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INSTRUCTION HANDED DOWN BY THE GENERAL MANAGER OF PUBLIC BUSINESS ENTITY RED.ES, ESTABLISHING THE OFFICIAL PUBLIC TARIFFS FOR ASSIGNMENT, RENEWAL AND OTHER REGISTRY OPERATIONS ASSOCIATED WITH THE LIMITED RESOURCE OF DOMAIN NAMES USING THE COUNTRY CODE CORRESPONDING TO SPAIN (.ES).

The sixth additional provision of Law 34/2002 of 11 July, on Information Society Services and Electronic Commerce, in accordance with the content of the sixth additional provision of Law 11/1998 of 24 April, on General Telecommunications, expressly declared in force by point b) of the Sole Repealing Provision of Law 32/2003 on General Telecommunications, assigns responsibility for managing the registration of domain names using the country code corresponding to Spain (.es) to the public business entity Red.es.

For the exercise of this activity, the General Telecommunications Law provided for the levying of a fee for the assignment of the limited resource of domain names. Sub-section 10 of the sixth additional provision of the General Telecommunications Law, amended by the second final provision of Law 34/2002, dated 11 July, on Information Society Services and Electronic Commerce, regulated the essential aspects of the fee for the assignment of the limited resource of domain names and the factors involved in its quantification.

Law 56/2007, dated 28 December, on Measures to Promote the Information Society, establishes a new regime for the fees charged for the assignment, renewal, and other registry operations carried out by the public business entity Red.es in the exercise of its duties as the Assignment Authority managing the registration of domain names using the country code corresponding to Spain (.es), which shall take the form of a fixed public price. This new regime allows the public business entity Red.es to market “.es” domain names under the same conditions as those applied to the marketing of other generic and territorial domain names.

Article 8 of Law 56/2007 establishes that Red.es, with prior authorisation from the Ministry of Industry, Tourism and Trade, shall establish, by means of the corresponding Instruction, the official public fees for the assignment and renewal of “.es” domain names and other registry operations associated with their use.

Under the provisions of Article 7(2) of Royal Decree 164/2002, dated 8 February, which approves the Statute of the public business entity Red.es, the Chairman of Red.es has delegated to the General Manager of Red.es, by resolution dated 21 October 2005, the powers to establish the procedures for the assignment and all other operations associated with the registration of internet domain names and addresses using the country code corresponding to Spain “.es”.

The General Manager of Red.es, in accordance with the provisions of the aforementioned Article 8 of Law 56/2007 and by virtue of the powers delegated to him, hereby issues this Instruction.

This Instruction shall become effective on 15 January 2008.

Madrid, 14 January 2008.

Sebastián Muriel Herrero
General Manager
Public business entity Red.es

PROVISIONS

One.- Tariffs

The public price shall be the same for each domain name whose assignment or renewal is requested. The public price shall be levied for the initial annual assignment and subsequent annual renewal of domain names in accordance with the following fees:

- (i) Tariff one. Initial annual assignment or annual renewal of second-level domain names: €27.59.
- (ii) Tariff two. Initial annual assignment or annual renewal of third-level domain names using the extensions ".edu.es" and ".gob.es": €30.17.
- (iii) Tariff three. Initial annual assignment or annual renewal of third-level domain names granted under other extensions: €11.64.
- (iv) Tariff four. Initial annual assignment or annual renewal of second-level domain names, requested through a registration agent: €4.09.
- (v) Tariff five. Initial annual assignment or annual renewal of third-level domain names using the extensions ".edu.es" and ".gob.es", requested through a registration agent: €10.34.
- (vi) Tariff six. Initial annual assignment or annual renewal of third-level domain names granted under other extensions, requested through a registration agent: €1.29.

Two.- VAT

The official public fees for the assignment of the limited resource of domain names established by this Instruction will be subject to VAT and included in the taxable base for the application of the general rate of said tax.

Three.- Discounts to the tariffs

Within the framework of initiatives aimed at promoting and developing the information society in Spain, Red.es may temporarily apply discounts to the tariffs set out in Provision One when it deems it appropriate to do so. In all cases, these discounts must be established by means of a Resolution stating the grounds for their application.

Temporary Provision

Until such time as this Instruction establishes, under article 8 of Law 56/2007, the procedure for the settlement and payment of the public prices set out herein, as well as the declaration models, deadlines and forms of payment to be used, the procedures, models, deadlines and forms of payment established by the legal norms and regulatory provisions in force prior to the entry into force of this Instruction shall continue to be applicable.