

Board Minutes - 15 August 2011

Public Version

Meeting of the .au Domain Administration Board

15 August 2011 - 11.00am

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

Present:

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

Observers:

Peter Nettlefold (DBCDE), Jo Lim (auDA), Lisa Lunardi (auDA), Jacki O'Sullivan (auDA-Minutes), Derek Whitehead (Reference item 5), John Higgins (Reference item 2-7), Adrian Kinderis (AusRegistry) (Reference item 7), Chris Wright (AusRegistry) (Reference item 7)

Apologies:

Nil

1. Continuous Disclosure

- R Sinclair advised of her appointment by the Minister for Broadband, Communications and the Digital Economy, to Chair the Regional Telecommunications Independent Review Committee (RTIRC).
- T Staley advised of his appointment as Chair of the Disability Advisory Council.

2. Confirmation of June 2011 Minutes

The minutes of the 14 June 2011 Board meeting were confirmed.

3. Policy Development

2010 Names Policy Panel:

Derek Whitehead, Chair of the 2010 Names Policy Panel, provided a summary on the Final Report and Recommendations provided by the Panel. The Board passed the following resolutions:

Motion (Proposed J Hammer, seconded G McDonald). That the Board accept recommendation 1a:

That the requirement for registrants to be Australian (or registered to trade in Australia) should remain in place.

Carried

Motion (Proposed C Langdon-Orr, seconded M Drill). That the Board accept recommendation 1b:

That the "special interest club" eligibility criterion for org.au and asn.au domain names be more clearly defined.

Carried

Motion (Proposed J Rowe, seconded J Hammer).

That the Board accept recommendation 1c: That auDA should publish the results of its periodic policy compliance audits.

Carried

Motion (Proposed G McDonald, seconded J Hammer). That the Board accept recommendation 1e:

That auDA's position on third party rights with respect to domain name leasing or sub-licensing arrangements should be clarified and published.

Carried

Motion (Proposed C Langdon-Orr, seconded J Rowe). That the Board accept recommendation 1g:

That the close and substantial connection rule for id.au be relaxed to include domain names that refer to personal hobbies and interests. Carried

Motion (Proposed G McDonald, seconded J Hammer). That the Board accept recommendation 1h:

That direct registrations under .au not be allowed at this time.

Carried

Motion (Proposed M Drill, seconded J Rowe). That the Board accept recommendation 2a:

That the Reserved List Policy be retained, and updated as necessary to ensure consistency with Commonwealth legislation.

Carried

Motion (Proposed J Rowe, seconded M Drill). That the Board accept recommendation 2b:

The Panel recommends that the names and abbreviations of Australian states and territories should remain on the Reserved List, but may be released on application provided that the proposed registrant is eligible to use the name under normal policy rules, and that they have received permission from the relevant state or territory government.

Carried

Motion (Proposed K Heitman, seconded J Rowe).

That the board accept recommendation 3. That:

- a. the Domain Monetisation Policy (2008-10) should be abolished as a separate policy;
- b. Schedules C and E of the Domain Name Eligibility and Allocation Policy Rules for Open 2LDs (2008-05) should be amended to include domain monetisation under the close and substantial connection rule for com.au and net.au domain names (as exemplified in Attachment A to the Panel's report);
- c. the existing conditions of use on domain names registered on the basis of domain monetisation under the "close and substantial" connection rule should be retained;
- d. the definition of "domain monetisation" should be replaced with a description of permissible practice, to accommodate a range of monetisation models; and
- e. the Guidelines for Accredited Registrars on the Interpretation of Policy Rules for the Open 2LDs (2008-06) should be amended to include additional explanatory material regarding domain monetisation.

Carried

Motion (Proposed M Drill, seconded J Hammer). That the board accept recommendation 4:

That the Prohibition on Misspellings Policy be retained in its current form.

Carried

The Board noted the following:

- Recommendation 1d: The Panel recommends that registrants should be able to license a domain name for a 1, 2, 3, 4 or 5 year period. auDA staff will provide further information on costs and technical complications associated with implementation.
- Recommendation 1f: The Panel recommends that, in the absence of any compelling technical or policy reason to maintain the restriction, single character domain names should be released (subject to the registrant being eligible to register the name). auDA staff will provide further information on implementation options.
- The Board noted the minority report regarding domain monetisation (at Attachment B of the Panel's report). The Board did not agree with the alternative recommendations put forward by the authors of the minority report. In particular, the Board considered that removing clause 4.3(a) of the Policy would undermine the operation of the close and substantial connection rule, which is an integral part of the .au policy framework. In addition, the Board read the minority report as implying that the Panel was not suitably qualified to consider the issues. The Board was satisfied that the Panel was suitably qualified, and had followed proper process (including 2 rounds of public consultation), to make recommendations to the Board on domain monetisation. Accordingly, the Board did not consider it necessary to convene a different group to deal with the issue.

Motion (Proposed T Staley, seconded K Heitman).

That the Board acknowledge and thank Derek Whitehead as Chair and the Panel members for their work on the 2010

Names Policy Panel.

Carried.

Derek Whitehead also expressed his thanks to the Panel members and the auDA Board.

4. Finance Report

- The Board noted the June 2011 end of year accounts and that the accounts are due to be audited late August 2011.
- The Board noted the July 2011 accounts.
- The Audit tender submissions were reviewed.

Motion (proposed J Hammer, seconded K Heitman).

That MHW would be engaged for 3 years (2012-2014) as Auditors for .au Domain Administration Limited with a further Audit Tender process at the end of the 3 year engagement.

Carried.

5. DNSSEC

- The SSAC Report on DNSSEC was reviewed. The Board noted that there appears to be greater impetus for action, with more ccTLDs starting to implement DNSSEC – although the extent to which those ccTLDs are actually using DNSSEC was questioned.
- The following actions were agreed:
 - The SSAC would clarify & update the recommendations and reissue the final report.
 - auDA staff would produce a report for the October Board meeting with a draft DNSSEC implementation plan and indicative timetable, including a process for engaging with broader industry and government stakeholders.
 - The DNSSEC announcement from August 2010 would be updated.
 - Adrian Kinderis and Chris Wright from AusRegistry attended and gave a summary of AusRegistry activities and commitments on DNSSEC to date. AusRegistry will continue to work on DNSSEC deployment for new gTLDs and will provide a quarterly progress report to auDA. It was noted that AusRegistry would apply its experience with new gTLDs to the deployment of DNSSEC in .au.
 - AusRegistry also advised it will be presenting on various topics at future auDA Board meetings in December 2011, February & April 2012.

6. CEO Report

- The CEO report was noted.
- The Board discussed the Distribute IT security incident in June 2011. C Disspain would follow up with other Registrars and will write to Distribute IT on behalf of the Board to thank them for providing information during and after the incident.

7. Proposed changes to Constitution

- The proposed changes to the constitution were reviewed and discussed.

Motion (proposed K Heitman, seconded M Drill).

That the proposed changes to the Constitution be submitted to the 2011 AGM for approval.

Carried.

8. auDA Foundation

- The draft auDA Foundation Review Terms of Reference were considered. The review will be conducted by auDA staff and will include direct consultation with previous Foundation applicants, as well as general public consultation.
- Motion (proposed T Staley, seconded K Heitman). That the Board approve the auDA Foundation Review Terms of Reference. Carried.

9. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
Berker Caliskan	Demand
Michelle Frost - Michon International	Demand
Ozlem Hassan	Demand
Jonathan Gleeson	Demand

10. Board Correspondence

There was no Board correspondence.

11. Other Business

- Board members were reminded to advise any change of address to Jo Lim & Jacki O'Sullivan and to submit any necessary reimbursement claims as soon as possible.
- The Board was reminded of the ANZIA Award evening on Monday 17 October 2011 and that Justice Kirby has been confirmed as speaker.
- The Board was reminded that the Call for Board Nominations will be posted on Friday 19 August 2011 for those retiring directors who wish to re-nominate.

12. Next Meeting

The next board meeting will be held on Monday 17 October 2010 at 11.00am followed by the AGM at 2.00pm.