

8 February 2024

ZA Domain Name Authority NPC

Attention: Adv Lerato Seema

Per email: submissions@zadna.org.za

Dear Lerato

SUBMISSIONS: .ZA SLD GENERAL POLICY TO ACCOMMODATE MULTI-YEAR DOMAIN NAME REGISTRATION AND RENEWAL

1. The Internet Service Providers' Association of South Africa (ISPA) has taken note of the circulation of a draft .ZA SLD General Policy To Accommodate Multi-Year Domain Name Registration And Renewal ("the policy proposal") for comment and has set out submissions raised by its members below.
2. ISPA notes from paragraph 1 of the policy proposal that this call for submissions is of a preliminary nature and that input gathered will assist ZADNA in making informed decisions regarding concrete proposed amendments.

ISPA's interest in the process

3. ZADNA is aware of the direct interest of ISPA members, particularly those acting as registrars.

The need for a comprehensive policy review

4. Within the context of the proposed policy amendments, it is appropriate for ISPA to reiterate the calls of its members for a comprehensive review of the .ZA SLD policy framework to be prioritised.
5. This request is based on the following considerations:
 - 5.1. The need for coherence across the entire body of ZA SLD policy.
 - 5.2. The ongoing need to review policy to ensure that it continues to meet current expectations and international best practice.
 - 5.3. Coherence encourages active and inclusive participation within the namespace community.
 - 5.4. The role that a clearly presented policy framework plays in the health of and entry into the .ZA ecosystem.
6. These considerations are recognised in paragraph 2 of the policy proposal.
7. For clarity, ISPA does not support the delay of this process relating to multi-year registrations and renewals until such a broader review is completed but does request that the broader review commence as soon as feasibly possible.

Multi-year registrations and renewals

8. ISPA's members welcome and support the review of the .ZA SLD General Policy to allow for multi-year domain name registration and renewal.
9. In its engagements with ZADNA, ISPA's Domain Name Working Group has previously requested ZADNA to consider allowing for multi-year registrations and renewals and ZADNA's swift action in this regard is greatly appreciated as an example of responsive regulation.
10. ISPA agrees with the rationale for allowing multi-year registrations and renewals expressed in the draft policy proposal.
11. ISPA confirms that multi-year registrations and renewals have been effectively implemented in South Africa for the past five years at registry level through the ORG.ZA, NET.ZA and WEB.ZA second-level domains (SLDs).
12. These implementations are well-established, aligned with international best practice and user expectations and already embodied in existing registry policy documentation.
13. Policy and implementation in respect of multi-year registrations and renewals for CO.ZA should not deviate materially if at all from this existing policy and implementation.
14. ISPA notes further that auto-renewal billing processes are supported in all commercial SLDs and have been since the EPP registry system migration. This context is missing from paragraph 5 of the policy proposal.

Proposed amendments to the General Policy

15. SPA has noted the paragraphs of the General Policy identified for potential revision to provide a policy basis for multi-year registration and renewals under the various SLDs.
16. In ISPA's view and within the context of the narrow policy proposal:
 - 16.1. Paragraph 1.9.3 does not require amendment.
 - 16.2. Paragraph 1.9.4 constitutes an existing policy basis for multi-year registration and renewals, subject to the registry having the necessary policies in place. As ISPA understands it, this is the basis for other SLDs already offering multi-year registrations and renewals.
 - 16.3. Paragraph 1.9.5 does not require amendment.
17. It follows that it is not immediately evident to ISPA that any amendment to the General Policy is required (as opposed to the registry operator publishing relevant policy) to enable multi-year registrations and renewals.

Fee review

18. ISPA notes that the fee review proposal set out in the draft proposal is broader than is strictly required for assessing the impact of multi-year registrations and renewals on the existing wholesale fee structure.

19. To the extent that the draft policy includes a general wholesale fee review this should form part of a different process, considering the relevant terms of the registry operator agreement and allowing for inflationary and competitiveness-related adjustments.
20. The intervention set out in paragraph 7(b) of the draft proposal seems unnecessarily complicated, which is at odds with the need to keep billing calculations simple in a low-margin industry. Members are also concerned that accommodating this approach would incur additional development and testing costs.
21. The existence of the auto-renewal process acts as a constraint on adjustments to wholesale pricing to accommodate multi-year registrations and renewals.
22. Specific input received from ISPA members includes the following:
 - 22.1. Multi-year registrations and renewals should be available up to a maximum of ten years.
 - 22.2. The cost of all years covered should be equal and fixed at the time of entry into an agreement. This provides certainty to the registrant as to both term and cost while additional funds can be appropriately invested by the registry, registrar and regulator.
 - 22.3. Where a domain is transferred the balance of the renewal period covered would be transferred with the domain.
 - 22.4. Where a domain is deleted prior to expiry of the renewal term then, subject to applicable consumer protection law, the remaining funds would be lost.

Conclusion

23. We trust the above is of assistance and look forward to participating further in this process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'W Stucke', with a large, stylized initial 'W'.

William Stucke
Chairman, ISPA Domain Name Working Group