Board Minutes - 12 August 2002

Public Version
Meeting of the .au Domain Administration Board

12 August 2002 - 1.00pm
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:
Chris Chaundy, Patrick Corliss, Greg Crew, Peter Dean, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Peter Nissen, Josh Rowe, Tony Staley, Greg Watson

    Teleconference:
    Kim Davies

Observers:
Tom Dale (NOIE), Allan Lebusque (NOIE), John Higgins (Hayes Knight) and Derek Whitehead (Swinburne Uni)

Apologies:
Liz Williams

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1. Continuous Disclosure

PD advised that he has resigned as director of Instra (A1 Registrar).

2. Confirmation of Minutes

The minutes of the June 2002 meeting were approved.

3. Finance Report

The board approved the finance report. The 2001-02 end of year accounts have been submitted for audit.

4. New Names Advisory Panel

PC declared his interest in the club.au proposal. PN declared his interest in the uni(versity).au and research.au proposals.

DW advised that the Panel held its first meeting on 9 July and is due to meet again on 13 August. The Panel intends to issue a public discussion paper to seek input on some general policy issues about new 2LDs, before it gives consideration to specific new 2LD proposals. These issues include:

    the likelihood of a few new 2LDs or many new 2LDs (which could make .au less intuitive)
    a concern about precedent setting, ie. approving a submission for one new 2LD will generally lead to the creation of a family of 2LDs
    the policy relating to hierarchies (eg. uni.au and maybe school.au and tafe.au etc).

The Panel's initial view is that it would need to see more evidence of user benefit before it was prepared to recommend making significant changes to the existing 2LD stucture. DW indicated that, depending on the outcome of public consultation, the Panel may ask the board to amplify the selection criteria (not change them) to draw out some of the broader policy principles behind the Australian DNS.

5. CEO Report

The CEO gave a progress report on the first month of the new regime. The board also received a report from AusRegistry featuring domain, registrar, technical and marketing information for July 2002.

The board noted that the auDRP commenced on 1 August.

The members listed below were accepted in the classes indicated.

JustNet Pty Ltd (supply)
Stephen Rothwell (demand)
Andrew Reisz (demand)
Michael McKinnon (demand)
Ian Halson (demand)
Kevin Fleming (demand)
Malcolm Miles (demand)
Orlando Lumiere (demand)
Logistics Pty Ltd (demand)

6. Membership Committee Report

The board considered the committee's report and agreed the following:

   Supply Class to be redefined as "any legal person that is a registry, accredited registrar or registrar-appointed reseller in the .au domain name space".
   No change to Demand and Representative Association Classes.
   No change to the membership fee of $100 (plus GST) per annum.
   Membership fees to be charged on a fixed date each year, with applicants who join during the year paying a pro-rata fee based on the quarter in which they join.
   The 2 "general" director positions (elected by all membership) be abolished (over 2 years).
   An electronic voting system should be implemented.

The board resolved to put the necessary consititutional changes to the auDA membership for approval, at an EGM to be held before the next AGM.

Action: auDA EGM to be held in September to seek approval from members for the necessary constitutional changes.

Action: auDA AGM to be held on Monday 11 November 2002. MM, CC, KH, PC, GW and LW are due to stand down.

7. Remuneration Committee Report

The CEO and JL left the room for this discussion.

The board approved the committee's report.

Action: Committee to work with the CEO to develop KPIs.

8. Independent Directors Remuneration

TS and GC left the room for this discussion.

The board agreed that the independent directors remuneration be increased to $15,000 for GC and $30,000 for TS. The board confirmed the appointment of TS and GC up to the AGM 2002, to be reconfirmed by the incoming board after the

AGM.

9. Policy Development

Transfer of domain name licences between registrants

PD declared his interest in relation to transfers in case of liquidation. The board noted correspondence from Davies Collison Cave, pointing out that the Interim Transfers Policy does not permit a transfer where a dispute is settled prior to a decision being handed down by the relevant authority. The board discussed the implications of allowing transfers pursuant to private settlement between the parties. There was a concern that this might facilitate a secondary market in domain names.

Action: Sub-committee of KH, MM, DK, JR and JL to consider the policy principles of transfers, and draft recommendations for consideration by the board.

Code of Practice

The drafting committee is currently finalising the Code of Practice following public consultation, and will present it to auDA for endorsement shortly.

10. auDA Foundation Proposal

The board considered a proposal to use a portion of the generics auction revenue to establish a foundation to enhance the utility of the Internet for the benefit of the Australian community through private and public sponsorship of education and community projects. The board gave in principle support to the proposal, subject to further development by the sub-committee.

Action: Sub-committee of CD, GW, JR, PD and CC to further develop the proposal, with advice from Hayes Knight and Maddocks as appropriate.

11. Other Business

ICANN

TS reported on his trip to the ICANN meeting in Bucharest in June. NOIE advised that the Australian Government is currently transitioning out of the ICANN GAC secretariat, but will continue to play a leading role in the GAC.

Correspondence

TS tabled a letter from SETEL about auDA's policy development, along with his response. The board agreed to include correspondence as a standing agenda item.

12. Next Meeting

The next board meeting will be held on Monday 14 October 2002 at 12pm.