



**BOTSWANA COMMUNICATIONS REGULATORY
AUTHORITY**

WHOIS POLICY

1. STATEMENT OF PURPOSE

The WHOIS service will provide public access to the information in the .bw domain name register, by responding to a query relating to a specific domain name

- 1.1 This policy sets out the availability and acceptable use of data from the .bw domain name register.
- 1.2 “WHOIS service” in this policy refers to data provided by the shared registry system (“SRS”) for members of the public to view or use, being the record associated with a specified domain name. It includes the information provided by any party accessing the WHOIS server maintained by BOCRA regardless of that party’s relationship with BOCRA.
- 1.3 “Registrant Info Service” in this policy refers to the search function by which data from the .bw domain name register is provided in relation to a specific search by Registrant name.

2. BACKGROUND

- 2.1 BOCRA has the ultimate responsibility within Botswana for the .bw domain name space, and maintains a shared registry system (“SRS”) for the management of .bw domain name registrations.
- 2.2 The SRS provides a single register for registering domain names and associated technical and administrative information. BOCRA operates the registry and WHOIS service.
- 2.3 Information held in the .bw domain name register is public information, and is made available to the public through the WHOIS service.
- 2.4 There is also an additional service, the “Registrant Info Service”, which is available only in the particular circumstances outlined in Section 7 of this policy.

PARAGRAPH 1

1. DEFINITIONS

In these policies, the following terms will have the meaning assigned to them:

- | | |
|----------|--|
| “AUP” | means the Acceptable Use Policy |
| “Domain” | means a .bw Domain name applied for the registrant, whose registration application has been processed and accepted by the Registry |

- “Personal Information”** means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about a Registrant whose identity is apparent, or can reasonably be ascertained, from the information or opinion provided by the Registrant including information contained in applications for the REGISTRY domain names;
- “Policy”** means the contents of the REGISTRY Privacy Policy and any amendments or updates to the Policy made by the REGISTRY from time to time and publicly published
- “Registry”** means the entity mandated by BOCRA to maintain and administer the .bw ccTLD
- “WHOIS service”** means data provided by the shared registry system (“SRS”) for members of the public to view or use, being the record associated with a specified domain name. It includes the information provided by any party accessing the WHOIS server maintained by BOCRA regardless of that party’s relationship with BOCRA.
- “Registrant”** means the individual, entity or the authorised agent for the individual or entity who applied for or caused to be applied for a Domain and whose registration application has been processed and accepted by the REGISTRY;
- “Registrant Info Service”** means the search function by which data from the .bw domain name register is provided in relation to a specific search by Registrant name.
- “Shared registry system,”** means a system that allows multiple registrars to make changes to a registry simultaneously.
- “Sensitive Information”** means Personal Information that would be considered “sensitive” under Botswana Laws

PARAGRAPH 2

2. PRINCIPLES

- 2.1 The WHOIS service will provide public access to the information in the .bw domain name register, by responding to a query relating to a specific domain name
- 2.2 Information is provided to allow people to conduct searches on the identity and contact details of registrants and technical contacts, in case they need to be contacted in respect of their domain name.
- 2.3 WHOIS information is not provided for the commercial benefit of any person or entity. Any use of WHOIS, which results in a targeted contact campaign, or is an attempt to obtain a copy of the .bw register, is prohibited.
- 2.4 WHOIS information will be available for all domain name records.
- 2.5 BOCRA holds copyright over all information in the .bw register, including all WHOIS information.
- 2.6 BOCRA retains the right to protect the integrity of the .bw domain name register by appropriately managing and, if necessary, restricting access to the WHOIS service as set out in section 6.
- 2.7 Access to the WHOIS service will be restricted only to protect the integrity of the service, or for short-term operational reasons.
- 2.8 Any person or entity may provide a public WHOIS service, so long as they comply with the requirements of this policy.
 - 2.8.1 BOCRA will provide a public WHOIS service through <http://whois.nic.net.bw>
- 2.9 Registrant Info Service searches are provided to enable:
 - 2.9.1 Searches by registrants seeking a list of their own .bw domain name and Searches that have the sole purpose of supporting a Dispute Resolution.
 - 2.9.2 Registrant Info Service searches will be restricted to the particular circumstances outlined in paragraph 7 of this policy.

PARAGRAPH 3

3. WHOIS RECORDS

3.1 The WHOIS service will respond to a WHOIS query for a specified domain name. If the domain name is registered, the details as set out in 3.2 will be available. If the domain name is not registered, the WHOIS service will show that it is available for registration.

3.2 The following details will be available in response to a WHOIS query:

- 3.2.1 Domain Name
- 3.2.2 Registration status;
- 3.2.3 Date registered;
- 3.2.4 Date registered/billed until;
- 3.2.5 Date last modified;
- 3.2.6 Include in DNS;
- 3.2.7 Registrar of Record (including contact details);
- 3.2.8 Registrant Contact Details;
- 3.2.9 Administrative Contact Details;
- 3.2.10 Technical Contact Details;
- 3.2.11 Name Servers;
- 3.2.12 Domain Signed;
- 3.2.13 and, if applicable:
- 3.2.14 DS Records;
- 3.2.15 **Date cancelled;**
- 3.2.16 **Date locked.**

3.3 If information other than the availability of the queried domain name is displayed, then:

- 3.3.1 the information displayed must be that provided by the WHOIS service; and
- 3.3.2 any notices sent by the SRS must be displayed in full along with the data in the WHOIS record.

PARAGRAPH 4

4 WHOIS SERVER

4.1 BOCRA maintains the WHOIS server on the .bw database.

4.2 The WHOIS server will provide access to the details listed in the .bw registers as described in 3.2 above.

- 4.3** The WHOIS server will not accept wild card searches.

PARAGRAPH 5

5 WHOIS DATA PROTECTION

- 5.1** WHOIS data is made available for the convenience of registrants and interested parties. Conditions apply to its use, and the notices included with any WHOIS query response apply to the data at all times.
- 5.2** A range of monitoring procedures will be maintained on the WHOIS server to detect any inappropriate use of the server. These procedures are designed to detect and prevent a wide range of inappropriate use and as a matter of policy are not published, in order to maintain their effectiveness.
- 5.3** BOCRA has the primary responsibility for monitoring the use of the WHOIS service. In the event that BOCRA discovers or suspects abuse of the service, they may take appropriate steps to restrict access to the service including (but not limited to) removing or limiting access to any IP address.
- 5.4** In extreme circumstances where the integrity of the .bw register is at risk, BOCRA may shut down the WHOIS service without notice.
- 5.5** Where BOCRA restricts access they will communicate their actions as soon as practicable.
- 5.6** Where any abuse of the WHOIS server is detected BOCRA reserves the right to take preventive action to prevent any further abuse, and/or to penalise the parties involved in perpetrating such abuse. Any such response can be instead of, or In addition to, any steps BOCRA may take under clause 6.3 or 6.4.
- 5.7** The steps BOCRA may take include, but are not limited to, the following:
- 5.7.1** Removing or limiting any party's access to the WHOIS service on a permanent or temporary basis;
 - 5.7.2** Suspending a registrar's access to the SRS;
 - 5.7.3** Applying a sanction to a registrar under any applicable agreements or .bw policies.
- 5.8** At all times the priority of BOCRA under this policy will be to protect the security of the data in the .bw domain name register from unauthorised or abusive use, while as much as is practicable preserving public access to the WHOIS Service.

PARAGRAPH 6

6 REGISTRANT INFO SERVICE

- 6.1** Searches of the .bw domain name register by Registrant name are restricted to:
 - 6.1.1** Searches by registrants seeking a list of their own .bw domain names; and
 - 6.1.2** Searches that have the sole purpose of supporting a Dispute Resolution Service complaint.
- 6.2** The procedure for making a search application is set out in Section B of this Policy.
- 6.3** Results returned from a Registrant Info Service search will be a list of domain names matching the Registrant name search criteria. This will be sent via email to the applicant's email address.
- 6.4** All search applications will be recorded and any previous searches will be taken into account when deciding whether to approve the search application.
- 6.5** If BOCRA believes on reasonable grounds that there has been an abuse of the information provided as a result of a Registrant Info Service search, then the relevant applicant may be permanently banned from using the Registrant Info Service.

PARAGRAPH 9

7 GENERAL INFORMATION

- 7.1** A range of current information about .bw policies, registrant rights, and domain names in general is publicly available on the Internet at <http://nic.net.bw>

SECTION B - PROCESS

Process for requesting a Registrant Info Service search for Registrant's own .bw Domain names

1. An application is made to BOCRA on form WHO1.
2. Information required in the application will include, but not be limited to, the following:
 - 2.1. Name and contact details of applicant;
 - 2.2. Details of the search parameter sought;
 - 2.3. Evidence as to the applicant's identity (for example, a photocopy of a driver's Licence, Omang and or Passport) and, where appropriate, evidence as to the applicant's authority to apply for a search on behalf of a company (for example, written authorisation signed by a director of the relevant company);
 - 2.4. An undertaking that any information provided as a result of a Registrant Info Service search is for the applicant's own use and will not be inappropriately disseminated.
 - 2.5. BOCRA will evaluate the application and make a decision as to whether the requested information should be released or not. BOCRA may seek further information or evidence from the applicant as is considered necessary.
3. If the application is approved the information will be provided to the applicant. This will be sent via email to the applicant's email address.
4. Process for requesting a Registrant Info Service for the purpose of supporting a Dispute Resolution Service (DRS) complaint
 - 4.1. An application is made to BOCRA on form WHO2.
 - 4.1.1 Information required in the application will include, but not be limited to, the following:
 - 4.1.1.1 Name and contact details of applicant;
 - 4.1.1.2 The domain name/s that are the subject of the proposed DRS complaint (limited to maximum of five).
 - 4.1.1.3 The registrant name/s on the register for the domain names/s specified in above will be used as the search parameter;
 - 4.1.1.4 An undertaking that any information provided as a result of a Registrant Info Service search is for the exclusive purpose of supporting a DRS complaint and will not be used for any other purpose.
 - 4.2 BOCRA will evaluate the application and make a decision as to whether the requested information should be released or not. BOCRA may seek further information or evidence from the applicant as is considered necessary.
- 5 If the application is approved the information is provided to the applicant. This will be Sent via email to the applicant's email address

Form WHO1

APPLICATION FOR REGISTRANT INFO SERVICE SEARCH – OWN .BW NAMES

Please complete this form electronically, then print, sign, and return to BOCRA, at:

Botswana Communications Regulatory Authority
Private Bag 00495
Gaborone
Botswana

Complete this section if you are requesting information on behalf of an organisation:

1. Name of organisation_____

2. Trading name (if applicable)_____

3. Name of contact person_____

Complete this section if you are requesting information on behalf of an individual:

4. Name_____

5. Date of birth_____

All applicants to complete the following:

6. Address_____

7. Phone (day)_____

8. Phone (mobile)_____

9. Phone (after hours)_____

10. Fax_____

11. Email_____

12. Evidence as to the applicant's identity and contact details (for example, a photocopy of a driver's licence, Omang or Passport) and, where appropriate, evidence as to the applicant's authority to apply for a search on behalf of a company (for example, written authorisation signed by a director of the relevant company);

Please describe the evidence that you are enclosing here, then attach to the hard copy of this form.

13. Search criteria requested_____

Declarations - please tick the following boxes, and sign your declaration below.

I declare that the information is for the purposes as defined in the .bw policies only;

I confirm that the information gained from this search will not be misused;

I confirm that I am requesting this search to confirm domain names for which I am the registrant; Or

I have been authorised to make this search request on behalf of a client.

Signed _____

Print name _____

Date _____

Form WHO2

APPLICATION FOR REGISTRANT INFO SERVICE SEARCH –.BW NAMES FOR DISPUTE RESOLUTION SERVICE COMPLAINT

Please complete this form electronically, then print, sign, and return to BOCRA, at:

Botswana Communications Regulatory Authority
Private Bag 00495
Gaborone
Botswana

Domain name/s to be subject to a DRS Complaint (maximum of 5):

1. _____
2. _____
3. _____
4. _____
5. _____

Complete this section if you are requesting information on behalf of an organisation:

1. Name of organisation _____
2. Trading name (if applicable) _____
3. Name of contact person _____

Complete this section if you are requesting information on behalf of an individual:

4. Name _____
5. Date of birth _____

All applicants to complete the following:

6. Address _____
7. Phone (day) _____
8. Phone (mobile) _____
9. Phone (after hours) _____
10. Fax _____
11. Email _____

12. Evidence as to the applicant's identity and contact details (for example, a photocopy of a driver's licence, Omang or Passport) and, where appropriate, evidence as to the applicant's authority to apply for a search on behalf of a company (for example, written authorisation signed by a director of the relevant company);

Please describe the evidence that you are enclosing here, and then attach to the hard

copy of this form.

13. Search criteria requested _____

Declarations - please tick the following boxes, and sign your declaration below.

- I declare that the information is for the purposes as defined in the .bw policies only;
- I confirm that the information gained from this search will not be misused;
- I confirm that I am requesting this search to confirm domain names for which I am the registrant; Or
- I have been authorised to make this search request on behalf of a client.

Signed _____

Print name _____

Date _____