The Changing .ZA Domain Name Regulatory Landscape

The impact of the new ICT Policy
“Traditional ZADNA mandate: ECT Act

- Manage and administer .ZA domain
- License .ZA registries and registrars
- Compliance with international best practice
- Publish relevant policy guidelines
- Public awareness re economic & commercial benefits
- Research & surveys
- Advise Minister of Telecoms on related policy issues
Enter the ICT Policy Review 2013-2015

- No significant, holistic ICT policy review since 1996
- Current ICT laws not talking to each other well
- ICT regulation spread across different regulators
  - ZADNA for domain names
  - ICASA for broadcasting, spectrum, networks, etc
  - USAASA for universal access (ICT hubs, digital migration, etc)
  - Film & Publications Board for content regulation
- Gaps remained in certain areas e.g. Internet research, technical development, Internet Governance
Enter the ICT Policy Review 2013-2015

• 2015 Minister’s ICT Policy Green Paper called for regulatory integration especially across ICASA and USAASA

• No conclusive recommendations on ZADNA, but Minister urged to consider expanding ZADNA’s mandate to cover other broader Internet issues

• Call for a clear Internet Governance Principles

• Call for integrated domain name regulatory framework covering both .ZA and local gTLDs (.durban, .joburg, etc)
From the ICT Policy Green Paper to the White Paper – Policy decisions made

• Integration of ZADNA-ICASA-USAASA under an independent ICT Regulator
  – Broadcasting content regulation not included

• Significant amendment of laws will soon ensue
  – ECT Act, EC Act, ICASA Act, Broadcasting Act, etc

• Willingness of Government to receive expert advice on best implementation

• Appreciation that a phased integration may be more sustainable
New ICT Regulator illustration
What does this mean for the current domain name management & regulatory framework

Integrated ICT Regulator will now assume responsibility for:

• .ZA domain name regulation from ZADNA
• Management of registries (top level & 2\textsuperscript{nd} level e.g. co.za)
• Registrar accreditation
• Internet Governance engagements
• dotCities’ registry operation: .capetown, .durban, .joburg
Key drivers of integration

• Elimination of duplications, addressing grey areas & achieving coordinated & effective governance & regulation

• Accelerating rapid deployment of ICT infrastructure in a developing economy

• Appreciation of technology convergence

• Flexibility in allowing existence only of entities with clearly defined mandates

• Cost efficacy in ICT regulation
But what will be the best means of achieving integration?

ICT industry appreciates unique nature of Internet Governance & Government is willing to consider options:

- **Option 1**: integrate Internet resource management under ZADNA as priority & thereafter integrate ZADNA to ICT Regulator
  - Benefits of measured integration that allows learning-as-you-go
  - Allows for priority in quick wins i.e. integrating Internet value chain

- **Option 2**: integrate Internet resource management & governance under “new ZADNA” and let it exist separately from ICT Regulator
  - This is receiving greater support from local ICT industry
  - Government is strongly considering it as well
What will a separate Internet Resource Management Agency do?
Way forward

• Expansion of ICT Policy to specific legislation
  – Prolonged amendment of current legislation is inevitable & may last long

• Proving value & benefit of separating Internet Governance framework from Integrated ICT regulation

• Working with local ICT industry to support & inform Government’s pursuit of addressing current regulatory challenges in the broader ICT sector
THANK YOU 😊