

.ga Registration policy



Internet top-level Registration rules corresponding to the country code of the national territory of Gabon

June, 3rd 2023

DOCUMENT IDENTIFICATION	
Title	.ga registration policy
Hyperlink	
Reference	
Version	V1
Update	06/04/2023

CLASSIFICATION			
Person responsible for the document			
Niveau de classification (insérer un « X » sous le niveau requis)			
Public	Internal	Restricted	Confidential
	X		
Classification level (insert « X » below the required level)			
Recipient (s) (name and/or group) (Nominative list required for « confidential » level)			

REVISIONS FOLLOW-UP			
Version	Editor	Date	Type of revision
1	LBE		
2	MGE	4/6th/2023	Proofreading, formatting, corrections, modifications, and comments
3	LCA / MGE	4 /11th/2023	Changes following LCA comments

APPLICABILITY (optional)		
Version	Date	Comment

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Introduction

La présente Politique d'enregistrement définit les conditions régissant l'enregistrement de noms de domaine en .ga. Aux fins de la présente Politique d'enregistrement :

- a.** "Registrant", "You" and "Your" refer to the individual or legal entity wishing to register or applying for a .ga domain name registration.
- b.** "Registry Operator", "Registry", "We", "Us" and "Our" refer to ANINF as the entity responsible for .ga top-level domain operation.

1. Acceptance of this registration policy

By requesting the registration of a .ga domain name, the maintenance or renewal of your domain name, you agree bound with:

- a.** This Registration Policy established and regularly updated by National Agency of Digital Infrastructures and Frequencies (ANINF);
- b.** The Registration Agreement provided by the Registrar with whom you have requested a .ga domain name registration.

The registration compliance and use of your .ga domain name with above mentioned documents is your sole responsibility.

We cannot guarantee you to obtain the desired domain name, even if it is available at requesting time.

2. Your .ga domain name registration

2.1 Eligibility requirements

2.1.1 .ga Community membership

To register and renew a .ga domain name, you must be a natural or legal person or legal entity.

You must be able to prove that:

- a.** You live in Gabon, or
- b.** You carry out professional, personal, commercial or cultural activities in Gabon
- c.** You have any other direct or indirect ties with Gabon.

2.1.2 Geographical names

Without Registry authorization, you must not register any geographical names in accordance with the territory of the Republic of Gabon, its monuments and symbols, or any other places, or any other known name or having a resonance in Gabon; this condition also applies to variants and abbreviations of such names.

2.1.3 Names of public authorities and utilities.

You must not register :

- a.** Any public authority name at any level, including any variant or abbreviation of that name, as well as any other term commonly used to describe such authority ; neither

- b.** Any name directly or indirectly associated with a public service for which public authorities of the Republic of Gabon have specific responsibilities. These include the following departments: public order and security, public affairs and institutional relations, public health, taxes, economic development and promotion, transport, urban planning and environmental protection, culture and citizen participation and tourism.

The Registration of these domain names is reserved for these public authorities.

2.2 The « first come, first served » rule

Unless otherwise stipulated for certain registration phases, domain names registration under the .ga top-level domain is based on the "first come, first served" basis, in chronological order of Registrars requests.

2.3 Syntax rules

Your .ga domain name must comply with ANINF defined syntax standards. Numbers, letters and hyphens are accepted, as well as all characters used in French language, with accented and special characters exception.

2.4 Registry reserved names

The Registry Operator has the option, and under certain conditions the obligation, to exclude certain .ga domain names from registration.

We reserve, at our sole discretion :

- a.** the possibility of making certain domain names unavailable for registration and their allocation only under certain conditions.
- b.** the right to determine when and under what conditions such domain names shall be registered and/or the use to which such domain names shall be put.
- c.** the right to publish or not the list of these reserved terms.

3. Your .ga domain name use

- a.** You are solely responsible for the use of your domain name.
- b.** You agree that your .ga domain name use shall be :
 - i. of a nature generally accepted as legitimate, and
 - ii. based on good faith at registration time and thereafter..

Names contrary to these conditions are, in particular, those whose use is likely to mislead the public, for example the geographical location to which the name refers or the official nature of its origin.

c. You also agree to not :

- i. use your .ga domain name in a manner that infringes upon the rights of any third parties, including but not limited to intellectual property rights.
- ii. use your .ga domain name as a commercial service similar to a registry operator service to offer registration of third-level domain names to third parties.
- iii. use your .ga domain name to disseminate undesirable commercial contrary to applicable law.
- iv. engage in following practices: distribution of malicious software, botnets misuse, phishing, piracy, infringement of intellectual property rights, fraudulent or deceptive practices, counterfeiting or any other activity contrary to legislation.
- v. use your .ga domain name for the sole purpose of selling it, reselling it or transfer it in any way to applicants. In addition, you shall not permit any third party to achieve this purpose, nor shall you voluntarily help any third party to achieve this objective, nor contribute to the achievement of said
- vi. use your .ga domain name in a manner that may damage or impair the name, image or reputation of the Gabonese state and its representatives.

4. Registry rights and compliance

**We reserve the right, at our sole discretion,
to :**

- a.** refuse the registration of any .ga domain name that violates the eligibility requirements set forth in above Section 2.1; and
- b.** suspend and/or delete any .ga domain name whose Registrant no longer respect .ga eligibility criteria, as required by article 2.1.

We reserve, at our sole discretion, the right to refuse, suspend and/or delete your .ga domain name registration :

- a.** If You fail to comply with this Registration Policy, including provisions of Article 3 ;
- b.** If you provide inaccurate or outdated contact information.

If we identify any non-compliance with this Registration Policy or the accuracy of data you will be contacted to clarify/correct the situation. If non-conformity is not resolved within fifteen (15) days, your domain name will be suspended for at least fifteen (15) days and then deleted.

In the event of suspension and/or deletion of your .ga domain name registration under this section, you shall not be entitled to a registration fees refund.

We also reserve the right to refuse, suspend, change the status, delete and/or transfer any registration deemed necessary in order to:

- i. protect the integrity, security and stability of the .ga registry;
- ii. hold harmless the registry operator or its agents, directors, representatives and employees;
- iii. be in compliance with all applicable laws and regulations, or with any dispute resolution procedure;
- iv. be in compliance with a court order issued by a competent court.

5. Dispute resolution

You agree to abide by all ANINF policies and procedures regarding disputes resolution concerning your .ga domain name, and in particular to Uniform Domain Name Disputes Resolution Policy ("**UDRP**") adopted by ANINF, in accordance with provisions of the World Intellectual Protection Organization ("**WIPO**").

Any decision rendered within ANINF's policies and procedures framework for disputes resolutions shall apply. The domain name holder unreservedly undertakes to submit to these procedures.

The Registry is not bound by any other dispute resolution procedure.

6. Your contact information accuracy

You agree to provide all required information to register to domain name, including domain name, as well as the complete and accurate natural or legal contact details with the associated domain name, as required by the registration procedure, namely:

- a.** Your first and last name, and/or the name of your organization, postal address, e-mail address, telephone number and (if applicable) fax number ;
- b.** The first and last name, postal address, e-mail address, telephone number and (if applicable) domain name's technical contact fax number of the domain name to be registered ;
- c.** The first and last name, postal address, e-mail address, telephone number and (if applicable) domain name's administrative contact fax number of the domain name to be registered ;
- d.** The first and last name, postal address, e-mail address, telephone number and (if applicable) domain name's billing contact fax number of the domain name to be registered ;

Data referred to in this Section are referred to as "Contact details" or "Personal Data". It is mandatory to fill in data to register a domain name.

You agree to immediately correct and update Contact details during the entire domain name registration period.

With regard to third parties (e.g. administrative and technical contacts) whose Contact details are likely to provide (via your Registrar), you hereby guarantee to have communicate them :

- a.** recipients and intended use of their Personal Data;
- b.** of their right to access and, where applicable, rectify their Personal Information through your Registrar. You warrant to have obtained such third parties consent to the processing of their personal data in accordance with this Registration Policy.

7. Your personal data protection

7.1 Personal data processing – Information – Rights exercising

Personal Data processing carried out for operations relating to domain names falls into two categories of processing, depending on their respective main purposes:

- a.** Les traitements de Données personnelles réalisés par le Bureau d'Enregistrement pour la fourniture de prestations de services sur les noms de domaine ;
Your Personal Data is collected and processed by the Registrar with whom your domain name is registered. As part of the processing your Registrar is responsible

for the processing of your Personal Data with whom you may exercise your personal rights (right of access, of rectification, and the right to object on legitimate grounds...).

- b.** Personal Data Processing carried out by the .ga registry operator for relevant naming zone administration. For such processing, the .ga registry operator determines the purposes and means.

For processing related to the naming zone administration, the .ga registry operator collects your Personal Data from the Registrar. For administration purposes, your Personal Data is processed in particular by the Registry Operator and its service providers in order to provide registry services.

ANINF holds the rights to the "Whois" database;

AFNIC, its .ga registry services provider, has a using right on WHOIS database. ANINF shall not be held liable for any misuse by any third parties of data published in the "WHOIS" database.

7.2 Confidentiality – Restricted distribution

The Registry Operator undertakes to ensure Personal Data security and confidentiality against loss, misuse, unauthorized disclosure, alteration or destruction.

"Whois" database purpose is to ensure that all information relating to domain name holders, whether natural persons or legal entities, should be accessible to all.

Nevertheless, in accordance with current legislation on personal data protection and in particular in application of law n°001/2011 in the Gabonese Republic on personal data protection, all registrant data is subject to restricted circulation.

This means that no data relating to a holder is published online in the "Whois" database.

Personal Data is, however, communicated by ANINF :

- a.** by court order or requisition, it is specified that there is no need to summon the Registry Operator to obtain this type of information;
- b.** within the framework of a request for disclosure of personal data by means of the "Request for disclosure of personal data" form available on the .ga website at www.nic.ga

However, Personal Data disclosure is not automatic, and the Registry Operator reserves the right to refuse a request depending on the applicant's status or the request purpose.

8. Owner's liability

You undertake to guarantee ANINF against any action, claim, or opposition from any person claiming any right whatsoever to a .ga domain name, the consequence of the use or transmission of domain name.

Consequently, you shall be liable for all damages and interest to which ANINF is ordered to pay or which it must pay as a result of any pre-litigation or litigation or any other proceedings, including legal fees incurred in defending its interests.

9. Modifications to the present policy

We reserve the right to modify this Registration Policy at any time.

We undertake to publish any new version of the Registration Policy on our website at www.nic.ga at least forty-five (45) days before its entry into force

10. Miscellaneous

10.1 Applicable law and competent jurisdiction

This Registration Policy is governed by Gabonese law. All disputes arising from this policy interpretation or its execution shall be settled by competent courts within Courts jurisdiction.

10.2 Language

The present Registration Policy has been drafted in French and English. In the event of any difficulty in interpreting its terms, only the French version shall prevail between the parties.

10.3 Transitional measures

.ga extension Management take over by ANINF with AFNIC as technical provider will be effective on June 3rd 2023.

All registrars whose customers currently hold .ga domain names must contact ANINF before April 24th 2023 in order to guarantee their customers' domain names registration after June 3, 2023.

After this deadline, ANINF will not be held responsible for any domain name loss.

11. Glossary

- a. AFNIC:** refers to French Association for Internet Naming in Cooperation, ANINF.ga registry services provider.
- b. ANINF:** National Agency for Digital Infrastructures and Frequencies, created by Decree n°0212/PR of January 27, 2011, is the Registry of the Gabonese ccTLD.
- c. Registrar:** any entity or organization accredited by the Registry Operator to offer registration services for .ga domain names. It is the intermediary between the Registry Operator and domain name applicants, who is responsible for filling in the registration form and modifying information relating to the customer's domain name.
- d. Registration Contract:** means the registration contract in electronic or paper format to be entered into by the Registrar and ANINF.
- e. Personal Data:** refers to data which, in accordance with the applicable legal framework to designate or identify, directly or indirectly, a natural person.
- f. Domain name:** Internet identifier is an alphanumeric term made up of characters sequence called radical and a suffix ".ga" also called the extension.
- g. Registrant:** natural person or legal entity, customer of the Registrar who has registered or renewed one or more domain name(s).
- h. Whois or RDDS (Registration Data Directory Services):** Public database service enabling searches to be carried out in order to obtain information on a domain name or IP address. In general, Whois allows you to publish contacts associated with the domain name or IP address (Administrative or Technical contact).