Pursuant to section 180(1) of the Communications and Multimedia Act 1998 [Act 588], the Malaysian Communications and Multimedia Commission (“the Commission”) is responsible for the development of a numbering and electronic addressing plan. As provided under section 3.3 Part A of the Numbering and Electronic Addressing Plan (“the Plan”), the Commission hereby varies the Plan as follows:

1. Amendment of Part B: Section III Sub-Section 12: Electronic Address- Domain Names

The Plan is varied by substituting Sub-Section 12 with the following:

“12.1. Domain Name System

12.1.1 The Domain Name System (DNS) is a hierarchical naming system built on a distributed database for computers, services, or any resource connected to the Internet. It associates various information with domain names assigned to each of the participating entities. Most importantly, it translates domain names meaningful to humans into the numerical identifiers associated with networking equipment for the purpose of locating and addressing these devices worldwide.

12.1.2. An often-used analogy to explain the Domain Name System is that it serves as the phone book for the Internet by translating human-friendly computer hostnames into IP addresses. For example, the domain name www.skmm.gov.my translates to the addresses 202.171.39.22 (IPv4) or 2001:db8:85a3:0:0:8a2e:370:7334 (IPv6).

12.2. Country Code Top Level Domain Names

12.2.1. In accordance with ISO 3166-1 list (Codes for the Representation of Names of Countries and Their Subdivisions) maintained by ISO 3166 Maintenance Agency, the two-letter country code top level domain (ccTLD) “.my” has been designated to Malaysia by the Internet Assigned Numbers Authority (IANA).

12.2.2. The “.my” ccTLD exists within the framework set up by IANA, which is operated by the Internet Corporation for
Assigned Names and Numbers (ICANN). IANA is also responsible for maintaining generic top-level domain (gTLD) names, including unrestricted gTLDs (.com, .net, .org.), sponsored gTLDs (.aero), geographic gTLDs (.asia) and Internationalized Domain Names, amongst others.

12.2.3. The Commission’s purview is over all domain names under the “.my” ccTLD.

12.3. Categories of “.my” Domain Names

12.3.1. A domain name usually consists of two or more parts (technically labels), separated by dots. For example www.skmm.gov.my.

12.3.1.1. The rightmost label conveys the top-level domain (for example, the address www.skmm.gov.my has the top-level domain “.my” while the address www.malaysia.com has the top-level domain “.com”).

12.3.1.2. Subdomain is a domain that is part of a larger domain, the only domain that isn’t also a subdomain is the root domain. For example, aduan.skmm.gov.my is a subdomain of skmm.gov.my domain.

12.3.1.3. Hostname is a label that is assigned to a device connected to a computer network and that is used to identify the device in various forms of electronic communication such as the World Wide Web, email or Usenet. Hostnames may be simple names consisting of a single word or phrase, or they may have appended the name of a DNS domain, separated from the host specific label by a full stop (dot). In the latter form, a hostname is also called a domain name. If the domain name is completely specified including a top level domain of the Internet, the hostname is said to be a fully qualified domain name (FQDN). Hostnames that include DNS domains are often stored in the Domain Name System (DNS) together with IP addresses of the host they represent for the purpose of mapping the hostname to an address, or the reverse process.

12.3.2. “.my” Domain Names are categorised as follows:

12.3.2.1. “Second Level Domains” are those second level domain names open to all users. An example of a Second Level Domain is “abc.my”;
12.3.2.2. "Internationalized Domain Names" are those second level domain names in Jawi, Chinese and Tamil which are open to all users. Examples of Internationalized Domain Name are "马来西.my", "马来西亚.my" and "ලායන්ටී.my".

12.3.2.3. "Third Level Domains" are those third level domain names open to all eligible users. An example of an Third Level Domain is "abc.com.my" or "school.edu.my";

12.3.2.4. Reserved Second Level Domain Names are those "my" second level domain names which are reserved by the Commission from time to time. Examples of Reserved Domain Names are ".bank.my", ".finance.my", state names and any other names as may be determined by the Commission. The effect of a reservation of a ".my" second level domain name by the Commission is that the domain shall be unavailable for registration by the public, until such time as the Commission determines that it is appropriate to release it.

12.3.3. Apart from those second level domains applied for and/or already in existence the Commission may, from time to time, determine the creation of any Second Level Domains.

12.3.4. The summary of eligibility criteria for each category of ".my" domain name is specified in Schedule O-1, as may be varied by the Commission from time to time.

12.3.5. All decision of the Commission under paragraph 12.3.3 of Part B, Section III, Sub-Section 12 and all release of Reserved Second Level Domain Names shall be made by way of issuance of NEA Plan Amendment Notice and NEA Plan Explanatory Statements, if applicable.

12.4. Assignment of ".my" Domain Names

12.4.1. All ".my" domain names are assigned by the Commission directly or through the Registrar to eligible end-users. Eligibility criteria and allocation rules that apply to the assignment of third and second level domain names are set out in Schedule O-1. End-users are required to satisfy the eligibility criteria as stated in the said Schedule and such other rules as may be fixed by the Registrar.

12.4.2. Section 179 of the Communications and Multimedia Act 1998 (CMA 98) permits the Commission to delegate any or all its functions under Part VII, Chapter 2 of the CMA 98.
12.4.3. "my" domain names may comprise any alphanumeric character and multilingual characters such as Jawi, Chinese and Tamil scripts.

12.5. **Application for Registration of "my" Domain Names**

12.5.1. An application for the registration of a "my" domain name shall be in the form required by the Registrar and accompanied by the information detailed in Schedule O-1, which are collectively referred to as "Registration Data".

12.5.2. An application shall be deemed to have been made upon the Registrar or Reseller (as applicable) receiving the completed application form with all the required Registration Data.

12.6. **Powers, Duties & Obligations of Registrars and Resellers on Application**

12.6.1. The Registrar may appoint one or more Resellers to assist the Registrar to manage the registration, billing and renewal of "my" domain names for and on behalf of the Registrar. The duties of the Registrar may include modification of registration data, cancellation or suspension of domain names and transfer of the domain names.

12.6.2. The Registrar or Reseller may charge a fee for any applications for the registration of a "my" domain name.

12.6.3. The Registrar or Reseller shall verify and register the "my" domain name applied for upon ensuring that the application complies with the Plan, the stipulated requirements of the Registrar and any other rules prescribed by the Commission.

12.6.4. A domain name application shall be refused by the Registrar or Reseller if:

12.6.4.1. the domain name is on the list of reserved names in Schedule O-3; or

12.6.4.2. the domain name is on the list of names deemed sensitive; or

12.6.4.3. the domain name is identical and registered by others.

12.6.5. If the application is refused, then the Registrar shall give written notice to the applicant of its decision and the reasons 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.

12.6.6. Availability of Registration Data

12.6.6.1. Except for the supporting documents submitted or verified online, together with the relevant application form, the Registration Data shall be available to the public and shall appear in the WHOIS directory which can be accessed on-line unless the Commission otherwise instructs.

12.6.6.2 The availability of the Registration Data shall be subject to the Personal Data Protection Act 2010 at all times, where applicable.

12.7. Rights and Obligations of Registrant & Registrars

12.7.1. Conditions of Registration

12.7.1.1. The Registrar or its Resellers shall ensure that the registration of any "my" domain name by a registrant shall be subject to the following conditions:

(a) that the registrant warrants that the Registration Data and all other information submitted for the application of registration is complete, true and accurate;

(b) that the registration of the domain name is governed under the terms and conditions as contained in the Registration Agreement; and

(c) that the registration of the domain name is in compliance with any provision of the Act (CMA 98) or any subsidiary legislation made under the Act in relation to the registration or any relevant written laws.

12.7.2 Incomplete, Incorrect or Inaccurate Information

12.7.2.1 The Registrar is authorised by the Commission to set in place a process to receive and process complaints that have been lodged against "my" domain names that are alleged to have been registered based on incomplete, incorrect or inaccurate information.

12.7.2.2 The Registrar may suspend or delete a domain name if the Registrar receives independent evidence that the registrant has provided incomplete, incorrect or inaccurate information during the registration, renewal or modification of the "my" domain name.
12.7.2.3 Where in accordance with the process set in place by the Registrar, it is established that the registrant has neglected, failed and/or refused to update or substantiate any type of licence and/or authorization required from the relevant government ministry, department, agency or regulatory authority, the Registrar is authorised to suspend and/or delete the relevant “.my” domain name in accordance with the said process.

12.7.3. Modification of Registration Data

12.7.3.1. 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.

12.7.3.2. Modifications to the Registration Data which amount to a transfer of a domain name must be done in compliance with paragraph 12.7.11 of Part B, Section III Sub-Section 12, as set out below, failing which the Registrar may suspend and/or delete the domain name.

12.7.4. Renewal of Registration

12.7.4.1 Registrants may apply to renew their “.my” domain name registration with any Registrars or Resellers upon the payment of a non-refundable renewal fee as prescribed by the Commission or Registrars.

12.7.4.2 Registrants shall be informed by the Registrar via notification in invoice, e-mail and Registrars’ or Resellers’ notice to ensure that their registration data remains accurate, complete and correct.

12.7.4.3 The Registrar shall also carry out random checks on the veracity of the information provided by the Registrants from time to time.

12.7.5. Transfer Fee

12.7.5.1 In the event that the Registrar with whom the renewal is made is not the same as the Registrar who registered the registration or the Registrar who handled the renewal immediately preceding the present renewal (“earlier Registrar”), the earlier Registrar may charge a transfer fee (not exceeding the amount prescribed by the Commission) for the transfer of the supporting documents to the Registrar who is making the present renewal.
12.7.6. **Cancellation or suspension of a registration**

12.7.6.1. The Commission authorises the Registrar to suspend and/or delete a ".my" 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;

(c) upon the contravention of any provision of the Act (CMA 98) or any subsidiary legislation made under the Act (CMA 98) in relation to the registration or any relevant written laws.

12.7.6.2. Provided always that any cancellation or suspension in the public interest shall only be carried out by the Commission.

12.7.6.3. A registrant affected by a deletion or suspension effected by the Registrar pursuant to 12.7.6.1.(c) and 12.7.6.2 has a right of appeal to the Commission in accordance with the provisions of the Act (CMA 98).

12.7.7 **Disputes relating to the right to register a ".my" domain name**

12.7.7.1. The Registrar is authorised by the Commission to set in place an independent dispute resolution process to deal, in an expedited manner, with disputes relating to the right of the registrant to register a particular ".my" domain name.

12.7.7.2. This dispute resolution process is known as the ".my" Dispute Resolution Process Policy and Rules (MYDRP Policy and Rules) and is further detailed in Schedule O-2.

12.7.7.3. The outcome of any such dispute shall be a decision on whether the ".my" domain name in question is to be retained by the registrant or to be transferred to the claimant or to be deleted. No other award on damages can be made by the MYDRP panel.

12.7.7.4. Upon a decision being reached by the MYDRP panel and being communicated to the Registrar, the Registrar is authorised to enforce the decision as per the decision of the MYDRP panel. The losing party has a limited right to commence an action in court, which if done within the parameters specified in MYDRP Policy and Rules, will lead to the Registrar not implementing the decision of the MYDRP until such time as the court action is disposed of.
12.7.7.5. There is no right of appeal to the Commission arising from a decision of the MYDRP panel.

12.7.8 **Complaints relating to sensitive “.my” domain names**

12.7.8.1. The Registrar is authorised by the Commission to set in place an independent dispute resolution process to deal with complaints from members of the public who object to the registration of a “.my” domain name on the grounds of it being sensitive to the Malaysian public, obscene, scandalous, indecent, offensive or contrary to Malaysian public norms or policy.

12.7.8.2. This dispute resolution process is known as the “.my” Sensitive Name Dispute Resolution Policy and Rules (SNDRP Policy and Rules) and is further detailed in Schedule O-2.

12.7.8.3. The outcome of any such dispute will be a decision on whether or not the “.my” domain name is deemed as being sensitive to the Malaysian public. No other award on damages can be made by the SNDRP panel.

12.7.8.4. Upon a decision being reached by the SNDRP panel and being communicated to the Registrar, the Registrar is authorised to enforce the decision as per the decision of the SNDRP panel. The losing party has a limited right to commence an action in court, which if done within the parameters specified in the SNDRP Policy and Rules, will lead to the Registrar not implementing the decision of the SNDRP panel until such time as the court action is disposed of.

12.7.8.5. The affected/losing party to a sensitive name dispute also has a right of appeal to the Commission.

12.7.8.6. Subject to paragraphs 12.7.8.4. and 12.7.8.5, the Registrar shall add “.my” domain names found to be sensitive by the SNDRP panel, the court or the Commission to its list of names deemed sensitive.

12.7.9 **Regulated Names**

12.7.9.1. The Registrar is authorised by the Commission to set in place a process to receive and process complaints pertaining to “.my” domain names that consist of names prescribed by statute that may only be used by the registrant upon meeting the relevant qualifying criteria or obtaining the consent, licence and/or permission from the relevant government ministry, department, agency or regulatory authority, as may be applicable.

12.7.9.2. This process is known as the “.my” Regulated Names Policy and Rules and is further detailed in Schedule O-2.
Where in accordance with the process set in place by the Registrar it is established that the registrant is unable to establish or secure the required qualifying criteria or obtain the consent, licence and/or permission required from the relevant government ministry, department, agency or regulatory authority, the Registrar is authorised to suspend or delete the relevant “.my” domain name in accordance with the said process.

The affected party to a regulated name dispute may appeal to the Commission.

Sensitive Names

The Registrar shall not register any “.my” domain names containing the names or characters specified in the list of names deemed sensitive.

The Commission may from time to time by way of NEA Plan Explanatory Statements or letters, as deemed appropriate by the Commission, notify the Registrars of names which the Commission considers to be ineligible to be registered as “.my” domain names due to their being sensitive to the Malaysian public, obscene, scandalous, indecent, offensive or contrary to Malaysian public norms or policy.

The Commission may at any time remove or add names to the list of names deemed sensitive by issuing NEA Plan Amendment Notice and NEA Plan Explanatory Statement or by way of letter, if applicable.

Transfer of domain name:

The Registrar shall transfer a domain name in the following circumstances:

(a) Voluntary transfer: upon receipt of a request by the registrant of the “.my” domain name to transfer the domain name to a specified person or entity in such form required by the Registrar and such request must 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 the subject of any pending dispute resolution;

(b) Transfer pending dispute resolution: upon receipt of a request by the registrant of the “.my” domain name to transfer the “.my” 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 is irrevocable, valid and free of any reservations or restrictions
agreeing to be bound by any decision of the Commission or any competent body adjudicating a dispute pertaining to that “.my” domain name.

(c) **Transfer in accordance with dispute resolution decision**: until the expiry of ten (10) working days following receipt of a copy of a decision of the MYDRP Panel to transfer the “.my” domain name to a specified person, unless it is notified of an appeal of the decision;

(d) **Transfer in accordance with court order**: upon receipt of a certified copy of an order of the High Court requiring the transfer of the “.my” domain name to a specified person;

(e) **Transfer upon the determination of the Registrar or the Commission**: in accordance with terms and conditions, policies, rules and regulations and relevant laws governing the registration of domain names.

(f) **Transfer upon death of the Registrant**: in accordance with applicable laws governing wills and the administration of estates in Malaysia.

12.7.11.2. In no other circumstance shall the Registrar transfer a registered “.my” domain name except as may be authorised by the Commission.

12.7.11.3. The Registrar may impose a fee for the transfer subject to approval by the Commission.

2. **Amendment of Part D: Schedules, Abbreviations & Glossary**

The Plan is varied by substituting:

(a) the entirety of Schedule 0-1 with the new Schedule O-1;

(b) the entirety of Schedule 0-2 with the new Schedule O-2; and

(c) the entirety of Schedule 0-3 with the new Schedule O-3,
as attached in the Appendix to this Notice.

3. **Amendment of Glossary of Terms**

The Plan is varied by inserting the following definitions:

(a) to insert the following definition after the definition of “Commission”:

“Complainant” The third party that lodges a complaint against the Respondent in accordance
with a specific dispute resolution process the Registrant is subject to.

(b) to insert the following definition after the definition of “Number or Numbering”:

“Panel” The duly qualified and independent persons selected to sit and determine the outcome of a specific dispute resolution process the Registrant is subject to.

(c) to insert the following definition after the definition of “Register”:

“Registrant” The person or entity who/that has registered a “.my” domain name.

(d) to insert the following definition after the definition of “Regulations”:

“Reseller” The duly appointed partners of the Registrars that are authorised to manage the registration, billing and renewal of “.my” domain names for and on behalf of the Registrars.

(e) to insert the following definition after the definition of “Reserved Numbers”:

“Respondent” The Registrant of the “.my” domain name in question whose registration of a “.my” domain name has been made the subject of a complaint pursuant to a dispute resolution process that the Registrant is subject to.

4. **Other provisions of the Plan intact**

Save for the variation expressly provided herein, all other provisions as contained in the Plan shall remain unchanged and continue to be in full force and effect.
5. **Effective Date**

This Numbering and Electronic Addressing Plan Amendment Notice No. 3 of 2011 shall come into effect on 20\textsuperscript{th} October 2011.

**Malaysian Communications and Multimedia Commission**

Off Persiaran Multimedia
63000 Cyberjaya
Selangor Darul Ehsan
Tel: +60 3-8688 8000
Fax: +60 3-8688 1000
Website: [www.mcmc.gov.my](http://www.mcmc.gov.my)
APPENDIX

SCHEDULE O-1

1. “.MY” DOMAIN NAME RULES

1.1 General Eligibility Criteria Applicable to all “.my” Domain Names

1.1.1 All applicants must either be Malaysian entities or individuals, or foreign entities or individuals with valid proof of identifications and valid Malaysian addresses as defined under the eligibility criteria for Second Level Domain Name Registrations.

1.1.2 All applicants must either be Malaysian entities or in the case of natural person, at least Malaysian permanent residents as defined under the eligibility for each Third Level Domain Name Registrations.

1.2 Duration of “.my” Domain Name Registrations

1.2.1 All domain names shall be valid for one year from the date of registration and may be renewed for subsequent periods of up to five (5) years or any other period that may be set from time to time.

1.2.2 Renewal of the registration is subject to the registrant continuing to meet the eligibility criteria and conditions of registration.

1.3 Composition of domain names

1.3.1 All ASCII “.my” domain names must:

(a) be at least 1(one) character long but subject to such length as may be technically feasible;
(b) contain only letters (a-z), numbers (0-9) and hyphens (-), or a combination of these; and
(c) start and end with a number or a letter, not a hyphen.

1.3.2 All non-ASCII “.my” domain names must:

(a) be at least (two) 2 characters long but subject to such length as may be technically feasible;
(b) contain only Jawi, Chinese or Tamil scripts, numbers (0-9), Arabic digit two (٢) for combination of word in Jawi script only and hyphens (-), or a combination of these; and
(c) start and end with a number and Jawi, Chinese or Tamil character, not a hyphen.
1.4 **No retrospective effect**

1.4.1 These rules do not have retrospective effect and do not nullify any valid domain names which have been assigned prior to the effective date of this revised plan, unless the registration was obtained dishonestly or in bad faith.

2. **CATEGORIZATION OF “.my” DOMAIN NAMES**

2.1 The following Table A summarizes the categorization of the “.my” domain names and the example of the categorization for which domain names within each classification can be used.

<table>
<thead>
<tr>
<th>Third level domain name (3LD)</th>
<th>Example of categorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>.com.my</td>
<td>For commercial organisations/activities</td>
</tr>
<tr>
<td>.net.my</td>
<td>For network-related organisations/activities</td>
</tr>
<tr>
<td>.org.my</td>
<td>For non-profit or charitable organisations/activities which do not qualify for other categories</td>
</tr>
<tr>
<td>.edu.my</td>
<td>For Malaysian educational institutions only.</td>
</tr>
<tr>
<td>.name.my</td>
<td>For Malaysian individual’s personal use only.</td>
</tr>
<tr>
<td>.gov.my</td>
<td>Only for Malaysian federal or state government departments or agencies.</td>
</tr>
<tr>
<td>.mil.my</td>
<td>for Malaysian military organisations only</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Second level domain name (2LD)</th>
<th>Example of classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>.my</td>
<td>For all Malaysian individuals and entities.</td>
</tr>
</tbody>
</table>

**Table A**

2.2 The domain names set out in the Table B below, are categorised as Reserved Second level domain names and shall not be available for registration until the Commission has unreserved the same. The Commission may add to or remove from the list of reserved domain names from time to time.

<table>
<thead>
<tr>
<th>Reserved Second level domain names</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Info, biz, museum, aero, pro including any other name approved by ICANN or the Commission</td>
<td>To be added or removed by the Commission from time to time</td>
</tr>
</tbody>
</table>

**Table B**
2.3 Upon the release of the reservation by the Commission, the Commission may specify the purpose, for which the domain names within each third level domain names can be used, the eligibility criteria for a registrant and/or such other relevant matters.

3. **ELIGIBILITY RULES FOR “.COM.MY”, “.NET.MY” AND “.ORG.MY”**

3.1 To be eligible for a domain name in the “.com.my”, “.net.my” and “.org.my” 3LD, applicants must meet at least one of the following criteria:

(a) A company incorporated under the Companies Act 1965;

(b) A business registered with the Registrar of Business pursuant to the Registration of Businesses Act 1956. For Sabah and Sarawak, Business pursuant to Commercial License Ordinance 1948;

(c) A society registered pursuant to the Societies Act 1966;

(d) A foreign embassy;

(e) A foreign office approved by the Ministry of Foreign Affairs;

(f) A representative office or regional office registered with the Ministry of Industrial Trade and Industry;

(g) A foreign company registered with the Companies Commission of Malaysia pursuant to section 332 of the Companies Act 1965;

(h) Any professional firms, such as law, audit, architect and real estate firms registered either with or established in accordance with the respective statute or body governing that professional firm;

(i) A Malaysian statutory body or organisation established pursuant to statute, for example a sports organisation established pursuant to the Sports Organisation Act 1997, farmer’s organisation pursuant to the Farmers’ Organisation Act 1973;

(j) A trade union established pursuant to the Trade Union Act 1959;

(k) A trustee company incorporated pursuant to the Trustees Incorporation Ordinance 1952;

(l) A religious entity approved or accredited or registered by the relevant body from the relevant government Religion Department;

(m) Parents Teachers Association pursuant to Kaedah-kaedah Persatuan Ibubapa-Guru-guru, 1973;

(n) Government aided primary and/or secondary schools (including vocational schools);
Polytechnics under the Ministry of Education administration;

Universities under the administration of the Ministry of Education pursuant to the Universities and University Colleges Act 1971;

Maktab Rendah Sains Mara (MRSM) under the administration of MARA, pursuant to the Majlis Amanah Rakyat Act 1966;

Private schools established or licensed pursuant to the Education Act 1961;

Private higher educational institutions established or licensed pursuant to the Private Higher Educational Institutions Act 1996;

Educational institutions accredited/registered by a relevant government department/agency;

Federal Government department or agency;

State Government department or agency; or

Local authority department or agency.

4. **ELIGIBILITY RULES FOR “.EDU.MY”**

4.1 The "edu.my" 3LD is for educational institutions which are located in Malaysia.

4.2 To be eligible in the "edu.my" 3LD, applicants must meet at least one of the following criteria:

(a) Government aided primary and/or secondary schools (including vocational schools);

(b) Polytechnics under the Ministry of Education administration;

(c) Universities under the administration of the Ministry of Education pursuant to the Universities and University Colleges Act 1971;

(d) Maktab Rendah Sains Mara (MRSM) under the administration of MARA, pursuant to the Majlis Amanah Rakyat Act 1966;

(e) Private schools established or licensed pursuant to the Education Act 1961;

(f) Private higher educational institutions established or licensed pursuant to the Private Higher Educational Institutions Act 1996; or

(g) Educational institutions accredited/registered by a relevant government department/agency.
5. **ELIGIBILITY RULES FOR “.NAME.MY”**

5.1 The “.name.my” 3LD is for individual registrations.

5.2 To be eligible for a domain name in the “.name.my” 3LD, applicants must meet at least one of the following criteria:

(a) An individual of 18 years old or above and holds a Malaysian National Registration Identity Card (NRIC);

(b) An individual of 18 years old or above living outside of Malaysia holding a valid Malaysian NRIC; or

(c) A foreign individual of 18 years old and above with proof of residence in Malaysia and a valid passport.

6. **ELIGIBILITY RULES FOR “.GOV.MY”**

6.1 The “.gov.my” 3LD is for Malaysian federal, state or local governments, and their departments and agencies, including statutory bodies or commissions.

6.2 To be eligible for a domain name in the “.gov.my” 3LD, applicants must meet at least one of the following criteria:

(a) Federal government department or agency;

(b) State government department or agency;

(c) Local Authority department or agency; or

(d) Statutory bodies or commissions.

7. **ELIGIBILITY RULES FOR “.MIL.MY”**

7.1 The “.mil.my” 3LD is for Malaysian government military organisations

7.2 To be eligible for a domain name in the “.mil.my” 3LD, applicants must be a department or agency of the Ministry of Defence of the Government of Malaysia.

8. **ELIGIBILITY RULES FOR “.MY”**

8.1 The “.my” 2LD is for Malaysian and foreign organization and individual registrations.

8.2 To be eligible for a domain name in the “.my” 2LD, applicants must meet at least one of the following criteria:

(a) An individual of 18 years old or above and holds a Malaysian National Registration Identity Card (NRIC);
(b) An individual of 18 years old or above living outside of Malaysia holding a valid Malaysian NRIC;

(c) A foreign individual of 18 years old and above with proof of residence in Malaysia and a valid Passport.

(d) A company incorporated under the Companies Act 1965;

(e) A business registered with the Registrar of Business pursuant to the Registration of Businesses Act 1956. For Sabah and Sarawak, Business pursuant to Commercial License Ordinance 1948;

(f) A society registered pursuant to the Societies Act 1966;

(g) A foreign embassy;

(h) A foreign office approved by the Ministry of Foreign Affairs;

(i) A representative office or regional office registered with the Ministry of Industrial Trade and Industry;

(j) A foreign company registered with the Companies Commission of Malaysia pursuant to section 332 of the Companies Act 1965;

(k) Any professional firms, such as law, audit, architect and real estate firms registered either with or established in accordance with the respective statute or body governing that professional firm;

(l) A Malaysian statutory body or organisation established pursuant to statute, for example a sports organisation established pursuant to the Sports Organisation Act 1997, farmer’s organisation pursuant to the Farmers’ Organisation Act 1973;

(m) A trade union established pursuant to the Trade Union Act 1959;

(n) A trustee company incorporated pursuant to the Trustees Incorporation Ordinance 1952;

(o) A religious entity approved or accredited or registered by the relevant body from the relevant government Religion Department;

(p) Parents Teachers Association pursuant to Kaedah-kaedah Persatuan Ibubapa-Guru-guru, 1973;

(q) Government aided primary and/or secondary schools (including vocational schools);

(r) Polytechnics under the Ministry of Education administration;

(s) Universities under the administration of the Ministry of Education pursuant to the Universities and University Colleges Act 1971;
(t) Maktab Rendah Sains Mara (MRSM) under the administration of MARA, pursuant to the Majlis Amanah Rakyat Act 1966;
(u) Private schools established or licensed pursuant to the Education Act 1961;
(v) Private higher educational institutions established or licensed pursuant to the Private Higher Educational Institutions Act 1996;
(w) Educational institutions accredited/registered by a relevant government department/agency;
(x) Federal Government department or agency;
(y) State Government department or agency; or
(z) Local authority department or agency.

9. REGISTRATION DATA

9.1 The information which are collectively referred to as "Registration Data" comprise of:

i) The applicant’s name, postal address, e-mail address, telephone number, and, available, fax number;

ii) The name of the person authorised by the applicant for contact purposes in case the applicant is not a natural person, for example, an organisation, association, society, partnership or company;

iii) The IP addresses of the primary nameserver and secondary nameserver(s) for the domain name;

iv) The corresponding names of the nameservers;

v) The name, postal address, e-mail address, telephone number, and, if available, fax number of the technical contact for the domain name;

vi) The name, postal address, e-mail address, telephone number, and, if available, fax number of the administrative contact for the domain name;

vii) The name, postal address, e-mail address, telephone number, and, if available, fax number of the billing contact for the domain name;

viii) The relevant supporting documents to demonstrate the eligibility criteria for the domain name under which the assignment is applied for; and

ix) Any remark concerning the domain name which should appear in the WHOIS directory.
1. **MYDRP Policy and Rules**

1.1 “.my” Domain Dispute Resolution Process (MYDRP) and Rules of the MYDRP was developed for the purpose of resolving trademark-related disputes over domain names under the “.my” country code.

1.2 A comprehensive public consultation process took place in Malaysia in October and November of 2002 before the introduction of the MYDRP and Rules of the MYDRP. Comments were received from lawyers, a major internet service provider and the International Trademark Association (“INTA”). INTA’s comment was on the need for the MYDRP to “closely follow internationalized trademark practices.” This dispute resolution process has been approved by the Commission and forms the first online dispute resolution mechanism in Malaysia.

1.3 The Kuala Lumpur Regional Centre for Arbitration (KLRCA) was appointed as the domain name dispute resolution service provider for the “.my” country code with effect from 17th April 2003. Such service enables trademark-related disputes that may arise over domain names registered in Malaysia under the “.my” country code to be amicably settled out of court, in accordance with the MYDRP.

1.4 The MYDRP is modeled on the Uniform Dispute Resolution Policy (UDRP) developed by the Internet Corporation for Assigned Names and Numbers. The MYDRP however differs in requiring the complainant to satisfy the two-prong test instead of the usual three-prong test found within the UDRP\(^1\). The two-prong test required to be satisfied by the complainant is that

(i) The domain name is identical or confusingly similar to a trademark or service mark to which the complainant has rights and

(ii) that the domain name has been registered and/or used in bad faith.

1.5 The registrant/respondent may prove that the registration and/or use of the Domain Name was not in bad faith by establishing, amongst others, that the registrant/respondent has the rights and legitimate interests in the Domain Name.

1.6 The Registrar’s role in the dispute resolution process is to implement the decision of the Panel. Other than this role, a registrar does not and will not get involved in a proceeding\(^2\).

1.7 Generally, the complainant files the complaint with the KLRCA, by downloading the Complaint from KLRCA’s website and completing it in accordance with the MYDRP. The supporting documents will usually comprise of the trademark certificates, applications for pending trademarks, the company or business search results et cetera. KLRCA

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\(^1\) Para. 4(a) of the UDRP.

\(^2\) Para 11 of the MYDRP document.
will then run through the compliance test to ensure that the Complaint is in accordance with the MYDRP, Rules of the MYDRP and Supplemental Rules of KLRCA. Based on the complaint, the Panel decision is confined to the remedies of allowing a transfer, or deletion or allowing the domain name in dispute to remain with the respondent/domain name holder. The Panel is not allowed to award damages nor payment of compensation under the MYDRP.

1.7 The "my" domain name holder or the third party Complainant are not prevented from having the "my" domain name dispute resolved by the Malaysian court or through any other alternative dispute resolution process. Either party may proceed to do so at anytime, regardless of whether the proceeding has commenced, concluded or otherwise.

1.8 Another unique feature of the MYDRP is the strong encouragement provided for both the "my" Domain Name Holder and the Complainant to explore the possibility of having the domain name dispute settled through negotiations, mediation, conciliation or any other alternative dispute resolution process before commencing a Proceeding under the MYDRP.

2. SNSDRP Policy and Rules

2.1 Sensitive Names are defined as names attempted to be or are registered as "my" domain names which may be considered scandalous, obscene, offensive, indecent and/or contrary to Malaysian public norms, or which give the connotation that such names are directly or indirectly obscene and scandalous.

2.2 A list of names deemed sensitive will be developed in consultation with the Commission. It is a preventive approach which consists of a confidential database against which "my" applications are run against to avoid registering domain names considered by the public as "Sensitive Names". It will contain words in BM, English, Tamil, Chinese, colloquialisms and such derivatives as can be identified as "Sensitive Names".

2.3 Words in the list of names deemed sensitive can be added or removed by the Commission at its discretion and can be supplemented by the Reference Panel if the Panel determines a word registered as a "my" domain name is to be construed as a "Sensitive Name", after a complaint. This list of names deemed sensitive will be periodically reviewed to keep up with societal changes and popular culture.

2.4 The Reference Panel consists of three members, each of whom represents experts from the Internet, legal profession industry and academia focused on the study of linguistics, respectively.

2.5 The Complaint must specify a Domain Name that contains a word or words in English, Malay or Romanized Chinese (including dialects) and Indian dialects, which:

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3 Para.12.2 of the MYDRP document.
4 Para.14 of the MYDRP document.
(i) are sensitive to the Malaysian public;
(ii) are obscene, scandalous, indecent, offensive or contrary to Malaysian public norms or policy;
(iii) comprise of derivatives and colloquialisms of words that are offensive; and/or
(iv) consist of pejorative expressions in terms of denotations, connotation or association.

2.6 For the purpose of interpretation, a Domain Name is considered to be:

(i) “obscene” where it relates to a perversion of sex or sexual activities running counter to accepted standard of morals;
(ii) “offensive” where it hurts the feelings of groups within society, including but not limited to, where it comprises of derivatives and colloquialisms of words that are offensive, including:
   a) derogatory terms referring to people;
   b) racial or ethnic slurs;
   c) religious slurs;
   d) sneering sexual (identity / preference) remarks;
   e) undesirable reference towards culture, society or community; or
   f) vulgar or crude expressions that refer to the anatomy, bodily function, body by-products and gender.

2.7 The Registrant/Respondent may prove that the Domain Name registered and/or used by the Registrant/Respondent does not consist of a Sensitive Name by establishing, amongst others, that:

a) the word(s) making up the Domain Name are widely accepted and used by the Malaysian public;

b) the registrant/respondent have recognized rights and legitimate interests in the Domain Name, e.g. a company or business or trademark registered in Malaysia by that name;

c) the Domain Name is directly related to the lawful content, goods and/or services provided by the resolving website; and/or

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5 Para 5.1 SNDRP Policy document.
6 Para 5.2 of SNDRP Policy document.
d) the Domain Name is capable of a double meaning which relates to the lawful content, goods and/or services provided by the resolving website.

2.8 Registrar's role in the SNDRP proceeding is to implement the decision of the Reference Panel. Other than this role, a registrar does not and will not get involved in a proceeding.

2.9 The KLRCA will administer the process and procedure under the SNDRP Policy & Rules and Supplemental Rules of KLRCA including the appointment of the Chairman for the Reference Panel.

2.10 The Complainant may only request for the deletion of the registration of the Domain Name. The Reference Panel cannot grant and the Complainant cannot request for any other remedy or relief such as an award of damages or a payment of compensation.

2.11 A domain name may only be held by the Reference Panel to be a sensitive name based on a unanimous decision of the Reference Panel. Any other decision shall be deemed to be a decision in favour of the Registrant/Respondent.

2.12 The Complainant has the options to appeal the decision of the Reference Panel to the Court or to the Commission. If the Complainant chooses to refer the decision to the Commission, the appeal process will be carried out administratively by the Commission. In the event the Complainant is not satisfied with the decision of the Commission, the Complainant can appeal the decision of the Commission in accordance with the process as referred in the CMA 1998.

3. Regulated Names Policy and Rules

3.1 Regulated Names are 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.

3.2 This is a process which allows government agencies and/or regulators to request the deregistration or suspension of certain "my" domain names that fall within their jurisdiction and are in breach of a statutory provision of law. The requests made via this process must be based on the requesting parties' legal authority and are subject to the oversight of the Commission.

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7 Para 6.1 of SNDRP Policy document.
8 Para 9 of SNDRP Policy document.
9 Para 10.1 of SNDRP Policy document.
10 Para 10.2 of SNDRP Policy document.
11 Rule 15.3 of SNDRP Rules.
Reserved Names

1. **Country/State Name**

By themselves contain country or state names or well known names such as “Malaysia”, Malacca”, “Johore”, etc, or the Bahasa Malaysia, Chinese or Tamil equivalents such as “Melaka”, “Johor”, etc. [These domain names may only be applied by the relevant State authority, or persons who have been duly authorized by the relevant State authority. All the applications and/or letters of authorization must originate from the State Secretary’s (Setiausaha Kerajaan Negeri) of the relevant state.]

2. **Malaysia Government**

Names which contain words such as “Malaysia Government”, “Government”, “Parliament” or “Prime Minister” and variations thereof or any other words or non-Latin characters (or a combination of such non-Latin characters) that might suggest a link to the Government, or the Bahasa Malaysia, Chinese or Tamil equivalents such as “Kerajaan Malaysia”, “Menteri”, “Parlimen” and “Perdana Menteri”.

3. **Royal Names**

Names which contain words and variations in the list below thereof or any other words or non-Latin characters (or a combination of such non-Latin characters) that might suggest a link to the Royal Family or Royal patronage of Malaysia.[These domain names may only be applied by the relevant authority, or persons who have been duly authorized by the relevant authority. All the applications and/or letters of authorization must originate from the State Secretary’s (Setiausaha Kerajaan Negeri) of the relevant state.]

4. **Religions**

By themselves contain words in either English or Bahasa Malaysia, that are sensitive to the main religions in Malaysia such as “Islam”, ”Buddha”, “Hindu”, “Christianity”, etc.

5. **Bank or Finance Company**

By themselves or as part of a label, contains the words ”bank” or ”finance company” (or any derivative of the words in any language). Only parties who have the written consent of the Minister of Finance (MOF) pursuant to Section 15 of the Banking and Financial Institutions Act 1989 (BAFIA) may apply for these domain names.

6. **Geographical Names**

By themselves contain names, in English or Bahasa Malaysia, Chinese or Tamil, of Inter-Governmental Organizations (IGO) or Country Names.