



Palestinian National Internet Naming Authority Bylaws

Chapter 1 Definitions and General Terms

Article (1)

In application of the provisions hereof, the following words and phrases shall have the meanings designated for them below unless otherwise stated:

- ❖ **Ministry:** Ministry of Telecommunications and Information Technology
- ❖ **Minister:** Minister of Telecommunications and Information Technology
- ❖ **PNINA:** Palestinian National Internet Naming Authority
- ❖ **Top Level Domain:** Palestinian country code top-level-domain (ccTLD) .PS
- ❖ **Center:** Palestinian Registration Center
- ❖ **Board of Directors:** PNINA Board of Directors
- ❖ **Registrar:** any entity or individual applies to register one or more domains within the .ps domain
- ❖ **Certified Registrar:** Certified Entity accredited by PNINA to offer registration services of domains within the .ps domain and is the party who fills up, send and follow up the application forms
- ❖ **Registration Policies and Procedures:** List of policies and procedures approved by PNINA Board of Directors to manage the registration process within the .ps domain
- ❖ **Domain:** The applicant's registered name in the .ps Database
- ❖ **Member of Board of Directors:** Member of PNINA Board of Directors
- ❖ **Internet Service Provider:** Any entity that offer Internet Services

- ❖ **Internet User:** Any Organization or Individual who uses the Internet for any purpose
- ❖ **Registration form:** The application form used to register a new domain or modify any information related to a previously registered domain

Article (2)

- A. An Authority called “the Palestinian National Internet naming Authority” shall hereby be established in Palestine according to the Presidential decree number (20)/2001 and the Presidential decree number (59)/2003 and the Minister’s Cabinet decree in their thirteenth session dated 2/8/2003 which assigns the designated Minister to reform PNINA as a legal entity with full independent financial and administrative status, for the purpose of attaining its objectives and exercising its activities in accordance with the provisions hereof:
- B. The Ministry of Telecommunications and Information Technology will exercise its duties in auditing and administrative and financial supervision on this Authority according to the provisions of this document.
- C. The member entities within PNINA’s Board of Directors shall nominate their representatives to the Ministry and the Minister will issue the appointment decree of the Chairman and the members of the Board of Directors and get the approval from the Council of Ministers.

Article (3)

- A. The main office for PNINA will be in Jerusalem and its temporary office shall be at any other city within Palestine. PNINA has the right to relocate its main office or establish new branches anywhere in Palestine.

Chapter 2

Objectives and Duties

Article (4)

1. PNINA aims at setting the bases and roles and to perform all tasks related to the management and registration of domain names within the .ps and set appropriate policies for enhancing Internet usage in Palestine according to the best interest of Public.
2. PNINA Duties:
 - a) Set general policies and procedures related to the registration of domains under the .ps domain
 - b) Carry out all responsibilities related to managing and registering domains under the .ps domain
 - c) Contracting with interested entities to certify them as accredited registrars to register domains under the .ps
 - d) Set and develop mechanisms to settle disputes and solve problems related to the registration process which contribute in minimizing conflicts that need the intervention of courts.
 - e) Cooperate with local, regional and international entities to implement the best international methods and practices in managing domains
 - f) Represent Palestine at international establishments which are related to its work.
 - g) Organize and manage the administrative work according to the best interest of PNINA's function.
3. PNINA's Objectives:
 - a) Support valuable cooperation with different economical sectors and to create a true partnership between the private and public sector to serve information technology sector in Palestine.
 - b) Participate in setting the policies concerning the usage and development of the Internet in Palestine
 - c) Participate in setting laws and regulations that control the work of Internet related entities in Palestine
 - d) Provide technical support and consultation about registration mechanism under the .ps domain and Internet technology and its uses.
 - e) Encourage information technology and internet techniques researches at Palestinian universities and technical research centers.

Article (5)

Board of Directors

PNINA Board of Directors consists of twelve members representing governmental and non-governmental sectors and they are:

Ministry of Telecommunications and Information Technology	Chairman
Ministry of Planning	Member
Ministry of National Economy	Member
Ministry of Finance	Member
Ministry of Education and Higher Education	Member
Two representatives of Internet Service Providers	Member
One representative of Information Technology Association	Member
Two representatives of Local Internet Community	Member
One representative of Palestinian Telecommunication company	Member
One representative of Lawyers Syndicate	Member

Article (6)

The term of membership of the Board of Directors is three years. Member's replacements shall be nominated at the end of the term by the organizations they represent, providing that a board member whose membership expired retains his board membership pending nomination of another person in his place.

Article (7)

The Board of Directors member must fulfill the following conditions:

- Must be a Palestinian living in Palestine
- Must be knowledgeable of Information Technology field and the Internet
- Never convicted of a crime involving moral turpitude, honest, or convicted of any other crime.
- Known of good conduct.
- Must be committed to PNINA bylaws and internal procedures and policies and executive regulations that may be issued.
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Article (8)
Losing membership of the Board of Directors

1. The member may lose his membership status in any of the following cases:
 - Resignation
 - Death
 - Convection of a crime involving moral turpitude, honest, or any other crime
 - Cancellation of his/ her membership by the entity he/she is representing
 - Loosing one the conditions in Article (7)
2. The Board of Directors will request from the sector who nominated a member who lost his/ her membership so they can nominate a new member within two weeks from the date of the request.
3. The sector whose member lost his membership as a result of item (1) shall nominate a new member to represent that sector in the Board for the rest of the term.

Article (9)

Members of Board of Directors and employees at PNINA must keep the highest form of confidentiality when performing their duties.

Article (10)

A. Duties of the Board of Directors are:

1. Prepare the work plan for PNINA to pursue its activities within its predefined general policy.
2. Approve PNINA's bylaws and executive regulations and procedures and submit it to the Ministry for approval.
3. Approve plans and programs required to develop PNINA work and activities.
4. Manage PNINA work and pursue its goals
5. Define the registration fees of domains under the .ps domains
6. Hire Executive Director and a number of employees and according to PNINA needs and define their salaries and tasks and evaluate their work.
7. Represent PNINA in front of all official and non official entities.
8. Prepare the annual report of PNINA activities.
9. Discuss the budget proposal and the final accounts and approve the annual general budget of PNINA
10. Provide financial support and resources to PNINA

B. The Board of Directors in its full quorum should confidentially elect an Executive Apparatus that includes the president, vice president, treasurer and secretary.

Article (11)

The Executive Apparatus tasks are:

1. Oversee all PNINA's executive work.
2. Oversee PNINA reports and approve them.
3. Prepare and submit budget for the coming year to the Board of Directors
4. Accredit urgent expenses which are excluded from the general budget
5. Review issues relevant to PNINA scope of work brought by the Minister or the Chairman.

Article (12)

1. Chairman responsibilities:

- a) Chair of Board of Directors and the Executive Apparatus
- b) Sign PNINA checks and financial delegation along with the treasurer
- c) Follow up the executive agency performance
- d) Follow up the preparation of meetings agenda
- e) Supervise and follow up daily work at PNINA
- f) Submit periodical reports to the Minister in charge.

2. The vice president will take all responsibilities of the Chairman while the Chairman is absent.

3. The Board Secretary shall be responsible of:

- a) Taking minutes of the Board deliberations.
- b) Prepare agenda of Board of Directors meetings
- c) Invite members of Board of Directors by writing to them to attend the meeting
- d) Keep meeting's documents and records in special files.
- e) Follow up implementing decisions taken by Board of Directors and prepare reports about them.
- f) Inform members of Board of Directors about the decisions and recommendations as well as the concerned parties.
- g) Carry out any task assigned to him by the Board or the Chairman.

4. The Treasurer responsibilities are:

- a) Record all PNINA's Financial records

- b) Sign checks and other financial documents along with chairman.
- c) Submit a Financial Annual report regarding the financial status of PNINA to the Board of Directors.

Article (13)

1. PNINA shall have an executive manager hired by a Board of Directors decree
2. The executive manager responsibilities are:
 - a) Organize, supervise daily work and supervise human resources
 - b) Participate in the Board meetings when asked to, with no right to vote.
 - c) Submit monthly reports regarding PNINA work to the Board of Directors.
 - d) Implement decisions taken by Board of Directors.
 - e) Manage the daily activities of the registration center that is in charge of all activities related to registering domains under the .ps domain
 - f) The Board of Directors shall specify the executive manager's salary and financial privileges.

Article (14)

1. The Board shall hold a meeting once a month upon the Chairman's request.
2. When members are unable to attend the meeting, phone conference, video conference and other techniques may be used.
3. The board can hold urgent meetings when needed.
4. The meeting is not legal unless at least seven members attend it.
5. Decisions are taken by the absolute majority of any legal meeting.
6. Three members of the board are allowed to ask for a confidential vote on any of the Boards' decisions.

Article (15)

If the chairman or any member had a personal interest in any aspect of PNINA's work, he/she must directly clarify it in writing to the Board of Directors; none of those concerned members shall be allowed to vote on any decision or recommendation related to the matter in question.

Chapter 4 Financial Matters

Article (16)

PNINA's financial resources consist of:

1. Certified Registrars maintenance fees and registration fees for domains registered under the .ps domain
2. Unconditioned donations from any other establishments or donors
3. Profit gained as a result of PNINA's investments and activities
4. Funds obtained by any activity that do not contradict with the applied Palestinian law.

Article (17)

A bank account dedicated to PNINA's activities shall be opened.

Article (18)

PNINA must keep an accounting system that follows international accounting principles and practices, the Board of Directors shall appoint a certified auditor who shall be in charge of auditing PNINA's financial accounts and records and provide the Board with the suitable reports.

Article (19)

The Board of Directors shall submit its annual report to the ministry explaining PNINA's achievements and activities, the report shall include the detailed annual financial report showing all income and expenditures. Each member of the Board of Directors as well as concerned parties shall have a copy of that report not more than 90 days after the end of the fiscal year.

Article (20)

PNINA will have legal financial reserve to be used in coordination with the Minister in a way that shall comply with PNINA goals and in a way that shall server the development of the Internet Society in Palestine.

Chapter 5

Policies for Registering domains under the .ps Domain

Article (21)

The Board of Directors will issue the policies and regulations that govern the registration and management of domains under the .ps domain.

Article (22)

The Palestinian domain and its sub-domains and the contents they point to, are considered extensions of the Palestinian jurisdiction and the Palestinian law is the one applicable in this regard.

Article (23)

Registration Policies and Procedures issued and approved by the Board of Directors are considered applicable after 30 days of publishing them on PNINA's website on the Internet unless the Board of Directors decides otherwise.

Article (24)

Any modification on the registration policies and procedures will not affect domain names that already registered other than for renewal conditions and financial fees, unless the Board decides otherwise.

Article (25)

A new domain under the .ps domain shall not be registered unless its registration fee is fully paid by the domain applicant.

Article (26)

Registering a domain name under the .ps domain does not grant any legal rights or ownership to this name. It is just an address used on the Internet.

Article (27)

It is not allowed to register special or common names such as country names, religions, cities and other similar protected or excluded names that are kept in a special database available at PNINA or indecent names that are against Palestinian laws and public ethics.

Article (28)

PNINA will register names based on the First Come First Server fashion when the application complies with all registration requirements.

Article (29)

PNINA will inform applicants about the status of their application within a maximum period of 14 days from the day the application was received by PNINA.

Article (30)

PNINA has the right to terminate or cancel any domain registration at any time in any of the following cases:

1. If any of the supplied information is incorrect, incomplete or inaccurate.
2. If the applicant violates any article of this bylaw or any policy or procedure issued as part of the registration policies and procedures.
3. If there is a dispute regarding the concerned domain name and a decision has been made on it.
4. If it is proved that the application is made for the purpose of future trading (selling or renting) or for financial or material gain from an entity other than the domain owner.
5. If the contents of the domain name points to contradicts the Palestinian law.
6. When a request is received from a legal entity to cancel or freeze that domain.

Article (31)

Registration and renewal fees are valid for one year starting from the date of registering the application on the .ps database; applicants shall be informed by any of the available means of communication.

Chapter 6

Dispute Resolution

Article (32)

When a dispute rises between PNINA and any party regarding any of PNINA's activities, it shall be resolved mutually and if this is not achievable then arbitration shall be used according to the arbitration rules in effect in Palestine.

Article (33)

Any Dispute between several parties regarding registering domain names shall be resolved using legible ways. PNINA excludes itself from being part of this dispute and therefore is not responsible to investigate the ownership of such domain.

Article (34)

PNINA is not responsible directly or indirectly for any delay in work or harm or loss of revenue due to any disputes on a domain name.

Article (35)

Accepting the application does not mean approving or supporting the official documents or information or the contents presented in these documents.

Article (36)

The Palestinian law is applicable on any matter regarding this bylaw and the Palestinian courts have the exclusive jurisdiction over any policy or procedure derived from this bylaw according to their specialty.

Chapter 7

Article (37)

The Arabic language is the language of interpretation, correspondence and the construction of this bylaw or anything related to it and for all requirements of the domain registration process. However, the English language may be used for

correspondence. In case of a conflict between the Arabic and the English versions the Arabic version shall prevail.

Article (38)

This bylaw may be modified by the agreement of two thirds of the Board of Directors and the Ministry approval for these modifications. These modifications shall be published on PNINA's website on the Internet.