



Naming Charter of .MG

Preamble

NIC-MG is the registration authority for domain names in the .MG zone and its subdomains. Its primary partners in this role are the registrars.

Any individual or organization wishing to register a domain name in the .MG zone should approach a registrar.

The registrar will assist in determining the domain name in compliance with the naming charter and proceed with online registration.

It should be noted that the registration of other TLDs such as .org, .com, .net, etc., does not fall directly under NIC-MG. Refer to the ICANN website: www.icann.org.

This document describes the registration procedures for .MG domain names to establish visibility or other online presence for an entity, which requires the allocation of an official domain name.

Article 1. Purpose

The purpose of this naming charter is to establish the administrative and technical management rules for .MG domain names.

Article 2. Domain Name Applicant

The domain name applicant can be an individual or a legal entity. A legal entity should be represented by an authorized individual acting as the "administrative contact." The applicant can be based abroad. The administrative contact can also be located in or outside Madagascar.

Article 3. Eligibility of Requests

To be eligible, a domain name request must meet the following conditions:

- Indication of two (2) server names (primary and secondary) with their respective IP addresses.
- Complete contact details of the administrative and technical contacts.

Article 4. Allocation of a Domain Name

Domain name space is allocated on a "first come, first served" basis.

To maintain the reputation of the .MG domain, the allocation of a domain name is subject to the applicant's commitment to abide by civil order, good morals, and international conventions.

NIC-MG does not conduct any prior name search. The applicant must ensure that the requested name does not infringe on prior rights (e.g., intellectual property laws and trademark rights)

and may consult the Malagasy Office of Industrial Property (OMAPI) if necessary. The domain name applicant must verify and comply with legal obligations.

The allocated domain name is a right of use belonging to the individual or legal entity that made the request and not to the registrar. Consequently, the domain name is non-transferable from one individual or legal entity to another.

To date, there is no limit on the number of domain names that an individual or legal entity can request. The allocation of a domain name is primarily based on administrative and technical rules and the naming conventions mentioned, in particular, in Articles 5 and 8 below to logically organize the .MG zone.

Article 5. Extensions of .MG Domain Names

The naming zones delegated to the manager include:

- The main extension .MG;
- Descriptive extensions (see below) and sub-extensions.

The descriptive extensions aim to describe an activity or any title. They are distributed in particular as follows:

- .mil.mg for military and national defense services;
- .edu.mg for universities and educational institutions;
- .org.mg for organizations and associations;
- .gov.mg for government agencies;
- .prd.mg for development projects;
- .com.mg or .co.mg for commercial organizations;
- .nom.mg for individuals;
- .tm.mg for trademarks.

Any other extension must be declared at the NIC-MG servers.

Article 6. Rights over Subdomains

A subdomain is the naming part that precedes the domain name (e.g., subdomain.domain.extension). The domain name registrant has all usage rights over the associated subdomains without any additional charges.

Article 7. Processing of Domain Name Applications

Applications for domain name registration in .MG must comply with the eligibility conditions mentioned in Article 3.

If the registration application is incomplete, NIC-MG will inform the registrar afterwards, specifying the missing elements. If within 2 days, the requested information has not been provided, the domain name will not be reserved. It will remain available for registration by another person two (2) business days after NIC-MG notifies the registrar that the application has not been fulfilled.

When an application has been rejected or canceled, it is the responsibility of the registrar to inform the applicant.

Article 8. Eligible Domain Names

The assigned domain name is a right of use belonging to the requesting organization and not to the registrar. Therefore, the domain name is not transferable from one legal entity to another.

8.1 - Acceptable Characters and Length of a Domain Name

- The domain name must be composed solely of the characters: 'a' to 'z', '0' to '9', and the symbol '-' (hyphen). This hyphen, allowed as a separator, cannot be at the beginning or at the end of a domain name;
- Domain names consisting of less than 2 characters are not allowed;
- All other characters (including the dot '.') are prohibited in the domain name, with the dot (.) having a special role as it separates the different levels of subdomains in the domain hierarchy;
- No distinction is made between uppercase and lowercase letters;
- The domain name must not consist solely of numbers (one or more);
- The maximum length of a domain name is 63 characters per subdomain (therefore, a total of 255 characters).

8.2 - Prohibited Terms

Domain names must not infringe national security or public order, or be contrary to morality and good manners. They must also not infringe religion, language, culture, political opinions, or use terms with racist connotations.

8.3 - Reserved Terms

Due to the regulated public domain, a number of names are only attributable to the entities concerned, even if the application fully complies with the criteria mentioned above. This includes, in particular:

- The names of territorial collectivities (region, department, district, commune, etc.);
- Institution names;
- Community names;
- Geographical and natural region names (including city names);
- Fundamental terms related to public order and/or good manners;
- Names of international organizations and countries signatory to the Paris Convention;
- Internet-related terms.

To avoid confusion in the allocation of reserved names, the applicant must have prior authorization from the relevant competent entity (Collectivity, Institution, Community, Organization) and comply with the policies and rules established by the competent regulatory bodies.

NIC-MG may refuse to register a domain name when the designation is contrary to public order, good morals, and applicable law.

8.4 - Deletion, preemption right, and recovery of a domain name

The applicant freely chooses their domain name within the limits set by the aforementioned articles.

However, if, subsequently, the competent Malagasy judicial authorities consider that the name chosen by the applicant or the registrant infringes upon security, public order, the interests of the State and local authorities, or is contrary to morality and good morals, or infringes upon

religion, language, culture, political opinions, or has a racist connotation, NIC-MG, upon request by said authorities, transmits the order along with the reasons for deletion to the relevant registration office, asking them to inform the applicant or registrant and take the necessary steps to comply with the decisions/injunctions of the judicial authorities within a period of fifteen (15) days. If, after this period, the domain name remains active, NIC-MG reserves the right to delete it without delay.

Deletion can also be provided for as a result of a deletion decision made within the scope of an extrajudicial procedure.

In view of possible international developments through the adoption of new RFCs, any domain name may undergo, subsequently, a preemption or recovery right by NIC-MG, without compensation, subject to a sufficient period for migration."

Article 9. Validity of a domain name

A domain name is registered for a minimum period of one year, renewable by tacit agreement, subject to compliance with the provisions of this charter and the clauses of the contract concluded between the registrar and the applicant.

A domain name is not tacitly renewed in case of termination. In such a case, the termination request must be submitted to NIC-MG no later than the domain name's expiry date.

If the renewal fees for a domain name are not paid one (1) month after the expiration of a subscription, NIC-MG reserves the right to deactivate the domain name, and it becomes available again after three (3) months.

Article 10. WHOIS Database

NIC-MG publishes and maintains a "WHOIS" database. This database consists of data collected from registrars and necessary for the identification of individuals and legal entities holding registered domain names. It allows the display of:

- domain name servers and corresponding IP addresses;
- creation date;
- last update date;
- registrant's contact details (full name or company name);
- administrative/technical contact details (full name, telephone number, and email address).

Any changes to these elements must be communicated to NIC-MG by the registrar.

In order to comply with Malagasy legislation, particularly Law No. 2014-038 of December 16, 2014, on the protection of personal data, which aims to protect individuals against the risks of abuse in relation to personal data files and processing in terms of their freedoms and fundamental rights, the collection and processing of personal data for the purposes of the WHOIS database are carried out in strict compliance with regulatory provisions.

NIC-MG will also comply with international laws regarding the publication of personal data of domain name applicants and registrants in the WHOIS database.

Article 11. Change of registrar

When a registrant wishes to change registrars, he must make the necessary modifications through the new registrar.

In the event that a registrar terminates its contract with NIC-MG, it is required to:

- notify its clients at least fifteen (15) days in advance;
- ensure the migration of the domain names under its management no later than the day the contractual relationship with NIC-MG ends;
- take into account the claims of its clients.

Domain names registered under the names of these clients remain active until their renewal date. Beyond this date, registrants who have not chosen a new registrar will have their domain name(s) deleted.

Article 12. Modification of registration information

The applicant must ensure that all registration information is up-to-date, complete and accurate. Any updating of registration information must be done through a registrar.

The applicant's administrative/technical contact details are published in the WHOIS database. In the event of a change in the administrative or technical contact, or in any other information relating to the domain name, the applicant, through its registrar, must inform NIC-MG within two (2) working days.

Article 13. Assignment and transfer of domain name management

Domain names can be assigned between applicants, subject to compliance with the terms of this charter.

A registrant can request to transfer the management of his domain name from one registrar to another. The transfer request is made online by the destination registrar. The former registrar cannot oppose the transfer, except in cases where a liability or dispute exists between him and the registrant.

Article 14. Domain Name Termination

At the request of the registrant, a domain name can be terminated. In this case, it becomes available and can be registered again.

The termination request is made online by the registrar.

A domain name can be terminated by the registrar, without prior agreement from the registrant, in case of non-payment of domain name management fees within an acceptable timeframe. In this case, too, it becomes available and can be registered again.

Article 15. Disputes

A "domain name dispute" refers to any complaint filed by an individual or legal entity regarding their rights to a domain name that is already registered by a third party listed in the WHOIS database.

NIC-MG undertakes to provide any information in its possession concerning the registrant(s) of the disputed domain name(s) upon request from a court or dispute resolution provider.

The disputed domain name remains active during the dispute resolution procedure. NIC-MG cannot make any changes to it. The domain name remains locked during the dispute resolution procedure.

When the dispute concerns the abusive registration and use of a .MG domain name that infringes on a third party trademark right, the Uniform Domain Name Dispute Resolution Policy (UDRP) is applicable, and the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center is the only dispute resolution provider.

The registrars are required to inform complainants and registrants of .MG domain names that the UDRP is applicable when they apply for registration or renewal.

NIC-MG and the registrar undertake to implement decisions made in accordance with the UDRP within the agreed deadlines.

The implementation of the dispute resolution procedure does not prevent the submission of the same dispute to a competent court before, during, or after this procedure. In such cases, NIC-MG and the registrar commit to applying the final decision made by the competent court.

Article 16. Charter Update

This naming charter is subject to updates. It will be maintained by the members of the Administrative and Technical Committee (CAT) of NIC-MG, who may include an ad hoc commission made up of representatives from registrars, internet specialists, and/or any interested individuals wishing to participate.

Any changes regarding this charter will be published on the NIC-MG website and communicated to registrars. It is the responsibility of registrars to communicate the implemented modifications to their "applicant" clients and registrants.

Article 17. Charter Application

This naming charter applies to domain name registrations made from its date of publication.

Article 18. Binding Nature

The applicant or registrant of a .MG domain name is deemed to have read and unconditionally accepted the terms of this charter solely by requesting the registration or transfer of a domain name.

Article 19. Conflict of interpretation

In the event of any conflict between the English and French versions, the French version at https://www.nic.mg/images/Charte_nommage_NIC-MG.pdf shall prevail.

Antananarivo, June 21, 2023

NIC-MG