

A BILL

entitled

ELECTRONIC COMMUNICATIONS AMENDMENT ACT 2015

WHEREAS it is expedient to amend the Electronic Communications Act 2011 with respect to the management of the country code top-level domain of Bermuda, and the allocation and assignment of domain names under that country code top-level domain, and to provide a fee for the registration of such domain names;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Electronic Communications Amendment Act 2015.

Replaces section 49

2 Repeal section 49 of the Electronic Communications Act 2011 and substitute—

“Country code top-level domain and domain names

49 (1) The Minister shall co-ordinate—

- (a) the management of the country code top-level domain of Bermuda; and
- (b) the allocation and assignment of all domain names under the country code top-level domain of Bermuda.

(2) Fees for the initial registration of such a domain name and annual registration shall be prescribed in the Government Fees Regulations 1976.”

Amends Government Fees Regulations 1976

3 In Head 24 of the Government Fees Regulations 1976 (Electronic Communications Act 2011), insert—

“(3) Initial registration of a domain name under section 49..... \$60

(4) Annual registration of a domain name under section 49..... \$60”.

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Commencement and transitional provision

4 (1) This Act comes into operation on 1 April 2015.

(2) For the avoidance of doubt, in relation to a domain name which was registered by the Registrar General before the commencement of this Act, the annual fee for registration shall not be applicable until the anniversary of its registration.

ELECTRONIC COMMUNICATIONS AMENDMENT BILL 2015

EXPLANATORY MEMORANDUM

This Bill seeks to repeal and replace section 49 of the Electronic Communications Act 2011 to clarify that the Minister (not the Regulatory Authority) is to co-ordinate the management of the country code top-level domain of Bermuda, and the allocation and assignment of all “.bm” domain names, and provides for fees for the registration of such domain names. As with other Ministerial functions this can be delegated to a public officer or public authority under section 27 of the Interpretation Act 1951.

Clause 1 is self-explanatory.

Clause 2 replaces section 49 of the Electronic Communications Act 2011 to remove the reference to the Regulatory Authority, so that responsibility for co-ordinating the management of the country code top-level domain of Bermuda, and the allocation and assignment of “.bm” domain names, resides with the Minister responsible for telecommunications (currently the Minister of Economic Development). Subsection (2) provides for an initial fee and an annual fee for the registration of such domain names.

Clause 3 amends the Government Fees Regulations 1976 to prescribe a fee of \$60 for the first registration of a domain name, and an annual registration fee of \$60 per domain name.

Clause 4 provides for commencement on 1 April 2015, but provides, for the avoidance of doubt, that the annual fee shall not be applicable to a domain name which was registered before commencement until the anniversary of its registration.