

# REGULATIONS

## regarding the registration and use of the domain name under the Bosnia & Herzegovina country internet “.BA domain”

### Article 1

This document regulates the registration and use of the domain name under the country internet domain (country code Top Level Domain–ccTLD) of Bosnia & Herzegovina – “BA”, rights and obligations between the **University Teleinformation Centre (UTIC)**, as an administrator, and the user of the domain name, as well as the mutual relations between **UTIC** and the user of the domain name, and the possible third interested persons.

### I – TYPES OF THE DOMAINS UNDER “.BA”

#### Article 2

All the entities named in the **Article 5** of the “**REGULATIONS**” can register and use the domain name directly under “.BA” domain, according to the “subdomain.ba” principle.

#### Article 3

“.BA” domain is also, according to the international recommendation, divided into standard subdomains:

- a) **EDU.BA** - intended for the registration of the institutions dealing with education: elementary, secondary and vocational schools that have been registered at corresponding Ministries, as well as private schools, economy subjects/firms whose primary activity is educating or training of any kind;
- b) **ORG.BA** - intended for the registration of organisations and associations of citizens, institutions of culture, museums, theatres and other non-profitable legal entities;
- c) **NET.BA** – intended for the registration of legal Internet servers;
- d) **GOV.BA** - intended for the registration of the authority bodies of Bosnia & Herzegovina, Entities, Brčko District, Cantons, as well as Municipality and City bodies of the authority;
- e) **UNSA.BA** - intended for the registration of all the faculties, academies and other members of Sarajevo University;
- f) **UNBI.BA** - intended for the registration of all the faculties and other members of Bihac University.

### II – DOMAIN NAMES UNDER the “.BA”

#### Article 4

The domain name consists of a character sequence that must fulfil the following technical conditions:

- a) It only consists of the following characters: 26 letters of the English alphabet (no matter small or capital letters), figures “0”-“9” and “-“ character;
- b) It consists of minimum 3, and maximum 63 characters;
- c) The first and the last character of the sequence must not be “-“, neither “-“ character can be twice in a row.

### **III – BASIC CONDITIONS FOR GETTING THE DOMAIN NAME**

#### **Article 5**

The following subjects can register and use the domain from the **Article 3** and **4** of the **“REGULATIONS”**:

- a) Foreign and domestic economy subjects;
- b) Authority bodies of Bosnia & Herzegovina, Entities, Brčko District, Cantons, as well as Municipality and City authority bodies;
- c) Lawyer offices placed on the territory of Bosnia & Herzegovina,
- d) Embassies and Consulates that have been accredited in Bosnia & Herzegovina;
- e) International organizations with the office in Bosnia & Herzegovina;
- f) Non-governmental organisations with the main office in Bosnia & Herzegovina;
- g) Associations of citizens with the main office in Bosnia & Herzegovina;
- h) All other domestic legal entities that want to protect their names under the “.BA” domain;
- i) Legal age physical entities that are the citizens of Bosnia & Herzegovina or have residence on the territory of Bosnia & Herzegovina.

Foreign economy subjects named under a) can be registered only over their representatives with the main office on the territory of Bosnia & Herzegovina.

#### **Article 6**

Subjects named in the **Article 5** of the **“REGULATIONS”** can make the request for registration and use (REQUEST in further text) of any available domain name.

The domain user is fully responsible for possible injuries of the third person rights caused by the registration or use of the chosen domain name.

#### **Article 7**

**UTIC** will not register the domain name which:

- a) Represents some of standard top level generic domains (com, org, net, biz, name and similar)
- b) Represents obvious injuries of the third person rights (right of the name, firm, stamp, public person names and similar);
- c) Represents obvious injury of the legal order (unauthorised use of “Bosnia & Herzegovina” name, domain names that represents the expression of racial, religious or national non-tolerance and similar);
- d) Represents obvious injury of the society moral norms.

## **Article 8**

In the case of the situation under b) of the previous article, **UTIC** can address to the request submitter with the written awareness. If **UTIC** takes this action, the registration process of the disputed domain name will be suspended until the request submitter gives the written answer on the awareness in which he/she requests the registration to be continued.

## **Article 9**

The legal entities named in the **Article 5** can register and use the maximum of 20 (twenty) domain names.

The physical entities named in the **Article 5** can register and use the maximum of 5 (five) domain names.

## **IV – REGISTRATION PROCESS OF THE DOMAIN NAME**

### **Article 10**

The REQUEST can be submitted by fax or e-mail.

The REQUESTS are processed chronologically, according to their receipt. (“first come, first served”)

The domain asked in the REQUEST is reserved for the request submitter from the moment of the request receipt until the end of the registration procedure.

The processing of the REQUEST lasts 10 days, starting from the day of the request receipt.

## **V – DOCUMENTS NEEDED FOR THE APPLICATION**

### **Article 11**

All the subjects named in the **Article 5** of the “**REGULATIONS**” start the registration process and the use of the domain name by filling in the registration form and submitting the neatly filled in and signed REQUEST. This also means that the asked domain name has been reserved for the request of submitter.

If the request submitter is a physical entity, the REQUEST must be signed personally or by his/her authorized representative and stamped with the official seal.

If the authorised representative submits the REQUEST on behalf of the subject from the **Article 5** of the “**REGULATIONS**”, the power of attorney must be stamped with the official seal.

### **Article 12**

Beside the documents named in the previous article, entities from the **Article 5** of the “**REGULATIONS**” also submit the documents which confirm their status, as follows:

a) Legal entities:

- The copy of the registration at the authorized organ (economic subject register, association register, organisation register, lawyer register and similar);

- Any other relevant document which confirms the status of the subject from the **Article 5** of the “**REGULATIONS**”;
  - For foreign economic subject, the notarized two languages power of attorney
- b) Physical entities:
- For domestic citizens, the copy of any valid identifying document with the photograph (personal card, passport, driving license);
  - For foreign citizens, the copy of the passport or the valid certification of the residence on the Bosnia and Herzegovina territory.
  - The notarized power of attorney if the request is submitted by the representative.

## **VI – REJECTING AND REFUSING THE REQUEST FOR REGISTRATION AND USE OF THE DOMAIN NAME**

### **Article 13**

**UTIC** will reject the REQUEST if:

- a) Domain name does not fulfil the conditions from **Article 4** of the “**REGULATIONS**”.
- b) The REQUEST was submitted by the subject who does not belong to the group of subjects named in **Article 5** of the “**REGULATIONS**”.
- c) The request submitter did not submit the correct documentation from **Article 11** and **12** of the “**REGULATIONS**”.

If the request submitter corrects mistakes under a) and b) of the previous article in the term of 15 days, the process for the registration and use of the domain name will be continued.

### **Article 14**

**UTIC** will reject the REQUEST if:

- a) The conditions from **Article 7** of the “**REGULATIONS**” are fulfilled;
- b) The data in the REQUEST and the request form are incorrect or/and misused.

## **VII – REGISTRATION OF THE DOMAIN NAME**

### **Article 15**

**UTIC** will inform the request submitter when the domain name registration is ended. The domain name will be activated after all registration and maintenance costs of the domain name are settled.

Official contacts between the domain name user and **UTIC**, especially when they deal with administrative issues or rights and responsibilities regarding the use of the domain, will be made by the address given in the request form or, if it is changed, by the last one.

**UTIC** gives priority to the electronic way of communicating.

## **VIII – DURATION OF THE DOMAIN**

### **Article 16**

The subjects from **Article 5** of the “**REGULATIONS**” can use the domain name for the period of 1 (one), 2 (two), 3 (three), 4 (four) or 5 (five) years.

After the expiry of the period from the previous passage, the use of the domain name can be extended for the time used previously (for example 1 year) or longer period (2, 3, 4 or 5 years).

Extending the domain name use can be done unlimited number of times.

## **IX – CHANGE OF THE DOMAIN NAME**

### **Article 17**

The domain user may request the change of the domain name. For getting the new name, it is needed to fill in the request form for the new domain name and submit the REQUEST for the domain name change.

## **X – TRANSFER OF THE DOMAIN NAME**

### **Article 18**

The domain name user can renounce to another subject the domain name under the conditions that the new user utilizes the domain name for the same purpose.

For the change of the domain name user, the written statement from the previous user about renounce/transfer of the domain name is needed.

The new domain name user must fulfil conditions predicted in the **Article 5**, submit the REQUEST for the domain name transfer and documentations predicted in the **Articles 11** and **12** of the “**REGULATIONS**”.

The domain name cannot be transferred to another subject if the domain name user has not settled all financial obligations towards **UTIC**.

The domain name can also be renounced for the use to another subject on the base of the Decision of the administrative or the Court body.

### **Article 19**

If the third person who asserts that the registered domain name insults his/her rights takes a legal action whose object is the disputed domain name, he/she can submit the demand to **UTIC** for the ban on the transfer of the disputed domain name.

The third person must support his/her demand with the relevant documentation that confirms talking the legal action.

If **UTIC** satisfies the demand of the third person, it will forbid the transfer of the domain name until the Court decision goes to effect.

## **XI – RIGHTS AND OBLIGATIONS OF THE DOMAIN USER**

### **Article 20**

- a) The domain name user is obliged to use it only for the purpose it has been registered;
- b) The domain name user is obliged to use it in usual way that is in the way which is common within the World Internet Community;
- c) The domain name user is obliged to obey and conduct the technical recommendation of **UTIC**;
- d) The domain name user is obliged to keep **UTIC** informed about his/her change of the data and the domain name use.
- e) The domain name user is obliged to cooperate with **UTIC** on the issues regarding limitation and prevention of the activities that represent the domain misuse and do harm to domain users as well as .BA domain users at all;
- f) The domain name user must insure the technical conditions for domain connection check the domain connection after the registration and the data announced on <http://www.nic.ba> and inform **UTIC** immediately about possible changes or inaccuracy.

## **XII – DEACTIVATING AND DELITING THE DOMAIN**

### **Article 21**

**UTIC** will deactivate and delete the registered domain if:

- a) Later on finds out that the domain name user gave incorrect or invalid data and documentation in the registration process;
- b) The domain name user did not inform **UTIC** of the changes about himself/herself or the use of the domain;
- c) The domain name user does not obey his/her obligations and responsibilities;
- d) The domain name user is not able to satisfy the minimum of the technical conditions regarding the domain function what leads to problem in DNS and “.BA” domains function;
- e) The domain name user misuses the name of the domain in the way that he/she uses it in contrary to the purpose that he/she has registered it for;
- f) The domain name user does not settle his/her financial obligations for **UTIC** services;
- g) The domain name user request it;
- h) There is the Decision of the Court or the administrative body which requests that.

The decision of deactivating or deleting the domain name will be delivered to the user at least 24 hours in advance.

The deleting makes the domain name available, what means that it can be registered by any other interested person from **Article 5** of the “**REGULATIONS**”.

## **XIII – RESPONSIBILITY FOR THE DOMAIN NAME**

### **Article 22**

**UTIC** does not check the legality of the domain name chosen by the user and is not responsible towards the third persons and/or users for the possible injury of their rights and/or

harm and/or cost made as the consequence of the registration and use of the domain name and/or the dispute between the user and the third person.

#### **Article 23**

The domain name user is fully and personally responsible for:

- a) The domain name choice;
- b) The legality of the domain name choice and use;
- c) The injuries of the third person rights caused by the domain name choice and use (especially rights of the name, firm, stamp and other rights of intellectual property);
- d) The harm to the third persons caused by the domain name choice or use.

#### **Article 24**

The domain name user is fully and personally responsible for the correct data in the REQUEST and the correct and valid documentation submitted in addition to the REQUEST.

#### **Article 25**

Having signed the statement which is the integral part of the REQUEST, the user takes the full and personal responsibility for the domain name registration and use.

### **XIV – COSTS AND COMPESATION REGARDING THE MANAGEMENT OF THE “.BA” DOMAIN**

#### **Article 26**

The costs regarding the management of the “.BA” domain refer to:

- a) Establishing and maintaining the technical resources (computers, software, link) needed for the “.BA” domain functioning;
- b) The membership fee in the international bodies dealing with the management of internet domains;
- c) Postage, and other ways of communication costs except communication by internet.

The domain name user pays the compensation for the registration and maintenance of the domain name.

### **XV – TRANSITIONIAL AND FINAL REGULATIONS**

#### **Article 27**

All the domain names that had been registered by **UTIC** before this “**REGULATIONS**” came into effect will remain registered, no mater if they possibly are not in accordance with this “**REGULATIONS**”.

The domain name users named in the previous passage are obliged to submit all needed documentation to **UTIC** in order to harmonize their domain names with this **“REGULATIONS”**, no later than 6 (six) months after this **“REGULATIONS”** comes into effect.

If the domain names from the previous passage remain not harmonized with this **“REGULATIONS”** within the given term, they will be deactivated and deleted.

### **Article 28**

This **“REGULATIONS”** comes into effect and starts being applied 15 (fifteen) days after the announcement.