

Dear Suzanne

Thank you for the invitation to attend a public consultation meeting or provide a submission in relation to proposed auDA policy changes.

The ACCC does not intend to attend any of the public consultation meetings.

The ACCC provides the following comments on two of the issues noted in your list of issues for consultation. However we provide no other comments on the proposed policy changes and this email should not be taken as any form of ACCC endorsement of any of the changes.

Whether auDA should require a connection between domain names and business names

- The ACCC encourages auDA to consider policies in this regard that seek to minimise potential misleading conduct in the use of domain names. To the greatest extent possible, auDA policies should try to ensure that consumers cannot be misled through the use of domain names unconnected to a particular business.

What process auDA must follow before agreeing to an official request to suspend or cancel a domain name

- Requesting auDA to suspend or cancel a domain name is an important tool for ACL regulators to be able to use in appropriate circumstances. Where there are businesses that do not engage with ACL regulators, or even court orders, or in the case of scam operators, suspension or cancellation of domain names can be the only option regulators have to try to protect consumers from losing money to scams or fraud, or from buying potentially unsafe products.
- Please find **attached** a copy of a March 2018 letter from the (then) Chair of Consumer Affairs Australia and New Zealand (CAANZ) to auDA emphasising the importance of the use of this tool in appropriate circumstances, as well as a copy of the submission made by CAANZ to auDA in March 2018.
- The process and public interest test set out in section 2.17 of the draft updated licensing rules appear to strike an appropriate balance.
- We would be interested in commenting further should changes be made to section 2.17.

If you have any questions or would like clarification please do not hesitate to contact me on

[REDACTED]

Kind regards

Nick

Nicholas Heys

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