

.capetown/ .durban / .joburg

Comments from several members of the RrSG on these:

Section 5.12 should be modified to the following:

[if !supportLists]5.12[endif]Compliance Assessment. In the case of Registrars which are Accredited for a .za Namespace:

[if !supportLists]5.12.1 [endif]The Registry may assess the Registrar's compliance with the Accreditation Criteria and with this Agreement, from time to time upon no less than 30 (thirty) calendar days' written notice, provided that such assessment may not be carried out more than **quarterly once per calendar year**. The notice ~~may~~ **must** specify the documents, data and **all** other information the Registry reasonably requires.

[if !supportLists]5.12.2 [endif]The Registry shall use commercially reasonable efforts to conduct such compliance assessment in a manner that does not unreasonably disrupt the operations of the Registrar.

[if !supportLists]5.12.3 [endif]Upon receipt of such notice, the Registrar must, not less than ~~10 (ten)~~ **30 (thirty)** calendar days before the assessment, make available to the Registry all documents, data and any other information requested therein.

The clause "make available to the Registry all documents, data and any other information requested therein " is open ended and they can ask for all services unrelated to what ICANN requires

Also concerned about the following

5.12.1 ..... , provided that such assessment may not be carried out more than quarterly. This may be too frequent, you finish 1 audit and then they hit you with the next, possible bi-annually or annually

5.12.2 ... The Registry shall use commercially reasonable efforts to conduct such compliance assessment Define commercially reasonable and at whose cost?

8.4 The Authority may develop a Code of Practice for a Namespace. By themselves or in conjunction with Registrars?

A concern that we have is the change regarding compliance

assessment in case you are .za accredited as well:

“5.12.3. Upon receipt of such notice, the Registrar must, not less than 10 (ten) calendar days before the assessment, make available to the Registry all documents, data and any other information requested therein.”

We would rather like to restrict this clause:

“5.12.3. Upon receipt of such notice, the Registrar must, not less than 10 (ten) calendar days before the assessment, make available to the Registry all documents, data and any other information requested therein, that are necessary to verify Registrar’s compliance with the Accreditation Criteria and with this Agreement, subject to applicable data protection legislation.”