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Registries Stakeholder Group Meeting with ICANN: Amendment Process Alternatives

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DAG v.3 Proposal

- ICANN may amend Art. 2 (Covenants of Registry Operator, excluding registry services and Consensus Policy covenants), Art 6 (Fees, except that fees may not be raised without a demonstration of need), and Art. 8 (Miscellaneous) following 30 days of consultation with registry operators, a 30 day public posting and comment period, and approval by the ICANN board of directors
- Following board approval and posting of the final amendment, registry operators have a 60 day period to disapprove the amendment
- If a majority of registry operators disapprove the amendment, ICANN board may override the disapproval by a two-thirds vote if the amendment is justified by a “substantial and compelling need related to Security or Stability”

RySG Proposal

- Parties agree to meet every three years to discuss amendments
- Amendments must be reasonably necessary in light of changes in external factors affecting the legal or technological context of the Agreement
- Amendments must be executed in writing by both parties
- No obligation to discuss amendments relating to:
 - Consensus policies, Temporary Specifications or Policies
 - The price of domain name registrations
 - The definition of registry services
 - The length of the term of the agreement

Hybrid Proposal

- Parties agree to meet twice every three years to discuss amendments
- ICANN may propose global amendments based on these meetings that must be approved by specified percentage of affected registry operators, and once approved will be binding on all such registry operators
- Amendments must be reasonably necessary
- No amendments relating to:
 - Consensus policies, Temporary Specifications or Policies
 - The price of domain name registrations
 - The definition of registry services
 - The length of the term of the agreement

RAA-Type Proposal

- Upon expiration of the Registry Agreement, in order to be renewed, Registry Operator must agree to the terms of the then current form Registry Agreement
- Form Registry Agreement will be developed from time to time in consultation with the community
- Form Registry Agreement must be approved by ICANN board and two-thirds of GNSO
- Registry Operator may elect to discontinue TLD in lieu of executing new form Registry Agreement