

# Board Minutes - 1 March 2010

Public Version

Meeting of the .au Domain Administration Board

1 March 2010 - 2.00pm

Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:

Tony Staley (Chair), Kim Heitman, Chris Disspain, Julie Hammer, Graham McDonald, Dwayne Varey, Amin Kroll, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas and Rosemary Sinclair

Observers:

Craig Ng (Maddocks), John Higgins (Hayes Knight), Brenton Thomas (DBCDE), Peter Nettlefold (DBCDE), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes) and Derek Whitehead (items 1-3)

Apologies:

Nil

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## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The board discussed concerns raised by Brenton Thomas in his email of 8 January 2010, that the minutes of the 14 December 2009 board meeting did not correctly reflect the agreed outcomes regarding new 2LDs and name hijacking. In relation to new 2LDs, the board clarified and confirmed its position as stated in the minutes. In relation to name hijacking, the board noted that it is up to the Panel to determine its own work schedule, however it will direct the Panel to consider identity verification as a matter of priority.

Motion: (proposed by T Staley, seconded K Heitman) that the minutes would be accepted as stated with the following replacement point:

Name Hijacking:

- The auDA board noted DBCDE's advice regarding concerns about the misuse of personal names. It was agreed to refer this issue to the auDA Names Advisory Panel in 2010. The board will request the Panel to begin consideration of improvements to domain name identity verification, eligibility, allocation and enforcement arrangements as a matter of priority, and the board will make a decision on improvements if required by the end of 2010.

Carried.

## 3. Policy Development

New 2LDs Advisory Panel:

- Derek Whitehead, chair of the New 2LD's Advisory Panel, attended and provided a summary of the proposals received and

the Panel's first meeting on 18 February. The Panel's next steps will be to seek further information from the proposers of blog.au and event.au, and to draft a discussion paper for public consultation.

#### 4. Finance Report

- The board noted the January accounts.
- The CEO advised the board that the 2010/11 financial year budget would not be ready for discussion at the April board meeting. It was agreed that a teleconference would be held in early May to approve the budget, unless there were circumstances requiring a special board meeting to be called.

#### 5. CEO Report

- The CEO report was noted.
- Craig Ng gave a summary on current legal matters (Privileged item).

#### CGDNs:

- The board noted the new interactive map on the auCD website, demonstrating the increasing reach of community geographic domain names. It was suggested to DBCDE that the National Broadband Network Development Group and Indigenous awards programs may be a good place for auCD to be mentioned. The Department will raise this and report back to the board.

#### CEO review:

- The Vice Chair noted that a report on the 360 CEO review had been circulated to Directors, and will be reviewed further by the remuneration committee. The board noted that the report was prepared by an independent consultant, and was highly positive of the current management of auDA.

#### Independent Review Panels:

- Jo Lim updated the board on progress in implementing the independent review panels for auDA decisions on complaints about registrants and registrars. auDA will be approaching potential panelists and board members were asked to advise Jo if they knew of any suitable candidates. The aim is to provide the board with a shortlist of panelists for appointment at the June board meeting.
- It was agreed auDA would provide wording on progress with independent review mechanisms to DBCDE for inclusion in their standard template responses.

#### Complaints:

- The board noted a ZDNet article entitled "Government eyes auDA regulation?", which reported a complaint that auDA had acted improperly in deleting over 400 org.au domain names for breach of policy. The article stated that the complainant had contacted DBCDE, and Brenton Thomas had told him that there was a "major file" in the Department of similar complaints about auDA. According to the article, the complainant also said that the Department "urged" him to push forward with his complaint.

- Brenton Thomas advised the board that DBCDE sent a standard response to the complainant when he first wrote to the Minister in December 2009. The complainant then telephoned Brenton Thomas to talk about his concerns regarding auDA and government oversight of domain names. Brenton Thomas and Peter Nettlefold advised the complainant to write again to the Minister, enclosing copies of his correspondence with auDA.
- Brenton Thomas advised the board that he denied comments attributed to him in the ZDNet article, and that DBCDE continues to monitor domain name issues as part of its regular policy oversight role.
- The board discussed communications between auDA and DBCDE. It was noted that privacy laws may restrict sharing of information between the two organisations where third parties are involved. However, it was suggested that a protocol be developed for dealing with complaints on an informal basis. The board agreed that quarterly or 6 monthly informal discussions between auDA and DBCDE would be a useful mechanism for general information exchange and raising any issues of concern. A Board committee will be set up for this via the board list email.

## 6. Membership Applications

The membership applications below were approved in the classes indicated:

- Everlasting Gifts & Flowers (Demand)
- Ned O'Meara (Demand)
- Rhett Hislop (Demand)

## 7. Board Correspondence

There was no board correspondence.

## 8. Other Business

ccTLD's associated with Australia's external territories:

- DBCDE advised that questionnaires have been sent to the managers of .cc, .cx, .hm and .nf and responses are pending. DBCDE will forward a copy of the questionnaire to the board for information.

Consumer engagement with auDA's processes:

- DBCDE suggested that auDA/ACCAN engagement would be beneficial. auDA advised this process is currently taking place, and will form part of the community and stakeholder outreach plan that auDA staff are developing.

## 9. Next Meeting

The next board meeting will be held on Monday 19 April 2010 in Melbourne.