

# [DRAFT] Record of Meeting

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| Meeting            | <b>Technical Advisory Standing Committee Meeting</b>   |  |
| Date / Time        | Tuesday 10 December / 11.00am – 1.00pm AEDT  |  |
| Location           | Hybrid (in person): auDA’s Boardroom, Level 19, 8 Exhibition Street, Melbourne and (via Microsoft Teams conference)          |  |
| Present            | Nigel Phair (Chair)<br>Dr Lisa Dethridge<br>Patrick Fair<br>Geoffrey Huston  | Kim Lowton<br>Jo O’Brien<br>Martin Schlatter               |
| Also in attendance | Bruce Tonkin, auDA COO<br>Sonia Joksimovic, auDA CoSec   | Peter Elford, auDA Director<br>Mike Trovato, auDA Director |
| Invitees           | Jordan Carter, Internet Governance & Policy Director (attendance from agenda 8)<br>Shelley Golden, auDA General Counsel (GC) |  |
| Apologies          | Jane Smith, auDA CPCO  |  |

## 1. Welcome and Introduction

The Chair welcomed members present, noted apologies and opened the meeting at 11.02am.

The Chair confirmed a quorum was present and introduced auDA’s General Counsel to the Committee.

## 2. Acknowledgement of Country

The Chair provided an Acknowledgement of Country, paying respect to the traditional owners of the land upon which Committee members were located during the meeting, including elders past and present.

## 3. Declaration of Interests

The Committee noted the standing Declarations of Interests Register.

The Chair confirmed from all present that there were no conflicts of interest to be declared.

#### 4. Previous Record of Meeting – 4 June 2024

The Committee reviewed the draft record of the meeting held 4 June 2024 and **resolved** to approve the record of the meeting, as true and correct.

#### 5. Actions Arising from the Previous Meeting

The Committee noted an update on previous meeting actions.

The Company Secretary provided a status update on actions either completed or on the agenda and further noted that *Future Scenarios* as discussed at the previous meeting (action #2) will inform auDA's Strategic Plan, which the Committee will be consulted on.

#### 6. ASD Cyber Threat Report

The ASD Cyber Threat Report (<https://www.asd.gov.au/about/accountability-governance/publications/asd-annual-report-2023-24>) was tabled as read, with the Chair inviting members to provide feedback on how the report compare with what they are seeing and doing in their own organisations and/or consulting project to contribute against threat.

The Chair provided his observations, with the Committee discussing the cyber security incidents reports by severity categories, for the FY24 reporting period.

The Chair noted global law firm, *Clyde & Co*, published a report that the Committee may find beneficial on Global Directors' and Officers' Liability Report 2024 (<https://www.clydeco.com/en/reports/2024/03/global-directors-and-officers-liability-report-202>). .

auDA's COO noting the Top 3 Cyber Incident types by organisation type in the report and provided an update on what auDA is doing to mitigate:

1. Domain name registrations using stolen credentials
2. Malware Infection of websites; and
3. Use of misspelt domain names in emails used as part of financial fraud

auDA's COO further shared data from the *Netbeacon Institute* (<https://netbeacon.org/>) Report on new .au DNS abuse cases per month, noting the data shows that auDA has been effective at resolving DNS abuse cases following the development of processes in 2022, which was discussed.

The Committee discussed the role of registrars with verifying identity to mitigate malicious cyber activity and defend Australian networks.

## 7. auDA's submission: Privacy & Other Legislation Amendment Bill 2024

The Chair invited auDA's Internet Governance & Policy Director to update the Committee on auDA's submission on Privacy & Other Legislation Amendment Bill 2024 (<https://www.auda.org.au/news-insights/submissions/submission-in-response-to-the-inquiry-into-the-privacy-and-other-legislation-amendment-bill-2024-provisions>), which was tabled as read.

The Committee noted as a critical part of the digital economy, auDA's role is to ensure the .au ccTLD remains stable, reliable and secure.

The Committee further noted auDA's support of the legislation to strengthen Australia's privacy regime with comments offered, which were discussed.

auDA's Board Representative, Peter Elford encouraged the Committee to consider advice on balancing open access to information and privacy from a policy perspective for the Board to consider.

## 8. Presentation: Amendments to the Privacy Act & Misinformation Law [includes: Q&A]

The Chair invited Patrick Fair to present on the amendments to the Privacy Act and Other Legislation Amendment Bill 2024, passed 29 November 2024, which addresses 23 of the 89 agreed *in principle* recommendations from the Attorney General's Department on Privacy Act Review Report.

The Committee noted the:

- Amended Security Measures for personal information (which include both technical and organisational)
- Automated Decision Making, where an entity uses personal information to make a decision which could significantly affect the rights or interests of an individual
- New powers to enable sharing of PI for permitted purposes related to an emergency (i.e. to identify or assist affected individuals, assist law enforcement or emergency response and/or coordinate management of the response)
- The Privacy commissioner must develop a Children Online Privacy Code within 24 months
- Civil Penalties and Infringements for Serious Interference with the Privacy of an individual
- New Federal Court Powers that allow the Privacy Commissioner to seek orders requiring any reasonable act or course of conduct, and/or requiring the publication or communication of any statement
- The Privacy Commissioner now has the power to determine that the respondent must perform any reasonable act or course of conduct after an investigation to prevent or reduce any reasonably foreseeable loss or damage that may be

suffered. Consumer Data Right Rules provide new monitoring and investigation powers to ensure privacy provisions are adhered to by companies and organizations.; and

- A new cause of action for serious invasion of privacy has been created.

The Committee noted amendments to *The Criminal Code Act 1995* and Doxing offence in relation to 1. personal data of individuals and 2. Personal Data of members of certain groups.

auDA's COO confirmed that auDA will review its Privacy Policy (<https://www.auda.org.au/privacy-policy/>), following these Privacy Act amendments.

The Committee discussed obligations to delete data that is no longer necessary, which auDA's COO confirmed is a current project at auDA.

## 9. Review of Committee Workplan

The Committee noted the 2024 Workplan, which was discussed.

As noted in previous meetings, the Chair encouraged members to consider any potential sector speakers/subject matter experts to be invited to future meetings.

Patrick Fair suggested the Committee may consider:

- Cyber Security Legislative Reforms and its Impact (i.e. ransom reporting obligations); and
- Scam Prevention Framework, with a report from Treasury due February/March 2025.

**Action:** It was **agreed** a guest speaker to discuss Scam Prevention would be coordinated offline [P. Fair/Chair/ auDA COO, January 2025]

**Action:** The Chair to prepare a summary of output from the TASC committee in 2024 for the Board meeting in Feb 2025.

It was further noted clarity will also be sought from the auDA Board, after its February 2025 Board meeting, to assist future workplan focus for the Committee.

## 10. Strategic Issues

The Committee confirmed there were no strategic issues for discussion.

## 11. 2025 Meeting Calendar

The Committee noted the following approved 2025 Meeting dates:

- Wednesday 19 February 2025 @ 11.00am – 1.00pm \*
- Wednesday 25 June 2025 @ 11.00am – 1.00pm \*

- Tuesday 2 September 2025 @ 11.00am – 1.00pm
- Tuesday 18 November 2025 @ 11.00am – 1.00pm

*\*Subsequent to the meeting, the approved February and June 2025 meeting/s were brought forward to the following January and May 2025 dates, which the Committee supported offline:*

- Wednesday 29 January 2025 @ 11.00am – 1.00pm
- Wednesday 28 May 2025 at 11.00pm – 1.00pm

**Action:** It was noted calendar invites for the approved 2025 meeting dates, will be issued by the Company Secretary [CoSec, December 2024]

## 12. Any Other Business

No other Business was noted.

## 13. Meeting Close

The Chair confirmed there were no further comments or questions from the Committee.

The Committee noted the next meeting date is scheduled Wednesday 19 February 2025 @11.00am – 1.00pm, *which was subsequently updated to Wednesday 29 January 2025 at 11.00am – 1.00pm.*

The Meeting closed at 12.32pm.

Signed as a true and correct record.

**Nigel Phair**  
Committee Chair

Date: