

Minutes of the .nz Oversight Committee Meeting

Monday 16 May 2005, 4.00pm

Attendance

Present: Colin Jackson, Roger Hicks, David Russell, Jennifer Northover, Richard Currey, Keith Davidson, Debbie Monahan, Hannah Seeley, Frank March (via telephone, items 1 – 5), Rick Shera (Item 6), Ian Mitchell (observer, Items 1 – 10)

1. Minutes

The minutes of the last NZOC meeting were passed as true and accurate.

2. DNC Reports

The DNC spoke to her February and March reports and gave a brief update as to where things had got to with various investigations.

NZOC were informed that the end of year financials were not available at the time of writing, however they will be included in the April report. NZOC were also informed that the new Senior Support Analyst started in April.

NZOC thanked the DNC for her reports.

3. Roles and Responsibilities Policy

NZOC were presented with a draft revised policy and advised that the content of the redrafted Roles and Responsibility policy had not changed since it was approved for public consultation. No responses have been received from any of the public consultation rounds held.

One of the key changes is a new section relating to the responsibilities on moderators.

NZOC approved the proposed revised policy. In respect of timing the implementation of the policy it was agreed that this wasn't urgent and could go before the InternetNZ Council for final agreement at their next Council meeting due on 24 June.

It was agreed that, subject to Council's approval, the new policy will come into effect on 1 August 2005.

4. .iwi Moderation Policy

NZOC were informed that the DNC had contacted the registrants and admin contacts of all .iwi.nz domain names seeking their opinions of the changes proposed to the moderation rules. Initial contact in February was by letter and email, with phone calls following up on those who had not replied by the end of March.

At its previous meeting, NZOC set a response rate of 75% with at least 75% of those in agreement for the proposed change of the moderation policy to be implemented. As at the date of the NZOC meeting, responses had been received from the registrants of 21 .iwi.nz names, a response rate of 40%. This is short of the level set by NZOC of a 75% response rate.

There was a discussion about whether there had been sufficient response to make a decision on the proposed moderation changes at this point in time, or if they would like the DNC to continue to try and contact registrants until the response target of 75% was met.

It was agreed that the DNC would try once more to contact those registrants who hadn't responded to date to get their views. This would be done by email and a deadline of 30 June 2005 given for responding. If at that date the 75% threshold of responses had not been met the proposed change to the moderation policy would not be accepted.

5. .parliament.nz application

NZOC discussed the application and submissions received for the proposed new second level domain - .parliament.nz. The application was considered against the criteria for new second level domains (2LDs) as per clause 5.4 of the 2LD policy.

A number of the submissions received were against the creation of .parliament.nz and generally that was due to the view that .parliament.nz could be covered adequately by .govt.nz and that to have both was likely to be confusing. Clause 5.4.3 covers that area in that it says that the new 2LD "does not conflict with, duplicate or cause confusion about, any existing 2LD, and is a useful addition to the current DNS hierarchy".

NZOC did note the organisations that supported the application, especially the submission from the Parliamentary Service Commission.

It was agreed by NZOC that, the application met the criteria set out in clauses 5.4.1, 5.4.2, 5.4.4 and 5.4.5. The discussion then focused on clause 5.4.3 and whether the application met that one.

NZOC agreed that there was a difference between parliamentary services and the executive government. NZOC also acknowledged that a number of people might not be aware of the distinction and discussed the view that a different 2LD might help remove some of the confusion rather than make it worse.

The submission from the Department of Internal Affairs was noted, in particular their comment: "While we accept that it is appropriate that the Parliamentary Service is the moderator for the proposed domain should it be established, Executive Government

Support needs to be aware of, and comfortable with, the moderation policies before our unqualified support could be given.”

One of the points raised was that if the moderation policy was clarified, as requested by DIA, then the organisations eligible for a .parliament.nz name would be clearer and that could help to remove some of the confusion.

NZOC felt it was important to gather further clarification on the proposal before they were in a position to present council with the proposal and recommend that the 2LD is implemented. Members agreed that council would have the same questions and doubts that NZOC had on clause 5.4.3 and that it was important that if NZOC were to make the recommendation to council to implement the 2LD they should be in a position to back up their case.

NZOC agreed that the DNC write to the applicant, The Parliamentary Service, and ask them to:

- Liaise with the DIA and agree with them a revised moderation policy that addresses their concerns
- Provide a short document that sets out a ‘layman’s guide’ that can be published to aid in the understanding of the distinction between Parliamentary Services and Executive Government
- Resubmit the revised moderation policy, and public document, to the DNC for further consideration by NZOC

6. Dispute Resolution Process

Rick Shera, Chair of the Dispute Resolution Working Group, joined the meeting to discuss the implementation of a dispute resolution process (DRP) in the .nz domain name space. A paper from the Working Group was presented to NZOC (http://dnc.org.nz/content/WG_to_NZOC_re_DRP.pdf). This paper set out the rationale for their recommendation that a DRP be established for .nz and that this be based on the Nominet UK model.

Rick pointed out that with the growth of the .nz domain name space, the number of disputes relating to domain names, for example cybersquatting, were also on the rise. He discussed how it might work for .nz domain names.

NZOC members congratulated Rick on a good report and endorsed the conclusions the WG has come to.

They approved (with applause) the recommendation for the WG to proceed with a project plan to implement a dispute resolution process based on the Nominet UK model, using the staff resources of the DNC Office with any expenses covered by the DRP provision in the DNC budget.

A question was raised as to whether the WG would continue on until after the new process had been implemented. Rick said the WG would be happy to continue. The terms of reference will be reviewed to ensure they cover the implementation process.

NZOC thanked the WG for the huge amount of work that had been achieved.

7. Service Level Agreement Review

It has been two years since the Service Level Agreement (SLA) between InternetNZ and NZRS was signed. It is specified in the current version that the SLA will be reviewed 2 years after the date of signing so it is now time to start the review.

It is intended that the SLA will be made a more “formal” document. A Force Majeure clause will be included and the content will be reviewed for currency and relevancy.

NZOC noted the review and the timetable set for its conclusion.

8. Transfer to Another Registrar policy review

In line with the NZOC’s commitment to review all the .nz policies and procedures, the DNC proposed a new review – the Transfer to Another Registrar (TAR) policy.

Currently the TAR refers to two forms of transfer – the transfer of individual domain names using the UDAI and the ability to transfer bulk domain names in particular circumstances. It is expected that the policy will continue to cater for both situations. There is also no intention to review the use of the UDAI in the transfer process. If significant issues are raised during the policy review then this position may be reconsidered but the UDAI is a key feature of the SRS and any changes to using the UDAI in the transfer are likely to have major impacts on the registry and also on registrar systems.

The DNC proposed to undertake the review in line with the policy development process but not to establish a Working Group. There will be public consultation and input specifically sought from registrars, including at the Registrar Advisory Group meeting planned for later in May. NZOC agreed with the review as set out by the DNC.

9. DNC Travel Application

The DNC proposed that, as part of the project to implement a dispute resolution process, it would be beneficial to spend some time with Nominet UK to go through their system in detail. This would give the DNC the in-depth information required to develop a detailed project plan for the DRP implementation. It is expected that the timeline and implementation plan would be produced shortly after her return.

To make the most of travelling to Europe, the DNC proposed to time the trip to Nominet to also enable attendance at the Centr GA to be held in Norway.

NZOC approved the DNC’s trip to the Centr GA and to Nominet UK in June.

10. .nz structure evaluation

At their last meeting, the InternetNZ Council invited NZOC to consider a review of the SRS Implementation and the current regime. There was a discussion about this and NZOC agreed to write to the Council saying that they are aware that it has been suggested that there be a more major review covering structures and other aspects and that NZOC would be willing to contribute to that.

11. Policy compliance

There was a discussion by NZOC regarding an ongoing investigation into the activities of a registrar. NZOC agreed with the actions and decisions taken by the DNC and expressed their confidence in her handling of this matter.

12. AOB

NZOC agreed that it would be beneficial if the next meeting is held close to the InternetNZ AGM. This is to be confirmed.