in case of appeal and release it for registration by any third party after.		
c. **Modification of Registration Data**:		
i. The Registrar shall provide Registrants the ability to modify their Registration Data subject to such verification procedures as may be put in place by the Registrar.		
ii. Modifications to the Registration Data which amount to a transfer of a Domain Name shall be done in compliance with Clause 25 of this Directive, failing which the Registrar may suspend and / or delete the Domain Name.		
d. **Renewal of Registration**:		
i. Registrants may apply to renew their ".mm" Domain Name registration with any Registrars upon the payment of a non-refundable renewal fee as prescribed by the Department or Registrars.		
ii. Registrants shall be informed electronically within the Renewal of the Domain Name Registration by the Registrar to ensure that their registration data remain accurate, complete and correct.		
iii. The Registrar shall carry out random checks on the veracity of the information provided by the Registrants from time to time.		
e. **Cancellation or Suspension of a Registration**:		
i. The Registrar shall suspend a ".mm" Domain Name registration in any of the following circumstances:		
(a) upon the breach of any condition or warranty contained in the registration agreement;		
(b) upon failure to pay any fee or renewal fee in relation to the registration; or		
(c) upon the contravention of any provision of the Law or any subsidiary legislation made under the Law in relation to the registration or any relevant written laws;		
provided that any cancellation or suspension in the public interest shall only be carried out by the Department.		
ii. A Registrant affected by a deletion or suspension effected by the Registrar pursuant to Clause 23i may appeal to the Ministry in accordance with the provisions of the Law.		
f. **Prohibition on registering domain names for sole purpose of resale**: A Registrant shall not register a ".mm" ccTLD for the sole purpose of resale or transfer to another entity.		

24. Domain Name Dispute Resolution Process ("DNDRP") and Domain Name Dispute Resolution Provider or Centre ("Provider" or "Centre") for ".mm" ccTLD		
a. The Registry shall establish an independent Domain Name Resolution Provider or Center which may handle complaints within the DNDRP:		
i. from applicants against decisions of a Registrar on applications for of a Domain Name Registration in accordance with Clause 21d;		
ii. from any third party against a Domain Name Registrations in accordance with Clause 23b of this Directive;		
iii. from Registrars that a Domain Name has been registered in contravention of a personal affirmation in accordance with Clause 20ci, 20cii, 20ciii or Clause 23a;		
iv. from a public agency or from any third party against a Domain Name Registration in accordance with Clause 20civ; or		
v. from any third party against a Domain Name Registration in accordance with Clause 15.		
b. The Provider or Center established by the Registry shall comprise of at least five members with minimum ten years industry experience each with the following qualifications:		
i. at least one Linguist;		
ii. at least one Legal Practitioner;		
iii. at least one Information Technology Practitioner;		
iv. at least one Expert of Regulated Names;		
v. at least one Trade Mark Expert.		
c. The Registry shall develop and publish for the DNDRP policies and rules which shall be fully in line with ICANN's "Uniform Domain Name Dispute Resolution Policy" and "Rules for Uniform Domain Name Dispute Resolution Policy" and related supplemented policies and rules as provided in Annex 1 of this Directive amended with national particularities of the Republic of the Union of Myanmar in accordance with this Directive and with directions as provided by the Department in Annex 1. Registrars shall publish in their internet presence contact references to the Provider or Centre and shall establish online facilities for applicants, Registrants, Registrars, public agencies and for the public to raise complaints in relation to Domain Names which shall be automatically submitted to the Provider or Centre and mapped to the right policies and rules accordance to Clause 24e.		
d. Supplementary rules for the related procedures of the Provider or Centre shall be publicly available. Opinions of the Provider or Centre shall be open to the public in accordance with law in the Republic of the Union of Myanmar.		
e. The following ICANN Domain Name Dispute Resolution Procedures shall be applied by the Provider or Centre:		
i. for Clause 24ai of this Directive:		
(a) Uniform Domain Name Dispute Resolution from ICANN amended by the Department for the Myanmar market in accordance with Annex 1.1 of this Directive if the complaint is raised in relation to Clause 21di, 21div, 21dv, or 21dvi;		
(b) Eligibility Requirements Dispute Resolution Policy from ICANN amended by the Department for the Myanmar market in accordance with Annex 1.2 of this Directive if the complaint is raised in relation to Clause 21diii and in relation to ".name.mm" or ".per.mm" SLD;		
(c) Intellectual Property Defensive Registration Challenge from ICANN amended by the Department for the Myanmar market in accordance with Annex 1.3 of this Directive if the complaint is raised in relation to Clause 21diii and in relation to ".biz.mm", ".com.mm" or ".net.mm" SLD;		
ii. for Clause 24aii, 24aiiior Clause 24av of this Directive: Uniform Domain Name Dispute Resolution from ICANN amended by the Department for the Myanmar market in accordance with Annex 1.1 of this Directive; and		
iii. for Clause 24aiv of this Directive: Qualification Challenge from ICANN amended by the Department for the Myanmar market in accordance with Annex 1.4.		
f. The Provider or Centre shall reject the complaint if it is raised under Clause 24ai in relation to Clause 21dii.		
g. The Registrar and the Registry shall maintain a Sensitive Domain Name index which they shall update with Sensitive Domain Names once they were informed about an opinion from the Provider or Centre on a complaint in relation to Clause 24av. All Names included in the Sensitive Domain Name index shall be reserved and Domain Name registrations with Domain Names containing Names for the Sensitive Domain Name index shall be permitted.		
h. Opinions returned by the Provider or Center shall be binding for the Registrar.		
i. Both the complainant and the Defendant may appeal to the Minister in accordance with Section 58a of the Law.		
25. Transfer of Domain Name		
a. The Registrar shall transfer a Domain Name in the following circumstances:		

i. **Voluntary transfer**: upon receipt of a request by the Registrant of the ".mm" Domain Name to transfer the Domain Name to a specified person or entity in such form required by the Registrar and such request shall be accompanied by a Letter of Undertaking duly signed by the authorized signatory of the Registrant, if the Registrant is a body corporate, that the Domain Name is not subject of any pending dispute resolution;		
ii. **Transfer pending dispute resolution**: Upon receipt of a request by the Registrant of the ".mm" Domain Name to transfer the ".mm" Domain Name to a specified person or entity in such form as may be required by the Registrar and a written undertaking by the proposed transferee which shall be irrevocable, valid and free of any reservations or restrictions agreeing to be bound by any decision of the Department or any competent body adjudicating a dispute pertaining to that ".mm" Domain Name;		
iii. **Transfer in accordance with a dispute resolution decision**: Until the expiry of ten (10) working days following receipt of a copy of decision of the DNDRP Panel to transfer the ".mm" Domain Name to a specified person, unless it is notified of an appeal of the decision;		
iv. **Transfer in accordance with court order**: Upon receipt of a certified copy of an order of the High Court requiring the transfer of the ".mm" Domain Name to a specified person;		
v. **Transfer upon the determination of the Registrar or the Department**: In accordance with terms and conditions, policies, rules and regulations and relevant laws governing the registration of Domain Names; or		
vi. **Transfer upon death of the Registrant**: in accordance with applicable laws governing wills and the administration of estates in the Republic of the Union of Myanmar.		
b. In no other circumstance shall the Registrar transfer a registered ".mm" Domain Name except as may be authorized by the Department or the Ministry.		
c. The Registrar may impose a fee for the transfer subject to approval by the Department.		
26. Charges for Electronic Addressing Provisioning:		
a. Every application for an Electronic Address provisioning under this Directive shall be accompanied by the application fees as approved by the Department.		
b. All Registrants of Electronic Addresses shall be required to pay such fees in accordance to terms as approved by the Department.		
c. The registration fee may be prorated based on the period of use or may be prorated to a specified expiry date.		
Section VI – Transition		
27. Transition:		
a. All IP Address Assignment Holders which are subject to the IP Address reporting obligations of Clause 5b shall be exempted from their reporting obligations under Clause 5b until further notice. Once, the Department can provide IP Address Assignment Holder a facility for online IP Address reporting, then the Department will cease this exemption under this Clause 27a. The IP Address Assignment Holders shall populate the online facility within six months will all relevant IP Addresses.		
b. Registrars shall automatically reject trade mark complaints of applicants in relations to complaints under Clause 21d until the new Trade Mark Law of the Republic of the Union of Myanmar is in effect. The automatic rejection of the raised complaints shall provide the rejection reason to the complainant that trade mark related complaints shall not be raised until the Myanmar Trade Mark Law is in effect.		
c. Clause 14g shall come into effect once all following three criteria are fulfilled: i. The new Myanmar Trademark Law is in effect; ii. A online facility is provided to electronically search trademarks registered under the new Myanmar Trademark Law; and iii. The Registry and Registrars developed an IT solution to electronically query the provided trademark database.		
d. The Registry and all appointed Registrars shall setup a sunrise period of six months once Clause 14g is in effect to offer entities having trademarks registered under the new Myanmar Trademark Law to preregister for potential trademark related Domain Name complaints.		
e. Myanma Posts and Telecommunications (MPT) shall be responsible for conducting Registry and Registrar services until one month after the date the Registry designated by the Department and at least one Registrar appointed by the Department are ready for operation as announced by the Department. MPT shall handover the updated Registered Data to the Registry not later than 30 days after the announcement date.		