

Domain Name Transfer Policy

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Version Control

Version	Date	Author	Rationale
1.0	January 2011	Internet Domain Section Team	Initial release
2.0	August 2019	Internet Domain Section Team	Rebranded, Merged Domain Name- Change Registrant and Registrar Policies, Updated the purpose Section, Added the Version Control and Definitions Sections

Definitions

The following words where used in this Policy shall have the meaning ascribed to them below:

“Qatar Domains Registry or QDR” is a function of the Communications Regulatory Authority of Qatar (CRA), which is the Registry Operator for the .qe country code namespace and ".قطر" the Arabic domain name. It is responsible for the setting and enforcement of all policies with regard to the operation of the above mentioned namespace, and managing the operation of the Registry System.

“Standard Transfer Audit Message” means a message from a Registrar to the relevant Registrar requesting the Registrant to confirm that a Transfer of Sponsorship from one Registrar to another Registrar, is properly authorised;

“Standard Transfer Confirmation Message” means a message from a Transferee Registrar in respect to the transfer of Sponsorship of a Domain Name Licence from one Registrar to another;

Purpose

The purpose of this policy is to define the rules and requirements when:

- Transferring Domain Name Licences between Registrants.
- A Registrant wishes to Transfer the relevant Domain Name Licence from the Sponsorship of one Registrar the management or Sponsorship of another Registrar

Domain Name Transfer Circumstances

There are two circumstances where a Domain Name may be transferred:

- To transfer a Domain Name from one Sponsoring Registrar to the Sponsorship of another Registrar (“Transfer of Registrar”); or
- To transfer a Domain Name from one Registrant to another Registrant (“Registrant Transfer”).

Domain Name Transfer – Change Registrant

1. Purpose

- 1.1. There may be legal or administrative reasons why a Domain Name may be Transferred between Registrants.
- 1.2. Domain Names may be transferred by the Registrant to any other third party meeting the Eligibility Requirements at any time.

2. Registrant Transfers of Domain Names where there are no Eligibility Requirements

- 2.1. Where a Domain Name that is not subject to any Eligibility Requirements is to be transferred, the transferee must make the Warranties as set out in the Registrant Agreement as described in Qatar Domains Registry Policy.
- 2.2. The Transfer mechanism for Domain Names not subject to any Eligibility Requirements is as follows:
 - 2.2.1. The Sponsoring Registrar must receive a written request for Transfer explaining the circumstances of the Transfer which is signed by the Registrant Contact (a request by telephone or email is not acceptable);
 - 2.2.2. The Sponsoring Registrar must obtain confirmation of the request for Transfer from both the Registrant Contact and the authorised representative of the proposed new Registrant.
 - 2.2.3. The Sponsoring Registrar must keep a full record of the Transfer for inspection by the Qatar Domains Registry on demand, including copies of the written request for Transfer.
 - 2.2.4. The original Registrant is not entitled to be reimbursed by the

Registrar for the unused portion of the Domain Name Licence Period.

- 2.2.5. The new Registrant becomes the beneficiary of the remaining portion Domain Name Licence Period.
- 2.2.6. The Registrar may charge an additional service charge to complete this transaction.

3. Registrant Transfers of Domain Names which are subject to Eligibility Requirements

- 3.1. Requests for Registrant Transfer of a Domain Names which are subject to Eligibility Requirements must be validated against this Policy by the Sponsoring Registrar, and the Transfer should only occur if the request meets these requirements.
- 3.2. Requests for Registrant Transfer of a Domain Name which are subject to Eligibility Requirements must be validated against this Policy by the Sponsoring Registrar, and the Transfer should only occur if the request meets these requirements.
- 3.3. The intent of this policy is that Domain Names subject to Eligibility Requirements should not be Registered to be sold to another party for commercial gain.
- 3.4. The Transfer of a Domain Names which are subject to Eligibility Requirements may occur under the following circumstances:
 - 3.4.1. when the Registrant sells all or part of the business entity that originally applied for the Domain Name and the Domain Name is listed in the deed of sale;
 - 3.4.2. if there is a transfer of intellectual property and the Transfer of the intellectual property includes the Domain Name;
 - 3.4.3. where a business entity becomes insolvent and the Domain Name is transferred to a liquidator, receiver, receiver manager, administrator or similar insolvency professional as a consequence;
 - 3.4.4. where there is a Transfer of the Domain Name between subsidiaries of the same entity;
 - 3.4.5. Where the Domain Name was registered by an agent on behalf of a client and there was an agreement that the Transfer would take place after the Registration, for example, where the agent is a marketing company, lawyer, or other professional services provider;
 - 3.4.6. where the Registrant's power of attorney is assigned to another entity, due to illness or death;
 - 3.4.7. where a competent arbitrator, tribunal, court or legislative body orders the Registrant to Transfer its Domain Name; or
 - 3.4.8. where the Registrant has entered into an agreement to Transfer its Domain Name to the proposed new Registrant in settlement of a dispute between the parties and the deed of settlement includes the Transfer of the Domain Name, (for example, where a trademark infringement dispute is settled out of court).
- 3.5. Where the Registrant no longer meets the requirements to hold a Domain Name,

the Domain Name must be Deleted from the Qatar Domains Registry System.

- 3.6. In all cases, the Transfer of Domain Names which are subject to Eligibility Requirements will only be permitted where the proposed new Registrant meets the Eligibility Requirements of the Qatar Domains Registry Policy, and make the Warranties in the Registrant Agreement.
- 3.7. Transfer mechanism for Domain Names which are subject to Eligibility Requirements:
 - 3.7.1. The Sponsoring Registrar must receive a written request for Transfer that explains the circumstances of the Transfer and is signed by the Registrant Contact (a request by telephone or email is not acceptable).
 - 3.7.2. The Sponsoring Registrar must obtain a declaration signed by the proposed new Registrant, or an authorised representative of the proposed Registrant, in the form and as to contents provided for in Section 5 of this Policy, with any required relevant documents attached.
 - 3.7.3. The Sponsoring Registrar must obtain confirmation of the request for Transfer from both the Registrant Contact and the proposed new Registrant, or an authorised representative of the proposed Registrant.
 - 3.7.4. The Sponsoring Registrar must keep full records of the Transfer for inspection by the Qatar Domains Registry on demand, including copies of the written request for transfer, the declaration, and the Transfer confirmation.
 - 3.7.5. The original Registrant is not entitled to be reimbursed by the Registrar for the unused portion of the Domain Name Licence Period.
 - 3.7.6. The new Registrant becomes the beneficiary of the remaining portion Domain Name Licence Period.
 - 3.7.7. The Registrar may charge an additional service charge to complete this transaction.

4. The Qatar Domains Registry may investigate

- 4.1. The Qatar Domains Registry reserves the right to investigate any Domain Name Transfer.
- 4.2. Where the Policy of the Qatar Domains Registry has been breached, the Domain Name may be deleted from the Qatar Domains Registry System at which time it will become available for the next Applicant that meets the requirements of the Qatar Domains Registry Policy.

5. Third-Level Domain Names – Form of Declaration to be used for Transfers of Registrant

The information below must appear in all requests for the Transfer of a Registrant for Domain Names subject to Eligibility Requirements:

I <The proposed new Registrant, or an authorised representative of the proposed new Registrant>, makes the following declaration in accordance with the laws of the State of Qatar:

<Insert details of the transfer, for example: Sale of Business>

I certify that all the information I have furnished in this declaration are true and correct, and I understand that any false or misleading information may be subject to an offence under the laws in the State of Qatar.

Signature and date:

Domain Name Transfer – Change Registrar

6. Principles

The following principles shall apply to the Transfer of Registrar, and shall be observed by all Registrars:

- 6.1. Registrars may only accept a Transfer of a Domain Name for the Zones in which they are authorised by the Qatar Domains Registry;
- 6.2. Registrants have the right to make an informed choice to Transfer their Domain Name at any time;
- 6.3. a Registrant has the right to know all the material terms and conditions of the Transfer, including any related costs or charges, before they agree to proceed with the Transfer;
- 6.4. under no circumstances may a Losing Registrar impose any fee on the relevant Registrant for that Transfer;
- 6.5. a Losing Registrar shall not delay or prevent a Transfer; and
- 6.6. the Transfer Request must be confirmed by the Registrant, prior to proceeding with the Transfer.

7. Transfer of Registrar process for the Gaining Registrar

- 7.1. Prior to sending a Transfer request to the Qatar Domains Registry System in respect of any Domain Name, the Gaining Registrar must:
 - 7.1.1. receive a written Request for a Transfer from the Registrant that includes a valid Domain Name Password for the relevant Domain

Name. The Request must come by letter, facsimile, email or online form from the relevant Registrant. A request made orally whether in person or over the telephone is not acceptable;

- 7.1.2. use the Domain Name Password to retrieve the full information about the Domain Name from the Qatar Domains Registry System;
- 7.1.3. send a Standard Transfer Confirmation Message in the form described in Section 6 of this Policy, by facsimile, letter, or email to the party who has requested the Transfer and to the Registrant listed in the Domain Name Registry System (if different from the party requesting the Transfer);
- 7.1.4. receive an affirmative response from the Registrant contact by letter, facsimile or email; and
- 7.1.5. enter into a new Registrant Agreement with the Registrant for the remaining term of the Domain Name Licence Period, or for a new Domain Name Licence Period where requested by the Registrant, where the Transfer is combined with Renewal and must comply with the Registrant Agreement and all the Rules, Policies and Procedures determined by Qatar Domains Registry.

- 7.2. The Gaining Registrar must satisfy the requirements of Qatar Domains Registry Policies before initiating the Transfer request.
- 7.3. The Gaining Registrar must not provide the means for a Registrant, or a Reseller acting on behalf of a Registrant, to automatically initiate a Transfer Command to the Qatar Domains Registry System.
- 7.4. The Gaining Registrar must keep full records of the Transfer request, and make these available for inspection by the Qatar Domains Registry on demand, including copies of the written request for Transfer, the Standard Transfer Confirmation Message and the affirmative response from the Registrant.
- 7.5. Transfers that have been properly authorised and processed according to the requirements of this Policy and any procedural requirements of the Qatar Domains Registry, will proceed automatically two (2) Calendar Days after initiation by the Gaining Registrar, unless the Transfer is accepted earlier by the Losing Registrar.

8. Transfer of Registrar process for the Losing Registrar

- 8.1. The Qatar Domains Registry's Domain Name Registry System will notify the Losing Registrar that a Transfer has been initiated. The Losing Registrar may send a Standard Transfer Audit Message as defined in Section 7, to the Registrant, requesting the Registrant to confirm that the Transfer of Registrar is properly authorised.

- 8.2. If the Losing Registrar sends a Standard Transfer Audit Message, it must send the message once only, and within two (2) Calendar Days of receiving the Transfer notification from the Domain Name Registry System.
- 8.3. Once the Losing Registrar confirms the Transfer request, or if more than two (2) Calender Days elapses, the Domain Name Registry System will be updated. When a Domain Name is transferred, the remaining Domain Name Licence Period is also transferred and there will be no refund by Qatar Domains Registry to the Losing Registrar for such fees.
- 8.4. The Losing Registrar must not attempt to delay or prevent the Transfer of Registrar.
- 8.5. Should the Registrant not respond to the Standard Transfer Audit Message, the Losing Registrar must not persist in efforts to obtain a response to the message.
- 8.6. If a Losing Registrar receives a response from the Registrant that the Transfer has not been authorised, the Losing Registrar may lodge a complaint with the Qatar Domains Registry. The act of lodging a complaint with the Qatar Domains Registry will not stop the Transfer from taking effect, unless the Qatar Domains Registry is of the view that to allow the Transfer to proceed would cause harm to the Registrant. Causing harm to the Losing Registrar's business is not sufficient reason to stop the Transfer.
- 8.7. Should the Qatar Domains Registry determine that the Transfer has not been authorised by the Registrant in accordance with this Policy, the Qatar Domains Registry may:
 - 8.7.1. allow the Losing Registrar to initiate a Transfer back to the Losing Registrar (using the procedure outlined in this Policy); or
 - 8.7.2. reverse the Transfer.
- 8.8. Circumstances under which either of these actions might occur include where the Losing Registrar, or an appointed Reseller of the Losing Registrar, has breached the terms and conditions of the Registry-Registrar Agreement or any of the Qatar Domains Registry's Policies in order to secure the Transfer.

9. Domain Name Fees for Transfer of Registrar

- 9.1. The Losing Registrar shall not impose a fee for Transfer, or any fee that could reasonably be construed as a fee for Transfer.
- 9.2. The Gaining Registrar shall not impose a fee for Transfer, or any fee that could reasonably be construed as a fee for Transfer. If the Gaining Registrar chooses to include the Transfer with other service offerings, or if the Registrant selects additional service offerings, then the Gaining Registrar must advise the Registrant that the Transfer is free of charge.

9.3. If the Registrant chooses to Renew their Domain Name Licence at the same time as Transferring it to the Gaining Registrar, then the Gaining Registrar may charge a Renewal fee. The Gaining Registrar must advise the Registrant that the Renewal of the Domain Name is optional and is not required as part of the Transfer process.

10. Termination of Registrar Accreditation

10.1. Where a Registrar has its Accreditation terminated by the Qatar Domains Registry, all Domain Names for which it is the Sponsoring Registrar will be Transferred immediately to the Qatar Domains Registry's management (that is the Qatar Domains Registry will be listed as the Sponsoring Registrar in the Qatar Domain Name Registry System).

10.2. The Qatar Domains Registry will notify the affected Registrants that they must Transfer their Domain Name to another Registrar by following the procedure outlined in this document.

11. Standard Transfer of Registrar Confirmation Message

11.1. As required by this Policy, the Gaining Registrar must send a Standard Transfer Confirmation Message to the person who has requested the Transfer and to the Registrant Contact listed in the Domain Name Registry System (if they are different persons).

11.2. The purpose of the Standard Transfer Confirmation Message is to safeguard both the Registrant and the Gaining Registrar by confirming that:

- 11.2.1. the Transfer request is properly authorised; and
- 11.2.2. the Registrant has been informed of the material terms and conditions of the Transfer.

11.3. The Standard Transfer Confirmation Message must contain the following text

Domain Name Transfer – Request for Confirmation

Attention: <insert Registrant Contact name>

Re: Transfer of <insert Domain Name>

You have received this message because you are listed as the Registrant contact for this Domain Name in the Qatar Domains Registry System.

We have received a request from <insert name of person requesting Transfer> for us to become the new Sponsoring Registrar. The current Sponsoring Registrar for this Domain Name is <insert name of Losing Registrar>.

Please read the following important information about Transferring your Domain

Name:

You must agree to enter into a new Registrant Agreement with us. You can review the full terms and conditions of the Registrant Agreement at <insert URL>

Once you have entered into the Registrant Agreement, the Transfer will take place within 2 Calendar Days.

If you wish to proceed with the Transfer, please contact us <insert Gaining Registrar contact details> with the following message:

"I confirm that I have read the Domain Name Transfer – Request for Confirmation Message. I confirm that I wish to proceed with the Transfer of <insert Domain Name> from <insert name of Losing Registrar> to <insert name of Gaining Registrar>."

Please note that all Registrars must comply with the Qatar Domains Registry's Policies <insert URL of the web page of Qatar Domains Registry in the Communications Regulatory Authority website>.

12. Standard Transfer of Registrar Audit Message

- 12.1. As required in by this Policy, the Losing Registrar may send a Standard Transfer Audit Message to the Registrant Contact.
- 12.2. If sent, the Standard Transfer Confirmation Message must contain the following text:

Attention: <insert Registrant Contact name>

Re: Transfer of <insert Domain Name>

We are the current Sponsoring Registrar for this Domain Name.

We received notification on <insert date of notification> that you have requested a Transfer to <insert name of Gaining Registrar>. This means that <insert name of Gaining Registrar> will become the new Sponsoring Registrar for your Domain Name on <add 2 Calendar Days to date of notification>.

If you have authorised this Transfer, you are under no obligation to respond to this message.

If you did not authorise this Transfer, please contact us <insert Losing Registrar contact details>.

Please note that all Registrars must comply with the Qatar Domains Registry's Policy <insert URL of the web page of Qatar Domains Registry in the Communications Regulatory Authority website >.

Policy Definition and Review

This Policy document has been prepared and published in order to represent the Qatar Domains Registry's Policy with regard to the administrative and technical management of the Qatar Domains Registry and the Qatar Domains Registry System.

The Qatar Domains Registry may, at its sole discretion, review and/or amend this Policy at any time.