

Date: 10 September 2018
Time: 10am – 11.48am AEST
Location: Phone conference
In Attendance: John Swinson (Chair), Narelle Clark (Consumer Protection Representative), Brett Fenton (Supply Class Member), Ian Halson (Demand Class Member), Professor Dan Hunter (Academic Representative), Jeff Hole (Victorian Department of Premier and Cabinet), Bruce Tonkin (auDA) and Steph Viljoen (auDA Compliance Officer)

MINUTES

1. STANDING ORDERS

1.1 Welcome and Apologies

The meeting opened at 10am AEST.

1.2 Declarations of Conflict of Interest

No Conflicts of Interest declared.

1.3 Confirmation of Minutes

1.3.1 Confirmation of Minutes for the Policy Review Panel Meeting – 9 August 2018

The Panel confirmed the minutes of the Policy Review Panel meeting, held on 9 August 2018, as a true and accurate record of the meeting with the single amendment of adding the apology from Nicole Seaton. Secretariat to upload onto website.

ACTION: Secretariat to add apology from Nicola Seaton and upload minutes to website.

1.4 PRP Administration

1.4.1 New auDA Policy Development process

- Bruce Tonkin circulated paper on the policy development process that has been approved by auDA board.
- The process is based on an advisory panel document from 2000.
- The process change is due to changes in government legislation.
- Policy will be subject to a public consultation process and the Board will approve policy based on public feedback.

1.4.2 Focus groups update

- The first working group (Domain Investors Working Group) has been convened with the assistance of Robert Kaay.
- The second will be convened by Brett Fenton and will be based on the existing Registrar Working Group.
- The third focus group will invite big business and e-commerce business representatives
- The fourth group will invite representatives of small business, previous submitters, community groups, government and education sector to participate.
- Focus groups will be convened over the next 6 weeks and report back by 30 October
- Panel agreed at the conclusion of focus groups there should be 1 holistic report rather than separate reports of each focus group.
- Panel agreed that where there are strong contradictory opinions within a focus group, those individuals will be able to send in an individual submission.
- John Swinson noted that the one high level question he wants answered is ‘whether the focus groups consider the policy understandable’.
- John Swinson noted that he had requested that focus groups sign a non-disclosure agreement.
- Ian Halson recommended that web development companies should be invited to attend focus groups and he will provide suggestions.
- Panel agreed that a final report on the focus groups will be provided to them by 25 October 2018 ahead of the next panel meeting.
- Public consultation process will occur as soon as possible over November/December period allowing for comments back to the panel by mid-December. These timelines can be moved by one month if required.

ACTION: Ian Halson to provide participant suggestions to the Secretariat.

1.4.3 Location of next meeting

It was agreed the next meeting will be held on Thursday 1 November 2018 at auDA Boardroom Level 17, 1 Collins Street, Melbourne.

2 **POLICY REVIEW**

2.1 **Registrant Policy**

2.1.1 Registrant Discussion paper

- John Swinson noted that he has completed a first draft of the Registrant Discussion paper
- John Swinson suggested that the first draft of the Registrant policy will be circulated and publicly issued for comment in October, before the AGM with comments back 6 weeks after
- It was noted that the Complaints policy will be prepared and circulated post this timeframe

2.2 Complains Policy

2.2.1 First draft of Policy

- Narelle and Nicole are working on a first draft of the Complaints Policy
- John, Narelle and Nicole agreed to convene 'brainstorm' about the complaints policy.

ACTION: Secretariat to forward Narelle and Nicole all previous minutes taken about complaints policy and the audio recording of the 9th August PRP meeting.

ACTION: Secretariat to assist John, Narelle and Nicole in convening a discussion about the complaints policy.

2.2.2 Presentation by Bruce Tonkin

Bruce Tonkin circulated information about complaints about domain names and explained how they are handled. Over 6 month period - majority relate to domain names and close and substantial connection

Panel noted that based on the information provided, changes to monetisation as the panel is likely to recommend, that would significantly reduce the number of complaints

2.3 Domain Renewal, Expiry and Deletion Policy - Bruce Tonkin continued

- Discussion around policy delete issue and what information is required to prove you own a domain name. Bruce Tonkin noted that many were prima facie cases where ABN has exited or company sold or moved to a new company. Bruce noted that there are increasing complaints around unauthorised business use of domain names.
- Bruce Tonkin will give an update on this issue at next meeting including discussion about whether auDA requires a Statutory Declaration about company/domain status.
- John Swinson sent Bruce 10 domain names for Bruce to test against the deletion policy.
- Jeff Hole noted that it is very important to understand what is the harm that auDA is trying to minimise. There are other bodies that could also be involved including ACCC and Consumer Affairs.

ACTION: Bruce Tonkin will give an update on the deletion Policy at next PRP meeting.

2.4 Policy Consolidation Work

auDA expects to complete the task of consolidating and updating the existing policies related to registrants into a single policy with a consistent style by early October.

Policy consolidation work must make clear what changes have been made that were recommended by the panel. The Policy Panel will recommend further considerations if required and subsequently public consultation will follow.

The Panel agreed that if only minor changes to a Policy were required after public consultation, the Policy would go to the Board for endorsement, or if major changes were required it would be amended and put back for a second round of public consultation.

2.4 Direct Registration Consultation Paper

The paper was circulated to panel members. It was agreed that further work to be done on the flow chart and Nicola Seaton suggested she could have this done by a member of her team. John Swinson and Bruce to review final draft of Direct Registration Paper prior to circulation to focus groups.

ACTION: Nicola Seaton to attempt a re-design of the flow chart.

3. OTHER BUSINESS

3.1 Other Business

No other business for this meeting.

There being no further business, the meeting closed at 11.48am AEST.