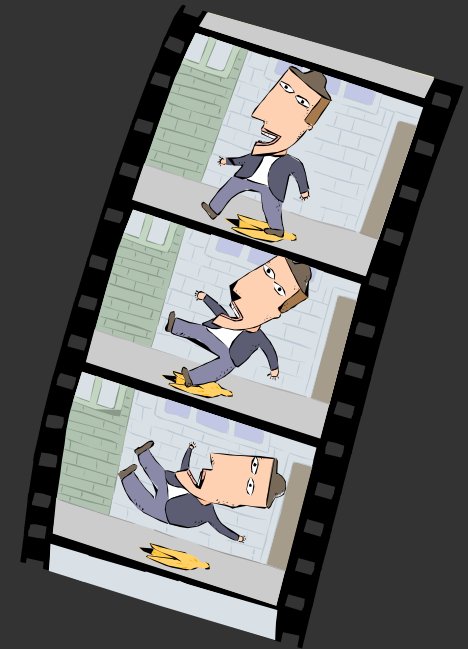


# Local Laws – and their impact on DNS stability

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## DNS stability ... from a legal perspective

- Technology's answer:  
redundancy measures
- Lawyer's answer:  
enforce redundancy measures by  
contractual arrangements



## Important DNS stability issue ... access to registry data

- On bankruptcy of ccTLD manager or registry operator
- On redelegation – ‘change of manager’



## Types of local laws that may affect MOU or contracts ...

- Laws dealing with acceptable contractual terms
- Laws dealing with choice of law or jurisdiction
- Bankruptcy or insolvency laws
- Intellectual property rights or copyright laws
- Privacy and data protection laws



## DNS stability may be affected by:

- Insolvency or external administration of registry operator or ccTLD manager
- Suspension or termination of services by registry operator or ccTLD manager
- Consequential privacy issues relating to registry data

**LOCAL INSOLVENCY LAWS**

**LOCAL PRIVACY LAWS**



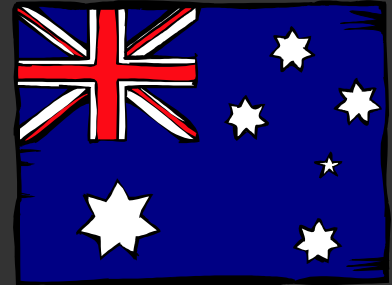
## Hypothetical scenario

- .zz – Zebra Islands
- ccTLD manager appoints **zzNIC** to maintain registry
- 500,000 names registered as 2LDs
- **zzNIC** files for creditor protection
- Local laws –
  - immediate moratorium on legal actions
  - termination provisions (by ccTLD manager) in zzNIC registry agreement unenforceable against insolvency administrator
  - privacy laws prevent release of registry data beyond Zebra Islands



## .au redundancy/continuity/stability measures

- ccTLD manager (**auDA**) holds escrow of registry data and registry software (including source and executable code of registry, nameserver and WHOIS software)
- Australian Government holds second set of escrow data – in a tripartite arrangement between auDA, Australian Government and an independent escrow agent





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