

Global Amendment to the Base New gTLD Registry Agreement (“Global Amendment”)

Voting Process Frequently Asked Questions

Version: 17 February 2017

Background

On 16 July 2014, the Registry Stakeholder Group (RySG) notified ICANN Organization that it wished to negotiate proposed changes to the base New gTLD Registry Agreement. As required by Section 7.7(b) of the base New gTLD Registry Agreement, ICANN Organization engaged in a "Discussion Period" with the Working Group established by the RySG on the form and substance of proposed contract amendments that were submitted by the Working Group and ICANN Organization. The proposed Global Amendment to the base New gTLD Registry Agreement is the result of several months of negotiations between the parties on mutually agreeable text.

Following discussions between ICANN Organization and the Working Group, the mutually agreeable text was published for public comment in the form of a Global Amendment. After the close of the public comment period on 20 July 2016, ICANN published the Report of Public Comments on 17 August 2016. ICANN Organization and the Working Group reviewed the public comments and, on 22 December 2016, ICANN Organization published a [Reissued Report](#) to supplement the initial Report of Public Comments with additional analysis as well as an [updated Global Amendment](#).

Pursuant to Section 7.7(c) of the base New gTLD Registry Agreement, the Proposed Revisions shall be submitted for Applicable Registry Operator approval (as defined in Section 7.6). Should the Global Amendment achieve Applicable Registry Operator approval, it will then be submitted to the ICANN Board of Directors for final approval.

If this vote results in the approvals outlined in Section 7.7(c) of the base New gTLD Registry Agreement, the proposed Global Amendment shall be deemed an Approved Amendment and shall be effected and deemed an amendment to the base New gTLD Registry Agreement following a 60-day notice from ICANN Organization to Registry Operators.

ICANN Organization is submitting the proposed Global Amendment for Registry Operator Approval by vote via an online voting tool administered by BigPulse.com. This Frequently Asked Questions document covers topics related to voting procedures and next steps.

Revisions in this Version

Type of Change	Section	Notes
Update	Questions 5, 7, 11, 12, 18, and 19	Updates or clarifications to address questions from the webinar on 7 Feb 2017

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1. Who is eligible to vote?

Only Applicable Registry Operators are eligible to vote. Section 7.6(j)(i) of the base New gTLD Registry Agreement defines Applicable Registry Operators as “collectively, the registry operators of top-level domains party to a registry agreement that contains a provision similar to this Section 7.6, including Registry Operator.” Therefore, if your Registry Agreement contains the applicable provision, you are eligible to vote.

2. Who is not eligible to vote?

Registry Operators whose Registry Agreements do not contain Section 7.6 Amendments and Waivers and Section 7.7 Negotiation Process are not eligible to vote.

3. When is the voting period?

The voting period begins on 9 February 2017 at 23:59 UTC and ends on 10 April 2017 at 23:59 UTC. This is a 60-day voting period.

Please note that the proposed Global Amendment may receive approval prior to 60 days, but ICANN Organization will not close the vote early as each Registry Operator can alter its vote once.

4. How will ICANN Organization administer the vote?

ICANN Organization is using a third-party voting administrator, BigPulse.com, for this vote. BigPulse was founded in 2000 and specializes in high security online elections. This is the same voting system used for the annual registrar fee vote.

5. How will I be notified that voting has started?

Registries will receive two communications:

1. *Prior* to the start of the voting period, ICANN Organization will send an email (pursuant to Section 7.9 of the Registry Agreement) to the Registry Primary Contact and Legal Contact – as specified by the Registry Operator – to formally announce the voting period.
2. *At the start* of the voting period, BigPulse will send an email to the Registry Primary Contact – as specified by the Registry Operator – for each eligible Registry Agreement contracted with ICANN. This email will specify the TLD and include instructions and a personal sign-in link to access BigPulse.

6. How do I access the voting system?

BigPulse will send an email to the Registry Primary Contact – as specified by the Registry Operator – at the start of the voting period for each eligible Registry Agreement. This email will contain a personal sign-in link to BigPulse, which will enable the Registry Primary Contact to vote.

A Registry Primary Contact with multiple eligible Registry Agreements will receive a separate email inviting them to vote on behalf of the Registry Operator for each eligible Registry Agreement.

Example: for a Registry Operator with three Registry Agreements eligible in this vote, the Registry Primary Contact will receive a separate email announcing the vote for *each of the three* Registry Agreements. The Registry Primary Contact *must vote* separately for each Registry Agreement – a total of three times:

- Registry Agreement 1 – vote
- Registry Agreement 2 – vote
- Registry Agreement 3 – vote

7. What if I do not receive the email at the start of the vote?

The email from BigPulse will be sent to voters at the same time the vote opens. If you do not receive the email notification(s) for the vote shortly thereafter, please check your spam folder(s). If you still cannot find the email notification(s), please take the following steps:

1. Contact your internal IT department or Internet Service Provider (ISP) and ask them to whitelist the domain name **mail1.bigpulse.com**, which currently uses IP addresses: **209.15.228.130** and **5.44.17.248**.
2. Open a case via the GDD Portal or send an email to globalsupport@icann.org with the subject line “Need Vote Emails for Global Amendment to the base New gTLD Registry Agreement.” We will then resend an email to the Registry Primary Contact with a personal sign-in link, which will enable you to vote.

For Registry Operators who execute a Registry Agreement or renew a Registry Agreement that includes Sections 7.6 and 7.7 or similar provisions during the voting period, ICANN will provide voting materials and instructions for this vote shortly after the agreement or renewal is executed.

8. How do I submit my vote?

In order to vote, please follow these steps:

1. Click on the personal sign-in link provided in the email notification from BigPulse.
2. Read and accept the transparency terms if you wish to proceed.
3. Approve or disapprove the proposed Global Amendment by choosing one of the following options:
 - a. Approve:
 - i. Check the box to approve the proposed Global Amendment,
 - ii. Enter your full legal name in the open text field, and
 - iii. Click the “SUBMIT or UPDATE Vote” button to submit your vote.
 - iv. Once the vote has been cast, a confirmation email will be sent to the Registry Primary Contact confirming receipt of the vote.
 - b. Disapprove:
 - i. Do **not** check the box if you wish to disapprove the Global Amendment,
 - ii. Enter your full legal name in the open text field, and
 - iii. Click the “SUBMIT or UPDATE Vote” button to submit your vote.
 - iv. Once the vote has been cast, a confirmation email will be sent to the Registry Primary Contact confirming receipt of the vote. In this email, the vote selection will appear blank.
 - c. Abstain: You may choose to abstain from the vote if you do not want to approve the amendment. This means you may skip this vote to abstain.

If you disapprove or abstain from voting on the proposed Global Amendment, your vote will not count toward the thresholds required to approve the proposed Global Amendment. For more information about the required thresholds, please see question 18 below.

9. Will I receive confirmation of my vote?

Yes, the Registry Primary Contact will receive an email confirmation from BigPulse upon submission of a vote. If you cast a vote of approval, your vote selection will show your approval. If you disapprove the Global Amendment, your vote selection will appear blank.

10. I submitted my vote incorrectly. Can I change my vote?

You may change your vote **once** by clicking on the personal sign-in link provided within the voting notification email from BigPulse and resubmitting your vote.

- If you voted to APPROVE, but would like to change your vote:
 - Uncheck the box
 - Click “SUBMIT or UPDATE Vote”
- If you voted NOT to approve, but would like to change your vote:
 - Check the box
 - Click “SUBMIT or UPDATE Vote”

BigPulse will not accept additional votes once you’ve submitted a second vote. If you submit a second vote, it will be your final vote.

11. Can someone vote on my behalf?

ICANN Organization expects each vote to be submitted by the Registry Primary Contact. Should you need to update your Registry Primary Contact, please submit your request via the GDD Portal or email globalsupport@icann.org.

For security purposes, Registry Primary Contacts should not share their personal sign-in link with anyone because the recipient will be able to vote. However, the Registry Primary Contact is not prohibited from forwarding the link. The person with the email link can vote on behalf of that TLD. This vote will still be counted and the voting system will require the voter to certify that they are authorized to vote for the proposed Global Amendment to the base New gTLD Registry Agreement and submit their full name with their vote. By entering their full name with the vote, the voter certifies that they are authorized to vote on behalf of the Registry Operator for that TLD.

12. How will ICANN Organization verify the results of the vote?

BigPulse will calculate the results of the vote. In addition, the ICANN Organization will utilize an independent third-party to review the results reported by BigPulse upon conclusion of the voting period. This may include contacting Registry Primary Contacts selected at random to confirm how they voted.

13. Who will have access to voting data?

Access to voting data is limited to ICANN Organization voting administrators, BigPulse, and the independent third-party reviewer except to the extent required by law, the ICANN Documentary Information Disclosure Policy, or other applicable policy.

14. Will ICANN Organization provide updates about the vote?

Yes, ICANN Organization will post updates of – then current – voting results once every two weeks on the Global Amendment [webpage](#). These updates will report on the status of both thresholds: the number of Applicable Registry Operators who have voted and the progress toward reaching the required threshold of weighted approvals.

ICANN Organization does not plan to publish data regarding how individual Registry Operators vote except to the extent required by law, the ICANN Documentary Information Disclosure Policy, or other applicable policy.

15. How does the Global Amendment reach approval?

In order for the Global Amendment to be approved, it must be submitted to and receive approval from Applicable Registry Operators and the ICANN Board of Directors.

Two thresholds are required to achieve Applicable Registry Operator approval:

1. “The affirmative approval of the Applicable Registry Operators whose payments to ICANN accounted for two-thirds of the total amount of fees paid, pursuant to the Registry Agreement, the immediately previous calendar year.”
2. “The affirmative approval of a majority of the Applicable Registry Operators at the time such approval is obtained.”

16. How are fees calculated?

As covered in question 15, Applicable Registry Operator approval requires “the affirmative approval of the Applicable Registry Operators whose payments to ICANN accounted for two-thirds of the total amount of fees paid, pursuant to the Registry Agreement, the immediately previous calendar year.”

“Payments to ICANN” in the “immediately previous calendar year” will be defined as payments received by ICANN as covered in Article 6 in calendar year 2016. For example:

- If ICANN received a payment in calendar year 2016 for 2015 fees, this would count as a payment received in calendar year 2016 for the purpose of this vote.
- If ICANN received a prepayment in calendar year 2015 for 2016 fees, this payment would **not** count for the purpose of this vote.
- If ICANN receives a payment in calendar year 2017 for fees in 2016, this payment would **not** count for the purpose of this vote.

17. What happens after the conclusion of the voting period?

When the voting period has concluded, the following steps will take place:

1. *Vote review*: an independent third-party will review the results reported by BigPulse. ICANN Organization will announce the result on ICANN.org and notify all voters of the result.

2. *If Approved by Registry Operators:* if the proposed amendment is approved by Applicable Registry Operators, it will go to the ICANN Board of Directors for final approval following the conclusion of the voting period.
 - a. *Board Approval*
 - i. If the Board approves the Global Amendment, it will become effective 60 days after the day ICANN Organization notifies Registry Operators of Board approval (pursuant to Section 7.7 of the base New gTLD Registry Agreement).
 - ii. If the Board does not approve the Global Amendment, ICANN Organization and the Working Group will follow the procedures outlined in Section 7.7 of the base New gTLD Registry Agreement.
3. *If Not Approved by Registry Operators:* if the proposed Global Amendment is not approved by Applicable Registry Operators, the Registry Operators' current Registry Agreement, inclusive of all amendments, etc., will remain in full force and effect, and ICANN Organization and the Working Group will follow the procedures outlined in Section 7.7 of the base New gTLD Registry Agreement.

18. If approved, how much time will I have to implement the changes?

If the Global Amendment receives Applicable Registry Operator Approval and Board Approval, it will be deemed an Approved Amendment and shall be effected and deemed an amendment to each affected Registry Agreement following a 60-day notice from ICANN Organization to Registry Operators.

19. If the Global Amendment is approved, will Applicable Registry Operators be required to sign the Global Amendment?

No, individual execution is not required. Pursuant to Section 7.7, the Global Amendment is effective once the requisite approvals are received and following ICANN Organization's 60-day notice to Registry Operators. ICANN Organization will publish the effected Global Amendment on the [Registry Agreements](#) webpage. Additionally, ICANN organization will post the Global Amendment to each Applicable Registry Operator's Registry Agreement page on ICANN.org.

Once the Global Amendment becomes effective, eligible parties will execute the restated version of the base New gTLD Registry Agreement.

20. Where can I find additional information?

Please reference Sections 7.6 and 7.7 of the base [New gTLD Registry Agreement](#) for additional information. ICANN Organization has also established a [Global Amendment](#) webpage, which provides background information, relevant resources, and upcoming dates.

21. If I still have questions, who can I contact?

To submit questions regarding the voting process, open a case via the GDD Portal or send an email to globalsupport@icann.org with "Inquiry – Global Amendment to the base New gTLD Registry Agreement" in the subject line.