

.pt Registration Rules

2021

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Section I General Conditions

Article 1 How to Register

Registration of a domain name can be done through:

- a) One of the registrars accredited by .PT;
- b) Directly at www.dns.pt.

Article 2 Registration and Validity

1. A domain name shall be validly registered after cumulative verification of the following conditions:
 - a) Registration in accordance with the technical, administrative and legal conditions herein contained;
 - b) Payment of the registration fee as provided for in article 18.
2. Registration of a domain name shall be valid for the period corresponding to its payment, operated in accordance with and for the purposes set out in article 17, save if removed under the conditions set out in these Rules.
3. Should the technical information required upon registration not be provided, the domain name shall not be delegated to the .pt zone and shall remain in the Reserved status; on all other cases, it shall take on the Registered status.

Article 3 Delegation conditions

1. A domain name is delegated to the .pt zone whenever technically associated with at least two name servers, correctly installed and configured, that respond in an authoritative way to a domain name and are preferably located in different spaces, not sharing the same local network.
2. For the delegation of a domain name to be kept in the .pt zone, permanent Internet access should be guaranteed from anywhere on the Internet to the designated name servers so they can be consulted at any time and continue to respond authoritatively to said domain name.
3. The servers referred to in the preceding paragraphs must be configured according to the rules of parametrization and use established in the RFC's and other applicable technical documents.

Article 4

Contact information and notifications

1. Any question regarding the registration process or management of domain names shall be addressed through the channels and to the contacts provided at www.dns.pt.
2. .PT shall use email as the preferred means of contact with those responsible for a domain name, only using other means when these are not available.
3. Notifications sent to the addresses and contact numbers indicated by a domain name's managing body shall always be considered valid and as having been delivered.
4. Submission of documentation to .PT, namely that referred to in article 8(2), must be done using the designated means or, in their absence, those indicated in paragraph 1 of this article.

Article 5

Conditions for the composition of domain names

1. A domain name must have between 2 and 63 characters belonging to the following group: 0123456789abcdefghijklmnopqrstuvwxyz.
2. Whenever a domain name includes special characters from the Portuguese alphabet, it can take on the nature of an IDN.
3. The use of a [-] (hyphen) character is accepted only as a word separator, and it cannot be used at the beginning or at the end of a domain name.
4. A domain name that starts with 'xn' cannot have two consecutive hyphens [--] in the third and fourth positions.

Article 6

Inadmissibility of a domain name

1. Registration of a domain name is not admissible when it:
 - a) Corresponds to an already registered name within the same hierarchy;
 - b) Manifestly corresponds to obscene language or words or expressions contrary to the law;
 - c) Corresponds to a protected Portuguese or European designation of origin or to a geographical indication under the applicable law;
 - d) Corresponds to a geographical name in accordance with and for the purposes provided for in article 7.
2. A domain name must also not correspond to the reproduction of a trademark, name or designation of broad and widespread knowledge that constitutes an abusive appropriation of a right or interest of a legally protected third party, done in bad faith.

Artigo 7

Geographical names

1. A geographical name is considered any name, regardless of the language used, which coincides with:
 - a) The name of a country;
 - b) The name of a Portuguese civil parish, municipality or administrative region;
 - c) The name of a foreign capital or city which, due to its notoriety and relevance, is of common knowledge;
2. The direct registration of geographical names under .pt is only permitted when they are registered by the competent administrative authority.

Article 8

Compliance of a domain name

1. After registration of a domain name, within 10 days and following a sampling process, the .PT may take the steps it deems applicable to verify a domain name's compliance with the provisions of article 6, as well as to assess the accuracy of the identification data of those responsible for it.
2. The .PT may request the registrant and the managing body to provide, within 2 days, proof of compliance with the provisions of these Rules.
3. If, following verification pursuant to the preceding paragraphs, the .PT concludes that a domain name is in breach of these Rules, it shall immediately remove it and shall notify the corresponding registrant and managing body, with a complete statement of the grounds for its removal decision.
4. The .PT shall also keep a dynamic list of domain names blocked which, due to their nature and composition, breach the provisions of these Rules, namely the conditions of inadmissibility set out in article 6.
5. If the applicant has, under the Rules, the legitimacy to register a domain name included in the list provided for in the previous paragraph, he should make proof of this by contacting the .PT using the means set out in article 4.
6. In case of conflict over domain names, the interested parties can resort to institutionalised voluntary arbitration under the terms and conditions set out in article 26 and following of these Rules.

Section II Specific Registration Conditions under .COM.PT

Article 9 Registration of domain names under .com.pt

Domain names registered under the .com.pt classifier shall comply with the terms and conditions provided for in Section I of the Rules, save for the provisions of article 6(1) d).

Section III Specific Registration Conditions under .GOV.PT

Article 10 Registration of a domain name under .gov.pt

The registration process of a domain names under .gov.pt is carried out at CEGER - Centro de Gestão da Rede Informática do Governo [Management of the Government's IT Network], in accordance with the regulation available at www.ceger.gov.pt and supplementarily with the provisions in these Rules.

Section IV Other registrations

Article 11 Other registrations

In addition to the possibilities of domain names registration listed in the preceding articles, domain names which comply with conditions expressly described by law can also be registered.

Article 12

Changes to a domain name

1. A domain name, once registered, cannot be changed.
2. Without disregarding the provisions set out in the preceding paragraph, domain names registered under the ENH Protocol, the "3em1" initiative or other similar one, may be amended following a case-by-case and duly substantiated examination.

Article 13

Changes to data

Those responsible for a domain name have the right to access, update and rectify their data by making the desired changes online or by requesting it directly to .PT, through the contact information provided for in article 4.

Article 14

Transfer of ownership

1. Transfer of ownership of a domain name depends on the registrant's or managing body's express request, and the .PT ensures the necessary mechanisms to guarantee the legitimacy of the request, in accordance with the provisions of these Rules and applicable law.
2. Without disregarding the provisions set out in the preceding paragraph, .PT reserves the right to request supporting elements to confirm the legitimacy of the request for transfer the domain name ownership.
3. When the request's legitimacy is confirmed, the domain name ownership transfer shall be carried out, making this known to the previous and new registrants.
4. Transfer of a domain name ownership is not allowed under the period referred to in article 17(2) or when a domain name has pending judicial or arbitration proceedings duly notified to .PT.

5. If applicable, the .PT shall transfer a domain name ownership following a court order, arbitration or notification from a body with legal jurisdiction to that effect.
6. With the change of ownership of a domain name, all terms and conditions applicable at the date of the transfer, namely application to the arbitration agreement or its validity date, shall be deemed unchanged and as such, automatically applicable to the new registrant.

Article 15

Transfer of management and technical responsibility

1. Transfer of management of a domain name is carried out exclusively online and started by the registrant or by the current managing body, through a unique transfer code.
2. Whenever a managing body loses its registrar status, namely for failure to comply with the obligations inherent to said status, management of the domain names shall be subsequently and unofficially transferred by .PT to the corresponding registrants.

3. The provisions of the preceding paragraph shall apply to cases where the managing body, being a legal person, is dissolved and ceases to operate, or in the case of death if a domain name is managed by a natural person.
4. Transfer of the technical responsibility of a domain name is carried out exclusively online and started by the managing body.

Article 16

Technical changes

1. Changes of technical information associated with a domain name must be carried out online by the technical manager.
2. For changes of technical information involving a change of name servers, the technical manager shall ensure the removal of the previous configurations on the previous servers indicated, in order to ensure the correct use of the domain name.
3. Whenever technical information associated with a domain name is changed, it shall only remain delegated to the .pt zone if the technical requirements identified in article 3 of these Rules are met.

Article 17 Renewal

1. The registration of a domain name may be renewed until the end of its deadline through the online renewal mechanism available for this purpose.
2. After the period provided for in the preceding paragraph, the .PT grants an additional 30-day period for renewal during which a domain name is no longer delegated in the .pt zone.
3. Should the renewal mechanism not be activated during the period referred to in the preceding paragraph, the domain name shall be removed and become available for registration
4. The non-renewal of a domain name shall not take effect as long as it is the subject of a pending legal or arbitration proceedings duly notified to .PT

Article 18 Prices

1. Registration and renewal of a domain name requires payment of a fee indicated in the applicable table, published at www.dns.pt.
2. To determine the fee to be paid, it shall be considered the date of registration or renewal of a domain name appearing in the .PT's database, as well as the fee in force on the indicated dates.
3. The .PT may, at any time and without prior notice, revise domain names' registration and renewal fees.

Article 19 Invoicing

1. The .PT issues an invoice/receipt after payment of a domain name's registration or renewal for the selected period, making it available to the managing body.
2. Unless stated otherwise when registering a domain name, the managing body shall be deemed to adhere to the electronic invoicing system in accordance with the laws in force.
3. Registrars invoicing shall be done according to own rules agreed to in a separate contractual instrument.

Article 20 Refund of amounts paid

Whenever a domain name is removed pursuant to article 8 of these Rules, the .PT refunds the amount paid asking the managing body, when required, to provide the necessary data for that purpose.

Article 21

Removal by the registrant and the managing body

1. The registrant and the managing body may remove a domain name online or upon express request to the .PT, accompanied by supporting elements to assess the request's legitimacy.
2. Whenever the removal of a domain name is requested by the managing body, the .PT notifies the registrant, who may object to it within 8 days of said notification.
3. Removal of a domain name is not allowed when said domain name is subject to pending legal or arbitration proceedings duly notified to .PT.
4. Removal of a domain name shall not confer the right to reimbursement of any payment made or other type of compensation, save for the cases provided for in article 20.

Article 22

Removal by .PT

1. Without prejudice to the provisions of these Rules, namely article 8, a domain name shall be removed immediately when the .PT is aware of one or more of the following circumstances:
 - a) Loss of the right to use a domain name, namely by virtue of a judicial or arbitration decision or notice by a body with legal jurisdiction to do so;
 - b) Dissolution and termination of the registrant's activity, when it refers to a legal person;
 - c) Insufficient, inaccurate or false identification data or contact information provided;
 - d) Existence of a domain name to which third party data have been associated, without their knowledge and without consent having been given for said purpose;
 - e) Non-activation of a domain name renewal mechanism referred to in article 17(1).

2. For the cases provided for in paragraphs b) and c), the .PT notifies the registrant and the managing body stating the grounds for removal of a domain name, which shall take effect in 8 days after sending the notification save if, during that term, the corresponding removal reasons are remedied.
3. For the cases provided for in this article's paragraph 1, after removal, the registrant and the managing body shall be informed thereof by .PT.
4. The domain name can also be removed immediately following notification to . PT by a public authority with legal competence for this purpose, if the domain name unequivocally conflicts, namely, with the designation of an initiative or public service for social, public health, humanitarian or educational purposes.

Article 23

Registrant's rights and liabilities

1. After the valid registration of a domain name, the registrant shall acquire an exclusive and renewable right of use over the registered name and may transfer or dispose of it, under the terms and conditions provided for in these Rules and applicable law.
2. When registering a domain name, the registrant must comply with the provisions set out in these Rules and applicable law, refraining from any unlawful use of said name and being solely liable for any damage caused directly or indirectly by its registration or misuse.
3. The registrant is solely liable for the possible creation, management and maintenance of its domain name's subdomains.

Article 24

Managing body's liability

1. The managing body undertakes to inform the registrant of the terms and conditions applicable to the registration, maintenance and removal of domain names, as well as the relevant policies and procedures of .PT for this purpose.
2. The managing body may be liable to .PT for all acts or omissions of diligence inherent to a domain name registration, maintenance and removal process.
3. The managing body shall provide and keep updated the data indicated when registering a domain name, which shall be accurate and complete and the .PT cannot be liable in any way for contact difficulties arising from the lack of updating or inaccuracy of this data.
4. The managing body undertakes to provide the .PT with the registrant's direct contact information.
5. Should the managing body be a registrar, the other liabilities and rights attached to that status shall be regulated by a separate contractual instrument.

Article 25

.PT's liability

1. As the legal entity responsible for the registration and management of domain names registered under ccTLD.pt, .PT promotes the correct maintenance of the domain name space from an administrative, legal, and technical aspect.
2. The .PT's contractual liability, namely the one resulting from processes of change, expiration and removal of domain names, is limited to cases where there is intent or serious fault.
3. The .PT is responsible for communicating to those responsible for the domain name and, where appropriate, to the competent authority, any identified domain name that represents a DNS Abuse.
4. Without prejudice to the provisions of the preceding paragraph, the .PT is not, under any circumstances, liable for the use given to the domain name, designated but not exclusively, for the contents associated with it, regardless of the format and means of transmission, nor for actions deemed DNS Abuse.
5. The .PT may, in no case, be held liable for conflicts arising exclusively from the contractual relationship established between the registrant and the managing body.

Article 26

Institutionalised voluntary arbitration

1. In case of dispute over domain names, the stakeholders can resort to institutionalised voluntary arbitration under the terms of the Voluntary Arbitration Law, designating, for this purpose, ARBITRARE - Arbitration Centre for Industrial Property, Domain Names, Trade Names and Corporate Names.
2. Upon registration of a domain name, the arbitration agreement on the resolution of conflicts over domain names may be signed.
3. The arbitration proceedings shall be governed by the rules set out in the ARBITRARE Regulation for Procedural Costs and the law in force on the subject.
4. The arbitration referred to in the preceding paragraphs shall apply to situations of non-compliance of a domain name and may be sought by any interested party:
 - a) Against the Registrant of the domain name that is the subject of arbitration;
or
 - b) Against .PT, for the removal or acceptance of a domain name registration.

5. By these rules, the .PT is bound to the jurisdiction of ARBITRARE - Arbitration Centre for Industrial Property, Domain Names, Trade Names and Corporate Names regarding any dispute concerning domain names.

Article 27

Criteria for institutionalised voluntary arbitration

1. Should the arbitration proceedings be brought against the registrant whose domain name is subject to arbitration, the decision ruling the dispute may consist of maintaining the initial situation or removing and/or transferring the domain name ownership.
2. For the purposes of the preceding paragraph, the arbitrator shall review, assess and verify compliance with the provisions set out in these Rules, namely those of article 6.

3. For the purposes of article 6(2), the following expressions shall have the following meaning:
 - i) reproduction of a trademark, name or designation means a situation where the domain name coincides with the nominative element of any of these signs and, for this purpose, its graphic composition must be considered as a whole or, failing this coincidence, it results in the addition or erasure of one or more characters which, by changing the spelling of the trademark, name or designation, do not entirely alter their pronunciation. Should the website associated with the domain name market goods or products equal or similar to those protected by the conflicting sign registration, the concept of reproduction is also fulfilled if the domain name coincides even partially with the graphic composition of this sign;
 - ii) broad and widespread knowledge means when a trademark, name or designation has a relevant public projection on the market to which they refer, evidenced in particular by the level of market presence; references in the specialist press; turnover; where applicable, magnitude and geographic reach of sales and distribution channels and public presentation, knowledge, positioning and perception of product quality and credibility; time of market presence. This includes all well-known and prestigious trademarks;
 - iii) misappropriation in bad faith may include the following facts: the domain name has been registered or acquired with a view to its subsequent sale to the claimant; the domain name has been registered for the purpose of disrupting the applicant's professional or commercial activities; the domain name has been registered with the intention of obtaining undue gains resulting from the attractiveness of the trademark, its reputation and its prestige; the website associated with the domain name markets goods or products equal to or similar to those protected by the conflicting trademark registration; the domain name consists of one or more given names or the combination of the applicant's given name and surname;
 - iv) legally protected third party right or interest means a right or interest conferred by law and prior to the domain name registration.
4. In the case of proposed arbitration proceedings against the .PT, the decision settling the dispute may be constituted by the obligation of the latter to remove an unduly accepted domain name or to accept the registration of a domain name that has been unduly refused.

5. For the purposes of the preceding paragraph, the arbitrator shall review, assess and verify compliance with the provisions of these Rules, namely with the domain name registration legitimacy.

Article 28

Precautionary procedure

1. Whenever the applicant of the arbitration proceedings shows a well-founded fear that someone else will cause a serious injury difficult to repair to their right, they may request the court to temporarily suspend a domain name in conflict, in order to ensure the effectiveness of the threatened right.
2. The decision of the arbitration court granting the interim order shall be served to the .PT, which shall execute it accordingly.

Article 29 Processing of personal data

1. Personal data of those responsible for a domain name shall be processed for the purpose of management, registration and maintenance of the names registered under the ccTLD .pt, as well as for other purposes provided for and authorized under the applicable law.

2. The personal data necessary for the celebration of the contract which presides over the registration and maintenance of a domain name is:

- a) Name;
- b) Address;
- c) Country;
- d) Email;
- e) Telephone number;
- f) Tax Identification Number, or other, provided it has equal legal purpose and value;
- g) NIB/IBAN.

3. Personal data of those responsible for a domain name are collected directly by .PT, by the managing body or by other bodies subcontracted by the latter.
4. The .PT assumes the status of data controller of personal data under the terms set out in the GDPR and other applicable law since it is the body that determines the purposes and means of processing of personal data collected in the process of registration, maintenance and removal of a domain name.
5. Those responsible for a domain name may request the exercise of the right to restrict and opposition to the processing, as well as the right to portability or erasure of their personal data, in the cases specified by law, and shall, for that effect, inform the .PT in writing.
6. Upon request, the personal data of those responsible for a domain name may be communicated to ARBITRARE - Arbitration Centre for Industrial Property, Domain Names, Trade Names and Corporate Names, to judicial authorities or to other bodies to whom the law assigns powers for that purpose.
7. Should those responsible for a domain name consider the processing of their personal data breaches the applicable data protection law, they may file a complaint with the Comissão

Nacional de Proteção de Dados [Portuguese Data Protection Authority] (www.cnpd.pt).

8. Other information regarding the processing of personal data by the PT are listed in the Privacy Policy, published and available for consultation at www.dns.pt.

Article 30

Processing of data on Whois

1. The Whois directory allows the identification of data associated with the registration and technical information of a domain name, thus contributing to the Internet's security, stability and resilience.
2. A domain name and its registration and expiration dates, its technical status, the registrant and managing body's name, address and email are disclosed in the Whois directory.
3. Without prejudice to the preceding paragraph, only personal data for which competent consent has been obtained under applicable law shall be disclosed in the Whois directory.

4. Data subjects may, at any time, withdraw their consent regarding disclosure of their personal data and, for this purpose, they must inform the .PT in writing of this intention or operate it directly on their online reserved area.
5. Data subjects disclosed in the Whois directory shall have right to access and rectification of their personal data and shall ensure its accuracy and update.
6. The processing of personal data in the Whois directory complies with the law on the protection of personal data, as well as other applicable laws, and follows the procedure of the .pt Whois Policy, published and available for consultation at www.dns.pt.
7. The identification data of legal persons responsible for a domain name shall always be disclosed in the Whois directory.
8. The provisions of this article shall apply mutatis mutandis to other publicly available directories of information made available by .PT.

Article 31 Entry into force

1. The Rules apply from 2 February 2021.
2. The provisions resulting from this revision do not apply to proceedings pending on the date of its entry into force nor shall affect the conditions for assignment of an already registered domain name.
3. Domain names registered under the previous Rules under the classifiers .net.pt, .publ.pt, .int.pt, .nome.pt, edu.pt and .org.pt shall remain unchanged.

Article 32 Reservation of domain names

The .PT may reserve domain names under its ownership when such is required for technical reasons, for the sound management of the space of national names or for the fulfilment of legal or contractual commitments, namely those signed with international entities operating in this area.

Article 33 Deadlines

The deadlines provided for in these Rules are continuous, running on Saturdays, Sundays and bank holidays.

Article 34 Assessment

Without prejudice to the immediate introduction in these Rules of the justified changes, they shall be subject to a periodic global assessment, in view of their possible revision.

Glossary

For the purpose of these Rules, the following expressions shall have the following meanings:

- a) **.pt Zone** - File managed by the .PT with all delegated domain names and corresponding technical information, whose applicable use policy is available for consultation at www.dns.pt.
- b) **3em1 Initiative** - [3in1] initiative of the .PT, through which anyone who creates a company, association or branch 'on the spot' is given a free service package, for a period of one year, which includes a registered domain name, a tool for the development of a website and hosting, and email boxes.
- c) **Arbitration agreement** - legal instrument whereby the domain name holder or its representative managing body agrees to submit to arbitration a possible dispute arising from the registration of its domain name;
- d) **Associação DNS.PT** - Abbreviated to .PT. It is the body responsible for ccTLD.pt's management, registration and maintenance. Associação DNS.PT is a private non-profit association and its members, at the time of publication of these Rules, are FCT, IP - Fundação para a Ciência e a Tecnologia, IP (FCT), ACEPI - Digital Economy Association (ACEPI) and the Portuguese Association for Consumer Protection (DECO). The Bylaws of Associação DNS.PT are published at www.dns.pt;

- e) **ccTLD.pt** - Acronym for 'country code Top-level Domain', corresponding to Portugal's top-level domain, also simply referred to as .pt, according to ISO 3166-1 code, composed of two letters of the alphabet and whose technical and administrative delegation by the competent body is a condition for its operation by .PT;
- f) **Competent administrative authority** - The body exercising administrative authority over a restricted geographical area;
- g) **Delegation** - Inclusion of a registered domain name in the .pt zone;
- h) **DNS** - Acronym for 'Domain Name System', a protocol through which resolution of domain names in IP addresses is performed and vice versa;
- i) **DNS Abuse** - Domain name that supports, intentionally or unintentionally, activities of malware dissemination, phishing, pharming, botnets and/or spam;
- j) **Domain name** - Alphanumeric sequence that corresponds to part of the .pt zone, used to locate and identify computers on the Internet. The domain name is located to the left of the top-level domain separated by a dot (e.g.: 'rules.pt');
- k) **ENH Protocol** - Protocol concluded between .PT and the Ministry of Justice through which a domain name corresponding

to the corporate name of the company, branch or association set up under the "on the spot" scope, on the date of its incorporation, is automatically assigned;

l) **GDPR** - Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data;

m) **IDN** - Acronym for 'Internationalized Domain Name', it corresponds to a domain name with special characters from the Portuguese alphabet, namely: á; à; â; ã; ç; é; ê; í; ó; ô; õ and ú;

n) **Managing Body** - One of the bodies responsible for domain names, managing its registration and maintenance process with .PT, and assuming the status of data processor, under the terms provided for in the GDPR. The managing body is .PT's privileged contact point for all administrative, technical or legal matters related to domain names. It may correspond to a body with registrar status pursuant to the list available at www.dns.pt;

o) **Personal data** - information regarding an identified or identifiable natural person ('data subject'); an identifiable natural person is someone who can be identified, directly or indirectly, specially by reference to an identifier, such as a name, an identification number, location data, electronic identifiers or one or more specific elements of the physical, physiological, genetic, mental,

economic, cultural or social identity of that person;

p) **Registered** - Domain name assigned to a registrant in the .PT database;

q) **Registered-technical status** - Technical status of a registered domain name with technical information and delegated in the .pt zone;

r) **Registrant** - One of those responsible for a domain name. Natural or legal person who takes on the status of domain name owner or simple applicant before compliance of the registration with the Rules is validated by .PT;

s) **Registrar(s)** - Agent(s) of domain names registration whose terms and encompassing status are subject to a protocol to be signed with the .PT. All bodies included in the List of .PT Registrars (<https://www.dns.pt/en/registrars/>);

t) **Reserved** - Technical status of a registered domain name without technical information and not delegated in the .pt zone;

u) **RFC** - Acronym for 'Request for Comment', it corresponds to technical documents from the Internet Engineering Task Force which, after being approved by the users community, become Internet operation standards;

v) **Rules** - .pt Registration Rules, with legal deposit number 376640/14, and available for consultation at www.dns.pt;

w) **Subdomain** - Part corresponding to a subzone within a main domain name (e. g.: 'registrationrules' in the domain name 'registrationrules.dns.pt');

x) **Technical manager** - One of the people responsible for the domain name; it is responsible for the technical administration of the corresponding DNS zone and for the hosts' configuration in this same address. The technical manager shall be duly notified of technical problems arising from the domain name registration and maintenance process and shall also be reachable via the mailbox specified in the SOA Resource record;

y) **Whols** - Public database that allows the identification of a domain name, its submission and expiration dates, technical status and identification data of the registrant and managing body. Data processing at Whols follows the ".pt Whols Policy" procedure;

dns.pt
dnssec.pt
facebook.com/dns.pt
pt.linkedin.com/in/dnspt
confioem.pt