Board Minutes - 8 August 2003

Public Version
Meeting of the .au Domain Administration Board

8 August 2003 - 1.00pm
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:
Kim Davies, Peter Dean, Chris Disspain, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Peter Nissen, Josh Rowe, Peter Shilling, Tony Staley and Greg Watson

Observers:
John Higgins (Hayes Knight) and Lindsay Barton (NOIE)

Apologies:
Greg Crew, Ric da Paz and David Keegel

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1. Continuous Disclosure

There were no matters to be disclosed.

2. Confirmation of Minutes

The minutes of the June 2003 meeting were approved.

3. Finance Report

The accounts for June and July were noted. The board discussed budget variances in relation to income received from the auDA Domain Name Fee, and legal expenses. It was agreed that the provision of legal services should be reviewed on a yearly basis.

4. CEO Report

The following issues were noted:

   AusRegistry reports

auDA has published AusRegistry's Yearly Report, and also provided an annual report to the ACA (in accordance with telecommunications industry reporting requirements).

AusRegistry's reports do not include information about edu.au or gov.au, because the Sub-Sponsorship Agreement does not permit publication of closed 2LD information without the permission of the closed 2LD manager.

   gov.au

On 2 August over 3,000 gov.au domain names expired and were removed from the DNS for approximately 2 hours before they were renewed. auDA has requested reports from AusRegistry and NOIE.

   Data escrow

auDA has terminated its contract with Escrow Australia and is looking at alternative arrangements.

Domain Names Australia

auDA has received over 400 consumer complaints about the latest mail outs by Domain Names Australia. The Board expressed its concern at the ACCC's refusal to advise auDA on a confidential basis what action it intends to take (if any).

ICANN

The board congratulated CD on his efforts in getting the ccTLD Name Supporting Organisation (ccNSO) approved by the ICANN board at the Montreal meeting.

5. auDA Foundation

CD advised that auDA has set up auDA Foundation Ltd as a 100% subsidiary to act as trustee company for the auDA Foundation trust. The initial directors of auDA Foundation Ltd are CD, GW and Craig Ng, and John Higgins is company secretary. As a subsidiary of auDA, the activities of auDA Foundation Ltd are ultimately subject to approval by the auDA board. Administrative support for the auDA Foundation will be provided from within auDA's existing resources, at least during the start-up phase.

auDA Foundation Ltd will apply to the ATO for tax exempt status and deductible gift status for the trust. Depending on the outcome of the application, the trust will either be funded primarily by auDA or will be able to accept gifts from other entities. It was agreed that the auDA Foundation board should wait for ATO advice before making decisions about the exact nature and operation of the trust, including the appointment of additional directors.

GW explained that the auDA Foundation trust deed covers three main areas of focus:

   education and research - aimed at the tertiary sector, possibly funding PhD scholarships in Internet/DNS technology R&D (eg. dealing with spam, security issues, etc) or Internet-related social impact R&D (eg. electronic voting, equity and access issues)
   community-based projects - at a local, regional or national level, aimed at supporting Internet- related activities that have a direct community benefit (eg. regional Internet access)
   commercially-focused projects - some scope to fund R&D with a commercial application, but also including a community aspect or benefit.

Motion (KH proposed, JR seconded): That the board: (1) ratify the CEO's appointment of 3 directors of auDA Foundation Ltd (2) authorise auDA Foundation Ltd to execute the auDA Foundation trust deed (3) authorise auDA Foundation Ltd to act as trustee company for the trust. Carried.

6. Policy Development

JL gave an update on the implementation of new geographic 2LDs. auDA will host the first meeting of the National Reference Group on 29 August. We propose to put forward a modified implementation plan that is not dependent on the involvement of state and territory governments.

Although the implementation of the new geographic 2LDs has been delayed, the board agreed that auDA should proceed to hold a public consultation about the restriction on geographic names in com.au and net.au.

Action: auDA to hold a public consultation about the restriction on geographic names in com.au and net.au before the end of the year.

7. Membership

The members listed below were accepted in the classes indicated.

Guy & Associates (demand)
Hosting Buzz (supply)
DBN Systems (demand)
Mary Elek (demand)
Matthew Woloszuk (demand)
Robert Kirchner (demand)

8. Remuneration Committee

The board approved the CEO's remuneration package. The board agreed that it is not appropriate to publish individual staff salaries.

Action: The Remuneration Committee will develop some general remuneration guidelines, and report back to the board.

9. Board correspondence

There was no correspondence to the board.

10. Other Business

PD advised that he will not stand for re-election at this year's AGM, due to health reasons. The board thanked PD for his contribution over the past 2 years, particularly in relation to corporate governance issues, and wished him the best for the future.

11. Next Meeting

The next board meeting will be held on Monday 13 October 2003, at 10am.