

Order of the Minister of Defense and Aerospace Industry of the Republic of Kazakhstan dated March 13, 2018 No. 38/HK On approval of Rules for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet

In accordance with subparagraph 16) of Article 7-1 of the Law of the Republic of Kazakhstan dated November 24, 2015 "On informatization" I hereby ORDER:

1. To approve enclosed Rules for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet.
2. To recognize as invalid the Order of the Acting Minister for Investment and Development of the Republic of Kazakhstan from January 28, 2016 No. 118 "On Approval of Rules for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet " (registered in the Registry of State Registration of Regulatory Legal Acts No. 13221, published on March 3, 2016 in the information and legal system "Adilet").
3. The Committee on Information Security of the Ministry of Defense and Aerospace Industry of the Republic of Kazakhstan in accordance with the procedure established by the legislation of the Republic of Kazakhstan shall ensure:
 - 1) state registration of the present order in the Ministry of Justice of the Republic of Kazakhstan;
 - 2) within ten calendar days from the date of state registration of this order, to direct its copy in paper and electronic form in Kazakh and Russian languages to the Republican State Enterprise on the right of economic management "Republican Center for Legal Information" for official publication and inclusion in the Reference Control Bank of normative legal acts of the Republic of Kazakhstan;
 - 3) within ten calendar days after the state registration of this order, to direct its copy for official publication in periodicals;
 - 4) to place this order on the Internet resource of the Ministry of Defense and Aerospace Industry of the Republic of Kazakhstan after its official publication;
 - 5) within ten working days after the state registration of this order in the Ministry of Justice of the Republic of Kazakhstan, to submit information on the implementation of activities provided for in subparagraphs 1), 2), 3) and 4) of this paragraph to the Legal Department of the Ministry of Defense and Aerospace Industry of the Republic of Kazakhstan.
4. Control over the execution of this order is entrusted to the supervising vice minister of the Defense and Aerospace Industry of the Republic of Kazakhstan.
5. This order is put into effect upon expiry of ten calendar days after the day of its first official publication.

Minister of Defense and Aerospace Industry
of the Republic of Kazakhstan

Atamkulov B.

Approved by the Order of the Minister
of Defense and Aerospace Industry of the
Republic of Kazakhstan dated March 13, 2018
No. 38/HK

Rules for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet

Chapter 1. General Provisions

1. These Rules for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet (hereinafter referred to as Rules) have been developed in accordance with subparagraph 16) of Article 7-1 of the Law of the Republic of Kazakhstan of November 24, 2015 "On Informatization" (hereinafter referred to as Law) and determine the procedure for registration, use and allocation of domain names in the space of the Kazakhstan segment of the Internet.

2. The following basic concepts and abbreviations are used in these Rules:

1) the authorized body in the field of information security (hereinafter referred to as Authorized body) is the central executive body that exercises leadership and cross-sectoral coordination in the field of information security;

2) Domain name is a symbolic (alphanumeric) designation formed in accordance with the rules for the Internet addressing, corresponding to a specific network address and intended for a named reference to an Internet object;

3) Domain Name System (DNS) is a distributed database for obtaining information about domain names. It contains information on the correspondence of domain names and Internet Protocol (IP) addresses and it works in accordance with the standards for Request for Comments (hereinafter - RFC) - 1032, 1034, 1035, 1122, 1133, 1591;

4) Registrant of domain names (hereinafter referred to as Registrant) is individual or legal entity who has sent registrant's application for registration of domain names in the space of the Kazakhstan segment of the Internet to registrar of domain names in the space of the Kazakhstan segment of the Internet and who is domain names owner for the period of domain names registration in the space of the Kazakhstan segment of the Internet;

5) Space of the Kazakhstan segment of the Internet is a set of Internet resources located on hardware and software complexes located on the territory of the Republic of Kazakhstan;

6) Administrator of domain names in the domain space of the Kazakhstan segment of the Internet (hereinafter referred to as Administrator) is a non-profit public organization defined by the authorized body in accordance with the Law of the Republic of Kazakhstan "On Informatization", developing the domain space of the Kazakhstan segment of the Internet;

7) First-level domain name in the space of the Kazakhstan segment of the Internet (hereinafter - First-level domain name) - domain name .KZ and .ҚАЗ, allocated by the international organization ICANN for use in the interests of the Republic of Kazakhstan, located in the hierarchy of the domain space of the Kazakhstan segment of the Internet to a step below root domain name and is direct subdomain of root domain name (RFC-882);

- 8) Second-level domain name in the space of the Kazakhstan segment of the Internet (hereinafter — Second-level domain name) is a domain name located in the hierarchy of the domain space of the Kazakhstan segment of the Internet to a level below first-level domain name and is a direct subdomain of first-level domain name RFC-882)
- 9) Register of domain names in the space of the Kazakhstan segment of the Internet (hereinafter referred to as Register) - a centralized complex of databases of all registered domain names in the space of the Kazakhstan segment of the Internet containing all information on registered domain names;
- 10) Registry of domain names in the space of the Kazakhstan segment of the Internet (hereinafter referred to as Registry) is a legal entity that maintains Register and supports the stable operation of the first-level Kazakhstan domain name;
- 11) Registrar of domain names in the space of the Kazakhstan segment of the Internet (hereinafter referred to as Registrar) is a legal entity, a resident of the Republic of Kazakhstan accredited by Administrator to provide services for domain names registration, entering information on the domain name in the register, and its deleting, also changing the information entering to the register, ensuring the registrant's right to use the domain name on the basis of agreements with the registry and registrant (hereinafter referred to as Service). Non-residents of the Republic of Kazakhstan can receive accreditation of the administrator of national domain names only subject to the availability of ICANN accreditation as a Registrar;
- 12) Third-level domain name in the space of the Kazakhstan segment of the Internet (hereinafter referred to as Third-level domain name) - a domain name located in the hierarchy of the domain space of the Kazakhstan segment of the Internet to a level below second-level domain name and is a direct subdomain of second-level domain name (RFC-882);
- 13) Backup copy of an Internet resource - a backup data set of an Internet resource used in the failure of the main Internet resource;
- 14) Root domain name - a domain name denoted by a dot ".", functioning on the Internet on the basis of RFC-882;
- 15) Domestic security certificate is a set of electronic digital symbols used to pass traffic containing protocols that support encryption issued by the domestic certification authority;
- 16) Application - a request of Registrant to Registrar, containing all information for registration of domain names in the space of the Kazakhstan segment of the Internet (renewal of registration period), changes in previously reported information, transfer or cancellation of existing domain name registration;
- 17) Reserved domain names - domain names for state bodies needs, corresponding to the abbreviating name, established by these Rules;
- 18) Phishing - a set of methods aimed at illegally obtaining credentials or confidential data of an Internet user;
- 19) Foreign security certificate is a set of electronic digital symbols used to pass traffic containing protocols supporting encryption issued by a foreign certification authority;

20) DNS-server - specialized software for servicing domain name system, as well as equipment on which software is running;

21) RFC is a document that defines technical and organizational conditions for the Internet functioning and is accepted by public organizations Internet Engineering Task Force and Internet Engineering Steering Group;

22) WHOIS-server - specialized software designed to obtain information about registered domain names, operating in accordance with RFC-3912, as well as equipment on which software is running.

Footnote. Point 2 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. Procedure for registering domain names in the space of the Kazakhstan segment of the Internet

3. In order to register domain name, registrant shall provide registrar with a registrant's application in accordance with the annex to this Rules with reliable and complete information in electronic or paper form (hereinafter referred to as Application).

Footnote. Point 3 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

4. All applications are considered in the order of their receipt to registrar in accordance with the fixed time of their sending to registrar.

5. Registrar shall, within 3 (three) working days from the receipt of registrant's application , check:

1) reliability and completeness of information specified in application, including information on server equipment location in the space of the Kazakhstan segment of the Internet on which domain name will be used;

2) availability for registration of the requested domain name at the time of application;

3) compliance of the requested domain name with Internet standards: RFC-1032, RFC-1034, RFC-1035, RFC-1122, RFC-1133, RFC-1591;

4) absence of the requested domain name in the list of reserved domain names specified in paragraph 30 of these Rules

5) absence of an effective court decision prohibiting the use of a registered domain name;

6) absence in the content of the requested domain name of information prohibited by the laws of the Republic of Kazakhstan.

6. In case of non-compliance of the requested domain name with one or several conditions specified in paragraph 5 of these Rules, registrar shall return application to registrant.

7. In case of compliance of the requested domain name with all conditions specified in paragraph 5 of these Rules, registrar enters into an agreement with registrant for domain name registration (hereinafter referred to as Agreement) and enters information about registered domain name into register.

8. Domain names are considered registered from the moment of entering information about them in the register.

9. Registrant informs registrar of all changes in the information about individual or legal entity specified in the agreement, no later than 10 (ten) working days from the date of such changes. Information about an individual specified in the agreement is confidential and can be provided to a third party only in cases and in the manner prescribed by law.

Footnote. Point 9 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

10. Registrar, having received from registrant a notice of changes in the information about the individual or legal entity specified in the agreement, makes changes to the register within 3 (three) working days.

11. If registrant intends to transfer domain name to another individual or legal entity, registrant notifies registrar of transfer of rights to the domain name used, indicating identity of person to whom transfer of rights to use domain name is intended.

12. At least 20 (twenty) working days before expiry of agreement, registrar shall send appropriate notification to registrant.

13. In case registrant refuses from further use of domain name, registrant shall notify registrar of the expected term of termination of agreement, not later than expiration date of agreement.

14. Registrar shall, within 3 (three) working days from the date of termination of use indicated by registrant in the submitted notification, remove domain name from register and notify registrant of termination of agreement, as well as the impossibility of re-registration of the deleted domain name not earlier than 60 (sixty) calendar days.

Footnote. Point 14 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

14-1) A domain name is renewed if there is an agreement to renew the domain name before it expires between the registrar and the registrant.

Footnote. The rules are supplemented by paragraph 14-1 in accordance by the order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

14-2) Upon the domain name expiration, the registrant renews the domain name within 30 (thirty) calendar days in accordance with the condition specified in clause 14-1 of these Rules.

Footnote. The rules are supplemented by paragraph 14-2 in accordance by the order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

15. Registry provides functioning of register, with possibility of registrars of domain names in the space of the Kazakhstan segment of the Internet, changes to the register, delegation of domain names and provision of all current information on registered domain names through WHOIS server.

Chapter 3. Procedure for using domain names in the space of the Kazakhstan segment of the Internet

16. Use of a domain name in the space of the Kazakhstan segment of the Internet is suspended when:

- 1) identification of unreliable information about registrant indicated in application submitted by registrant for registration of the domain name;
- 2) identifying of malicious software on the Internet resource that creates a threat to the safe use of the Internet;
- 3) presence of an effective court decision on suspension of domain name use;
- 4) registrant does not eliminate information security incident, which was notified by the authorized body, or from the National Information Security Coordination Center;
- 5) absence of a safety certificate (domestic or foreign);
- 6) placement of Internet resources on hardware and software complexes outside territory of the Republic of Kazakhstan.
- 7) a notification about the identification of phishing on the Internet resource, which was received from the Information Security Operations Center or the Information Security Incident Response Service, the industry Information Security Operations Center.

Footnote. Point 16 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

17. In the event of violations related to the use of domain name provided for in paragraph 16 of these Rules, Registry, upon the request of the authorized body, sends a notification to registrar indicating the content of the violation committed.

18. Registry within 1 (one) working day suspends registration of domain names with sending a notice to registrar to eliminate the grounds for suspending domain name registration in the space of the Kazakhstan segment of the Internet.

19. Registrar, having received information from registry, within 1 (one) working day informs the registrant about the need to eliminate the violations committed within 10 (ten) working days from the receipt of a notification, unless another period is established by a court decision that has entered into legal force.

Footnote. Point 19 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

20. For the period of elimination of a violation, registry suspends use of domain name by making an appropriate entry in the register.

21. Registrant shall send a notice to the registry, upon the elimination of violations indicated in the notification.
22. After receiving notification of the violation removal indicated in the notification, using of domain name is renewed by the registry within 1 (one) working day by making an appropriate entry in the register.
23. Use of domain name in the space of the Kazakhstan segment of the Internet is terminated when:
- 1) presence of registrant's application for termination of domain name registration;
 - 2) expiration of term of registrant's agreement with registrar;
 - 3) failure to eliminate violation that caused domain name to be suspended in the time period specified in the registry notice specified by the registry;
 - 4) entry into force of a court decision to terminate using of domain name.
24. In the event of the occurrence of one of the conditions specified in paragraph 23 of these Rules, registrar shall notify registrant of termination of agreement.
25. In the cases provided for in subparagraphs 1) and 2) of paragraph 23 of these Rules, registrar shall cease registering domain name with the entry of relevant information into the register.
26. In the cases provided for in subparagraphs 3) and 4) of paragraph 23 of these Rules, the Registry shall cease registering domain name with the entry of relevant information into the register and notify registrar.
27. Use of domain names KZ and (or) .ҚАЗ in the space of the Kazakhstan segment of the Internet in the transmission of data by Internet resources is carried out using security certificates.

Footnote. Point 27 in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 28.09.2020 No. 354/ҒК (put into effect upon expiry of ten calendar days after the day of its first official publication).

Chapter 4. Procedure for allocation of domain names in the space of the Kazakhstan segment of the Internet

28. Allocation of domain names in the space of the Kazakhstan segment of the Internet is carried out on the basis of free access to information on registered domain names and reserved second-level domain names.
29. The second-level reserved domain names and subsequent levels include domain names:
- 1) EDU.KZ - intended for registration of third-level domain names for organizations of residents of the Republic of Kazakhstan engaged in educational activities;
 - 2) GOV.KZ - intended for registration of third-level domain names for state bodies of the Republic of Kazakhstan;
 - 3) MIL.KZ - intended for registration of third-level domain names for the bodies of the Ministry of Defense of the Republic of Kazakhstan.
30. Allocation of reserved domain names is carried out at requests in accordance with paragraph 29 of these Rules.

Application
to the Rules for registration,
use and allocation of domain names
in the space of the Kazakhstan segment of the Internet

Application
To Registrar
(Registrar name)

Registrant Application

Footnote. Appendix in the editorial office order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan of 20.09.2022 No. 337/HK (put into effect upon expiry of ten calendar days after the day of its first official publication).

1* domain name;

2* period of registration of domain name;

3* registration purpose

4* Information about four contacts:

1) * registrant;

2) administrative contact;

3) technical contact;

4) financial contact;

5* each contact must contain the following information:

1) * full name (if present), Personal identification number of contact person (if contact is an individual);

2) * name of organization, Business Identification Number (if contact is a legal entity);

3) * postal address (including city, region);

4) * zip code;

5) * two-letter country code;

6) * phone;

7) fax;

8) * e-mail address.

6* information about DNS-servers:

1) * Primary DNS server address;

2) * Secondary DNS server address;

3) additional DNS-servers addresses;

4) * postal address (including city, region) of server equipment location on which domain name will be used.

7. A copy of documents confirming registration of trademark in the territory of the Republic of Kazakhstan.

I confirm the reliability of the information provided.

I confirm my agreement with the text of the registration agreement, containing detailed conditions for provision of registration services, published on registrar's Internet resource.

(registrant's signature/ electronic digital signature of the registrant)

(date)

Note: Information is provided by registrant to registrar and is kept in the register for the duration of registration.

Items marked with * are required.

All information is provided in Latin transcription.

In the absence of information about technical and financial contacts, their functions is automatically performed by administrative contact.

In the absence of information on administrative contact, its function is automatically performed by the registrant.

A prerequisite for server hardware is its physical location on the territory of the Republic of Kazakhstan.

At registration it is necessary to provide a copy of identity document (in case registrant is an individual), a certificate of registration (in case registrant is a legal entity).