



**REPUBLIC OF ALBANIA**  
**TELECOMMUNICATIONS REGULATORY ENTITY**

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# Regulation

**“For the Registration and Administration of the Domain Names under .AL and Subdomains .gov.al, .mil.al, .edu.al, .com.al, .org.al and .net.al”**

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**General provisions:**

1. Telecommunications Regulatory Entity (TRE) is the “Responsible Authority” for the registration and administration of domain names under “.al” and subdomains “.gov.al, .mil.al, .edu.al, .com.al, .org.al and .net.al”.
2. The domain names shall be registered on the benefit of the overall interest of the public in accordance with the legislation for publication and non-discrimination, with the aim of ensuring the protection of intellectual property.
3. For this reason, the Responsible Authority issues this Regulation in order to administer the registration, maintenance and upkeep of the domain names under “.al” and six respective subdomains.
4. The Regulation, together with the application forms and any other supporting documentation, constitute one single legal act called “Regulation for the Registration and Administration of the Domain Names under “.al” and sub domains “.gov.al, .mil.al, .edu.al, .com.al, .org.al and .net.al” (hereafter referred to as “Regulation”).
5. According to this Regulation, entities entitled to possess one or more domain names in “.al” zone and in subdomains “.com.al, .org.al, and .net.al” under the administration of the Responsible Authority, are the public and private juridical entities as well as physical persons.
6. Natural persons according to the definition foreseen in the Civil Code of the Republic of Albania, by Regulation will be counted as subjects with the right to apply and to possess one or more domain names in a later stage, the beginning of which will be decided and notified to the concerned parties by the Responsible Authority.
7. The number of domains that an entity can possess and use according to this Regulation is unlimited.

**Article 1**  
**Definitions**

In the application of this Regulation the following terms shall mean:

- 1.1 “Responsible Authority” – is the Telecommunications Regulatory Entity (TRE) in accordance with the law no. 8618, date 14.6.2000 “For the

Telecommunications in the Republic of Albania”, amended, which will perform the registration and administration of the domain names under “.al” and subdomains “.gov.al, .mil.al, .edu.al, .com.al, .org.al and .net.al”, as well as supervise the application of the Regulation by the entities authorized by TRE to make the registration of these domains and subdomains.

- 1.2 **“Applicant”** – is every public and private juridical entity as well as physical person who submits to the Responsible Authority the request to register or to transfer one or more domain names.
- 1.3 **“IP address”** – “Internet Protocol Address” also known as “Internet Address” is a unique address used to identify a source (e.g. computer, router, etc) on the internet. This address is composed of a sequence of numbers.
- 1.4 **“Blockage”** – is the procedure which includes the temporary closure and deactivation of the domain name from the DNS service, making it unusable until a final decision has been reached by the competent body. In this condition (status) the domain name continues to belong to its possessor, thus the blocked domain name cannot be registered by another party.
- 1.5 **“DNS”** – Domain Name System is a distributed database used for the registration of Internet sources (computer, router, etc) in the form of a domain name (e.g. nic.al) and adapts them to an Internet address. Hence, the Internet Protocol performs the conversion between the domain name and the Internet addresses of the machines connected to the Internet.
- 1.6 **“DNS server”** – Name Server (NS) is a server which is used to register the domain names. There are two types of servers for the domain names: primary servers and secondary servers.
- 1.7 **“Nomination”** – is the procedure carried out for the allocation of domain names in accordance with the provisions foreseen in this Regulation. These rules vary according to the institutions authorized to administrate Internet zone (.al: ERT, .fr: AFNIC, .uk: Nominet, etc).
- 1.8 **“Domain name”** – is an alphanumeric combination made up of a root and an extension which complies with an Internet address.
- 1.9 **“Status”** - is a certain condition which determines possible actions that can be carried out on a domain name and its functions. There are three statuses:
  - a) **ACTIVE:** Domain name has been declared in DNS (at full function)
  - b) **SUSPENDED:** Domain name has been declared in DNS, but no administrative action can be carried out on it.
  - c) **BLOCKED:** Domain name is not anymore declared in DNS. It is not functional anymore and no administrative action can be taken on it.

- 1.10“Unsuccessful identification”** – is considered to be the result of identification, when in the end of the verification process carried out by the Responsible Authority, the data provided in the application forms by the possessor of the domain name are not the same (or cannot be verified) with the base information available to the legally appointed institutions which serve this purpose. This, especially when the information provided by the domain name possessor cannot be found in the data base of the responsible state/public institution, is different, or when for any reason access to the respective data base cannot be reached.
- 1.11“Technical modification”** – is the technical procedure/action involving the modification of DNS servers on which the domain name has been installed.
- 1.12“Cancellation”** – is the practice of cancelling the domain name from the DNS service, making it not functional and available to be registered by another applicant.
- 1.13“Possessor”** – is the applicant, who after registering in one or more domain names, uses them according to the provisions foreseen in this Regulation.
- 1.14“Suspension of procedures”** – is a temporary administrative sanction imposed on the administrative actions taken by the Responsible Authority on a domain name. The suspension period does not affect the normal operation of the domain name (normal operation of web site, e-mail address, upkeep).
- 1.15 “Sunrise period”** – is the transitional period stipulated by the Responsible Authority but cannot be longer than 4 (four) months running, starting from the day this Regulation enters into force. During this period public/private juridical entities and physical persons will have the right to register domain names, apart from those names which they are known by (e.g. institution name, entity name used to make the registration according to the law in power), brand names registered by the corresponding unit and names related to their daily or commercial/public activities.
- 1.16“Public juridical entities”** – are state institutions and enterprises which are self financed or by the state budget, and other public entities acknowledged by the law as juridical entity.
- 1.17“Private juridical entities”** – are commercial companies, associations, foundations and other entities of a private nature which are recognized as juridical entities in compliance with the law.
- 1.18“Physical persons”** – are the entities founded and registered with this status in the authorized institution in compliance with the law in force “For the commercial companies” and “For the tax procedures in the Republic of Albania”

- 1.19“Natural persons”** – are persons, who in accordance with the definitions of the Civil Code of the Republic of Albania enjoy full juridical ability to work.
- 1.20“Registrar”** – are the entities authorized by the Responsible Authority to make the registration of the domains under “.al” in compliance with this Regulation. Terms and conditions for the beginning of the procedures of the registrars will be defined in another legal act as an addition to this Regulation.
- 1.21“Renewal of information”** – is the updating of administrative details of the possessor (address, telephone number, fax, e-mail address) as well as details of every kind of contact (administrative contact, technical contact and payment contact) in relation to the administration of a domain name.
- 1.22“Transfer”** – is the administrative procedure carried out by the Responsible Authority to transfer a domain name from one possessor to another.
- 1.23“Administrative procedures”** – are all the technical and administrative actions carried out by the Responsible Authority for the registration and administration of a domain name.
- 1.24“Nomination zone”** – is the entire zone including a top level domain (e.g. “.al”, “.fr”, etc) and one or more domains of a secondary level (subdomains).

## **Article 2**

### **Scope and aim**

This Regulation aims at stipulating the conditions, procedure and rules for the administration of the process of technical administration and registration for the domain name zone management (domain names under .al and subdomains “.gov.al, .mil.al, .edu.al, .com.al, .org.al, .net.al”) under the competence of the Responsible Authority.

## **Article 3**

### **Implementation**

- 3.1** Publication of the Regulation on the website <http://www.ert.gov.al> means the accomplishment of the legal obligation by the Responsible Authority for the publication of legal and sub legal acts.
- 3.2** Submission of application by the applicant for the registration of a domain name as well as the payment made under the sub legal acts in force, regarding the registration or any other administrative actions, means that he (applicant) recognizes and accepts this Regulation.
- 3.3** In case of possible amendments in the Regulation, their effect and implementation term will be immediate after the approval by the authorized

decision-making body of the Responsible Authority (Steering Board), as well as their publication in compliance with the law in force.

#### **Article 4**

##### **General conditions and requirements**

- 4.1** The Responsible Authority, during the registration procedure acts on faith based on the principle of “transparency”, taking for granted the genuineness, accuracy, authenticity and legitimacy of the data provided by the applicant in the respected application forms.
- 4.2** The applicant is legally responsible based on the legislation in force, for the genuineness, accuracy and authenticity of all the information in compliance with the requirements foreseen in this Regulation. For this reason, the applicant signs a written declaration about his/her legal responsibilities regarding the above mentioned and also that he/she has acted according to all the rules especially that he does not violate the other parties’ rights foreseen in the law for Competition, the law “ For the Copyrights”, intellectual, cultural property, etc.
- 4.3** The Responsible Authority, will proceed presuming the legitimacy, accuracy, genuineness and authenticity of information related to the data provided by the applicant for the registration of the domain name he is applying for, possessing at any time the right to verify them in case of doubt, complaint or a routine procedure.  
Furthermore, in case of open violation of law or unauthorized use of the services stated in the Regulation, the Responsible Authority will act in accordance with this Regulation, not accepting the application or closing the domain name in use.
- 4.4** The applicant acts with regard to his obligation for the security and protection of the Responsible Authority from complaints and damages by third parties, for breaching their rights foreseen in the law, which comes as a result of giving them the domain name, and he has legal responsibility (administrative, civil, penal) in case they are confirmed by the competent body, based on a final court decision.
- 4.5** No other rights can derive or be pretended as a result of allocation of a domain name by the Responsible Authority apart from those defined in this Regulation. Relations established between the applicant and Responsible Authority do not account for or mean any precautions in favor of third parties, beyond those foreseen in this Regulation.

#### **Article 5**

##### **Sunrise period**

- 5.1** During the sunrise period the Regulation will be fully applicable except for those definitions which conflict with the temporary and special conditions foreseen in this article and the corresponding annex (ANNEX 1).
- a) Only during this period, the conditions foreseen in this article have power and priority over those of the Regulation.
  - b) Duration of the sunrise period will be defined with a special decision by the Responsible Authority, but it cannot be longer than 4 (four) months starting from the day this Regulations enters into force.
- 5.2** The sunrise period, is intended to provide the entities with a possibility to register the names they have used to register in the Commercial Register or in any other legally recognized form, brand names registered by them or third parties giving them the right to use these names, as well as other names related to their business or activity and which they can prove as such through relevant documentation.
- 5.3** Conditions during the sunrise period aim at ensuring the protection of the rights of public and private juridical entities, physical persons, registered brand names that they possess as well as other names related to them.
- Provided that these conditions are incorrectly implemented or the interested parties fail to operate, the legal responsibility lies with the entity itself, not the Responsible Authority.
- 5.4** The rules foreseen in the “sunrise period” are valid and therefore applicable only for the domain names that will be registered in “.al” zone and subdomains “.com.al, .org.al and .net.al”, whereas for the subdomains “.gov.al, .edu.al and .mil.al” the domain name registration will be made in accordance with the articles defined in this Regulation.
- 5.5** During the “sunrise period”, not only private juridical entities and physical persons but also public juridical entities will have the right to register a domain name under “.al”, with the exception that the name to be registered will be the same or similar to the name of the institution or the project undertaken by them.
- 5.6** Conditions to be implemented for the registration of the domain names during the sunrise period are foreseen in “ANNEX 1” attached to this Regulation.

## **Article 6**

### **Domain Categories**

- 6.1** Name zones under the supervision of the Responsible Authority are:
- a) Names under .AL
  - b) SubDomains

**6.2** Names under “.al” and subdomains “.com.al, .org.al and .net.al” are free to be registered by public and private juridical entities as well as physical persons founded and registered in compliance with the relevant legal provisions, except the **sunrise period**.

**6.3** Subdomains and their functional scope:

- a) “.org.al” for private juridical entities – associations. Registration is free (except the sunrise period).
- b) “.com.al” for private juridical persons – business associations. Registration is free (except the sunrise period).
- c) “.net.al” for private juridical persons and physical persons which operate in the network field. Registration is free (except sunrise period).
- d) “.gov.al” for public juridical persons – state owned institutions of the Republic of Albania. Registration is made in compliance with the special conditions foreseen in the Regulation.
- e) “.mil.al” for the structures in the system of the Armed Forces of the Republic of Albania. Registration is made in compliance with the conditions foreseen in the Regulation.
- f) “.edu.al” for the institutions (public and private juridical entities) of the educational and scientific system of the Republic of Albania. Registration is made in compliance with the special conditions foreseen in the Regulation.

**6.4** Only the use of the subdomains defined in this Regulation is authorized.

## **Article 7**

### **Possessor of a domain name in “.al” zone**

Possessor of one or more domain names in “.al” zone and subdomains “.com.al, .org.al and .net.al”, can be the public and private juridical persons as well as physical persons who, according to the registration procedure, fulfill all the terms and conditions foreseen in this Regulation, except the **sunrise period**.

For the physical persons in accordance with the law in force for the business associations, the implementation of the right to possess one or more domain names in “.al” zone and the subdomains “.com.al, .org.al and .net.al” consistent with the procedure and rules foreseen in the Regulation, will start immediately after this Regulation has entered into force.

## **Article 8**

### **Administrative Contact**

**8.1** On presenting the registration application, in order to be the possessor of a domain name, apart from the other conditions foreseen in the Regulation, the applicant must also define an “administrative contact”. The Possessor is obligated

to renew the “administrative contact” throughout the whole period of utilization of the domain name, every time he undergoes changes.

- 8.2** The possessor of a domain name, has the right to choose as an ‘administrative contact” himself, a private juridical entity or a physical person, despite the fact whether they a direct relationship together.
- 8.3** “Administrative Contact” must be a person/entity resident in Albania and must have an address which necessarily enables correspondence via mail.
- 8.4** Being a resident in Albania, for a private juridical entity as well as physical person, means having a residence/house with an identifiable address within the territory of the Republic of Albania in accordance with the relevant legislation.
- 8.5** The Responsible Authority does not take responsibility and does not engage in resolving possible disputes that might arise between the “possessor” of a domain name and the “administrative contact”, or the consequences deriving from these disputes.

## **Article 9**

### **Contact possibility**

- 9.1** The Responsible Authority must have the possibility to contact the “possessor” of a domain name or the “administrative contact” at any time depending on the case and need encountered.
- 9.2** The “possessor” of the domain name and the “administrative contact” must always have a valid telephone number and e-mail address.
- 9.3** Preciseness of the information requested with regard to this article of the Regulation, is the responsibility of the possessor of a domain name.
- 9.4** If the requirements foreseen in this article are not fulfilled even after the “possessor” has been notified through his e-mail address to renew the information within 15 days and also about the sanction to be applied otherwise, the Responsible Authority proceeds with blocking the domain name for a period of 30 days and after this with its cancellation in compliance with article 26.
- 9.5** Once the “possessor” has been informed in his e-mail address to renew the information, the Responsible Authority is not accountable for the malfunction of the e-mail address

## **Article 10**

### **Renewal of information**

- 10.1** The possessor of the domain name, during the whole period of its possession, must renew the information given when registering or transferring a domain name within 15 (fifteen) days, through the respective way as foreseen in the Regulation.
- 10.2** If after a verification the information results not renewed, the Responsible Authority notifies the possessor through his e-mail address, assigning a deadline of 15 (fifteen) days to renew it. Afterwards, if the possessor takes no action, the Responsible Authority blocks the domain name for a period of 30 days. If the renewal of the information is not made even during this period, the Responsible Authority will apply the respective measure defined in article 26.
- 10.3** If the possessor takes no action to renew the information, the Responsible Authority does not take any kind of responsibility for the damage that may be caused to the possessor as a result of blockage or cancellation of a domain name(s) as foreseen in 10.2.
- 10.4** Change/correction of the entity name (private/public juridical entity or physical person), whose root the possessor has used to make the registration of a domain name, is not considered as renewal of information.

## **Article 11**

### **Rights on a domain name**

- 11.1** The possessor of a domain name is entitled to use this name throughout the whole period of its validity.
- 11.2** The possessor can use the domain name only for as long as it is foreseen and defined in the Regulation.
- 11.3** The possessor of a domain name takes all the responsibilities regarding the registration, usage and performance of actions with a domain name in accordance with the terms and conditions foreseen in this Regulation.
- 11.4** The Responsible Authority has the right to remove the possessors right on a domain name without compensation when the respective name obstacles the renewal of the “base name” list (forbidden or reserved names). In this case, the “possessor” is notified in advance, for the dismissal of his right on the domain name for a period of 6 months reducing it to 3 months in case of a justified emergency. This period is necessary to give the possessor a chance to choose another domain name and to ensure a normal transition.

## **Article 12**

### **Terms of a domain name**

- 12.1** A domain name is valid to be used by the possessor, only in the period between

two successive payments made by him in accordance with the legal and sub legal acts for this purpose.

- 12.2** This period, is automatically repeated, unless the possessor displays, in compliance with this Regulation and in the appropriate form, a request for closure or when the payment is not made for the following period, according to the legal and sub legal acts in force.

### **Article 13** **Conditions in “.al” zone**

- 13.1** According to this Regulation, until another decision has been taken and publicized by the Responsible Authority, the right to register a domain name in “.al” zone and sub domains “.com.al, .org.al and .net.al”, will be only of the public and private juridical persons, as well as of the physical persons with a residence and commercial activity within the Republic of Albania registered as such under the legislation in force for this purpose.
- 13.2** Every entity (private/public juridical person or physical person) which ceases to exist as such and is not anymore registered in the Commercial Register, at the same time he loses the right to renew a domain name registered on his name.

### **Article 14** **Registration of a domain name in .gov.al, .mil.al and .edu.al zone**

- 14.1** In order to make a registration in one of the subdomains “.gov.al, .mil.al and .edu.al”, first the applicant has to prove that he belongs to that category determined for that subdomain by this Regulation.
- 14.2** Together with the application for the registration, the applicant must also provide the supporting documentation (proof) which verifies the fulfillment of the conditions determined in this Regulation.
- 14.3** The registration of a domain name in a subdomain zone is not obligatory for the public and private juridical entities or the physical persons. They can register a domain name in the “.al” zone in compliance with the Regulation, **apart from the sunrise period.**

### **Article 15** **Special regulations for the subdomain .gov.al**

- 15.1** The subdomain “.gov.al” is reserved for the state institutions of the republic of Albania. The domain name which is being applied for, must fully or partly comply with the name of the institution applying or the project that they undertake, this also accompanied by supporting documentation.

## Article 16

### Special regulations for the subdomain .mil.al

- 16.1** The subdomain “.mil.al” is reserved for the structures of the Armed Forces of the Republic of Albania. The domain name that is being applied for, must fully or partly comply with the name of the institution applying or the project that they undertake, this also accompanied by supporting documentation.

## Article 17

### Special regulations for the subdomain .edu.al

- 17.1** The subdomain “.edu.al” is reserved for the educational and scientific institutions of the Republic of Albania.
- 17.2** The institutions which have the right to register a domain name under “.edu.al” are:
- a) Educational and scientific state institutions. The domain name that is being applied for, must fully or partly comply with the name of the respective institution or the project that they undertake, this also accompanied by supporting documentation.
  - b) Educational and scientific private institutions. Apart from the application form, these institutions must also provide a notarized copy of the license issued by the Ministry of Education of the Republic of Albania in accordance with the legislation in force. The domain name that is being applied for, must fully or partly comply with the name defined in the license or the name of the project that they undertake accompanied by supporting documentation.

## Article 18

### Selection of the domain name

- 18.1** The applicant has the right to choose as a domain name any kind of name that he likes, apart from those names which are in the list of forbidden or reserved names and those which have been registered by entities before, as defined in this Regulation. The applicant is accountable for all the responsibilities that derive from this choice, **apart from the sunrise period.**
- 18.2** Regarding the choice of a domain name, the applicant is obligated to implement all the terms and conditions defined in this Regulation. The name chosen must fulfill the following conditions:
- a) it should not be in the list of “forbidden names”;
  - b) it should not be in the list of “reserved names”;
  - c) it should be in compliance with the syntactic rules (Article 20);
  - d) it should not violate the rights of the third parties, especially:

- i. The copyright (literary and artistic property and/or industrial property)
- ii. The competition law and correct behavior in business/commercial relations;
- e) it should not breach the public morality and order, and especially should not contains such terms that:
  - iii. Violate the basic human rights and freedom, personal freedom and rights, political freedom and rights, economic, social and cultural freedom and rights foreseen in the Constitution;
  - iv. Can cause any damage regarding the normal growth of minors.
- f) it should necessarily be different from the names of territorial and administrative divisions in accordance with the law in force.

## **Article 19**

### **Reserved and forbidden names**

**19.1** The names considered as prohibited are those names that cannot be registered as domain names according to the published list or not (this depending on their peculiarity/nature) by the Responsible Authority.

**19.2** Reserved names are the names subject to registration under special conditions related to the identity and the category in which the applicant has been classified.

**19.3** The Responsible Authority, in compliance with the definitions of this Regulation, prepares and publishes on the web page [www.ert.gov.al](http://www.ert.gov.al) the list of forbidden and reserved names.

**19.4** The “forbidden” names include, but not limiting to them, abusive, insulting, racist names, words related to crimes or misbehavior and those that conflict with the good customs and traditions.

**19.5** Some examples of “reserved” domain names are: technical Internet terms, names related to actions/operations of the state, names of the international organizations, districts, prefectures, city halls, communes, cities, countries, administrative divisions of Albania, regions/areas with their popular or ancient name. Other reserved names are cultural or nature monuments defined as such by law or sub legal acts.

**19.6** The published list of the reserved or forbidden names is updated by the Responsible Authority on the basis of relevant information acquired and processed in a legal way. There are not excluded the cases when, the Responsible Authority, considering the above mentioned reasons when replying to an application for a certain name, expresses the justified disapproval, regardless of the absence of this name in the published list.

**19.7**The Responsible Authority, regarding the designation and updating of the list of the forbidden and reserved names, collaborates with the respective bodies appointed by law or sub legal acts, as well as with the Council of Ministers, the Assembly, institutions of the juridical system, international institutions where the Republic of Albania adheres, local government bodies and any other institution within the legitimate interest for this reason.

**19.8**Various disputes that can arise with the interested party regarding the list of the reserved and forbidden names and the consequences as a result, do not constitute a legal responsibility for the Responsible Authority.

**19.9**The applicant, whose request for a domain name has been refused by the Responsible Authority because this name was included in the reserved or forbidden list (according to the above quoted 19.6), has the right to complain to this authority by presenting the facts, objections and claims, within 30 days from the day of notification. The request must be accompanied by relevant argumentation.

## **Article 20**

### **Syntactic rules**

**20.1** A domain name is a series of alphanumeric characters including letters from A to Z, numbers from 0 to 9 and the sign minus “-“.

**20.2** From a syntactic point of view domain names cannot be registered when:

- a) The names have only one character;
- b) The names have only two characters;
- c) The names begin or end in minus “-“;
- d) The names have more than 63 characters;
- e) The names begin with any two alphanumeric characters followed by two minuses (xy--).

## **Article 21**

### **Registration of a domain name**

**21.1** For the registration of a domain name the following procedure is applied:

- a) The processing of the applications is done chronologically referring to the time the application was submitted.
- b) After the respective form has been completed (the form for the registration of a domain name) in compliance with the Regulation, it is sent to the Responsible Authority legally. Applications sent via e-mail (for the registration of the new domain names) are accepted. Applications handed over are not accepted.
- c) Every application is examined by the responsible Authority within 5 working days from the day of its presentation. After it has been examined and accepted,

the applicant is notified by e-mail to proceed with the payment according to the invoice and the relevant procedure.

In case the application has not been accepted, the applicant is notified via e-mail for the reason/s of refusal and is instructed to reapply in compliance with the Regulation.

- d) Starting from the day of the registration of a domain name the “possessor” is allowed 15 days to make any possible changes/corrections owing to a spelling mistake on a registered domain name or information regarding the contacts. After the above mentioned period, the request for changes/corrections of a domain name is considered as a request for a new registration, and as a result has to be accompanied by an application form for a new registration.

- 21.2 The applicant has the right to voluntarily give up the possession of a domain name registered in accordance with this Regulation, by formally notifying the Responsible Authority.

## **Article 22**

### **Criteria for registration**

- 22.1 The registration of a domain name in compliance with this Regulation will be made based on the principle “first come – firm served”, which means selection/choice by the Responsible Authority depending on the submission time of the effectual application.
- 22.2 The activation of the domain name, after the application has been examined and has resulted in compliance with the Regulation, is made the first day the Responsible Authority receives official confirmation from the bank that the registration fee has been paid.

## **Article 23**

### **Payment invoice for the registration and possession of the domain name**

- 23.1 The right to possess a domain name after the approval by the Responsible Authority, is confirmed when the possessor pays the fee, in accordance with the legal and sub legal acts in force.
- 23.2 The payment to be made in order to possess a domain name is determined with a Decision of the Council of Ministers.
- 23.3 The Responsible Authority invoices the payment made by the applicant/possessor, who is notified for its payment in the bank account stated in the invoice, in conformity with one of the legally recognized ways.
- 23.4 The payment must be made within 20 days from the day of application approval otherwise the application is declared invalid and the applicant must reapply from the beginning.

- 23.5 For the ongoing period, the payment is made within the 3(three) last months before the end of term.
- 23.6 Regarding the invoice liquidation, the Responsible Authority, 30(thirty) days before the end of term, notifies the “possessor” via e-mail and also the “invoice liquidation contact” defined and declared in compliance with the conditions of this Regulation.
- 23.7 As concerning the notification for payment via the e-mail addresses of the “possessor” and “invoice liquidation contact” defined and declared by them, the Responsible Authority does not take responsibility for the malfunction of these addresses.
- 23.8 The confirmation for depositing the payment in the Responsible Authority bank account shall arrive to the Responsible Authority by the last day of the term defined in the invoice.  
If the Responsible Authority does not receive due confirmation, it does not take responsibility for any possible block of the domain name in accordance with the article 25 of this Regulation.

#### **Article 24**

##### **Suspension of procedures**

- 24.1 Suspension is imposed on actions (e.g. modification, transfer, etc.) of the Responsible Authority for a domain name according as follows, but not limiting to them:
- a) In case of a Court decision to suspend action, supported by a temporary execution either with the final decision authority as foreseen in the article related to the obligatory transfer, or property right transfer.
  - b) Pending the arbitral decision on the respective conflict, if the petitioner has resorted to this alternative for the resolution of the dispute.
- 24.2 The suspension freezes all actions planned to be undertaken by the Responsible Authority, but the possessor has the right to use it, except when it is differently stated by a court decision.
- 24.3 Based on the final court or arbitral decision regarding the conflict resolution, the period of suspension of procedures is over.

#### **Article 25**

##### **Blockage of a domain name**

- 25.1 The Responsible Authority blocks the domain name anytime it identifies a violation of terms and conditions as well as the criteria defined in this Regulation, according as follows, but not limiting to them:
- a) In case of an unsuccessful identification.  
Initially, before executing this sanction, the possessor is informed by the Responsible Authority allowing him a term of 15 (fifteen) days to correct the information inconsistent with the condition foreseen in the Regulation. In case the possessor does not take action within this term, the Responsible Authority proceeds by blocking the domain name(s).
  - b) In case none of the alternatives enabling the communication with the administrative contact and the possessor is functional (valid) even after 15 (fifteen) days from the announcement to renew the information.
  - c) In case of a court decision ordering the blockage of the domain name supported by a temporary execution or powered by a final decision as foreseen in the article related to the obligatory transfer of a domain name, etc.
  - d) In case the relevant payment has not been made in due time defined in the Regulation.
- 25.2 In case the fee defined in the relevant Decision of the Council of Ministers as well as in this Regulation fails to be paid, the Responsible Authority blocks the domain name for a period of 30 (thirty) days. During this period, the possessor retains the right to reopen the existing domain name by making the relevant payment.
- 25.3 Payment confirmation shall arrive to the Responsible Authority within the period of 30 (thirty) days, during which the domain name is blocked, otherwise the domain name will be blocked in accordance with the clause defined in the article 26. If the entity that loses the right to possess a domain name in such a case repeats his request to possess a domain name, it shall go through the same procedure as when applying for the first time.
- 25.4 Verifying the fulfillment of the conditions defined in this article does not constitute a specific obligation for the Responsible Authority apart from those defined in this Regulation and can be done in any case or term during the possession of the name.

## **Article 26**

### **Cancellation of a domain name**

- 26.1 Cancellation of a domain name for the reasons foreseen in this article is an immediate and irrevocable procedure, unless the entity which used the blocked domain, within 30 days from the date it was blocked, manages to prove the opposite by providing legally incontestable evidence.

- 26.2 When the domain name is cancelled, it will be set free within 30 (thirty) days and can be registered by a new applicant.
- 26.3 Cancellation of a domain name is executed:
- a) If the situation has not been resolved after the blockage period of 30 (thirty) days, specifically related to the article 10 (renewal of information) and 25 (blockage of a domain name).
  - b) Based on a decision of the court of law supported by a temporary execution or with the power of a final decision as defined in the article related to the obligatory transfer of a domain name. The interested party must necessarily announce/present this decision to the Responsible Authority via postal service.
  - c) In case of an arbitral decision to settle the conflict and not appeal it on the court of law under the term defined by law.
  - d) When the domain name itself includes a clearly illegal expression or is found to be included in the forbidden and reserved name list published by the Responsible Authority.
  - e) When the registration of the domain regarding the possessor is illegal, regardless of its specific usage.
  - f) The possessor has continually broken the fundamental conditions of the Regulation or has continued to break these conditions regardless of the warnings by the Responsible Authority.
  - g) When the data of the possessor or the administrative contact submitted to the Responsible Authority for the registration or renewal of information are not precise even after 15 (fifteen) days from the announcement by the Responsible Authority to renew this information.
  - h) When based on the data submitted, it is impossible to determine the possessor or the administrative contact identity.
  - i) The address of the possessor can no longer be contacted even after 30 (thirty) days of blockage (article 25).
- 26.4 The possessor of a domain name has the right to ask for its cancellation at any time, by applying in the right form to the Responsible Authority. By applying for cancellation of the domain name, the possessor takes over all the responsibilities that derive from this action.
- 26.5 In order to proceed with cancellation of a domain name on the request of the possessor, the Responsible Authority can ask the possessor for a written confirmation sent by post or fax.
- 26.6 For the cases defined in this article, in situations which as a result of momentary circumstances are considered to be of high importance and require immediate action, with a decision of the Responsible Authority, the cancellation of the domain name is executed without warning.

## **Article 27**

### **Dispute Resolution**

- 27.1 In any event of dispute or conflict created directly or indirectly, between a possessor and any other interested party related to the registration of a domain name in compliance with the Regulation, for their resolution the claimant shall abide by one of the alternative solutions as defined in the Albanian legislation in force:
- a) To any district court of law in compliance with the law “On organization of judicial system”; or,
  - b) To any Arbitral form and Mediator regulated by law in the Republic of Albania.
- 27.2 In any case of possible dispute or conflict between parties, about cases related to domain names, the Responsible Authority keeps to the principle of neutrality. The Responsible Authority is set in action only in cases foreseen in the law, like safeguarding confidentiality or protection of personal data, etc.
- 27.3 As an exception to the post-effect principle, the choice of the procedure to resolve a conflict will be applied to all domain names registered until the moment this Regulation enters into force.

## **Article 28**

### **Technical modification**

- 28.1 Technical modification can be done at any time in accordance with the conditions foreseen in this Regulation for this reason.
- 28.2 In case of modifications, the Responsible Authority asks the possessor of a domain name for an anticipatory confirmation in a written form or by fax.
- 28.3 Even in these cases, the possessor of a domain name is legally responsible for the genuineness and correctness of data submitted by him to the Responsible Authority.

## **Article 29**

### **Voluntary transfer of a domain name**

- 29.1 The domain names which comply with the terms and conditions of this Regulation and especially the identification criteria can be transferred from a possessor to another only with an anticipatory request approval by the Responsible Authority.  
Transfer of names registered under “.gov.al, .mil.al and .edu.al” as well as transfer of domain names in possession during the sunrise period is not allowed.
- 29.2 The Responsible Authority will approve the voluntary transfer of domain names, apart from the exceptions defined in point 29.1, providing that the new applicant has acquired proof of approval by the current possessor, in compliance with the following procedure:

- a) The current possessor fills in and sends to the Responsible Authority, in accordance with legally known ways, the form for the transfer of the domain name.
  - b) After getting the approval by the Responsible Authority, the new applicant shall fill in and send, in accordance with legally known ways, the form for the registration of the hearsay domain name.
  - c) The maximum term of submitting the application is 30 (thirty) days, starting from the date of approval from the Responsible Authority, otherwise the domain names are cancelled in compliance with the clause defined in article 26.
- 29.3 In case of an obligatory liquidation of the possessor, in compliance with the legislation in force, the form for the voluntary transfer must be signed by the legally recognized person.

### **Article 30**

#### **Obligatory transfer of a domain name**

- 30.1 The Responsible Authority shall carry out the obligatory transfer of a domain name under:
- a) The execution of a final court decision or arbitral in compliance with the legislation in force.
  - b) Legally compulsory implementation of an International Agreement (bilateral and multilateral).
  - c) The execution of a court decision, as a partial asset contribution in cases of business association liquidation (juridical or physical person) in compliance with the legislation in force.
  - d) As an executive title under the following conditions:
    - i) After the notification by post that the interested party makes to the Responsible Authority for an executive title regarding a compulsory transfer of the domain name in accordance with the Code of Civil Procedure and the respective laws.
    - ii) In case an executive title or decision issued by the alternative dispute resolution organs has been accepted, the Responsible Authority shall undertake all administrative actions as ordered, under the same conditions.
- 30.2 The Responsible Authority shall not proceed with an application which does not comply with these conditions.
- 30.3 The Responsible Authority shall act only under a genuine court decision submitted by the interested party and not by sent letters, requisitions or copies of any court decisions.
- 30.4 Administrative action undertaken by the Responsible Authority in the execution of executive title, do not, for any reason constitute responsibility for it. The applicant shall protect and guarantee the Responsible Authority against any responsibility and obligation that might come as a result of the latter actions with regard to the court decisions execution.

## **Article 31**

### **Obligations of the new possessor after the domain name transfer**

31.1 The procedure for the compulsory transfer of the domain name includes these obligations for the new beneficiary possessor:

- a) The new beneficiary possessor by the executive title shall follow the whole process and comply with the rules set by the Responsible Authority.
- b) The new possessor shall make all the payments regarding the technical and administrative procedure involving the obligatory transfer of the domain name, and is also responsible for all the unredeemed payments of the previous possessor.

31.2 In order to enable the transfer of a domain name to the new possessor, the latter must submit to the Responsible Authority the completed application form for the new registration within 30 (thirty) days starting from the day of notification for the execution of the executive title.

31.3 Failure to submit the relevant application form to the Responsible Authority within 30 days is followed by a blockage of the domain name for other 30 days and than, in case the interested party does not take any actions, the domain name is cancelled in compliance with the clause defined in article 26.

## **Article 32**

### **Confidentiality and privacy**

32.1 The information and documents kept by/or submitted to the Responsible Authority are considered by nature as confidential and shall not be passed to third parties unless required by law or any alternative procedure for dispute resolution.

32.2 When a solution to a dispute has been chosen and officially announced, the Responsible Authority shall provide the body dealing with the dispute or the person authorized by it, with all the information required and specifically, with data related to the domain name in conflict.

The Responsible Authority, within its limits shall provide to these bodies the list of domain names registered by the possessor with regard to the charge.

32.3 The Responsible Authority, taking care not to be contrary to the law in force, shall in any case respect the possessor's right for privacy.

## **Article 33**

### **Personal information**

33.1 The possessor of a domain name, in compliance with this Regulation, is entitled to have all the official information that the Responsible Authority has about it.

33.2 The possessor also has the right to ask the Responsible Authority for administrative correction of the relevant information in case there are confirmed reasons to do it. This service is free of charge.

### **Article 34**

#### **Obligations**

34.1 The applicants are responsible for taking all the necessary measures to fulfill the conditions of this Regulation as well as for all kinds of information given by the Responsible Authority for this reason (explanations, online information, juridical data, more common questions, informative letters, etc).

34.2 The applicant has individual legal responsibility for genuineness, accuracy, authenticity and sufficiency of information that he provides for the Responsible Authority.

34.3 The Responsible Authority is obligated to perform the registration of the domain names in compliance with this Regulation to the public interest and in accordance with the law for publications and non discrimination framed to ensure the protection of the intellectual right of the applicant.

34.4 The Responsible Authority implements and is responsible for the actions that it undertakes regarding the registration of the domain names only to the extent defined in this Regulation.

34.5 Despite the actions taken on the basis of this Regulation, the Responsible Authority is not accountable for any anticipatory invisible rights or for which there have not been any claims or charges regarding the domain name (except when registering in sub domains zone), but it is responsible for the correct implementation of this Regulation.

### **Article 35**

#### **Guarantees**

35.1 The possessor of the domain name shall not in any case implicate the Responsible Authority in responsibilities regarding any actions, accusations, claims or contradictions by any other parties claiming rights on any kind of domain name concerning its registration or transfer.

35.2 The possessor of a domain name is responsible for all payable damages caused by the Responsible Authority as a result of a conflict, legal process or any other procedure including legal charges, costs to protect its interests as well as costs involving the implementation of legal decisions and financial actions carried out by the Responsible Authority.

### **Article 36**

#### **Modification of Regulation**

36.1 The regulation can be modified with the Responsible Authority initiative or on the request of the interested parties when this request is considered as well-grounded and acceptable by the Responsible Authority.

36.2 Possible amendments are published on the Responsible Authority web page and become and integrated part of the Regulation enjoying the same power.

### **Article 37 Legislation**

37.1 This Regulation is administered in accordance with the laws in power in the Republic of Albania and specifically by the law no.8618, dated 14.6.2000, “On Telecommunications in the Republic of Albania” as well as Administrative Procedures Code.

### **Article 38 Final provisions**

38.1 This Regulation enters into force immediately after the approval with a Decision of Steering Board of TRE and its publication on the web page [www.ert.gov.al](http://www.ert.gov.al)

### **Annex 1 Provisions on which the registration of the domain name will be made during the Sunrise period**

1. During the sunrise period, the Responsible Authority shall not be allowed to transfer the domain names, this being one of the protection principles of names related to a state institution, private organization or brand name registered by them, except the cases of obligatory transfers.

2. Documentation, through which the Responsible Authority during the sunrise period will perform the confirmation of granting an entity the right to register a domain name in “.al” zone with which it has a certain connection, are listed below. The Responsible Authority shall make the verification of the following documents but not limiting to them:

2.1 In the occasion of registering as domain name the name owned under the Commercial Register or any other legal form, apart from the registration form, the submission of a notarized copy of the document confirming the registration in question (the court decision or the document compliant with the new legal provisions replacing this legal action) is also required.

2.2 In case of registering as domain name the name of a registered brand or patent, the following documents must be submitted to the Responsible Authority:

- a) Domain name registration form;
- b) Notarized copy of the court decision or the new legal act instead;
- c) The original certificate issued by the Brand and Patent Directorate or its notarized copy.

2.3 When it is being applied to register as domain name a brand or patent name that covers also the territory of the Republic of Albania but it is owned by a foreign entity, the following documents must be submitted to the Responsible Authority:

- a) Domain name registration form;
- b) Notarized copy of the court decision or the new legal act instead;
- c) The genuine certificate issued by the Brand and Patent Directorate or WIPO or its notarized photocopy;
- d) A document, legalized in accordance with the legislation in force, translated and notarized, that proves the registration as commercial company in the respective country of the possessor of the registered brand.
- e) A declaration of the registered brand possessor that entitles the Albanian juridical person or physical person to register the respective brand name as domain name.

2.4 Meanwhile, when a name which the juridical person or the physical person has business relations with, is requested as domain name, the following documents must be submitted to the Responsible Authority:

- a) Domain name registration form;
- b) Notarized copy of the court decision or the new legal act instead;
- c) License for a specific activity run by the possessor, in which the name to be registered as domain name is specified;
- d) Other documents that can prove the relation between the applicant and the aspired domain name.



