

POLICY 7: EDU.AU COMPLAINTS (REGISTRANT ELIGIBILITY) POLICY

This policy sets out the process for the handling of complaints about the eligibility of a registrant to hold a domain name licence in the closed edu.au domain space, i.e. whether the registrant's identification details are valid.

1 DOMAIN NAME ELIGIBILITY CRITERIA

- 1.1 The eligibility criteria for the edu.au closed domain set out in the [edu.au Policy and Governance Framework \(Policy 1\)](#), ensure that the registrant has the correct status to hold a domain name in the edu.au domain space.
- 1.2 It is the responsibility of the registrant to ensure that they are eligible to hold an edu.au domain name licence, both at the time of registration and during the licence period. In order to renew their edu.au domain name licence, the registrant must confirm that their eligibility details are still current. If the registrant is no longer eligible to hold the edu.au domain name licence, then the licence cannot be renewed.
- 1.3 The **edu.au** Registrar will give a registrant reasonable opportunity to update their eligibility details before the licence will be cancelled.

2 COMPLAINTS-HANDLING PROCESS

- 2.1 Where a person believes that a registrant is not eligible to hold an edu.au domain name licence, that person should contact the edu.au Registrar.
- 2.2 On receipt of a complaint about the eligibility of an edu.au registrant, the edu.au Registrar must reconfirm the eligibility details of the registrant. If the eligibility details are current, the Registrar is not required to take any further action.
- 2.3 If the eligibility details are not current, the edu.au Registrar must contact the registrant to request that they update their eligibility details within 14 calendar days. The Registrar must use reasonable endeavours to contact the registrant (for example, if an email bounces, the Registrar should attempt to contact the registrant by phone or fax).
- 2.4 If the registrant updates their eligibility details within the 14 day period, the edu.au Registrar must enter the new information in the registry database as a correction to the registrant details.
- 2.5 If the registrant does not update their eligibility details within the 14 day period, or does not respond to the edu.au Registrar's request, the Registrar must delete the domain name. The domain name will enter "pending delete" status for 14 calendar days. If while the domain name is "pending delete", the registrant contacts the Registrar to update their eligibility details, the Registrar must request the registry to remove the domain name from "pending delete", and then enter

the new information in the registry database as a correction to the registrant details.

- 2.6 If the registrant does not update their eligibility details while the domain name is in pending delete, then the domain name will be randomly dropped from the registry database within the next 7 calendar days. It will then become available for registration by any eligible applicant on a 'first come, first served' basis. The domain name will not be transferred to the complainant, or reversed for the complainant. If the complainant wants to licence the domain name, they must apply for it using the normal application process.
- 2.7 The original registrant may re-apply for the domain name when it becomes available. The registrant does not have to use the same eligibility criteria that they originally used to support their domain name registration. If the registrant is unable to resurrect the original basis for their domain name registration, they must provide new eligibility details. The registrar must perform full policy compliance checks, because the registrant's new eligibility details may no longer have any connection with the domain name.

3 COMPLAINTS OUTSIDE THE SCOPE OF THIS POLICY

- 3.1 This Policy does not deal with complaints about:
 - a) decisions and actions of the Registrar;
 - b) a registrant's use of a domain name (i.e. whether it violates or infringes on another party's rights to the domain name).
- 3.2 Complaints under Item 3.1 a) are handled under Policy 6: edu.au Complaints Policy.
- 3.3 Complaints under Item 3.1 b) may be handled under the auDA Dispute Resolution (auDRP):Policy No.2008-01, or alternatively the complainant should seek legal advice.