

# Board Minutes - 13 August 2001

Public Version

Meeting of the .au Domain Administration Board

13 August 2001 - 1.00pm

.au Domain Administration Limited, Level 7, 50 Queen Street, Melbourne VIC 3000

Present:

Chris Chaundy, Patrick Corliss, Greg Crew, Kim Davies, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Erica Roberts, Tony Staley, David Thompson, Greg Watson

Teleconference:

Liz Williams and Philip Argy

Observers:

Donna Austin (NOIE), Craig Ng (Maddock Lonie & Chisholm), John Higgins (Hayes Knight), Derek Whitehead, Philip Argy

Apologies:

Nil

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## 1. Continuous Disclosure

PC advised that he is a director of the Top Level Domain Association (TLDA).

GC advised that his business relationship with Melbourne IT has now ceased.

## 2. Confirmation of Minutes

The minutes of the July meeting were approved.

## 3. Finance Report

The CEO advised the appointment of Hayes Knight as auDA's new accountants. John Higgins from Hayes Knight presented the finance report. The board accepted the July monthly accounts.

## 4. Budget 2001/02

The CEO explained the funding model outlined in the draft budget for 2001/02. Under the new regime, it is proposed that auDA's income will be sourced from the following:

- per domain name charge, to be collected monthly via the registry
- annual registry licence fees, to be banded according to size of 2LD
- annual registrar licence fees
- registrar accreditation fees.

The budget also includes a line item for the one-off auction of generic domain names.

The board approved the funding model.

## 5. Name Panel report on New 2LDs

Derek Whitehead advised that the Panel's public consultation had not demonstrated a high level of community demand for new 2LDs at this time. The Panel's recommendations therefore focused on changing some existing 2LDs and the process to be used by auDA to select new 2LDs in future.

The board accepted the Panel's report in full:

The Panel recommends that new 2LDs be selected through a process by which auDA will issue an open call for proposals.

The Panel recommends the following criteria [listed in report] be used in evaluating and determining appropriate new 2LDs.

The Panel recommends that auDA draft a policy statement and rules in a uniform format for each of the existing Australian 2LDs.

The Panel recommends that the rules drafted for id.au should permit the licensing of domain names directly under id.au.

The Panel recommends that auDA undertake a public review of conf.au and info.au, to determine their role in the Australian DNS.

The Panel recommends that a new community-focused geographic 2LD or 2LDs should be given high priority in the process for selecting new 2LDs.

The Panel recommends that the new ICANN TLDs should not be accorded priority in the process for selecting new 2LDs.

The board agreed that the report would not be implemented until early next year, following the introduction of competition and new domain name policy. The board noted that the evaluation criteria for new 2LDs should address issues such as consumer demand and technical compliance.

The board thanked DW and the Panel for all the work they have done over the past 12 months.

Action: CEO to issue a media release announcing the board's acceptance of the Panel's report.

## 6. Generic Domain Names

The board agreed to adopt the following method of allocation of generic domain names:

1. Publish list of names refused by Melbourne IT because deemed to be generic. The list will be closed shortly before publication.
2. Advertise a 14 day period during which an interest in a name can be registered.
3. Interested parties must complete an application form to demonstrate that as at 13 August 2001, they were eligible to hold the name under the new policy rules.
4. At the end of the 14 day period, auDA will assess the applications received. There are 3 scenarios:
  - a. If there is only one eligible applicant for a name, that applicant may reserve the name by paying a fixed price (eg. \$100) to auDA. The applicant will be able to register the name under the new regime for the normal retail price. OR
  - b. If there is more than one eligible applicant for a name, those applicants may proceed to a closed auction for the name. The winner of the auction may reserve the name by paying the amount bid to auDA. The winner will be able to register the name under the new regime for the normal retail price. OR
  - c. If there are no eligible applicants for a name, the name will become available for registration under the new regime on a first come, first served basis. Note that the generic domain names will be registered by registrars, not by auDA. auDA will receive the proceeds of the auction, it will not receive payment for generic domain names when they are registered after the auction.

The board decided that while the list of generic domain names will remain open until shortly before the auction, applicants for generic domain names should be eligible to hold the name as at 13 August 2001. This will minimise the opportunity for people to register business names solely for the purpose of registering generic domain names. This is intended as a measure of protection for those people who have applied for names in the past and would otherwise have been eligible to hold them but for the restriction on generics. ER voted against this decision.

Action: auDA staff to further develop the implementation plan for the auction of generic names, including the technical means and cost of conducting the auction.

## 7. auDRP

Philip Argy explained that the working group's intention in drafting the auDRP was to maintain consistency with the ICANN UDRP, but try to close some of the loopholes that have become apparent in UDRP experience to date, and also tailor the policy to fit the .au context.

The board accepted the auDRP report in full. It was noted that the provision of effective notice to the respondent may be difficult if WHOIS information is restricted for privacy reasons, however this can be addressed as part of the implementation plan.

The board thanked PA and the group for its efforts, and noted that the group is now working on adapting the policy to cover other types of disputes.

Action: CEO to issue a media release announcing the board's acceptance of the auDRP report.

## 8. Implementation Plan

The board approved the implementation plan for the transition to the new regime, noting the tight deadlines and scarce resources.

Action: CEO to provide interim status reports to the board during implementation.

## 9. Membership

The members listed below were accepted in the classes indicated.

Internet Names Protection (supply)

Steven Plunkett (demand)

e-sign (demand)

The Company People (demand)

M James (demand)

Australian Unified Services (supply)

## 10. Board Development

Action: TS to follow up options for providing training to directors with regard to not-for-profit corporate governance and industry self-regulation issues.

## 11. AGM

The AGM has been deferred until December.

## 12. Other Business

LW advised that Allan Horsley of the ACA had approached her seeking auDA's assistance in drafting a code of practice for ISPs. The board agreed that this activity falls outside auDA's core business, and given the lack of resources and other priorities over the next 6 months, it would not be possible for auDA to participate.

The CEO advised that letters would be sent to Melbourne IT, Connect West and Connect.com.au pursuant to their

agreements with auDA, offering them a position as registrar under the new regime on no less favourable terms than everyone else.

### 13. Next Meeting

The next board meeting will be held at the auDA office on Monday 8 October, 10am.