Strengthening registration integrity and observable trust in .au

Submission to the .au Licensing Rules Review 2025 Draft Report

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I welcome the opportunity to provide feedback on the .au Licensing Rules Review 2025 Draft Report.

This submission is made in my personal capacity. It reflects my practical interest in technology governance, domain-layer stewardship, cyber-risk visibility and the role of domain names as public signals of trust. It does not represent the views of any employer or organisation.

My comments are limited to the operation of the .au Licensing Rules and the recommendations in the Draft Report. I focus on registration integrity, allocation clarity, fraudulent and bad-faith registrations, complaints and audit pathways, registrant protection, and the value of aggregate public-interest reporting.

The central point of this submission is that the .au Licensing Rules do more than determine who may register or retain a domain name. They help preserve the trustworthiness, usability and accountability of the .au namespace. For that reason, the Rules should be clear enough to be understood by registrants, applied consistently by registrars and auDA, and relied upon by the Australian community.

Overall position

I broadly support the direction of the Draft Report.

I support recommendations that:

- preserve the integrity and distinctiveness of com.au and net.au;
- improve clarity around allocation and monetisation;
- strengthen compliance and audit pathways;
- protect the public from fraudulent or bad-faith registrations;
- improve registrant protection during renewal, suspension and cancellation events;
- balance privacy with accountability; and
- encourage evidence-based administration through aggregate reporting.

However, I consider that the final report should go further in four areas:

1. **Allocation clarity:** The Rules should make it clearer when monetised, parked or pay-per-click pages are not sufficient to establish a genuine service for the purpose of allocation in com.au and net.au.
2. **Compliance transparency:** auDA should publish more aggregate reporting on Licensing Rules operation, including complaint themes, audit outcomes, reserved-name metrics, scam-related referrals and lifecycle issues.
3. **Registrar communication obligations:** Registrant communication obligations before expiry, suspension or cancellation should be expressed clearly in the Rules and should reduce avoidable domain loss.
4. **Public-interest stewardship:** The Rules should recognise that .au domain names are relied upon by registrants, citizens, businesses, regulators, security teams and public-interest observers as signals of accountability and trust.

Executive summary

The following table summarises the positions set out in this submission. It is provided as a reference to assist the Panel. The reasoning and recommendations supporting each position are set out in the sections that follow.

Draft Report area	Position
Recommendation 1 - Domain name monetisation	Support, with recommendation for clearer distinction between monetisation as a commercial practice and monetisation as the basis for satisfying allocation requirements. Recommend aggregate reporting on compliance activity.
Recommendation 2 - Allocation rules for com.au and net.au	Support Option 2 as preferred approach. Parked and PPC pages fail both the commercial and public-interest tests. com.au's trust signal value is a shared resource that the allocation rules exist to protect.
Recommendation 3 - Contested .au direct names	Support cautious approach with transparency improvements: clearer status information, resolution guidance, plain-English explanation of contested name process, and aggregate reporting on age and resolution rates.

Draft Report area	Position
Recommendations 4.1 and 4.2 - Reserved Names	Strongly support. Support removing publication of the Reserved Names list where it creates misuse risk. Support publishing criteria and aggregate metrics.
Recommendations 5.1 and 5.2 - Complaints, audits and standing	Support, with safeguards. Broader standing should be accompanied by clear triage criteria, evidence requirements and protections against use of complaints as a domain acquisition pathway.
Recommendation 6 - Domain licence lifecycle settings	Support. Lifecycle settings directly affect operational continuity, identity and trust for registrants. Alignment with international practice is appropriate.
Recommendation 7 - Scams	Support, with clearer public process guidance, aggregate reporting, and inclusion of AI-enabled fraud in the next review cycle terms of reference.
Recommendation 8 - Registrant communication	Strongly support. Recommend minimum communication standards including multi-notice, multi-channel obligations, clear responsibilities where resellers are involved, and evidence retention.
Recommendation 9 - Retirement and end of commercial operations	Support with clear transition pathway, including reasonable transition periods, guidance on alternative namespaces and consistent compliance discretion.
WHOIS privacy and accountability	Support role-based contact approach. ABN/ACN as accountability anchor for organisations; verified registrar-held identity with escalation pathway for individuals.
Additional recommendation	Publish a regular Licensing Integrity Transparency Report.
Additional recommendation	Publish selected aggregate data in machine-readable form (CSV/JSON) with a defined data standard, suppression thresholds and stable publication endpoint.

Draft Report area	Position
Additional recommendation	Publish a plain-English compliance taxonomy covering all principal concepts in the Rules.
Additional recommendation	Adopt a post-implementation measurement framework with observable indicators assessed at 12 and 24 months.

Recommendation 1 - domain name monetisation

I support the Panel's recommendation not to introduce a blanket prohibition on domain name monetisation in com.au, net.au and .au direct.

A general prohibition may be difficult to implement, may have unintended consequences, and may capture legitimate commercial activity. I agree that the more practical focus should be on compliance, abuse prevention and clearer expectations for how monetised domain names operate.

However, I recommend that the final report more clearly distinguish between:

- monetisation as a commercial practice; and
- monetisation being used as the basis for satisfying allocation requirements in com.au and net.au.

The second issue is the sharper public-interest concern.

Where a domain name is held primarily for resale, or resolves to a parked, pay-per-click or thin referral page, ordinary users may reasonably struggle to understand the relationship between the domain name, the registrant and the claimed service. That does not necessarily mean the registration is improper in every case, but it does mean that the Rules need to be clearer, more explainable and more enforceable.

I support increased audits and compliance checks on monetised sites, particularly where monetised pages may be used, deliberately or inadvertently, to facilitate DNS abuse, mislead users or undermine confidence in com.au and net.au.

I also recommend that auDA publish aggregate reporting on monetisation-related compliance activity. This should not identify individual registrants or disclose sensitive operational information, but it could usefully report themes such as complaint volumes, audit outcomes, common non-compliance categories and remediation timeframes.

Recommendation 2 - allocation rules for com.au and net.au

I support retaining allocation rules for com.au and net.au.

The allocation rules are part of what makes com.au, in particular, meaningful to the Australian community. They distinguish com.au from more open namespaces and support the expectation that there is some genuine connection between the domain name and the registrant, business, service, goods, event, activity or premises.

I do not support removing the allocation rules altogether.

Of the three options identified by the Panel, my preferred approach is:

Option 2 - clarify the "Services" definition and pay-per-click arrangements, and adopt additional administrative rules related to the use of monetised sites.

I consider this preferable to the status quo alone. I also consider it preferable, at least initially, to deleting all of subparagraph 2.4.4(2)(f), because the broader service, goods, event, activity and premises pathways may still support legitimate registrations.

Why parked and PPC pages fail the public-interest test - not just the commercial one

The concern with parked, pay-per-click and thin referral pages is not only that they may fail a technical allocation test. It is that they undermine something the Australian community is entitled to rely on.

When an ordinary person, a small business, a consumer regulator or a security researcher encounters a .com.au domain name, they carry a reasonable expectation that the name is held by an identifiable Australian entity with a genuine connection to the name. That expectation is what gives com.au its signal value. It is what distinguishes a .com.au from an unqualified generic TLD in the minds of Australian users, particularly in high-trust contexts such as financial services, health, government procurement and e-commerce.

A parked or PPC page breaks that signal. The domain resolves. It appears operational. But there is no identifiable service, no accountable registrant, and no genuine connection between the name and anything the user might expect to find. From a public-interest perspective, this is not a neutral outcome - it is a form of namespace degradation. At scale, it erodes the trust value that the allocation rules exist to protect.

This matters beyond the individual registrant because com.au's trustworthiness is a shared resource. Registrars depend on it to justify the premium of .au registrations. Businesses depend on it when they choose com.au as their primary identity. Regulators and security teams depend on it as a baseline signal when assessing domain legitimacy. When a significant portion of com.au resolves to monetised shells with no identifiable registrant activity, that baseline degrades for everyone - not just for the parties to an individual compliance decision.

The public-interest case for Option 2 is therefore not about penalising commercial activity. It is about preserving the integrity of a public resource that has value precisely because it is not treated as an open, undifferentiated namespace.

The final Rules should make clear that a passive parked page, thin affiliate page, generic pay-per-click page or "for sale" landing page should not, by itself, be treated as sufficient evidence that the registrant genuinely provides a service for allocation purposes. Where a registrant relies on the "service" pathway, the Rules or supporting guidance should make the expected evidence clearer. This could include practical indicators such as:

- whether the claimed service is genuinely being provided;
- whether the website clearly identifies the registrant or service provider;
- whether the page is primarily a domain-sale or advertising page;
- whether referral or advertising links are relevant to the claimed service;
- whether the domain is being used in a way that could mislead users about the registrant's connection to the name; and
- whether the registrant can produce reasonable evidence of the claimed service if audited.

This approach preserves legitimate commercial flexibility while protecting the signal value of com.au as a trusted, Australian-identified namespace.

Recommendation 3 - contested .au direct domain names

I support the Panel’s cautious approach to contested .au direct domain names.

I understand why some parties may consider the current process slow or unsatisfactory. Long-running contention is not ideal from a usability or confidence perspective. However, I also recognise the fairness concern in changing the substantive rules after parties have participated in the current process for several years.

I do not support an auction-based model as the default resolution pathway. Auctions risk favouring better-resourced parties and may not align well with public confidence in the namespace.

I support continuation of the current process, provided auDA considers whether lower-risk improvements can be made without retrospectively disturbing substantive rights.

These could include:

- clearer status information for contesting parties;
- clearer information about available resolution options;
- reminders where parties are non-responsive;
- aggregate reporting on the number, age and resolution rate of contested names; and
- plain-English guidance explaining why some names remain contested.

This would improve transparency without necessarily changing the underlying allocation model. Long-running contention without visible process or resolution timelines quietly erodes confidence in the namespace - not because the outcome is wrong, but because the governance is invisible.

Recommendations 4.1 and 4.2 - fraudulent and bad-faith registrations and Reserved Names

I strongly support removing the requirement for auDA to publish the Reserved Names list where publication would create security, integrity or misuse risks.

Publishing a list of names reserved because of fraud, scam or bad-faith risk may create avoidable operational risk. In this context, transparency should not require publication of information that may assist bad actors.

I also strongly support the recommendation that auDA publish the criteria used to decide whether a domain name is placed on the Reserved Names list, together with aggregate metrics.

This is the right balance between operational security and public accountability.

I recommend that aggregate reporting include, where feasible:

- the total number of reserved names;
- the number of new reserved names added during the reporting period;
- broad reason categories;
- the number of reversals reviewed;
- the number of reversals granted or refused;
- average time from detection to reservation;
- average review timeframes; and
- general trends over time.

This would help the public understand whether the reserved-name mechanism is being used actively, proportionately and effectively, without exposing the underlying list.

Recommendations 5.1 and 5.2 - complaints, audits and standing

I support amending Part 3 of the .au Licensing Rules so that complaints arising from auDA audit activity are expressly included.

Audit activity is central to compliance. If audit outcomes may affect a registrant's domain name licence, the review and complaint pathway should be clear on the face of the Rules. This supports procedural fairness, confidence in auDA's compliance work and better understanding for registrants.

I also support broadening the concept of an "affected person", provided this is done carefully.

A broader standing test can support public-interest accountability. However, it should not allow the complaints process to become a secondary domain acquisition pathway.

The Rules or supporting guidance should define what it means to demonstrate a sufficient interest in a complaint or review. That test should distinguish between:

- a registrant affected by a decision;
- a complainant with a legitimate interest in compliance with the Rules;
- a public-interest complainant raising a genuine integrity concern; and
- a party primarily seeking to acquire a domain name.

The broader the standing test, the more important it becomes to have clear triage, evidence requirements and safeguards against misuse.

I also recommend aggregate reporting on complaints and reviews, including:

- complaint categories;
- complaint volumes by namespace;
- audit-related complaints;
- internal review and external review rates;
- average decision timeframes;
- broad outcome categories; and
- common compliance themes.

This would improve public confidence without requiring disclosure of sensitive or personal information.

Recommendation 6 - Domain Name Licence lifecycle settings

I support the proposed lifecycle changes.

- removing the 90-day renewal window and allowing renewal at any time during the licence period, subject to applicable maximum licence periods;
- increasing the cooling-off period from 3 days to 5 days;
- applying a consistent 30-day redemption period; and
- increasing the pending or hold period from 1 day to 5 days.

These are practical improvements that support registrants, registrars and the wider community.

Domain lifecycle settings are not merely administrative. Domain names often underpin websites, email, customer access, identity, reputation and operational continuity. Avoidable domain loss can have consequences well beyond the registration itself.

Aligning lifecycle settings with common international practice, where it improves registrant protection and reduces avoidable loss, is sensible.

Domain lifecycle settings are part of the trust architecture of .au - avoidable loss undermines registrant confidence in the namespace itself.

Recommendation 7 - scams within the scope of the .au Licensing Rules

I support the Panel's caution about not making auDA a general arbiter of online content or scam legality.

It is important to distinguish between:

- DNS abuse;
- illegal, unlawful or fraudulent use;
- scam-related referrals or public-interest action;
- registrar and registrant compliance; and
- broader content or conduct issues that may be better assessed by regulators, enforcement bodies or other competent authorities.

I support auDA continuing to work with the National Anti-Scam Centre and other relevant bodies to refine scam-related processes in .au.

I recommend that auDA publish clearer public guidance on how scam-related concerns are handled under the Licensing Rules, including when matters may be referred, escalated, suspended, cancelled or reviewed.

I also recommend aggregate reporting on scam-related activity, such as:

- number of scam-related referrals received;
- broad referral source categories;
- action categories;
- average action timeframes;
- number of matters resolved through registrant or registrar action;
- number of matters requiring public-interest suspension or cancellation; and
- number of matters where no action was taken under the Rules.

This reporting should be designed carefully so it does not expose sensitive operational intelligence or personal information.

Given the rapid development of AI-enabled fraud and impersonation, I also support including scam-related domain misuse in the terms of reference for the next review cycle.

Recommendation 8 - communication to registrants regarding renewal, suspension or cancellation

I strongly support this recommendation.

The .au Licensing Rules should include clear information about a registrar's obligation to contact a registrant in the case of expiry, suspension or cancellation.

Registrant communication is a critical control. If a domain name is lost because a notice was missed, sent only to an intermediary, or delivered through an outdated contact pathway, the result may be serious commercial, operational or reputational harm.

I recommend that the Rules or supporting policy specify minimum communication standards for high-impact lifecycle events.

Those standards should consider:

- multiple notices before expiry;
- notice to both account-level and registrant contact details where available;
- use of more than one channel where available, such as email and SMS;
- clearer expectations where a reseller, contractor or agency manages the domain;
- retention of evidence that notices were sent;
- plain-English notice content explaining the consequence of inaction; and
- periodic prompts for registrants to verify contact details.

The communication obligation should be practical for registrars, but strong enough to reduce avoidable domain loss.

Recommendation 9 - eligibility transition after retirement or ending commercial operations

I support retaining the commercial purpose of com.au and net.au.

I do not support creating an indefinite non-commercial exception that would weaken the meaning of com.au.

However, I support a flexible compliance posture to help registrants transition where they have ended commercial operations and no longer meet eligibility requirements.

A long-standing domain name may carry personal, historical and reputational significance. A rigid approach may cause unnecessary harm, particularly for small businesses, sole traders and retiring registrants.

The better approach is to preserve the eligibility integrity of com.au while providing practical transition support.

That could include:

- plain-English guidance for retiring registrants;
- reasonable transition periods;
- clear notice before compliance action;
- guidance on appropriate alternative namespaces;
- redirection guidance where appropriate; and
- a consistent approach to compliance discretion.

This would preserve the integrity of com.au while treating affected registrants fairly. How auDA treats registrants at the end of their commercial life is part of how the community forms its view of whether .au is a trusted, human-centred namespace or simply an administrative system indifferent to the people it governs.

WHOIS privacy and accountability

I support a balanced approach to WHOIS privacy and accountability.

The public should be able to identify the accountable registrant entity for a .au domain name. At the same time, individuals should not be unnecessarily exposed through public contact details where role-based contact information would achieve the same accountability purpose.

What "accountable entity" means in practice

Accountability in WHOIS is not the same as personal exposure, but it does require something more than a display name or a generic alias. For the accountability purpose to be meaningful, a .au registrant should be identifiable to a sufficient standard that a consumer, regulator, security researcher or court could, through reasonable inquiry, determine who is responsible for the domain.

For businesses and organisations, this means the WHOIS record should be linkable - directly or by reasonable inquiry - to a verifiable legal entity. In the Australian context, an ABN or ACN provides the most practical anchor. It is publicly searchable, connected to a registered entity, and does not require disclosure of personal contact details. A WHOIS record that shows a trading name, an ABN and a role-based contact address (such as domains@[registrant].com.au) achieves the accountability purpose without exposing personal information unnecessarily.

For individuals, the accountability threshold is more sensitive and the trade-off is harder. The Rules should not require individuals to expose home addresses or personal mobile numbers in a public record. However, a display name or unverifiable alias is also insufficient. Role-based email addresses, verified against the registrar's identity records, may be a workable middle position - provided there is a clear pathway for legitimate parties to escalate contact requests where abuse, fraud or legal process requires it.

I support clearer guidance on the use of role-based contact names and email addresses, with explicit recognition that:

- **for organisations**, an ABN or ACN linked to the registrant record provides the foundational accountability anchor;
- **for individuals**, verified identity held by the registrar - not necessarily published - may satisfy the accountability requirement, provided an escalation pathway exists; and
- **in all cases**, the WHOIS record should not be so thin that a security researcher or abuse analyst cannot determine whether the registration represents a genuine, identifiable registrant.

The aim is accountable transparency - a record that supports trust, protects individuals, and gives legitimate public-interest inquiries a workable starting point.

Additional recommendation - Licensing Integrity Transparency Report

I recommend that auDA publish a regular Licensing Integrity Transparency Report, either annually or on a biannual basis.

The Report should draw exclusively on aggregate, non-sensitive information that does not identify individual registrants, disclose sensitive operational intelligence, or expose the underlying Reserved Names list. Its purpose is to give the Australian community a reliable, evidence-based account of how the .au Licensing Rules are operating in practice.

The Report should cover, at a minimum:

- allocation complaint themes and volumes, by namespace;
- eligibility and allocation audit outcomes, including common non-compliance categories and remediation timeframes;
- reserved-name metrics, including total count, additions during the reporting period, broad reason categories, review outcomes and average detection-to-reservation timeframes;
- complaint and internal review volumes, outcome categories and average decision timeframes;
- lifecycle loss and redemption metrics, including the rate of avoidable domain loss before and after any rule changes;
- registrar communication compliance themes identified through audit or complaint activity;
- scam-related referral and action categories, including referral sources and action timeframes; and
- DNS abuse-related action categories and trend analysis over time.

A Licensing Integrity Transparency Report would serve multiple public interests simultaneously. It would allow auDA to demonstrate that the Rules are being applied actively and proportionately. It would give registrars and registrants clearer expectations about compliance activity. It would allow security researchers, public-interest observers and policymakers to identify emerging trends. And it would create an evidence base for future review cycles.

The absence of systematic, publicly accessible reporting on Licensing Rules operation is currently a gap in .au governance. Filling that gap does not require disclosure of sensitive information - it requires commitment to regular, structured, aggregate publication.

Additional recommendation - machine-readable aggregate data

Where auDA publishes aggregate transparency information, I recommend it consider making selected datasets available in machine-readable form, such as CSV or JSON, alongside any narrative report.

Machine-readable publication is not about disclosure of personal information or sensitive operational detail. It is about making non-sensitive aggregate governance information easier to analyse, compare over time and reuse for public-interest purposes.

For example, a monthly or quarterly CSV containing complaint volume by namespace, action category and timeframe - with no personal identifiers and no domain-level detail - would allow independent researchers, registrars, security teams and public-interest observers to conduct longitudinal analysis that a narrative report alone does not support. Over time, this kind of structured data enables trend identification that benefits the whole ecosystem.

My own work observing public domain-layer signals in .au through the .auDO observatory has reinforced that meaningful public-interest insights can be produced from carefully scoped aggregate data, without making any claims about individual registrant conduct. The same principle applies here.

I recommend that auDA develop a light data publication standard for Licensing Integrity data that specifies:

- which datasets will be published in machine-readable form;
- the update cadence (monthly, quarterly or annually);
- the field definitions and any applicable suppression thresholds to protect against re-identification; and
- the stable URL or API endpoint where data will be maintained.

This would position auDA as a modern, evidence-driven registry operator and support the broader goal of making .au governance observable, not just documented.

Additional recommendation - plain-English compliance taxonomy

I recommend that auDA publish and maintain a plain-English compliance taxonomy explaining the principal concepts in the .au Licensing Rules.

The Rules must be legally and operationally precise. That precision is appropriate and necessary. However, precision without accessibility creates a gap between what the Rules require and what registrants, small businesses, complainants and public-interest observers can reasonably be expected to understand.

A compliance taxonomy is not a substitute for the Rules. It is a structured, plain-language reference that explains what key concepts mean in practice and how they relate to each other.

At a minimum, the taxonomy should cover:

eligibility - who may register in each second-level namespace, and what evidence supports an eligibility claim;

allocation - what connection between the registrant and the domain name the Rules require, and how allocation is assessed;

monetisation - what types of use are permitted, and where monetisation may create allocation or compliance concerns;

reserved names - what the Reserved Names mechanism is, why names are reserved, and how a registrant may seek review;

DNS abuse - what types of conduct may constitute DNS abuse under the Rules, and how auDA distinguishes DNS abuse from broader content or conduct issues;

scam-related referrals - how scam concerns may be raised, what auDA can and cannot act on, and when matters may be referred to other authorities;

public-interest suspension and cancellation - what these mechanisms are, when they apply, and what procedural protections apply;

audit activity - how audits are initiated, what registrants may be asked to provide, and how audit outcomes connect to complaint and review pathways;

complaints and review pathways - who may complain, what standing means in practice, and how internal and external review processes work; and

registrar obligations and registrant responsibilities - what each party is responsible for, and where their obligations differ.

Clarity in this area reduces operational burden for auDA, registrars and registrants alike. It also improves trust - not because the Rules are being changed, but because the people who rely on them can understand what they mean.

Additional recommendation - post-implementation measurement

I recommend that the final report include a post-implementation measurement framework to allow auDA, the Panel and the community to assess whether the adopted recommendations have had their intended effect.

The Panel has rightly identified the risk of unintended consequences from changes to the Licensing Rules, particularly in relation to allocation, monetisation and lifecycle settings. A measurement framework converts that concern into a practical accountability mechanism.

The framework should identify, for each substantive change adopted, a small number of observable indicators that can be assessed at defined intervals - for example, 12 and 24 months after implementation. Indicators do not need to be precise or exhaustive. Their purpose is to give auDA and the community a basis for honest assessment.

Useful measures across the key recommendation areas could include:

- **Allocation and monetisation:** change in the volume and type of allocation-related complaints; audit outcome trends; percentage of audited registrations found non-compliant;
- **Lifecycle settings:** rate of avoidable domain loss before and after implementation; uptake of extended renewal windows; redemption period utilisation;
- **Registrar communication:** complaint volumes related to missed or inadequate lifecycle notices; evidence of registrar compliance with minimum notice standards;
- **Reserved names:** average detection-to-reservation timeframe; review request volume and outcome rate;
- **Scam-related activity:** referral volumes and action rates; trend in scam-related suspension and cancellation; average action timeframe; and
- **Complaints and audits:** complaint volume and resolution time by category; rate of complaints escalated to internal or external review.

The framework need not be complex to be effective. A short, structured post-implementation report - aligned with the Licensing Integrity Transparency Report recommended above - would give the community the information it needs to understand whether the Rules are working as intended, and where the next review cycle should focus.

Policy without measurement is aspiration. Measurement turns the final report's recommendations into a governance commitment.

Closing comments

The .au namespace is an important part of Australia’s digital environment.

Its value depends not only on technical operation, but on whether the rules governing registration, renewal, compliance and accountability can be understood and trusted by the Australian community.

I broadly support the Draft Report and encourage the Panel to strengthen the final recommendations in the areas of allocation clarity, compliance transparency, registrar communication and aggregate public-interest reporting.

The long-term strength of .au will depend not only on who is eligible to register a name, but on whether the Rules that govern registration integrity, lifecycle protection and accountability remain clear, practical and trusted.