

MODULE 1:

Predictability Framework

1. Overview of the Predictability Framework¹

ICANN org maintains operational processes to receive, process, and close out applications [to the Next Round of the new gTLD Program] in an efficient, consistent, and transparent manner. The purpose of this Predictability Framework (Framework) is a transparent procedure for ICANN org to utilize when unanticipated issues arise during the course of the New gTLD Program (Program) that require changes to ICANN org's operations of the Program or otherwise affect new gTLD applicants. Subject to the type of change required, ICANN org will work with the Standing Predictability Implementation Review Team (SPIRT): if changes have a material impact on applicants, ICANN org and the SPIRT have to agree on a permanent solution; if the proposed changes do not have a material impact, ICANN org is not required to consult with the SPIRT.

The Framework is not a mechanism to develop solutions to such issues. It also does not impact the role of the ICANN Board to take actions that may impact the Program. Similarly, the Framework does not affect the GNSO Council's ability (see ICANN Bylaws Annexes [A](#), [A-1](#), [A-2](#)) to launch policy development or guidance processes that may relate to the Program. Finally, the Framework does not affect the Government Advisory Committee's (GAC), nor any other ICANN advisory committee's, ability to issue advice in accordance with ICANN's Bylaws [Article 12](#).

ICANN org will document all changes to the Program in a publicly available Change Log.

2. Parties Involved in the Framework

The following parties are involved in the administration of this Framework and their roles and responsibilities listed here pertain only to this Framework.

- **Applicants:** All entities who applied for a new gTLD during the ongoing round of the program.
- **GNSO Council:** The GNSO Council is the chartering entity of the SPIRT and is consulted as described below.
- **ICANN org:** ICANN org is the Program operator and must make all reasonable efforts to ensure the Program's continued operation.
- **ICANN Board:** The Board's roles and responsibilities are detailed in the Bylaws.

¹ Number in this document is a placeholder and will be adjusted in the AGB.

- **SPIRT**: As a standing implementation review team, the SPIRT will collaborate with ICANN org on all non-minor changes to the Program (including policy changes).

3. Description of Changes

For the purpose of this Framework, changes to the Program are classified as follows:

- A **minor operational change** refers to any change during the ongoing round of the program that does not have a material impact on applicants. The SPIRT is not involved in these changes.
- A **non-minor operational change** is a change during the ongoing round of the program that has a material impact on applicants. ICANN org will consult with the SPIRT when designing a solution, and ICANN org and the SPIRT need to agree on a solution before a change can be implemented permanently.
- A **policy change** is a change during the **ongoing round** of the program that, if implemented, would be inconsistent with existing policy recommendations.² Therefore, **policy changes for ongoing rounds would only occur in extraordinary circumstances** where the continuation of the program is at risk if the change were not executed. If a policy change is necessary the Board, ICANN org, GNSO Council and the SPIRT will collaborate to identify an appropriate solution to secure the continuation of the program as well as an appropriate process to implement it.³

4. Procedural Steps to Initiate and Execute a Change

4.1 Change Request

The change request flow chart outlines the procedural steps the **Advisory Committee (AC), GNSO Council, ICANN Board, and ICANN org** take if they determine a change to the Program is required.

1. **GNSO Council or AC approve and submit guidance or advice** to the ICANN Board, and the ICANN Board, **after its consideration, adopts the guidance or advice**. The ICANN Board **directs ICANN org** to implement the change. If implementation requires a change to the ongoing round of the program, ICANN org applies the **Predictability Framework** and proceeds with the steps outlined in the Change Execution flowchart.
2. SPIRT **determines a change to the ongoing round is required**, the SPIRT **collaborates with the GNSO Council to inform ICANN org**. If ICANN org **determines a change to the ongoing round is**

² Policy recommendations and affirmations are the Board approved recommendations contained in the [2007 Introduction of New Generic Top-Level Domains](#) and [2021 New gTLD Subsequent Procedures Policy Development Process](#) Final Reports

³ This is separate from any policy development the council would like to undertake for future rounds whether based on the circumstances above or for any other reason.

needed, ICANN org **applies the Predictability Framework** and proceeds with the steps outlined in the Change Execution flowchart. If ICANN org **determines, contrary to the SPIRT, that no change is required to the ongoing round**, the SPIRT confers with the GNSO Council. If the GNSO Council determines a change to the ongoing round is required, the GNSO Council engages with the ICANN Board. If the ICANN Board determines a change to the ongoing is needed, the ICANN Board **directs ICANN org** to apply the **Predictability Framework** and proceeds with the steps outlined in the Change Execution flowchart.

3. The ICANN Board **determines a change to the ongoing round of the Program is required**. The ICANN Board **directs ICANN org** to implement the change. If implementation requires a change to the ongoing round of the program, ICANN org applies the **Predictability Framework** and proceeds with the steps outlined in the Change Execution flowchart.
4. ICANN org **determines a change is required** to the Program, ICANN org **applies the Predictability Framework** and proceeds with the steps outlined in the Change Execution flowchart.

4.2 Change Execution

The Change Execution flow chart outlines the procedural steps to take once the change process has been initiated, depending on the initial determination of ICANN org on the type and impact of the required change to the Program.

1. ICANN org determines that the required change during the ongoing round of the Program **can be implemented in alignment with the existing policy recommendations**, and **will not have a material impact on applicants**.⁴ Such a change is considered as ‘**minor operational change**’ and the subsequent steps in the change execution flow chart will be followed.
2. ICANN org determines that the required change during the ongoing round of the Program **can be implemented in alignment with the existing policy recommendations**, and **will have a material impact on applicants**. ICANN org subsequently informs the SPIRT and the change is considered a ‘**non-minor operational change**’ the subsequent steps in the change execution flow chart will be followed.
3. ICANN org determines that the required change during the ongoing round of the Program **cannot be implemented in alignment with the existing policy recommendations**. ICANN org informs the SPIRT and in accordance with its Charter, the SPIRT confers with the GNSO Council. Should the GNSO Council determine that an alternative change, which does not require a change

⁴ For reference the definition of a non material change or material change is defined in section X. Note additional context and definition regarding material changes will be added following IRT discussion on Topic 18.3 Terms and conditions.

of existing policy **can not** be found, the change is considered a '**policy change**' and the subsequent steps in the change execution flow chart will be followed.⁵

⁵ N.B. Under extraordinary circumstances, there could be a recommendation that the New gTLD Program be halted for a communicated amount of time. In such a case, the triggering mechanism and rationale for recommending this extraordinary action must be provided to the GNSO Council for its consideration.