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# 2010 NPP Meeting - 14 September 2010

## First Meeting

14 September 2010, 2.00-5.00pm  
RACV Club, Melbourne

### Present:

Tristan Kathage\*, Lujia Chen, David Goldstein, Robert Gregory, Lisa Jarrett, Simon Johnson, Amin Kroll, Erhan Karabardak, Haig Kayserian, Adrian Kinderis (left after Item 1), Lisa Lennon, Jo Lim, Kimberley Lowton, David Lye, Jamie Murphy, Peter Nettlefold\*, George Pongas, Helen Richards, Joshua Rowe, Nancye Stanelis, Derek Whitehead, Miguel Wood

\*Department of Broadband, Communications and the Digital Economy (DBCDE) observers

### Apologies:

Darrell Burkey, John Graham, Graham McDonald

### Actions:

- JL and LC to circulate presentation on the .au domain and overview of auDA policies
- JL and LC to circulate complaints statistics to Panel
- JL to forward past market research to Panel

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### Discussion:

#### 1. Welcome and introductions

Panel members introduced themselves and declared relevant interests.

Adrian Kinderis announced George Pongas has taken up an appointment with AusRegistry, and therefore Adrian will step down as a panel member so that AusRegistry is not overrepresented.

## 2. Panel operating procedures

The Panel noted and agreed the operating procedures.

## 3. Introduction to .au domain space

JL gave a presentation covering the history of .au, the role of auDA and the specific auDA policies to be reviewed by the Panel.

## 4. Panel process and deliverables

The first deliverable that the Panel is working towards is a discussion paper to be released for public consultation.

## 5. Panel Terms of Reference – general discussion of policies and issues

Discussion at the meeting covered general issues about the .au domain, and specific issues about the policies under review.

### *General issues*

General issues raised by the Panel included:

- What is the public perception and understanding of “.au”?
- Why do people choose to register a .au domain name?
- What sort of brand recognition is attached to a .au domain name, and does the “.au” signify that the business is based in Australia?
- What is the value of a .au domain name across different business and industry sectors?
- How does .au compare with other ccTLDs?

It was noted that these issues have been considered by previous Panels, most recently the 2007 Panel which commissioned a market research company to conduct focus group surveys.

JR and DG referred to past research work about domain names that they have undertaken in other contexts.

The Panel agreed to review previous work and data which is held by auDA, and then decide whether it thinks that further market research would help it to undertake the Terms of Reference. It was suggested that the Panel could conduct its own informal research using an online survey tool such as SurveyMonkey, and it was also suggested that a Newspoll question could be asked.

### *Specific issues*

The Panel noted the auDA Staff Issues Paper.

In addition to the issues raised by auDA staff, the Panel raised the following issues for consideration:

- Direct registrations under .au (eg. yourname.au). This issue has been considered by previous Panels and the cons have always been found to outweigh the pros, however it is open to the Panel to revisit the issue.
- Requirement that registrants in .au be Australian (or licensed to trade in Australia). It has always been a fundamental policy principle that the .au domain is for Australians and the eligibility criteria are designed to ensure that only Australian (or Australian registered) entities and individuals are able to register .au domain names.

- How to accommodate registrants who are not eligible to register a domain name within the existing 2LDs. An example given at the meeting was an individual who wants to set up a personal hobby website about yachting but does not qualify as a commercial business (com.au or net.au), a non-profit organisation or association (asn.au or org.au), nor is known by the name “yachting” (id.au).
- 2 year licence period. The 2004 Panel considered this issue and recommended that the licence period be changed to allow 1,2 and 3 year periods, however this recommendation was not accepted by the auDA board at the time.
- Single letter domain names (eg x.com.au). Although previously restricted for technical reasons, many other TLDs have now released single letter domain names.
- Verification of registrant identity at the time of registration. DBCDE advised that Senator Conroy wrote to the auDA board raising concerns about the ability of a person to register a domain name which is someone else’s personal name. The auDA board has undertaken that this issue will be addressed as part of the Panel’s review of policies.
- Enforcement of policy rules. DBCDE advised that this is another issue raised in Senator Conroy’s letter which the auDA board has undertaken to address through the Panel review. There was a general acknowledgement that there is no point having policies unless they are enforced. Therefore, an issue for consideration is how to support auDA’s ability to take enforcement action.

Panel members thought that the current complaints system appears to be effective in dealing with policy breaches, however auDA staff have advised a number of difficulties, including the increasingly high expectations of complainants. It was suggested that more complaints could be referred to the auDRP instead of auDA.

It was also suggested that there needs to be greater certainty for all parties, which would be assisted by removing or minimising the subjective nature of some of the policies. Transparency of decisions was also felt to be important. JL advised that auDA would be implementing an independent review mechanism for registrants whose domain name has been deleted by auDA for policy breach.

auDA agreed to provide registry and complaint statistics to the Panel to assist with its consideration of the issues.

The following topics were raised that are not within the scope of this Panel:

- block on registrant transfers within first 6 months of registration
- automatic renewal of .au domain names
- disclosure of creation/expiry dates on WHOIS and use of WHOIS data
- wildcard DNS records.

Next meeting:

Thursday 7 October, 2-5pm – Melbourne

## **Operating Procedures**

### 1. Meetings

Panel meetings for the rest of 2010 have been scheduled for the first Thursday of each month, confirmed at the first Panel meeting:

Thursday 7 October 2010, 2-5pm  
Thursday 4 November 2010, 2-5pm  
Thursday 2 December 2010, 2-5pm

Participation in meetings should be as equitable as possible, given that some members will be attending in person and some by telephone. Meetings of the full Panel may be supplemented by teleconferences or meetings of sub-groups if required.

## 2. Proxies

Panel members are permitted to send proxies to meetings where necessary. The Panel member must ensure that their proxy is sufficiently briefed to ensure continuity of Panel proceedings. Members cannot replace themselves by proxies on an ongoing basis; if a member cannot continue their position they should resign from the Panel.

## 3. Confidentiality

Panel proceedings are confidential. Members are free to canvass, discuss and debate the issues outside Panel meetings (eg. on public mail lists or with their constituencies) but not to disclose the proceedings of the Panel - ie. what is actually said and by whom. To do so is likely to inhibit free discussion and work against an outcome.

## 4. Consensus

Consensus has been defined by auDA as a 2/3 majority, although whether this means a 2/3 majority of members as a whole or 2/3 majority of members who are present at a meeting is yet to be determined. In the past, Panels have mostly been able to reach consensus without needing to call a formal vote on issues. There is an expectation that the Panel will provide a single recommendation to the auDA Board, however a significant minority opinion could also be presented to the Board as part of the Panel's final report.

## 5. Conflict of interest

All Panel members have, or represent, a particular stakeholder interest and in most cases the nature of that interest will be clear. However, if any members feel that they need to clarify their interests in relation to particular issues under consideration, then they should do so.

## 6. Minutes, papers and submissions

Panel minutes will be published on the auDA website as soon as possible after each meeting. The minutes will record the Panel's discussion, but will not attribute comments to individual members unless expressly requested by the member. Panel papers are confidential until published on the auDA website. Papers will ordinarily be published unless the Panel decides that a paper should remain confidential, in which case the minutes will record the existence of the paper. All submissions to the Panel will be published on the auDA website unless clearly marked confidential.

## 7. Reporting and publicity

The Panel Chair will report to the auDA Board at each Board meeting. The Panel is independent of the Board in its deliberations, but the Board has the final say on what actually happens. The only official statements made on behalf of the Panel will be made by the Chair. Panel members are free to speak about the work of the Panel, but should

make it clear that they are not speaking on behalf of the Panel.

#### 8. Panel mail list

The mail list for the Panel is panel-names@lists.auda.org.au. Discussion on the list is confidential, and posts to the list will not be published or archived.

#### 9. Panel resources

auDA will provide secretariat support to the Panel. auDA will also, at its discretion, provide financial assistance to Panel members who require it. auDA will consider any reasonable request for additional resources that the Panel believes are necessary to complete the Terms of Reference (eg. market research surveys). Any such request should be made to auDA by the Panel chair.

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