

POLICY DEVELOPMENT PROCESS POLICY

1.0 Title: Policy Development Process Policy
Version Control: ~~1-02.0~~
Date of Implementation: ~~20152019-03XX-16XX~~

2.0 Summary

Initial Registry Policies were created by Registry Operator and incorporated in its applications to ICANN for <.TLD>. Additional Registry Policies and modifications to existing Registry Policies in connection with the operation of <.TLD> shall be created, reviewed and accepted/rejected per the terms outlined in this Policy Development Process Policy (the “Policy”).

3.0 Initiation of the Policy Development Process

3.1 The Advisory Council¹ may consider new Registry Policies and/or changes to current Registry Policies via the Policy Development Process (the “Process”) described herein ~~to current Registry Policies~~ if raised ~~either~~ by (a) the Registry Operator (inclusive of its Operating Manager and Board of Directors); (b) the Advisory Council; or (c) through the respective financial service communities that can make proposals electronically via the Registry Operator’s website.

3.2 The ~~Registry Operator/Manager~~ will coordinate the receipt of these requests and periodically present to the Advisory Council a summary of submissions so that they may make an informed decision about which Registry Policies to consider given available resources. For ~~Policy Development~~ the Processes initiated under 3.1(b) and 3.1(c) only those proposals/recommendations that receive a minimal 30% threshold Consensus support from the Advisory Council will advance to the next stage. Whereas, ~~Policy Development~~ the Processes initiated under 3.1(a) will automatically proceed to the next stage.

4.0 ~~Issues Report~~ The Process

¹ Per ~~FTLD’s Registry Operator’s~~ Affirmation of Commitments and its Advisory Council Rules and Operating Procedures (collectively at www.ftld.com/advisory-council/), the role of the Advisory Council is to provide guidance on ~~FTLD’s~~ Registry Policies by reviewing and providing input on them at the request of ~~FTLD~~ Registry Operator. ~~Advisory Council recommendations on Registry Policies will serve to inform and guide FTLD Board decisions to approve final versions of them.~~

The ~~Manager~~ Registry Operator shall:

4.1 Consult as appropriate with subject-matter experts in the preparation of a proposed new Registry Policy or changes to a Registry Policy;

4.2 Prepare a Report addressingAddress with the Advisory Council potential strengths and weakness in the proposed new Registry Policy or changes to a Registry Policy~~Registry Policy proposal~~, identifying any potentially impacted parties and how the parties may be affected;

4.3 Upon Consensus approval by the Advisory Council, inform the Registry Operator's Board of Directors of the recommendation by the Advisory Council, which will serve to inform and guide their decision, and obtain the vote in favor of or to reject the new Registry Policy or changes to a Registry Policy; and

4.4 ~~4.2~~—Upon a majority vote of the Registry Operator's Board of Directors in favor of the new Registry Policy or changes to a Registry Policy as outlined in Specification 12 to the respective Registry Agreement, Mmake a posting on the ~~Advisory Council's section of~~Registry Operator's website informing the respective financial services communities of the ~~initiation of this Report~~Process and providing a means for public comment ~~(). regarding the proposed Registry Policy.~~

~~4.3~~—Consult with appropriate subject matter experts in the preparation of the Report; and

~~4.4~~—Endeavor to prepare the Report within 60 days of the initiation of the Policy Development Process.

5.0 Implementation

5.1 Following the publication of the proposed new Registry Policy or changes to a Registry Policy~~Report~~, the Registry Operator and in consultation with the Advisory Council, as appropriate, will provide timely response to any public comment and appropriate guidance~~determine the appropriate resolution, if necessary, of any public comment.~~ ~~Any Registry Policy recommendation to the Registry Operator under 3.1(b) or 3.1(c) must be done by a Consensus of the Advisory Council.~~

5.2 The ~~Manager~~ Registry Operator shall ~~prepare a report summarizing the actions of the Advisory Council and forward it to the Registry Operator's Board of Directors for consideration as soon as reasonably possible.~~The ~~Manager~~ shall also ~~promptly~~ notify the Advisory Council of any actions by the Registry Operator's Board of Directors for the new Registry Policy or changes to a Registry Policy~~Registry Policy recommendation.~~

5.3 In case of changes to a Registry Policy that impacts Registry Operator's Specification 12, Community Registration Policies, of its Registry Agreement with ICANN, Registry Operator shall follow the ICANN Procedure for Community gTLD Change Requests available at <https://www.icann.org/resources/pages/community-gtld-change-requests-procedure-2018-06-01-en>.

5.4 If the new Registry Policy or changes to a Registry Policy ~~Registry Policy recommendation~~ is approved by the Registry Operator's Board of Directors, or ICANN if applicable, the ~~Manager~~ Registry Operator shall ~~be required to prepare the necessary documentation~~post the final version and announce this -on its website, and commence implementation ~~of the Registry Policy recommendation~~ in a timely fashion.

6.0 Superseding Policy Considerations

Registry Operator endeavors to work in conjunction with the Advisory Council to develop Registry Policies for the operation of <.TLD> per the terms of Registry Operator's Affirmation of Commitments. However, Registry Operator has certain contractual obligations to ICANN and corporate fiduciary obligations that shall supersede the aforementioned ~~and as well as the~~ provisions set forth below in this Policy.

6.1 ICANN Consensus Policies and Temporary Policies

Registry Operator is contractually obligated to comply with and implement all Consensus Policies and Temporary Policies found at <http://www.icann.org/general/consensus-policies.htm>, as of the Effective Date of the Registry Agreement and as may in the future be developed and adopted in accordance with ICANN's Bylaws, provided such future Consensus Policies and Temporary Policies are adopted in accordance with and relate to those topics and subject to those limitations set forth in Specification 1 of the Registry Agreement.

6.2 Registry Operator Emergency Policies

Registry Operator reserves the right to immediately implement an Emergency Policy, in its sole discretion, to: (1) protect the integrity and stability of the registry; (2) comply with any applicable laws, government rules or requirements, requests of law enforcement, in compliance with any dispute resolution process; (3) avoid any liability, civil or criminal, on the part of Registry Operator, as well as its affiliates, subsidiaries, officers, directors, employees and members; or (4) correct mistakes made by Registry Operator (including third-party vendors) or any Registrar ~~in connection with a domain name registration~~.

In the event ~~that~~ Registry Operator implements an Emergency Policy², it shall promptly notify the Advisory Council, ~~provide a reason for~~ of such action and work ~~with the Advisory Council~~ to implement a permanent policy, if one is warranted, in accordance with this Policy.

6.3 Notice and Conflict

In the event of a conflict between Registry Operator's services and any ICANN Consensus Policy or Temporary Policy, the ICANN Consensus Policy or Temporary Policy shall control, but only with respect to the subject matter in conflict. However, the Registry Agreement provides that ICANN shall afford Registry Operator a reasonable period of time following notice of the establishment of an ICANN Consensus Policy or Temporary Policy in which to comply with such policy or specification, taking into account any urgency involved.

7.0 Amendment

Registry Operator reserves the right to modify this Policy at its sole discretion in accordance with its rights and obligations set forth in its Registry Agreement. Such revised Policy shall be posted on Registry Operator's website at www.ftld.com/policies/ at least 15-calendar days before its effective date.

~~²Emergency Policies have historically been implemented to address a specific situation of limited duration that once resolved or mitigated usually obviates the need for the policy. If Registry Operator has determined that a permanent policy is warranted, it shall be implemented in accordance with this Policy.~~