

.au Domain Administration Limited

ABN 38 079 009 340

## Board Meeting

12<sup>th</sup> December 2016 at 9:30AM

auDA, 114 Cardigan Street, Carlton VIC

### 1. Welcome and Apologies

**Present:** Stuart Benjamin (Chair), Cameron Boardman (CEO), Erhan Karabardak, George Pongas, Grant Wiltshire, Joe Manariti, Kartic Srinivasan, Simon Johnson, Tony Staley, Leonie Walsh, Michaela Richards, Tim Connell, Di Parker (Company Secretary)

**Apologies:** Richard Windeyer and Annaliese Williams (Department of Communications)

Commenced 9:30am

#### Welcome

Stuart welcomed everyone to the meeting and in particular welcomed Tim Connell to his first auDA Board meeting.

### 2. Continuous Disclosure

Tim Connell disclosed that he owns 250 domain names and manages a further 150 domain names for clients. He advised that the domains do not have any current complaints or investigations. He advised that he does not hold any other Directorships.

### 3. Confirmation of 14 November 2016 Minutes and the Minutes of the Annual General Meeting

**Motion** proposed by Joe Manariti and seconded by Erhan Karabardak that the minutes of the 14 November 2016 Board meeting and the Annual General Meeting be confirmed. **Carried.**

### 4. Actions Arising

The CEO provided an update on the actions arising.

The CEO advised that Mike Burgess' security report makes some recommendations on ISS which management is reviewing before providing the findings of the ISS roll out to the Strategic Risk Committee.

It was agreed for our insurance brokers to provide an overview of our D&O insurance policies to the Strategic Risk Committee.

The Board noted the actions arising.

### 5. Chair Report

There was no Chair Report.

## 6. CEO Report

### Deloitte Access Economics

The CEO advised the Board that he has engaged Deloitte Access Economics in an economical and statistical analysis of the .au domain range, which includes three separate projects:

- economic and social contribution analysis;
- critical infrastructure analysis; and
- top level domain registration.

The CEO advised the Board that this will allow auDA to better understand our value add contribution and therefore inform our advocacy agenda as well as provide us with an easily explained narrative of our position in the national economy.

The CEO advised the Board a draft report would be available for the Strategic Review and the final report is due the end of February.

### Policy Review

The CEO advised the Board that he has engaged Ashurst to undertake a holistic review of our current policy settings. As per the Constitution, any significant changes that may be recommended would require a panel review.

### Government Engagement

The CEO advised that our relationship with the Commonwealth has significantly improved.

The CEO informed the Board that Alistair Paterson and Rachael Falk have been assisting with our engagement with Government. He advised the Board that over the past month, we have met with:

- Darren Disney, Mitch Fifield's Chief of Staff
- Phil Connell, Dan Tehan's Chief of Staff
- Richard Marles, Opposition Defence spokesperson
- Victoria Robertson, Gai Brodtmann Chief of Staff
- Australian Strategic Policy Institute (ASPI)
- Alister MacGibbon, Cyber Security Advisor to the Prime Minister
- Toby Feakin, Cyber Security Ambassador
- Nigel Phair, candidate for ICANN EC Advisory Committee
- Sandra Ragg, Department of Prime Minister and Cabinet
- Henry Fox, Department Foreign Affairs and Trade

The CEO advised the Board that he has arranged a formal partnership with ASPI commencing 1<sup>st</sup> January 2017.

The CEO advised the Board that a further two days of meetings in Canberra have been scheduled for 12<sup>th</sup> and 13<sup>th</sup> January 2017. The CEO advised that Nigel Phair has been short-listed to become a Director of the EC Advisory Board of ICANN and he is scheduling a time to meet with him in January.

### Security Review

The CEO advised the Board that Mike Burgess, former Chief Security Officer at Telstra, had been commissioned to undertake a security review of auDA. The CEO advised the Board that a table top crisis communications event was scheduled for Thursday 15<sup>th</sup> December and the results will be communicated to the Board.

The CEO advised the Board that the preliminary report contained 13 recommendations. A final report will be available for the Strategic Review.

#### Strategic Review

The CEO advised that Board that he has engaged Mike Burgess to facilitate the Strategic Review. The CEO advised the Board that there were five key areas to be covered in the review and discussion papers will be distributed to Directors prior to the review. It was agreed that discussion papers would be distributed progressively to Directors as they become available to allow Directors sufficient time to prepare for the Strategic Review.

#### Staff Update

The CEO advised the Board that we would commence recruitment for two new positions shortly- Policy Manager and Policy and Research Officer.

The CEO informed the Board that auDA would close from COB 23 December 2016 and re-open 3 January 2017. A communications plan is in place for this period.

S Johnson ended teleconference and joined meeting in person.

#### New Office

The CEO advised the Board that we had entered a Heads of Agreement for new office premises at Level 17, 1 Collins Street. The CEO advised the Board that the relocation would likely take place at the end of March 2017.

#### Policy Development

The CEO informed the Board that a number of new operational policies have been implemented:

- Travel policy
- Purchasing policy
- Communications policy
- Whistle Blower policy
- Bullying and Discrimination policy
- Employee Assistance Program policy
- Leave policy

The Board recommended that the bullying and discrimination policy should set a no tolerance standard in regards to cyber bullying and given the culture of this industry in general, the auDA leadership should set an example in this area.

The Board noted the CEO report.

### **7. Finance Report**

The CFO presented the October and November 2016 financial report to the Board.

The CFO advised that a deficit of \$62K was recorded in October against a reforecast deficit of \$19K which means a negative result to budget of \$43K was achieved.

The CFO advised that a deficit of \$43K was recorded in November against a reforecast deficit of \$124K (excluding timing issue with the registry annual licence fee invoice) which means a positive result to budget of \$81K was achieved.

Year-to-date a surplus of \$181K has been achieved which is a positive result to budget of \$263K. The CFO advised that key items currently under budget are staff salaries, staff development and consultancy costs but that these costs are likely to be incurred in the second half of the year.

Cash on hand is \$9.3M and investments are \$3.7M.

The CFO also advised that the transition from Moore Stephens has been completed.

The Board noted the Finance report.

## **8. Board Committee Updates**

### **a. Finance and Audit Committee**

Kartic Srinivasan advised the Board that our application for payroll tax exemption was lodged on 6<sup>th</sup> December. We expect to have a response from the State Revenue Office in three to six months.

Kartic advised the Board that the Finance and Audit Committee had approved a new investment strategy which would allow for better diversification of our portfolio and maximisation of returns. The strategy still maintains liquidity with funds able to be retrieved within two weeks. As part of the service, the CFO will also have access to real-time online reporting of the portfolio. The Board discussed that our investment strategy could give consideration to digital investments and we should ensure that all investments are in ethical investments.

Kartic advised the Board that the Finance and Audit commitment reviewed and endorsed the proposal for the new office premises.

The Board noted the Finance and Audit Committee report.

### **b. Governance Committee**

Stuart Benjamin advised the Board that the Governance Committee had not met since the previous Board Meeting and there was no update.

### **c. Strategic Risk Committee**

Simon Johnson advised the Board that the Strategic Risk Committee had not met since the previous Board Meeting and there was no update.

The Board agreed to re-constitute the Board Sub-committees after the Strategic Review.

## **9. Matters for Decision**

### **b. Membership Applications**

The Board agreed to move the Membership Applications agenda item forward.

The CEO advised the Board that the 73 Membership applications approved in the June Board meeting paid via PayPal have been investigated.

The Board agreed that in the absence of eligibility criteria that the current vetting process for membership applications should be to contact prospective Members prior to submitting them to the Board for approval to validate that they are:

- a 'real' person; and
- they have some knowledge of auDA's purpose and activities.

**Motion** proposed by Stuart Benjamin and seconded by Tony Staley that subject to validating the prospective Members are 'real' people and have some knowledge of auDA's purpose and activities, the current Membership applications before the Board should be approved. **Carried.**

### **a. Registry Contract Process**

George Pongas and Kartic Srinivasan excused themselves from the Board Meeting due to a conflict of interest.

The CEO advised the Board that he has had extensive negotiations with AusRegistry regarding their unsolicited proposal for the Registry contract over the past month. He advised the Board that AusRegistry have made some significant concessions throughout the negotiations. He advised the Board that it is the strong recommendation of himself and his executive team that we enter into a period of exclusive negotiation with AusRegistry.

The CEO advised the Board that in evaluating AusRegistry's updated proposal he utilised the Commonwealth Procurement Framework as a best in practice framework, and considered the following criteria:

- value for money;
- encouraging competition;
- efficient, effective, economical and ethical procurement;
- accountability and transparency in procurement;
- procurement risk; and
- procurement method.

The CEO presented a comprehensive analysis of AusRegistry's proposal and associated concessions and improvements by way of a detailed written report against the Commonwealth's procurement framework, and compared to ICANN's model Registry Operators Agreement.

Each procurement criteria and associated guidelines were used to assess the proposal with information provided by AusRegistry directly benchmarked, analysed and evaluated against international best practice and external advice. The CEO detailed weighed assessments for the board's consideration against the criteria.

The CEO outlined in this analysis detailed consideration that a market exercise would not result in a more advantageous result for auDA or the Australian digital community, and that the commercial and technical risks associated with transference to a new operator were considerable. He further stated that the concessions, innovations and investment AusRegistry had in principle agreed to during the negotiations would allow for the registry contract to become internationally best-in-class within 6 to 12 months. There was extensive goodwill demonstrated by AusRegistry during this process and combined with the improvement to performance management both parties had agreed to, the CEO strongly endorsed this position.

The CEO further advised the Board that the current proposal received by AusRegistry is not the final agreement and he would be negotiating further with them. The CEO recommended to the Board that for expediency, cost, to become a best-in-class operator within 6 to 12 months and to avoid the risks and complications of a transition, that auDA should enter into exclusive negotiations with AusRegistry for the Registry contract.

The CEO informed the board that he had consulted and advised DoCA of this process.

The Board advised that options for shorter terms should be considered. The Board advised that we need to ensure that we mitigate the risks to entry in the new agreement.

**Motion** proposed by Tim Connell and seconded by Leonie Walsh that auDA enter into a period of exclusive negotiation with Neustar for the continuation of the Registry operations subject to the Board's satisfaction. **Carried.**

## 10. Matters for Discussion

There were no matters for discussion.

## **11. General Business**

Meeting closed 1:20PM.

.au Domain Administration Limited

ABN 38 079 009 340

## Board Meeting

14<sup>th</sup> November 2016 at 11:00AM

auDA, 114 Cardigan Street, Carlton VIC

### 1. Welcome and Apologies

**Present:** Stuart Benjamin (Chair), Cameron Boardman (CEO), Erhan Karabardak, George Pongas, Grant Wiltshire, Joe Manariti, Kartic Srinivasan, Simon Johnson, Tony Staley, Leonie Walsh, Michaela Richards, Di Parker (Company Secretary)

**Apologies:** Nil

Commenced 11:00am

#### Welcome

Stuart welcomed everyone to the meeting and in particular welcomed Leonie and Michaela to their first auDA Board meeting.

### 2. Continuous Disclosure

In the interest of full disclosure, Leonie Walsh provided the following disclosures:

- Director/Founder - Productive Management Solutions Pty Ltd
- Ambassador Women in STEMM Australia
- Chairman/President - Fight Cancer Foundation
- NED - Australian Bone Marrow Donor Registry
- NED and Executive team member - Worldwide Network of Blood and Marrow Transplantation
- Value Assessment Panel Chair - Melbourne University Department of Engineering
- Working Group Chair - Victorian Government, Center for New Energy Technology
- Industry Expert - Victorian Government Future Industries Manufacturing Program
- Advisory Boards
  - Deakin University Business School
  - Deakin Institute for Frontier Materials
  - Swinburne University Centre for Transformative Innovation
- Advisory Committees
  - EPA Science and engineering
  - CSIRO Manufacturing Futures
  - Textor Technologies

Michaela Richards advised so she no disclosures relevant to her role as an auDA Director.

### 3. Confirmation of 10 October 2016 Minutes

**Motion** proposed by Joe Manariti and seconded by George Pongas that the minutes of the 10 October 2016 Board meeting be confirmed. **Carried.**

### 4. Actions Arising

The CEO provided an update on the actions arising.

- Send new Director's induction documentation and update ASIC  
Has been completed. It was requested that a more comprehensive induction package be developed before the AGM.
- Finance reports to be reviewed by Finance Committee  
Has been completed.
- Present final PPB review  
An update will provided in the CEO report.
- Findings of ISS roll out to be reviewed by Strategic Risk Committee  
The CEO advised that there is international interest in ISS. The findings are still to be reviewed by the Strategic Risk Committee.
- Implement Cameron Ralph report  
This is a separate agenda item.
- Circulate Directors and Officers insurance policy.  
This has been completed. It was requested that the policy be reviewed and some of the limits assessed for appropriateness and reported back to the Strategic Risk Committee.

The Board noted the actions arising.

### 5. Chair Report

The Chair provided the Board with an update on the ICANN conference. He advised that ICANN appeared to be struggling with their role post-IANA.

The Chair advised that some useful meetings had been held regarding auDA's international agenda.

The Chair advised the Board that we officially notified the organisers of the APriGF that we would not be hosting the APriGF.

### 6. CEO Report

#### APriGF

For the benefit of new Directors, the CEO provided the Board with an overview of the history surrounding the notification to APNIC of our decision to not host the APriGF. The CEO advised the Board that:

- 7 December 2015- Paul Szyndler provided Chris Disspain with an email outlining the for and against of hosting the APriGF which the case was stronger against.
- 9 December 2015- Chris Disspain instructed Paul Szyndler to make a bid to host the APriGF without consulting the Board. The CEO informed the Board that submitting a bid for the APriGF is tantamount to agreeing to host it and was above the \$50K delegation for the CEO.
- At the February 2016 Board meeting, the Board requested that the CEO prepare a formal report for the Board on the APriGF. The Board were never provided with this report.
- At the June Finance and Audit Committee Meeting, the Finance Committee endorsed the 2016-17 Budget which included a \$50K provision for costs associated with the APriGF.
- In July, Paul Szyndler attended the APriGF in Taipei and reported that 260 people registered but there were only 130 attendees of which the majority were students. We were advised there



would be 600 attendees in preparing the bid. P Szyndler also shared many photos of empty rooms at the event.

The CEO informed the Board that we only just hosted the auIGF in October which had similar numbers to the Taipei APriGF (260 registrants/130 attendees). The auIGF involved a 3 month investment of two of auDA's staff to organise. The CEO advised the Board that the bid to host the 2017 APriGF has an open-ended expectation in regards to cost and resources and was submitted without any analysis of the benefits.

The CEO informed the Board that he had advised Paul Wilson, Director of APNIC that we would not be hosting the 2017 APriGF and provided sound justification for the decision.

The CEO advised the Board that a public statement had been released regarding our decision not to host the 2017 APriGF and he would also make a statement at the AGM.

The CEO advised the Board that we would be analysing all current relationships and activities for strategic purpose and would provide an update at the Strategic Review.

The CEO advised the Board that an international engagement strategy will be presented at the Strategic Review.

#### Membership Consultation

The CEO advised that we have spoken to over 75% of our Members throughout the Membership consultation process so far.

The CEO advised the Board that there is no vetting process for Members currently in the Constitution and this is a matter that we should consider at the Strategic Review. He advised the Board that this might need to involve a review of the Constitution.

#### Policy Development

The CEO informed the Board that we are well advanced in our policy development including:

- Crisis Communications to be presented to next Board Meeting
- Board and Management Delegations Manual which is a separate agenda item
- Travel and Purchasing policies which will be circulated to Board for information only
- Communications Policy which will be circulated to the Board for information

#### Other

The CEO also updated the Board on our progress with Government relationships.

The CEO informed the Board that he attended a meeting with the ACCC and has secured a position for auDA on the Australasian Consumer Fraud Taskforce with the AFP and ASIC.

The CEO advised the Board that on Friday 11<sup>th</sup> November he received an unsolicited proposal from AUS Registry.

The Board noted the CEO report.

The Board agreed to move agenda item 9f Registry Contract Process forward.

### **9f. Registry Contract Process**

George Pongas and Kartic Srinivasan excused themselves from the Board Meeting due to a conflict of interest.

The Board discussed that an EOI process is a fair and open process and that in a disruptive environment with other providers could result in a better deal for auDA. The Board also acknowledged that there were risks involved in undergoing an EOI process in what has become a tight timeframe. The CEO noted that previous requests by the Board for the Acting CEO to start work on an EOI had not occurred.

The Board instructed the CEO to continue preparation work for an EOI so as to not restrict our options. The Board instructed the CEO to commence negotiations with AUS Registry for a 30 day period to secure a best in class deal. The terms of the agreement are to include:

- 5 year term
- Suitable pricing structure that would require an economic analysis to be prepared
- Performance-based KPIs

The Board agreed that if during the 30 day period, the negotiations with AUS Registry did not result in agreement that meets auDA's expectation then the Board would consider commencing a formal EOI process at the December Board meeting.

Kartic Srinivasan and George Pongas re-joined the Board meeting.

## **7. Finance Report**

The CFO presented the September 2016 financial report to the Board.

The Board noted the Finance report.

## **8. Board Committee Updates**

### **a. Finance and Audit Committee**

Kartic Srinivasan advised the Board that the Finance and Audit Committee met on the 7<sup>th</sup> November and endorsed a Reforecast 2016-17 Budget as well as adoption of the 2015-16 Director's Report and Financial Statements. The Committee also discussed the appointment of the Auditor and reviewed and endorsed the financial delegations in the Board and Management Delegations Manual. These are all included in the agenda as separate items for Board decision. Kartic also updated the Board that the transition of the accounting function from Moore Stephens to an in-house function was progressing well and due to be completed by 30<sup>th</sup> November.

Kartic updated the Board that the Finance and Audit Committee had agreed to engage PwC to undertake a tax status review of auDA and apply for payroll tax exemption on our behalf. They have been commissioned on a performance-based contract and if successful the applications could result in approximately \$400K of refunds.

The Board noted the Finance and Audit Committee report.

### **b. Governance Committee**

Stuart Benjamin advised the Board that the Governance Committee had not met since the previous Board Meeting and there was no update.

### **c. Strategic Risk Committee**

Simon Johnson advised the Board that the Strategic Risk Committee had met on 14<sup>th</sup> October and 9<sup>th</sup> November. Simon updated the Board that Australian Standards for Good Governance have been added to ownCloud and are available for all Directors to access. Simon also advised the Board that the

Committee was reviewing the Crisis Communications Policy and the process for escalating high and extreme risks to the Board. The Committee had also discussed reputational risk concerns around the Membership. Simon also advised the Strategic Risk Committee were also investigating reconstituting the Security Committee.

The Board noted the Strategic Risk Committee report.

## 9. Matter for Decision

### a. Reforecast 2016-17 Budget

The CFO advised the Board that a separate budget report had been circulated to Directors and unless otherwise advised would take that the report had been read and now opened to questions from Directors.

The Board noted that the budget for general Marketing and Communications had significantly reduced and asked whether provision had been made for marketing surrounding policy changes (i.e. direct registrations). The CEO informed the Board that any marketing campaigns for policy changes would require a separate business case.

The Board noted that the budget for Other Consultancy had significantly increased. The CFO advised that a detailed budget had been prepared to substantiate this amount and it consisted largely of Communications/Branding, the PPB final report, review of employment contracts and PDs for staff, and development/updating of organisational policies. The CEO advised the Board that there is a period of development work to bring the organisation's practices in line with best practice which require significant consultancy work but he expects this cost will significantly reduce next financial year.

**Motion** proposed by Kartic Srinivasan and seconded by Erhan Karabardak that the Reforecast 2016-17 Budget be adopted. **Carried.**

### b. Adoption of 2015/16 Director's Report and Financial Statements

**Motion** proposed by Kartic Srinivasan and seconded by Erhan Karabardak that the 2015-16 Director's Report and Financial Statements be adopted. **Carried.**

### c. Appointment of Auditor and Auditor's Remuneration

The CFO advised the Board that a separate report had been circulated to Directors and unless otherwise advised would take that the report had been read and now opened to questions from Directors.

**Motion** proposed by Kartic Srinivasan and seconded by Erhan Karabardak that the Board endorse for Meagher Howard & Wright to be re-appointed as auDA's Auditors at the AGM and their remuneration be fixed at \$10,000. **Carried.**

### d. Board and Management Delegations Manual

The CEO informed the Board that Recommendation 2 of the Cameron Ralph Report recommending re-drafting the delegation manual. The CEO advised the Board that in addition to the delegations manual, he can now confirm that all bank accounts require two authorisations.

The CEO confirmed the process was still that all expenditure above \$50K would be reported to the Finance and Audit Committee. The Board requested that this be reflected in the delegations manual. The Board also requested that the manual be adjusted to reflect that it may be appropriate on occasion for the Chair to commission legal advice.

**Motion** proposed by Grant Wiltshire and seconded by Joe Manariti that the Board and Management Delegations (with the above modifications) be adopted and that any previous delegations be rescinded. **Carried.**

#### **e. Independent Director Appointment**

The Chair excused himself from the meeting due to a conflict of interest. Erhan Karabardak (Deputy Chair), chaired this item of the Board meeting.

The Deputy Chair informed the Board that a recommendation of the Cameron Ralph report was that the Chair position should be an Independent Director. The Deputy Chair informed the Board that he was recommending that the current Chair, Stuart Benjamin, who is currently a Demand Class Member, be re-classified as an Independent Director in order to facilitate the recommendation of the Cameron Ralph report.

The CEO informed the Board that the definition of an Independent Director as per the Constitution is:

*"A Director appointed by the elected Directors, who is a person who:*

- a. Holds no posts in, or is otherwise associated with, auDA, the Registry Operator or any Registrar; and*
- b. does not have any relationship with auDA or any other person that could, in the opinion of the elected Directors, materially interfere with:*
  - i. the exercise of objective, unfettered and independent judgement by the person; or*
  - ii. the person's ability to act in the best interests of auDA."*

The CEO informed the Board that the original Ministerial letter from Minister Alston required the Chair of auDA to be an Independent Director. The CEO informed the Board that he has spoken to the Department of Communications who have advised that they neither support nor oppose the current Chair being made an Independent Director and they do not require the Chair to be an Independent Director. The CEO advised that they have suggested that the Commonwealth may want a right of veto over future Chair positions of auDA.

The CEO advised the Board that consideration should be given to Member perception over this decision.

The Board discussed the requirements of the definition of Independent Director in the Constitution as well as possible Member perceptions regarding the decision.

The Board agreed that it is their role to act in the best interests of auDA and to represent the best interests of the .au stakeholders. The Board agreed that auDA is undergoing a period of significant reform and consistency in the Chair role would provide some stability during this period.

The Board discussed that in order for the current Chair to satisfy the definition of an Independent Director under the Constitution, he would need to tender resignation of his membership as a Demand Class Member of auDA and also resign as Director and Chair of auDA.

The Chair was invited to re-join the Board meeting.

The Chair informed the Board that he has resigned his membership as a Demand Class Member of auDA and this has been advised in writing to the Company Secretary, prior to the meeting.

The Chair also informed the Board that he is formally tendering his resignation as a Director of auDA and as Chair of the auDA Board.

**Motion** proposed by Joe Manariti and seconded by Grant Wiltshire that the Board accept the resignation of Stuart Benjamin as a Demand Class member, Director and Chair of auDA. **Carried.**

The Deputy Chair asked Stuart Benjamin if he would be agreeable to being appointed an Independent Director of auDA. Stuart Benjamin agreed.

**Motion** proposed by Simon Johnson and seconded by Joe Manariti that Mr Stuart Benjamin be appointed as an Independent Director of the auDA Board for a term of 12 months. **Carried.**

The Deputy Chair declared the Chair position vacant and called for nominations. Simon Johnson nominated Mr Stuart Benjamin. There were no other nominations.

**Motion** proposed by Simon Johnson and seconded by Grant Wiltshire that Mr Stuart Benjamin be appointed as the Chair of the auDA Board. **Carried.**

Upon being elected Chair, Stuart Benjamin resumed Chair of the meeting.

The Board agreed that a statement should be released to Members.

**g. Membership Applications**

The Board agreed the new Membership applications should not be approved until a better process for assessing the applications has been developed.

**10. Matters for Discussion**

**a. Review of Commonwealth Arrangements**

The CEO advised the Board that the Commonwealth are wanting to review their arrangements with auDA. The Board agreed for the CEO to engage with Richard Windeyer from Department of Communications regarding the review of our arrangements.

**b. Update on Implementation of Cameron Ralph Report Recommendations**

The Board noted the written update on the implementation of the Cameron Ralph report recommendations provided by the CEO.

**11. General Business**

The Board agreed to hold the Strategic Review on the 1<sup>st</sup> to 2<sup>nd</sup> February 2017.

Meeting closed 3:30PM.

.au Domain Administration Limited

ABN 38 079 009 340

## Board Meeting

10<sup>th</sup> October 2016 at 1:00PM

auDA, 114 Cardigan Street, Carlton VIC

### 1. Welcome and Apologies

**Present:** Stuart Benjamin (Chair), Cameron Boardman (CEO), Erhan Karabardak, George Pongas, Grant Wiltshire (teleconference), Joe Manariti, Kartic Srinivasan (Company Secretary), Simon Johnson, Tony Staley

**Observers:** Richard Windeyer (DoC), Annaliese Williams (DoC), Peter Waite (Intersearch- only present for Item 4), Tim Sturrock (PPB- only present for Item 6), Rachael Falk (only present for Item 14), Di Parker (only present for Item 14)

**Apologies:** Nil

Commenced 1:00pm

#### Welcome

Stuart welcomed everyone to the meeting.

### 2. Continuous Disclosure

There were no matters to disclose.

### 3. Confirmation of 30 August 2016 Minutes

**Motion** proposed by Erhan Karabardak and seconded by George Pongas that the minutes of the 30 August 2016 Board meeting be confirmed. **Carried.**

### 4. Appointment of New Directors

Grant Wiltshire joined the meeting.

#### Replacement of Demand Class Director due to resignation of M Wood- Casual Vacancy

An extensive search for a replacement Director was carried out by Intersearch executive recruitment firm. P Waite from Intersearch provided an update to the Board and the search and noted the incredible quality of the candidates. He recommend Dr Michaela Richards and advised background checks have been performed. The Chair and CEO advised they have interviewed Dr Michaela Richards and recommend her appointment to the auDA Board.

The Board resolved to appoint Dr Michaela Richards to the auda Board to fill the casual vacancy left with the departure of Miguel Wood. The instrument (as per the Constitution) appointing Dr Michaela Richards to the Board was executed. As per the Constitution, Dr Michaela Richards will fill the remaining term of M Wood.

**Motion** proposed by the Chair and seconded by T Staley that Dr Michaela Richards be appointed as a Director of the auDA Board. **Carried.**

### **Independent Director Appointment**

P Waite from Intersearch provided an update to the Board and the search and noted the incredible quality of the candidates. He advised the Board they had evaluated 33 candidates, formally interviewed 11 candidates and subsequently short-listed 4 candidates. He advised background checks were performed on all 4 short-listed candidates. P Waite provided a summary of the short-listed candidates and recommended Ms Leonie Walsh be appointed to the role of Independent Director. The Chair and CEO advised the Board that they interviewed the 4 short-listed candidates and recommend Ms Leonie Walsh to be appointed to the role of Independent Director.

**Motion** proposed by the Chair and seconded by T Staley that Ms Leonie Walsh be appointed as an Independent Director of the auDA Board. **Carried.**

### **5. Finance Report**

K Srinivasan noted that the Finance reports were delayed in being circulated due to staff leave and had not been reviewed by the Finance Committee.

The CEO advised the Board that the search for new office premises had commenced.

### **6. Update on PPB Review**

The Chair advised the Board that the CEO would provide a full report to the Board at the next Board Meeting and this was an update only.

The CEO advised the Board the scope of the PPB Review was an overall organisational review and introduced Tim Sturrock from PPB to provide an update on the review.

Tim advised the Board that the initial report is a draft and requires further work before the final report can be issued. The findings were based on staff interviews and included IT, Finance, Complaints Management, HR and Administration. Tim advised the Board that the review of the Finance function was awaiting information from Moore Stephens. He advised the Board that his initial observation was that the organisation could benefit from increased documentation of processes and clearer direction for staff.

G Wiltshire left the meeting,

### **7. CEO Report**

The CEO provided an update to the Board on the APTLD conference.

- Potential for auDA to work with SGNIC around rolling out Information Security Standard (ISS) to SGNIC.
- Potential for auDA to partner with Thailand in the furtherance of internet governance.

The Board requested that the findings of the ISS roll out to the registrars be reviewed by the Strategic Risk Committee before proceeding with an agreement with SGNIC. The Board discussed that there were concerns around how the contracted supplier had undertaken the project.

The CEO provided an update to the Board on recently deleted names and media coverage.

The CEO also advised the Board of two recent appointments to the Management Team and provided a brief on Rachael Falk and Di Parker.

- Rachael Falk has commenced her role as Director of Technology, Security and Strategy on 10<sup>th</sup> October 2016.
- Di Parker has commenced her role as Finance Manager and Company Secretary on 10<sup>th</sup> October 2016.

## **8. Chair Report**

Due to time constraints this item was tabled for the next Board meeting.

## **9. auIGF Update**

The CEO updated the Board on the preparations for the auIGF and advised that 206 attendees were confirmed and this compares to 220 from the previous year which also included sign ups at the event.

The CEO advised the Board that he had received positive feedback on the conference agenda and speakers and was expecting the event to be highly successful.

## **10. DoCA Update**

R Windeyer provided an update to the Board on various policy and other activities related to the Communications portfolio.

## **11. Board Committee Updates**

### **Finance and Audit Committee**

Update provided in Item 5.

### **Governance Committee**

Update included in Item 12.

## **12. Update on Governance Review**

The Chair left the meeting as recommendations in the Cameron Ralph report related directly to the Chair role.

E Karabardak presented the Cameron Ralph report (auDA Board review). The Cameron Ralph Report included 16 recommendations. The CEO has reviewed and responded to the report and endorses 15 of the 16 recommendations included in the report. The Board agreed with the CEO's recommendation that Recommendation 8 of the Cameron Ralph report be placed on hold pending a strategic review.

The Board adopted the Cameron Ralph report along the CEO recommendations and requested that the CEO implement the 15 recommendations supported and report progress to the Board.

## **13. AGM Date and Arrangements**

The Chair re-joined the meeting.

The Chair advised the AGM will be held in Sydney on 28<sup>th</sup> November 2016.

## **14. Introduction of New Staff**

The CEO introduced Rachael Falk and Di Parker to the Board.



## **15. Other Business**

The Board requested details of auDA's Directors and Officers insurance policy. The CEO agreed to distribute this to the Board.

Meeting closed 3:57PM.



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# 30 August 2016 Board Meeting Minutes

Meeting of the .au Domain Administration Board

30 August 2016 – 9.45am

Maddocks, 140 William Street, Melbourne

Present:

Stuart Benjamin (Chair),Cameron Boardman (CEO), Simon Johnson, Erhan Karabradak, Joe Manariti, George Pongas, Kartic Srinivasan (phone), Tony Staley, Grant Wiltshire (phone)

Observers:

Richard Windeyer (DoC), Annaliese Williams (DoC), Maggie Whitnall (AusRegistry) Item 6 only, James Brown (AusRegistry) Item 6 only, Sharee Darwinkel (Maddocks – minutes)

1. Board in Camera Session
2. Apologies
- Nil

3. Continuous Disclosure

Joe Manariti disclosed that he had been appointed to the Hepburn Tourism Committee

4. Confirmation of July 27, 2016 minutes

Motion proposed by Erhan Karabardak and seconded by George Pongas that the minutes of the 27 July, 2016 Board meeting be confirmed. Carried.

5. CEO Report

The CEO thanked the Directors for the support and encouragement they had shown upon his appointment.

He advised the Board that he had been appointed as Independent Chairman of the Oceania Cyber Security Centre. The appointment would require the CEO to contribute 1 day per month and is not remunerated.

Motion proposed by Joe Manariti and seconded by Stuart Benjamin that the Board authorises and endorses the CEO to be appointed as Chairman of the OCSC and this is acknowledged as auDA's contribution to the Centre. Carried.

The CEO advised the Board he had been in the role for one week and provided a summary of his observations. He advised that he will continue to meet with staff individually and collectively to better assess organisational performance, and to advise the Board of requisite structural changes at subsequent meetings.

He advised the Board that the current premises at 114 Cardigan Street, Carlton are not adequate and present a number of operational and safety concerns. He advised that he will assess alternatives and present options at the next meeting.

The CEO discussed issues associated with auDA's membership of ICANN and other international associations, including costs of membership and participation. Erhan Karabardak advised that the board needed to have more involvement with the organisations to which it was a member, and to assess, and where appropriate, take advantage of the benefits to auDA and the name space. To that end APTLD would be held in September and that it would be appropriate for auDA to be involved. The Board noted that a current staff member is a Director of APTLD, and that auDA participation should be further explored.

Motion proposed by Tony Staley and seconded by Stuart Benjamin that the CEO and Erhan Karabardak attend APTLD and report back on auDA's future participation. The DoC advised it supports auDA's participation and broader regional engagement, and that international engagement ought to be collaborative, with DoC attending some forums and auDA attending others including ones that DoC was not represented at. The Chair advised he would consider attending. Carried.

The CEO provided an update on Independent Directors recruitment. An independent process, through a third party recruitment specialist, is underway and will produce a list of vetted candidates. The CEO will provide the Chair with the list of qualified candidates for presentation to the Board at the next meeting.

The CEO further discussed general finance and administrative matters and advised the board that the company's term deposits were expiring and that investments will be consolidated into cash pending the review of the company's investment strategy.

11.26am George Pongas and Kartic Srinivasan left the meeting.

The Board discussed the process associated with the Registry contract. The CEO advised that engagement between auDA and the Registry and Registrars has to improve, of which he is committed to. The CEO advised that the Registry is currently preparing the Technical Specifications for the next phase of the process.

6. AusRegistry marketing campaign (Item 6 interposed with the CEO's report)

10.56am James Brown and Maggie Whitnall joined the meeting

AusRegistry presented the marketing campaign associated with the 30 years of .au anniversary. The campaign is focussed on promoting .au as the most trusted name space platform for Registrars and commences on 1 September, 2016.

7. Sub-committee appointments

11.40am George Pongas re-joined the meeting

The board discussed various appointments to sub-committees and chair positions

Motion proposed by Stuart Benjamin and seconded by Erhan Karabardak that Kartic Srinivasan be endorsed as the Chair of the Finance and Audit Committee. Carried

Motion proposed by Stuart Benjamin and seconded by Erhan Karabardak that Simon Johnson be appointed as the Chair of the Strategic Risk Committee. Carried

The Chair called for nominations for the vacant Deputy Chair role, following the resignation of Julie Hammer.

Motion proposed by Tony Staley and seconded by Joe Manariti that Erhan Karabardak be appointed Deputy Chair. Carried

The Board discussed the vacant role of Company Secretary following Jo Lim's resignation. The CEO advised he will advise the board of longer term options at the next meeting.

Motion proposed by Erhan Karabardak seconded George Pongas that Kartic Srinivasan be appointed Company Secretary, pending a more permanent option.

Carried

8. Chair report

The Chair discussed a recent meeting with Internet Australia and the opportunities for the groups to work together in the future.

11.50am Kartic Srinivasan re-joined the meeting

The Chair advised Kartic Srinivasan that he had been appointed Chair of the Finance and Audit Committee as well as Company Secretary.

The Chair further advised that Richard Windeyer would be present at the next board meeting.

9. Membership

12.07pm Kartic Srinivasan left the meeting

The CEO presented the list of new membership applications and asked the Board to indicate if there were any disclosures.

- George Pongas advised that two AusRegistry employees had applied for auDA membership;
- The CEO advised his personal accountant, Simon Wilson, had applied for auDA membership.

Motion proposed by Stuart Benjamin and seconded by Joe Manariti that the membership applications be approved. Carried

10. AGM

The CEO advised that the AGM must be held by the last day in November and the board discussed options of dates and locations. The Chair requested the CEO to explore options and report to the next meeting.

11. Board Correspondence

The Board noted the written resignations of Julie Hammer (Director), Miguel Wood (Director) and Jo Lim (Company Secretary).

.....

Stuart Benjamin

Chair

/ /

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Established in 2005, the auDA Foundation makes annual grants to promote and encourage education and research initiatives that will enhance the utility of the Internet for the benefit of the Australian community

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**ANZIs**

The ANZIs are an annual event celebrating the achievements of organisations, businesses and individuals that have made significant contributions to the development and use of the Internet in Australia and New Zealand.

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# 27 July 2016 Board Meeting Minutes

Meeting of the .au Domain Administration Board

27 July 2016 – 6.00pm

RACV Club, Bourke Street, Melbourne

Present: Stuart Benjamin (Chair), Tony Staley, Erhan Karabardak, Miguel Wood, George Pongas, Kartic Srinivasan, Simon Johnson (by telephone) and Grant Wiltshire (by telephone)

Observer: Peter Waite (Intersearch), and Cameron Boardman (only present during dinner)

Apologies: Julie Hammer, Joe Manariti

## 1. Agenda Item 1 - CEO Candidate Interview/Dinner

Peter Waite discussed the recruitment process and the methodology that had been adopted to arrive at the CEO Candidates.

Peter Waite provided the board with the CEO Candidates referee checks, CV and position description (as developed by the Board)



The Board then invited Cameron Boardman to join the meeting for dinner. The board asked Cameron Boardman various questions, and noted his responses and comments.

Cameron Boardman left the room.

8:55pm The Board recommenced its deliberations on the CEO Candidate.

Board members discussed their views on Cameron Boardman and points about his strengths and the future. Both Miguel Wood and Erhan Karabardak advised that they knew of Cameron from his days in the Victorian Parliament and attested to his character and professionalism.

Tony Staley talked about the qualities of the CEO, and in particular what auDA requires of Cameron Boardman.

Peter Waite outlined the terms of the offer and the contract.

Stuart Benjamin stressed the importance of a performance bonus being part of the package, to ensure the CEO performed.

### **Resolution**

The Board resolve to appoint Cameron Boardman as CEO of auDA, and the Board authorises the Chairman to enter into the contract of employment with Cameron Boardman.

**Moved:** Stuart Benjamin

**Seconded:** Tony Staley

Simon Johnson expressed support for the board's decision but decided to abstain.

### **Resolution Carried**

The board authorised the Chairman to issue a press release once the offer has been accepted by Cameron Boardman.

Meeting Closed 9:17pm

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# 25 July 2016 Board Meeting Minutes

## Public Version

Meeting of the .au Domain Administration Ltd Board

25 July 2016 – 10.00am

auDA, 114 Cardigan Street, Carlton

Present: Stuart Benjamin (Chair), Jo Lim (Items 2-7), Erhan Karabardak, George Pongas (items 1-6), Grant Wiltshire, Julie Hammer, Kartic Srinivasan (Items 1-6), Miguel Wood, Simon Johnson, Tony Staley

Observers: Richard Windeyer (DoC), Annaliese Williams (DoC), Helen Hollins (auDA, Item 5), Adrian Kinderis (AusRegistry-Item 5), Maggie Whitnall (AusRegistry-Item 5), Michelle O'Reilly (AusRegistry-Item 5), Jacki O'Sullivan (auDA-Minutes, Items 2-7)

Apologies: Joe Manariti

1. Board in Camera Session
2. Continuous Disclosure

There were no matters to disclose.

### 3. Membership

[16.34] Motion (proposed E Karabardak, seconded K Srinivasan). Approve the membership applications in the classes indicated. Carried.

Name of Applicant (and nominee)	Class
Digital Monopoly Pty Ltd	Demand
Jade Fitzgerald	Demand
Marc Boschma	Demand
Simon Delzoppo	Demand
Steve Skinner	Demand
Brendan Smith	Demand
Cheryl Bromfield	Demand
Kamoden Pty Ltd	Supply
Domain Names Pty Ltd	Supply
Roger Hass trading as PC-Bug Fixer	Supply
Spread Media Group Pty Ltd	Supply
Keelins Business and Property Lawyers Pty Ltd	Supply
Di Marca Brand Performance Pty Ltd	Supply
Ace Communications	Supply
Weave Web Pty Ltd	Supply
Kudret Bayram	Supply

### 4. AusRegistry Presentation

Adrian Kinderis, Maggie Whitnall and Michelle O'Reilly from AusRegistry presented on various items including product logos, 2016 survey results, marketing and technical updates.

### 5. Other Business

R Windeyer gave an update on the historical documentation of the agreements

between Government and auDA which had been circulated to Board members and are currently being reviewed. It was reiterated that the documentation/agreements are not looking to be changed but rather to be updated into a more useable modernised package. A further update will be provided at the August Board meeting.

6. Registry Operations for Direct Registrations – Confidential - G Pongas & K Srinivasan absent

[redacted]

7. Next Meeting

The next Board meeting will be held on Tuesday 30 August 2016.

---

Stuart Benjamin

Chair

Date:

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# 20 June 2016 Board Meeting Minutes

## Meeting of the .au Domain Administration Ltd Board

20 June 2016 – 11.00am

auDA, 114 Cardigan Street, Carlton

**Present:** Stuart Benjamin (Chair), Jo Lim (Items 3-18), Erhan Karabardak, George Pongas, Graham McDonald (absent Item 14), Grant Wiltshire, Joe Manariti, Julie Hammer (absent Item 14), Kartic Srinivasan, Miguel Wood, Simon Johnson, Tony Staley (absent Item 14)

**Observers:** Annaliese Williams (DoC, Items 2-18), Helen Hollins (auDA, Item 7), Adrian Kinderis (Item 12), Maggie Whitnall (Item 12), Jacki O’Sullivan (auDA–Minutes, Items 3-18)

**Apologies:** Nil

1. Board in Camera Session
2. CEO Recruitment – staff absent
3. Continuous Disclosure

In accordance with advice from Maddocks regarding the Board’s consideration of registry operations and the overall implementation of direct registrations, directors made the

following disclosures of interest by email to the Board.

**Stuart Benjamin** (Demand Class Director) (email 27 May 2016)

Detailed below are entities under my control that have an ownership or interest in at least one .au

domain name. The sum total of all domains is less than 100.

- SANB Assets Trust
- NASB Assets Trust
- Elmstone Westend P/L
- The Westend Trust
- BenBen Holdings
- The BenBen Holdings Trust
- Aviation Accommodation Australia
- Aviation Accommodation Australia Trust
- Elmstone Investments P/L
- The Elmstone Investments Trust
- Elmstone Developments P/L
- The Elmstone Developments Trust
- Thor Hickman P/L
- The Thor Hickman Trust
- Hercules Benjamin P/L
- Aurora Benjamin P/L
- SANB P/L
- Xperius P/L
- The Stuart Benjamin Family Trust
- Elmstone Projects P/L
- The Elmstone Projects Trust

- Russell Street Holdings P/L
- Frontier Boundaries P/L
- .AU DOMAIN ADMINISTRATION LIMITED (portfolio unknown).

I have no direct holdings of shares in any listed entity operating in the domain space. This includes any current or potential Registry Operators, Registrars or Resellers.

I am of the opinion that I DO NOT have a material personal interest that would preclude me from being involved in Board deliberations on direct registration or registry contracts.

**Julie Hammer** (Independent Director) (email 28 May 2016)

I wish to advise the Board that I do not hold any domain names in .au (or any other TLD), neither do I hold any shares in any entity, listed or otherwise, associated with the domain name industry. I therefore consider that I do not have any material interests that would preclude me from participating in future consideration of the implementation of direct registrations or registry operations.

**Simon Johnson** (Demand Class Director) (email 10 June 2016)

1. Aside from .AU Domain Administration Limited, I have an interest in:

- Kikabink International Pty Ltd
- Kikabink Pty Ltd
- Abundance and Prosperity Pty Ltd

The total number of .au domain names is less than 100.

2. I have no shareholdings in any listed or unlisted entity including the current Registry Operator, a current .au Registrar and any .au Reseller.

3. I have no holdings in companies which may consider tendering for the Registry Operator. I do not believe I have a material personal interest that would preclude me from being involved with Board discussions relating to direct registration and registry contracts.

**Erhan Karabardak** (Supply Class Director) (email 27 May 2016)

I would like to once again disclose for the record that I have a portfolio of .au domain names as does my wife, through our various corporate entities.

I would like to exclude myself from participation with respect to the implementation of second level registrations, as the ownership of a portfolio of domain names may potentially give rise to a conflict. The implementation method may benefit me or my family in some way, including financially.

With respect to the issue of the Registry Contract, I do not own shares in a Registry or Reseller. As previously disclosed, my wife is the sole shareholder of domain name reseller Domo Digital Pty Ltd, and as previously disclosed I have involvement in the operation of the business of this company.

I have considered this issue, and do not consider that there is a conflict or potential conflict. I do not believe that I need to excuse myself from involvement in the Registry Contract process.

**Joe Manariti** (Supply Class Director) (email 9 June 2016)

I declare I am Director of auDA registered reseller, SWiM Communications, and Vice Chairman of the Australian Web Industry Association, a reseller.

I am not an employee or shareholder of any other current or potential registry operator, registrar or reseller and therefore have no conflict or further interest to declare.

**Graham McDonald** (Independent Director) (email 28 May 2016)

I have no personal interest as a director, employee or shareholder in any current or potential registry operator, registrar or reseller and therefore have no conflict or interest to declare in respect of the registry licence agreement or the direct registration in .au matters (items 4 and 5.1 of Maddock's advice of 10 May 2016).

I understand and declare that the tender process for the registry licence agreement and the implementation of direct registrations in .au are confidential board matters for purposes of the Directors' Deed of confidentiality (item 5.4 of Maddock's advice of 10 May 2016).

**George Pongas** (Supply Class Director) (email 27 May 2016)

As an employee of the current Registry Operator I am excusing myself from auDA Board meetings during any discussion and consideration of the tender process for the registry licence and the implementation of direct registrations in .au. Furthermore I will not vote on resolutions related to such matters.

On the matter specifically related to implementation of direct registrations in .au, if at any point the matter related to tender process for the registry licence is resolved I will reconsider my position and reserve the right to re-enter discussions and vote on resolutions - i.e. related to the matter of implementation of direct registrations in .au. Should this eventuate, I will take into consideration any changes at that point in time to my position related to material personal interests and I will consult with the board and Rob Gregory from Maddocks prior to making any decision.

**Kartic Srinivasan** (Supply Class Director) (email 8 June 2016)

I work for registrar and hence per recommendation from Maddocks I will excuse myself from Registry Tender process.

Depending on the timing of discussion if the registry matter is resolved, and is not in conjunction with direct registration, I reserve the right to make a decision to vote on resolutions relating to .au after discussion with Board & Maddocks.

Also just for the record, I don't hold shares greater than 5% in any registry or reseller or registrar.

**Tony Staley** (Independent Director) (email 30 May 2016)

I am not a director, employee or shareholder in any element of the domain name industry. Therefore I have no interests to declare with respect to the Registry License Agreement or direct registration in .au.

**Grant Wiltshire** (Demand Class Director) (email 8 June 2016)

I have no personal interest as a director, employee or shareholder in any current or potential registry operator, registrar or reseller and therefore have no conflict or interest to declare.

**Miguel Wood** (Demand Class Director) (email 30 May 2016)

I don't have any interests to declare related to either direct registration in .au or the Registry License Agreement.

[16.22]**Motion** (proposed S Benjamin, seconded J Hammer). That the disclosure of interest information supplied by auDA Directors be included in the minutes of the Board meeting. **Carried**

#### 4. Confirmation of Minutes

[16.23]**Motion** (proposed G McDonald, seconded E Karabardak). That the approved minutes of the 18 April 2016 Board meeting be confirmed. **Carried**

#### 5. Finance Report

The Board noted the May 2016 accounts.

#### 6. 2016-2017 Budget

- J Lim presented the draft budget, with the following noted:
  - The low figure for bank charge fees was queried; J Lim will raise this with Moore Stephens and advise the Board in due course.
  - It was noted the Communications budget item had now been split between General Communications and Members/Stakeholder events.
  - The Board agreed to increase the External Consultant budget item to \$200,000.
  - The Board noted that past auDA budgets used to include a provision for

separate contingency funds to cover potential security and legal events, and 6 months operating costs. It was agreed that provision for contingency funds should be considered as part of future budget and investment strategy reviews.

- The Board noted that annual staff performance and salary reviews usually occur in June, in accordance with staff contractual provisions. On that basis, the Board agreed that salary increases could proceed at the discretion of the Acting CEO.
- It was agreed that auDA's accounting services would be put out for tender once the permanent CEO had been appointed.

[16.24] **Motion** (proposed E Karabardak, seconded G McDonald). That the provision of accounting services be put out for tender following the appointment of the permanent CEO. **Carried**

[16.25] **Motion** (proposed G Wiltshire, seconded J Manariti). That the 2016-2017 Budget be **approved, with noted amendments. Carried**

## 7. CEO Report

- The CEO report was noted.
- J Lim advised that the .gov.au sub-sponsorship agreement with the DTO had now been confirmed and renewed for a further two years.
- The Board agreed the October 2016 Board meeting would now be rescheduled to Monday 10 October to be held in conjunction with the 2016 auIGF.
- A Williams advised the Board of a meeting to be held on 7 July involving government agencies with an interest in .au domain name issues, including DTO, DoCA, CERT and ACMA. The Board asked for feedback from the meeting in due course.
- H Hollins attended the meeting and briefed the Board on current and future planned membership and stakeholder engagement activities. Membership roadshows are planned for various locations over the next 12 months. It was intended that these roadshows will include an existing member as co-host for their regions and would aim to include other groups such as universities, banks, telco's, state/local governments. The main aim of the roadshows are membership growth and increased engagement, and outcomes will be reported to the Board following the events.

## 8. Chair Report

The Chair provided an update on the 114-116 Cardigan Street, Carlton premises. A valuation report found the current leases have the incorrect titles noted in the documentation, and the agents are currently seeking clarity. The valuation showed the current rental charged is fair. An update on discussions with the landlord regarding

possible purchase of the property will be provided in due course. In the meantime, the possibility of a shorter term lease renewal is currently being negotiated.

## **10. Cameron Ralph Report**

- Phil Khoury attended and summarised the draft findings of the Cameron Ralph review of the Board, including the need to build a professional relationship with the permanent CEO once appointed, to restore group dynamics on the Board and strengthen credibility with stakeholders, especially government. P Khoury noted that it is critical to gain the correct expertise and skills on the Board and that proper training should be provided to Board members who do not have much corporate governance experience. He also suggested end-of-meeting evaluations should take place on 1 item per meeting, to self-assess whether the Board is operating effectively and according to agreed values.
- Board members discussed the potential for Constitutional amendments in future to allow for changes to the Board. J Hammer noted it may be beneficial to do a complete review of auDA's Constitution to address a range of organisational issues including membership and Board structure.
- The draft report will be provided to the Governance Committee for further discussion, with the final report to be submitted to the Board at the next meeting.

## **11. Board Committee Updates**

### **Finance & Audit Committee:**

- The Chair advised the Committee had met on 10 June 2016 and minutes would be circulated in due course.
- The Board was advised of potential FBT issues in regard to accompanying family member travel. J Manariti advised his partner's travel firm has a structure for this purpose and he would put G McDonald in touch with them. The Board agreed G McDonald would seek advice from Maddocks and report back in due course on next steps.

### **Governance, Board Succession & Remuneration Committee:**

- The Chair advised the Committee had not met since 28 January 2016 meeting, and the next meeting is scheduled for 22 June 2016.

### **Strategic Risk Committee:**

- The Chair advised the Committee had not met recently, and the next meeting will be scheduled as required.

## **12. AusRegistry Presentation**

Adrian Kinderis and Maggie Whitnall from AusRegistry presented on upcoming AusRegistry events and initiatives including 30 years of .au, 2016 marketing subsidy program, annual

.au benchmarking survey, registry operations, auDA communications support and registrar market share statistics.

### 13. Membership

- A Williams advised that her partner has applied for auDA membership due to his professional involvement with auDA.
- The Board noted the unusually high number of membership applications received since the last Board meeting. It was agreed that issues regarding the potential for membership stacking and capture are a matter for the Risk Committee to review and report to the Board in due course.
- J Lim advised the Board membership renewal default notices had been sent to approximately 50 members who had not yet renewed their membership. A list of any remaining outstanding renewals will be forwarded to Directors should they wish to make contact with members whom they know and encourage them to renew.

[16.30]**Motion** (proposed S Benjamin, seconded G Pongas). That the membership applications in the classes indicated be approved. **Carried. S Johnson abstained.**

Name of Applicant	Class
Niels Endres	Demand
Shaun Ewing	Demand
David Purdue	Demand
Louis Crossing	Demand
Dinesh George	Demand
Yi Tong	Demand
Paul Young	Demand
Paul Hughes	Demand
Jezweb Pty Ltd	Demand
Naomi Rowe	Demand
Steven Stroud	Demand
Martin Verhulst	Demand



Kids Media Pty Ltd	Demand
Simply Honest Pty Ltd	Demand
Sasha Zander	Demand
Luke O'Meara	Demand
Jack Fitzgerald	Demand
Ken Brandt	Demand
Two Bulls Holdings Pty Ltd	Demand
Peter Jetnikoff	Demand
Narelle Clark	Demand
Laurie Patton	Demand
Scott Long	Demand
eTrading Pty Ltd	Demand
Leanne O'Donnell	Demand
Frances O'Meara	Demand
Andrew J Cole	Demand
Graham Gooley	Demand
Jessica Moore	Demand
Andrew Wright	Demand
Frederick Stark	Demand
Angelo Dounis	Demand
Kane Maneylaws	Demand
Eamon McGrath	Demand
Paul Shaw	Demand
Mark Smith T/A Brennan and Smith Optometrists	Demand

Craig Smithers	Demand
Lindok Pty Ltd	Demand
Dimitri Rytsk	Demand
Gabriela Facci	Demand
Chris Gryg	Demand
Helena Kingston	Demand
Amanda Edwards	Demand
Nick Bell	Demand
Shanan Dahlen	Demand
Jarrod Kagan	Demand
John Kolenda	Demand
David Priest	Demand
Anthony Alabakov	Demand
Luke Carlos Dale	Demand
Insure QLD Pty Ltd	Demand
R & B Security Services Pty Ltd	Demand
Michelle Hayes	Demand
Helen Beckman	Demand
Beare Investments Pty Ltd	Demand
Rod Seeber	Demand
Keith Besgrove	Demand
Amanda Lawrence	Demand
Juliet Summers	Demand
Richard Burleigh	Demand

Pip Cuming	Demand
Dent Medic Pty Ltd	Demand
Jenny Johnston	Demand
Paul Johnson	Demand
Calie Salter	Demand
Kristina Kingston	Demand
Erwin Groen	Demand
Telco Together Foundation	Demand
Scott Petersen	Demand
Brett Koch	Demand
Scriven Holdings Pty Ltd	Demand
Adrian Bartlett	Demand
Gurmeet Macker	Demand
Norman Bruce Munro	Demand
Louise Meyers	Demand
Karen Zhang	Demand
Christine Osterloo	Demand
Visatec Legal Pty Ltd	Demand
Bruce Smith	Demand
I.NET.AU Pty Ltd	Supply
Dialog Pty Ltd T/A Dialog Information Technology	Supply
Kaay Holdings Pty Ltd trading as Aussie Names	Supply
Blue Sky Financial Pty Ltd	Supply
Uniregistrar Corp	Supply

Domain Syndicates Pty Ltd	Supply
Big Local Group Pty Ltd	Supply
Maxine O'Connell T/A MCD Concepts	Supply
Kohen Technology Group Pty Ltd T/A Webvault	Supply

#### 14. Ratification of Independent Directors Appointments

The Board noted that the appointments of Julie Hammer, Graham McDonald and Tony Staley as Independent Directors under clause 18.2 (iv) of the Constitution had not been formalised since August 2010.

The Department of Communications expressed a strong desire for new Independent Directors to be identified before the appointment of the current Independent Directors was terminated.

[16.31]**Motion** (proposed E Karabardak, seconded S Johnson). That the appointment of Graham McDonald as Independent Director be ratified on and from the date the term would otherwise have expired until 20 June 2016. **Carried. K Srinivasan, M Wood and S Benjamin abstained.**

[16.32]**Motion** (proposed S Benjamin, seconded K Srinivasan). That the appointment of Julie Hammer as Independent Director be ratified on and from the date the term would otherwise have expired until 17 August 2016. **Carried.**

[16.33]**Motion** (proposed E Karabardak, seconded S Benjamin). That the appointment of Tony Staley as Independent Director be ratified on and from the date the term would otherwise have expired until 30 June 2017. **Carried.**

It was agreed that Intersearch would be appointed to do a search for prospective Independent Director candidates. Directors expressed a strong desire to identify suitable female candidates to help redress the gender imbalance on the Board.

#### 15. Board Correspondence

The Board noted correspondence received from Ned O'Meara dated 29 April 2016. The Chair will respond on behalf of the Board.

#### 16. Other Business

- It was agreed Director photos be uploaded to the auDA website.
- The Board was reminded the auDA Foundation Review has been referred to the Governance Committee and would be discussed at the meeting on 22 June 2016.

#### 17. Registry Operations for Direct Registrations – G Pongas & K Srinivasan

**absent**

This matter has been deferred to a future meeting.

**18. Next Meeting**

The next Board meeting will be held on Monday 15 August 2016.

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Stuart Benjamin

Chair

Date:

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# 18 April 2016 Board Meeting Minutes

Meeting of the .au Domain Administration Board

18 April 2016 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present: Stuart Benjamin (Chair), Jo Lim (items 2-14), Erhan Karabardak, George Pongas, Graham McDonald, Grant Wiltshire, Joe Manariti, Julie Hammer, Kartic Srinivasan, Miguel Wood (items 1-8), Simon Johnson, Tony Staley

Observers: Annaliese Williams (DoC, Items 2-15), Richard Windeyer (DoC, Items 2-15), Adam King (auDA, Item 6), Maggie Whitnall (Item 3), Adrian Kinderis (Item 3), Jacki O’Sullivan (auDA–Minutes, Items 2-14)

Apologies: Nil

- Board in Camera Session
- Continuous Disclosure
  - G Wiltshire advised he has now left his position with the Victorian Government and is now consulting in his own practice.
  - E Karabardak advised he has been appointed a director and secretary of



trade mark firm Essential IP Pty Ltd. He is not aware of any conflict with auDA.

### 3. AusRegistry Presentation

Adrian Kinderis dialled into the meeting, apologised for not being able to attend, and handed over to Maggie Whitnall to present. Maggie Whitnall presented on upcoming AusRegistry events, initiatives and statistics on .au portfolio holders.

### 4. Confirmation of Minutes

[16.14] Motion (proposed S Benjamin, seconded J Hammer). That the approved minutes of the 14 December 2015 Board meeting be published. Carried

[16.15] Motion (proposed S Benjamin, seconded J Hammer). That the minutes of the 15 February 2016 Board meeting be approved and published. Carried

[16.16] Motion (proposed S Benjamin, seconded J Hammer). That the minutes of the 24 March 2016 Board meeting be approved and published, subject to an amended version being circulated to the Board mailing list. Carried.

### 5. Finance Report

- The Board noted the March 2016 accounts.
- The Board was advised of the following:
  - The Acting CEO is reviewing the timing of payment of the annual Registry Fee.
  - The outgoing CEO final payment had been processed, costs will be reflected in the April accounts.
  - The fee payable by auDA under the ICANN contract was reduced on a good will basis last year. The Acting CEO will review the contract again to see if any further renegotiation of fees is possible and will report in due course.
- The Finance Committee has reviewed the 2016-17 draft budget. An updated draft will be reviewed by the Finance Committee once May figures are finalised, and will be sent to the Board for approval at the June 2016 Board meeting. It was noted that, as part of the PPB review, guidance would be sought on best practice budget processes for not-for-profit organisations.
- The Finance Committee agreed that G McDonald (in his capacity as Finance Committee Chair) should replace the outgoing CEO as a signatory on the auDA investment accounts.
- The Chair thanked G McDonald for his ongoing work on the Finance Committee.

### 6. CEO Report

- The CEO report was noted with the following items highlighted:
  - The Board noted the status report against the current Strategic Plan 2015-2018, and agreed that it would be appropriate for the Board and executive team to review the Strategic Plan later in the year.

The Board noted that P Szyndler will be auDA's main representative at ICANN, supported by Directors and other staff from time to time. Board members were asked to advise the Acting CEO if they wish to attend the upcoming ICANN Helsinki meeting, to facilitate travel arrangements.

- M Wood and J Hammer made suggestions for security-related sessions at the auIGF – one focused on high level cybersecurity strategy, and one on user-end security practices. These suggestions will be followed up by auDA staff.
- The Acting CEO advised that future Board meeting papers would be available in OwnCloud commencing with the June 2016 meeting.
- A King attended the meeting and briefed the Board on the technical environment for auDA and .au. Simon Johnson raised the issue of Critical Infrastructure and auDA compliance to the Protective Security Policy Framework (PSPF). A King and the Acting CEO will follow up with relevant Government officials and report back to the Board in due course.

## 7. Chair Report

- The Chair advised that auDA staff appear to have adjusted well to the recent changes, and that there has been no disruption to auDA's day-to-day operations. .
- The Chair advised the option to renew the lease at 114-116 Cardigan Street, Carlton is due to be exercised in June 2016. Contact has been made with the building owner for discussions and an update will be provided in due course.

## 8. 2015 Names Policy Panel Final Report

The Board discussed the outcomes of the independent market research which was conducted to help evaluate the likely demand for direct registrations. The survey results showed that 60% of respondents were likely or highly likely to register "yourname.au" if it was available. The survey was sent to a general public group, and a randomly selected sample of existing registrants. The Board noted that of the 97,000 existing registrants who were surveyed, only 1,633 responses were received.

The Acting CEO briefed the Board on implementation issues, processes and an indicative timeframe for introducing direct registrations. The Board noted that implementation planning will involve further stakeholder and public consultations during the year.

[16.17] Motion (proposed T Staley, seconded G McDonald). That the Board accepts Recommendation 1A and instructs auDA staff to prepare an implementation plan for Board approval before the end of 2016. Carried

[16.18] Motion (proposed T Staley, seconded G McDonald). That the Board notes Recommendation 1B, but agrees that policy rules for direct registrations will be determined as part of the implementation planning process. Carried

G Pongas abstained from both resolutions.

The Board approved the announcement of its decision, and the publication of the Panel's final report and independent market research results.

## 9. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 13 April 2016 and minutes would be circulated in due course.

Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had not met since 28 January 2016 meeting. The next meeting will be scheduled in June 2016 once the Cameronralph Board Performance Review report is received.

Strategic Risk Committee:

- The Chair advised the Committee had not met recently, the next meeting will be scheduled as required.
- The Chair noted there was outstanding Risk Committee meeting Minutes awaiting publication. A public version of the minutes will be circulated for Board comment and approval to publish.

## 10. auDA Foundation briefing

The Board noted the auDA Foundation briefing and requested the Governance Committee to undertake a review of the Foundation.

## 11. Membership

[16.19]Motion (proposed K Srinivasan, seconded G Pongas). Approve the membership applications in the classes indicated. Carried.

Name of Applicant	Class
Corporation Service Company Pty Ltd	Supply
Matthew Forrester trading as Pacific Domains	Supply
Beagle Internet Pty Ltd	Supply
iSolutions Technologies Pty Ltd	Demand
Caroline Gonzalez	Demand
Lyrek Business Services Pty Ltd	Demand

[16.20] Motion (proposed S Johnson, seconded J Hammer). Approve the change of membership class of The Australian Web Industry Association (AWIA) from Demand class to Supply Class. Carried.

[16.21] Motion (proposed S Benjamin, seconded G Wiltshire). Approve the online membership application and payment form. Carried.

## 12. Board Correspondence

The Board noted correspondence received from Ned O'Meara dated 8 April 2016. The issues raised by Mr. O'Meara will be responded to by the Acting CEO.

## 13. Other Business

- The Board agreed to arrange an exit interview with C Disspain.
- A farewell function for directors who recently left the Board will be arranged.
- The Board accepted an offer from Richard Windeyer, DoC, that the Department provide a briefing on its views and approach to internet governance issues at a Board meeting in the near future.

## 14. Next Meeting

The next Board meeting will be held on Monday 20 June 2016.

## 15. CEO Recruitment – Board in Camera session

---

Stuart Benjamin

Chair

Date:

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# 24 March 2016 Board meeting minutes

## Public Version

Meeting of the .au Domain Administration Board

24 March 2016 – 11.15am

RACV Club, 501 Bourke Street, Melbourne

Present: Stuart Benjamin (Chair), Chris Disspain (items 1-2), Erhan Karabardak, George Pongas, Graham McDonald, Grant Wiltshire (Items 1-3), Joe Manariti, Julie Hammer, Kartic Srinivasan, Miguel Wood, Simon Johnson, Tony Staley

Observers: Annaliese Williams (DoC, Items 4-8), Rob Gregory (Maddocks), Sharee Darwinkel (Maddocks, Minutes), Peter Morris (PPB Advisory, Item 4), Jo Lim (auDA), Jacki O’Sullivan (auDA, Minutes)

1. Apologies

Nil

2. Continuous Disclosure

Kartic Srinivasan disclosed that Melbourne IT Ltd has sold its international domain name reseller business and is acquiring Infoready, an Australian based analytics company.

### 3. CEO Contract

Chris Disspain, Jo Lim and Jacki O'Sullivan left the meeting.

Discussion held in-camera.

#### **CEO employment**

Motion proposed by Simon Johnson and seconded by Erhan Karabardak: To terminate the CEO's contract and employment with immediate effect.

Motion carried.

#### **Interim CEO**

The Board discussed appointing Jo Lim as interim CEO.

Motion proposed by Joe Manariti and seconded by George Pongas: that the Board offer Jo Lim the role of Interim CEO with the opportunity to apply on a permanent basis.

Motion carried.

Declaration – the Chair declared the first and second resolutions confidential Board matters until a public announcement has been made.

12.30pm – meeting adjourned for lunch.

1.00pm – meeting resumed.

The Chair informed the Board that over the lunch break he contacted the former CEO and informed him of the resolution of the Board regarding his contract.

1.05pm Jo Lim left the meeting.

The Board discussed and agreed the terms of the offer of interim CEO to Jo Lim.

The Chair indicated that it was not the intention of the Board that Jo Lim become a director and the Board is not proposing to notify ASIC that Jo had become a director of auDA. Graham McDonald raised the requirement under the auDA constitution to fill a vacancy on the Board within three months. The Chair proposed carrying that issue over into the April Board meeting.

1.20pm – the Chair left the meeting.

1.22pm – the Chair, Jo Lim and Jacki O'Sullivan joined the meeting.

The Chair instructed Robert Gregory to draft the appropriate paperwork to put the Board's resolutions into effect on the basis that the former CEO has been informed



and Jo Lim has accepted the Board's offer.

## 5. Direct Registration Survey Update/Discussion

The interim CEO advised that the survey will go out to a general public panel and a sample of the registry database. The participants from the registry database will be proportionately spread out and attempts have been made to make the participants as representative of the database as possible. The survey question was drafted with assistance from the survey provider and was read to the Board by the interim CEO.

A test was completed this week with members of the general public and the results were read to the Board. There was a 100% participation rate, as the participants had all agreed to be part of the survey. The survey providers had indicated that auDA should aim for a 5% participation rate from the database respondents.

The interim CEO is ready to send the survey out next week and expects that results would be available in time for the April Board meeting.

Julie Hammer questioned whether <example.com.au> would be easier to understand than <yourname.com.au>. The interim CEO indicated that the survey providers sought to make the question as specific as possible, but were concerned that if the question was framed as, for example <johnsmithgarage.com.au>, participants may think it only relates to business names. As a result <yourname.com.au> was agreed upon.

## 6. Risk of Membership Capture Review

Robert Gregory disclosed that the contractor that had been approached as part of this proposal is a Maddocks client. The Chair indicated that Robert Gregory could remain for this item.

Julie Hammer indicated that this proposed review differs from the Board Performance Review, which is only about the performance of the Board and therefore narrower in scope.

Following a short discussion, it was agreed that if there is an issue with auDA's membership, it is a matter for the Risk Committee.

The matter was referred to the Risk Committee for further consideration.

## 7. Update on Board Performance Review

The Chair confirmed that the directors of the Board were in the process of completing surveys. Following this, the surveys will be reviewed by Cameronralph. All directors, including former directors, will be interviewed as a part of this review.

Robert Gregory advised that the advice provided by Darryl Williams QC in 2015 can be provided to Cameronralph without auDA waiving legal privilege, as the terms of the review are confidential. When providing advice, the interim CEO

should indicate that the advice is subject to client legal privilege, which is not waived by its disclosure.

## 8. Other Business

### **Recruitment firms**

The Chair indicated that appropriate recruitment firms should be approached for the appointment of a permanent CEO, and that a sub-committee be established to manage the appointment process.

The Chair indicated that this matter should be held over for now.

### **ICANN**

Jo Lim raised that the former CEO is the current auDA contact with IANA for .au, and that in light of the resolutions of the Board this needs to be changed.

Julie Hammer indicated that this should not be changed before a formal announcement regarding the former CEO is made public.

Jo Lim indicated that the communication about the former CEO should be made today.

### **auDA Foundation**

Kartic Srinivasan raised that the former CEO is a current director of the auDA Foundation.

Robert Gregory advised the Board that it has the power to replace directors of the auDA Foundation, but that as the Foundation is a separate legal entity, the former CEO remains a director despite his auDA termination.

The Board agreed that the former CEO should be requested to resign his position as a director of the auDA Foundation.

Miguel Wood indicated that he would like to see greater gender diversity on the auDA Foundation Board.

Joe Manariti requested the auDA Foundation be listed as an agenda item for the April board meeting. Jo Lim will brief the Board on how the Foundation operates.

12.45pm – meeting closed. The next Board meeting will be held on 18 April 2016.

.....

Stuart Benjamin

Chair

Date:

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# 15 February 2016 Board Meeting Minutes

Meeting of the .au Domain Administration Board

15 February 2016 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present: Stuart Benjamin (Chair), Tony Staley, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Julie Hammer, Kartic Srinivasan, Simon Johnson, Miguel Wood, Grant Wiltshire

Observers: Annaliese Williams (DoC), John Higgins (Moore Stephens-Items 1-3), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies: Nil

1. Continuous Disclosure

There were no matters to disclose.

2. Confirmation of December 2015 Minutes

Motion (proposed E Karabardak, seconded G McDonald). That the Board approve and publish the minutes of the 14 December 2015 Board meeting. Carried

3. Finance Report

- The Board noted the January 2016 accounts.
- The CEO reminded the Board the draft budget for 2016-17 will be provided at the April 2016 meeting for review.
- Review of ICANN fees paid by auDA was raised. The Board agreed to refer the terms of the ICANN Contract back to the Finance Committee for review and reporting back to the Board.
- The Board was advised Neal Dunne of Moore Stephens had conducted and reported on a review of the current Investment Strategy. His recommendation was to continue with the current conservative investment approach with no recommended changes to the investment portfolio at this time. It was noted the Finance Committee would review the portfolio again in the next financial year. Motion (proposed G McDonald, seconded S Benjamin). The Board agrees to the Current Investment Portfolio to remain in place and continue with the current investment strategy. Carried.

#### 4. CEO Report

- The CEO report was noted.
- J Lim gave a summary of the outcomes of the recent legal proceedings between the Australian Democrats National Inc. v. auDA and Bell noting judgement and costs had been awarded in auDA's favour. There are no other current legal matters in progress.
- More information was requested on the expression of interest for hosting the 2017 APriGF. The CEO will ask P Szyndler to provide a briefing note with further information to the Board.
- The Board noted the recent appointment of Dr Heather Smith as Secretary of the Department of Communications. The CEO will arrange an introductory meeting as soon as possible.

#### 5. 2015 Names Policy Panel

The Board noted advice from the Strategic Risk Committee about the strategic risks associated with its consideration of the 2015 Names Policy Panel's Final report.

The Board discussed and agreed the following:

##### RECOMMENDATION 1A:

The Panel recommends in principle that .au should be opened up to direct registrations.

##### RECOMMENDATION 1B:

The Panel recommends that the same policy rules which currently apply in the existing 2LDs

should also apply to direct registrations (refer to Attachment A).

Motion (proposed J Hammer, seconded T Staley): The Board is receptive to Recommendations 1A and 1B, and requests auDA staff to provide the following further information for consideration at the April 2016 Board meeting:

- market research to gauge the level of demand for direct registrations
- a high level implementation timeframe and indicative costings.

Carried.

#### RECOMMENDATION 2A:

Subject to draft recommendations 2B and 2C below, the Panel recommends that the eligibility and allocation criteria for open 2LDs be retained in their current form.

Motion: (proposed M Wood, seconded G Wiltshire): Accepted with the addition of the words 'at this stage'. Carried

#### RECOMMENDATION 2B:

The Panel recommends that the fixed two year licence period be changed to a variable 1 – 5 year

period (ie. registrants could choose to register their domain name for 1, 2, 3, 4 or 5 years).

Motion: (proposed E Karabardak, seconded G McDonald): Accepted, noting that the same recommendation was put forward by the 2010 Names Panel, and the Board at that time accepted the recommendation and agreed to implement it in conjunction with the new registry contract in 2018. Carried

#### RECOMMENDATION 2C:

The Panel recommends that auDA and/or AusRegistry should make the appropriate changes to

the policy and/or registry database fields to reflect the nationalised business names registration

system, ensuring that there is no disadvantage to registrants.

Motion: (proposed M Wood, seconded J Hammer): Accepted. Carried

#### RECOMMENDATION 3A:

The Panel recommends that the Reserved List Policy be retained in its current form.

Motion: (proposed M Wood, seconded J Hammer): Accepted. Carried

#### RECOMMENDATION 3B:



The Panel recommends that the Prohibition on Misspellings Policy be retained, but that auDA

should revise the audit list provisions to provide more flexibility in the way the policy is enforced.

Motion: (proposed M Wood, seconded J Hammer): Accepted. Carried

## 6. Board Committee Updates

### Finance & Audit Committee:

- The Chair advised the Committee had met on 10 February 2016 and minutes would be circulated in due course.

### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 28 January 2016 and minutes would be circulated in due course.
- The Chair advised Consultants have been engaged to conduct the Board Performance Review and would be contacting Directors over the next week for feedback. It is expected that a report will be provided to the Board at the April 2016 meeting.

### Strategic Risk Committee:

- The Chair advised the Committee had met to consider the strategic risks associated with the 2015 Names Policy Panel's Final report which have now been provided to the Board.
- The next regular Strategic Risk Committee meeting date is yet to be confirmed.

## 7. Membership

Motion (proposed S Benjamin, seconded M Wood). Approve the membership applications in the classes indicated. Carried.

Name of Applicant	Class
Teresa Mitchell (Teresa Mitchell)	Demand
The University of Queensland trading as AusCert (Thomas King)	Demand
Grant Wiltshire (Grant Wiltshire)	Demand
Jenny Wiltshire (Jenny Wiltshire)	Demand
Steve Vallas (Steve Vallas)	Demand
Natasha Dwyer (Natasha Dwyer)	Demand
Peter Tonoli (Peter Tonoli)	Demand
Search Global Pty Ltd trading as Stewart Media (Jim Stewart)	Demand
Maggie Whitnall (Maggie Whitnall)	Demand
Peter Anderson (Peter Anderson)	Demand

Steve Sammartino (Steve Sammartino)  
Sports Geek Pty Ltd (Sean Callanan)

Demand  
Demand

8. Board Correspondence

There was no Board correspondence.

9. Other Business

The CEO advised the ICANN Panama meeting scheduled for June 2016 had now been cancelled and a new location will be advised in due course.

10. Next Meeting

The next Board meeting will be held on Monday 18 April 2016. It was noted the Board Schedule would be attached to all future agendas as a reminder of key due dates.

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# 14 December 2015 Board Meeting Minutes

Meeting of the .au Domain Administration Board

14 December 2015 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present: Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, , Julie Hammer, Kartic Srinivasan, Simon Johnson, Stuart Benjamin, Miguel Wood, Grant Wiltshire

Observers: Annaliese Williams (DoC), John Higgins (Moore Stephens), Derek Whitehead (Item 1-3), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies: Nil

## 1. Continuous Disclosure

- The Chair welcomed new Directors Miguel Wood and Grant Wiltshire.
  - Miguel Wood advised he is a Director of StartUp Victoria and Co-founder & CEO of Euler's Bridge. He also has an agreement with auDA regarding Isegoria; however there are no financial dealings attached to this agreement.
  - Grant Wiltshire confirmed he has no conflicts of interest.

## 2. Confirmation of October 2015 Minutes

The minutes of the 8 October 2015 Board meeting were confirmed.

### 3. 2015 Names Policy Panel

- D Whitehead gave a summary of the 2015 Names Policy Panel's final report, which had been submitted to the Board for consideration.
- It was noted there had also been a minority report submitted, from four members of the Panel who did not agree with the majority recommendation on one issue.
- The Panel's final recommendations were to adopt, in principle, direct registrations of domain names under .au, and for existing policies in the open 2LDs to remain in place. He noted that the Panel did not recommend a path of implementation for direct registrations as it was out of scope of the Panel's terms of reference, however the Panel had identified a number of implementation issues that would require further consideration.
- It was also noted a late issue had arisen where a Panel member had released the confidential final report to their organisation, who in turn issued a press release. It was noted that it should be made very clear on future panels that members are appointed in an individual capacity and not as agents of their employer organisation.
- The Board agreed that the Risk Committee would meet early in 2016 to consider the strategic risks associated with the Panel's final recommendations and would report their findings to the Board at the February 2016 meeting.
- It was also recommended that information be sought from the UK and NZ on any issues they had faced with implementation of direct registrations. It was agreed the CEO/J Lim/J Hammer would arrange a teleconference with the UK and NZ and would provide the information to the Risk Committee & Board prior to the meetings in February 2016.
- D Whitehead thanked the Board for the opportunity to Chair the 2015 Names Policy Panel.

Motion (proposed S Johnson, seconded J Manariti). That the Board formally thank Derek Whitehead for his work as Chair of the 2015 Names Policy Panel. Carried.

### 4. Election of Chair

T Staley advised he would not be standing for election as Chair, however would remain on the Board as an Independent Director. He thanked the Board for their support during his term as Chair.

Motion (proposed G McDonald, seconded J Hammer). That the Board formally thank and acknowledge their deep appreciation to T Staley for his outstanding contribution to the auDA Board as Chairman over the past 15 years. Carried.

The Deputy Chair called for nominations for the position of Board Chair.

Nominated: Stuart Benjamin (proposed S Johnson, seconded K Srinivasan)

Julie Hammer (proposed G McDonald, seconded G Pongas)

Elected: Stuart Benjamin.

## 5. Election of Deputy Chair

The Chair called for nominations for the position of Deputy Chair.

Nominated: Julie Hammer (proposed S Benjamin, seconded E Karabardak)

Elected: Julie Hammer.

## 6. Reconstitution of Board Committees

The Board agreed on reconstitution of the Board sub-committees with the following members:

Finance & Audit Committee:

- Graham McDonald (Chair), Kartic Srinivasan, Joe Manariti, Grant Wiltshire and Miguel Wood.

Governance, Board Succession and Remuneration Committee:

- Stuart Benjamin (Chair), Tony Staley, Julie Hammer, Simon Johnson, Joe Manariti and Erhan Karabardak

Strategic Risk Committee:

- Julie Hammer (Chair), George Pongas, Kartic Srinivasan, Graham McDonald and Grant Wiltshire

Secretary's Note: Subsequent to the meeting, further discussions were held regarding the composition of the Strategic Risk Committee. The Chair of the Committee was concerned that Demand Class Members were under-represented on the Committee. As a result, the final composition of the Committee was agreed out-of-session to be:

Strategic Risk Committee:

- Julie Hammer (Chair), George Pongas, Kartic Srinivasan, Graham McDonald, Simon Johnson and Miguel Wood

## 7. Finance

- The Board noted the November 2015 accounts.

## 8. CEO Report

- The CEO report was noted.

- The CEO advised he would brief the new Directors during the next few weeks.
- The Board discussed holding an induction/refresher session on corporate governance matters, noting that previous such sessions have been facilitated by Maddocks and the Australian Institute of Company Directors. The CEO/J Lim will investigate options and circulate to all for agreement.
- J Lim provided a summary update of auDA's ISS compliance program. Following the problems experienced by one registrar with the US-based security assessor, Vectra will now be sending an Australian assessor to conduct the remaining North American registrar assessments.
- The Board noted recent improvements to auDA's internal security arrangements, which will be included in the next assessment of the risk matrix by the Risk Committee.
- The Board was advised the ESA paperwork had been received by auDA on 14 December 2015 and will now be finalised. The final issue to be determined as part of the edu.au governance arrangements is the eDAC secretariat function.
- The CEO gave an update on auDA's current communications activities and planning for 2016, which will be provided to the Board in due course. It was noted the Board had signed off on a communications strategy which was finalised in June 2015 and there is no current spend on advertising.
- The Board noted that the 2016 ANZIA Awards will be launched on 29 January 2016 at the 'Above All Human' event. S Johnson offered to assist with the promotion of the Security award category.
- The CEO provided the Board with an update on the ICANN IANA Transition status. He advised any submission by auDA would be circulated to the Board prior to submission.

## 9. Board Committee Updates

### Finance & Audit Committee:

- The Chair advised the Committee had met on 9 December 2015 and minutes would be circulated in due course.
- The Chair confirmed an additional US\$500k had been purchased for the US\$ account.
- The Chair advised Neal Dunn, Moore Stephens, is scheduled to provide an update on the auDA Investments at the February 2016 meeting.

### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee will next meet early in 2016.

### Strategic Risk Committee:

- The Chair advised the Committee is due to next meet in early 2016 and will consider strategic risks associated with the 2015 Names Policy Panel's Final report at that meeting.

## 10. AusRegistry



AusRegistry's presentation on achievements and milestones, 2015 .au performance, .au statistics and 2016-2018 marketing was circulated to the Board.

## 11. Membership

Motion (proposed E Karabardak, seconded K Srinivasan). Approve the membership applications in the classes indicated. Carried.

Name of Applicant	Class
Joe Thymian	Demand
Domo Digital Pty Ltd	Supply
Chiliad Consulting Pty Ltd	Demand
Luke Grogan	Demand
David Keegel	Demand
Belinda Wadeson	Demand
FFA Services Pty Ltd	Demand
Shane Moore	Demand

## 12. Board Correspondence

J Lim advised the Board she had received correspondence dated 5 November 2015 from Rod Keys of DDNS in relation to the provision of CGDN registrar and support services. The Board noted that DDNS has been, by default, the sole registrar for CGDNs for several years. The Board agreed that the formal appointment of a sole registrar for CGDNs would provide for better support services to registrants and promotion of the namespace, and that the opportunity to become the sole appointed CGDN registrar should be made available to all registrars via an Expression of Interest process.

Motion (proposed J Manariti, seconded J Hammer): That an Expression of Interest be circulated to all registrars for CGDN registrar and support services. Carried.

## 13. Other Business

- OwnCloud: J Hammer summarised the process to date of using OwnCloud as a repository for Board documentation, noting that the Risk Committee had now implemented this process. S Johnson suggested that documentation from all previous auDA Board meetings should now commence to be moved into OwnCloud. The following was agreed:
  - Adam King to compile and circulate an OwnCloud instruction guide for circulation to Board members prior to the February 2016 meeting.
  - A session on OwnCloud use to be held at the February Board meeting.
  - auDA Staff to commence uploading appropriate Board documents into OwnCloud.
  - E Karabardak raised the point that had been asked at the 2015 AGM regarding auDA membership and participation. He advised that auDA needed to do more to encourage participation and engagement with auDA by potential new members. In particular he advised that auDA

should be encouraging more women to become involved with the organisation. It was agreed E Karabardak and M Wood would compile more information on suggested member engagement strategies with respect to women and auDA. This information would be provided to the board at the February 2016 meeting.

#### 14. 2016 Proposed Board meeting dates

The 2016 Board meeting dates were confirmed as follows:

Monday 15 February 2016

Monday 18 April 2016

Monday 20 June 2016

Monday 15 August 2015

Monday 17 October 2106

Monday 12 December 2016

#### 15. Next Meeting

The next Board meeting will be held on Monday 15 February 2015. It was noted the Board Schedule would be attached to all future agendas as a reminder of key due dates.

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# 8 October 2015 auDA Board Meeting Minutes

Meeting of the .au Domain Administration Board

8 October 2015 – 10.30am

auDA, 114 Cardigan Street, Carlton

Present: Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Simon Johnson, Stuart Benjamin

Observers: Annaliese Williams (DoC), John Higgins (Nexia Australia), Jo Lim (auDA), Helen Hollins (auDA-Item 4), Jacki O’Sullivan (auDA–Minutes)

Apologies: Nil

1. Continuous Disclosure

There were no matters to disclose.

2. Confirmation of August 2015 Minutes

The minutes of the 17 August 2015 Board meeting were confirmed.

3. Finance

- The Board noted the September 2015 accounts had not yet been finalised and will be circulated when completed.
- John Higgins summarised the final 2015 Audited Accounts which had been circulated to the Board. It was noted the final version now included the provision for audit fees and a recalculation of Annual & Long Service leave. A surplus of \$1.672M and Assets of \$10.092M were noted for the financial year.

#### 4. CEO Report

- The CEO report was noted.
- auDA's ISS Compliance has now been completed with the report to be circulated to the Board in due course.
- The Registrar ISS Compliance deadline is end October 2015, with Registrars who complete online to be deemed as completed. There are currently 3 outstanding Registrars who are yet to complete online with only 1 at risk of being suspended due to not yet having commenced online.
- H Hollins reported on the outcomes of the 2015 ANZIAs. It was noted that 2015 saw the highest number of applications received to date with the quality of applications of the finalists being outstanding. Thanks were noted for InternetNZ and H Hollins for their work on the Gala and all Board members for their contributions and attendance at the Gala, especially G McDonald for standing in at the last minute as co-host for the evening. It was agreed H Hollins would draft a letter for the Chair to sign thanking InternetNZ. An assessment on the 2015 ANZIA's will be completed and forwarded to the Board in due course. The suggestion that the 2016 ANZIA's be held in an Australian capital city other than Melbourne will be considered.
- H Hollins reported on the outcome of the 2015 auIGF. The conference went very well with 295 registered and 245 final attendees. There were several approaches made regarding partnership opportunities for future events, along with twitter activity, positive feedback, new interest, small start-up businesses attending and some attendees indicating they would now join as auDA members. Thanks and appreciation was noted for the support by the Board members who attended. The Chair and Board thanked H Hollins and the auDA team for all their work on the auIGF. A report on outcomes and suggestions for the 2016 event will now be completed and circulated in due course.

#### 5. 2015 Names Policy Panel

J Lim advised the 2015 Names Policy Panel had not met since the last report, with the next meeting scheduled for 8 October (following the Board Meeting) when outcomes of the consultation will be considered. It was noted 4,495 survey responses and 30 submissions had been received. Recommendations will be finalised during November for presentation at the December Board meeting. The Risk Committee will also meet to perform a risk assessment on the findings and recommendations and will report at the February 2016 meeting.

#### 6. Board Committee Updates

#### Finance & Audit Committee:

- The Chair advised the Committee had not met as the September accounts had not yet been finalised.
- The Chair suggested the Board consider investment of further US\$. The Board agreed an additional US\$300k would be purchased as soon as possible.

#### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had not met since the 13 August 2015 meeting and will meet next in December 2015.

#### Strategic Risk Committee:

- The Chair advised the Committee had last met on 17 August 2015 and minutes had been circulated, approved and published.
- At the August meeting, the Committee finalised the assessment of the impact of the separated Operational and Strategic risk logs and are now comfortable with the final documents. The Committee will next meet during December-January to consider the findings and assess the risks of the Names Panel proposed recommendations.
- The Committee has begun implementation of secure document distribution via OwnCloud. It is anticipated rollout for distribution of Board documents via OwnCloud will commence in December 2015 once the new Board is in place. A session is planned to be run at the December Board meeting for OwnCloud setup and training of Board members.

### 7. AusRegistry

- G Pongas gave a summary of the Registrar Executive day held on Monday 5 October. There were approximately 30 attendees including AusRegistry and auDA staff with the focus being on marketing and growth of the name space. Outcomes included agreement that a Marketing Sub-committee consisting of Registrars/AusRegistry will be formed to promote the namespace and marketing.
- S Johnson raised a question regarding competition law and the possible perception of a cartel, in relation to the AusRegistry Registrars Executive day and other meetings of registrars. The Board noted that Registrar meetings are common across the industry, price is not discussed and there are no issues with auDA or AusRegistry running these events.

### 8. Membership

The following membership applications were approved in the classes indicated, subject to contact by the CEO.

Name of Applicant	Class
Namescout Corporation	Supply

Rhys Ritchie	Demand
Jason Squire	Demand
Linux Australia Inc (Joshua Hesteth)	Demand
Joanna Reymond	Demand
Mums Lunch Pty Ltd trading as Reymond Communications	Demand
Benjamin Ball	Demand
Serap Yeni	Demand
Sarah Pike	Demand
Steve White	Demand
Anthony James Conaghan	Demand
Verity Shepherdson	Demand

## 9. Board Correspondence

There was no Board Correspondence.

## 10. Other Business

- J Lim reminded the Board that the AGM would be held on Monday 30 November 2015 at the Park Hyatt followed by the auDA Christmas function.
- G McDonald gave an update on the auDRP workshop held on Monday 5 October at the Park Hyatt. He noted there was vibrant discussion and engagement by panellists, and that auDA has committed to work with Andrew Christie to keep the auDRP Overview up-to-date. It was also suggested that auDA should consider ways of improving lawyers' awareness of the auDRP and other domain name complaints processes, perhaps through the Continuing Professional Development (CPD) program.

## 11. Next Meeting

The next Board meeting will be held on Monday 14 December 2015.



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# 17 August 2015 auDA Board Meeting Minutes

Meeting of the .au Domain Administration Board

17 August 2015 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present: Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Simon Johnson, Stuart Benjamin

Observers: Caroline Greenway (DoC), Annaliese Williams (DoC), Derek Whitehead (Items 1-3), John Higgins (Nexia Australia – Items 1-5), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies: Nil

## 1. Continuous Disclosure

There were no matters to disclose.

## 2. Confirmation of June 2015 Minutes

- The minutes of the 15 June 2015 Board meeting were noted.
- S Benjamin and S Johnson requested amendments to Item 9 of the 15 June 2015 Board Minutes. The amendments will be circulated for approval by

email.

### 3. 2015 Names Policy Panel

- Derek Whitehead attended and summarised the Panel's activities to date.
- He advised the Panel last met in August to consider the draft recommendations, which had now been revised and were ready for release later this week for a 6 week public consultation comment period. The main focus has been on direct registrations with a high level of satisfaction noted for the current system.
- The Panel will next meet on the 8 October 2015 to consider the public consultation outcomes.

### 4. Finance

- The Board noted and approved the final June 2015 accounts for forwarding to the auditors.
- The Board noted the July 2015 accounts.

### 5. CEO Report

- The CEO report was noted.
- Caroline Greenway and Annaliese Williams attended from the Department of Communications and gave an update on the current restructure within the Department.
- The CEO gave the Board an update on the ICANN Cross Community Working Group on Accountability and will circulate a timeline to the Board list for information.
- The Board discussed the outcomes of the Brand Awareness Campaign. It was noted staff are now working on 2015/16 campaign plans and further information will be circulated to the Board in due course.

### 6. AusRegistry presentation

Adrian Kinderis attended from AusRegistry attended and gave a presentation on the 2015 .au Survey and Zone File analysis.

### 7. Board Committee Updates

#### Finance & Audit Committee:

- The Chair advised the Committee had met on 12 August 2015 and minutes would be circulated in due course.
- The Chair advised the final June 2015 accounts would be audited within the next few weeks.
- The Chair confirmed all outstanding investments would be completed and in place by end August 2015 as previously agreed.

#### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 13 August 2015 and minutes would be circulated in due course.
- The Chair advised the Committee's recommendations on changes to auDA's AGM voting practices in response to advice received from Maddocks and feedback from auDA members.

Motion (proposed J Hammer, seconded E Karabardak) that the Board approve the Committee recommendations as follows:

1. That auDA accept the submission of AGM proxy forms by email, fax or mail, commencing with the 2015 AGM; and
2. That the Committee maintain a watching brief on the possible future implementation of online voting.

Carried

- The A&TF review conducted by Maddocks had been circulated to the Board with one recommendation to be implemented in relation to maintaining a register of questions at AGMs.
- There was no further update at this stage on the Board Performance Review, this will now be progressed and updates circulated in due course.

Strategic Risk Committee:

- The Chair advised the Committee had last met on 15 June 2015 and minutes had been circulated, approved and published.
- Since the last meeting, the Risk log had now been split into Operational and Strategic risks and evaluations had been completed on 'Impact of Actions'. The log will be reviewed at the Risk Meeting on 17 August and further updates provided in due course.

## 8. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Butterfly Internet Pty Ltd	Supply
Web Address Registration Pty Ltd	Supply
Andrew Robinson	Demand
Raymond Marshall	Demand
Paul Stephen Cormack	Demand
Peter Berry	Demand

## 9. Board Correspondence

There was no Board Correspondence.

## 10. Other Business

There was no other business

## 11. Next Meeting

The next Board meeting will be held on Thursday 8 October 2015 at 10.30am, following the auIGF in Melbourne.

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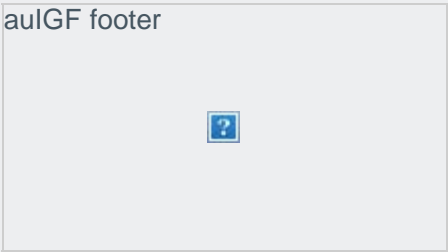
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# 15 June auDA Board meeting Minutes

Meeting of the .au Domain Administration Board

15 June 2015 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present:

Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Simon Johnson, Stuart Benjamin

Observers:

Annaliese Williams (DoC - Items 1-8), Caroline Greenway (DoC - Items 1-8), Derek Whitehead (Items 1-3), John Higgins (Nexia Australia – Items 1-7), Robert Gregory (Maddocks - Item 9), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes - Items 1-8)

Apologies:

Nil

1. Continuous Disclosure

There were no matters to disclose.

## 2. Confirmation of April 2015 Minutes

- The minutes of the 20 April 2015 Board meeting were noted as requiring amendments. The minutes will be updated and recirculated for final approval.
- The Board agreed future minutes should include more specific resolutions, particularly on Financial and more important issues, and requested that where possible, formal proposals be submitted in writing for Board approval.

## 3. 2015 Names Policy Panel

- Derek Whitehead attended and summarised the Panel's activities to date.
- He advised that the Panel received 25 submissions and 193 survey responses to the Issues Paper. Overall there is a high level of satisfaction with the current system with only a few areas of issue, mainly concerning direct registrations.
- Good discussions had been held with most Panel members keen to support changes depending on the model adopted. The purpose of the next 2 meetings would be to review various models with a view to issuing draft recommendations for public comment in late August.

## 4. Finance

The Board noted the May 2015 accounts.

## 5. 2015-16 Budget

- The Board considered the 2015-2016 budget which was endorsed by the Finance Committee.
- Motion (proposed G McDonald, seconded J Hammer): That the Board approve the 2015-2016 budget.  
Carried.

## 6. CEO Report

- The CEO report was noted.
- Membership renewals and highlighting the benefits of membership were raised. The CEO undertook to consider sending out additional reminder communications regarding membership benefits.
- G McDonald advised he had been involved in the judging process of ANZIA entries and noted the excellent standard of entry submissions this year.

## 7. Board Committee Updates

### Finance & Audit Committee:

- The Chair advised the Committee had met on 11 June 2015 and minutes would be circulated in due course.
- The Chair advised there had been confusion over what had been agreed at

the last meeting in relation to Bond and Term Deposit Investments. A separate minute was circulated to clarify the proposed changes to the investment strategy.

- Motion (proposed G McDonald, seconded J Hammer): That the Board agrees to increase the investment in Bond Funds from \$2m to \$3.5m, comprising additional Bond investment amounts of UBS Australian Bond Fund \$300,000, UBS Diversified Fixed Interest Fund \$200,000, PIMCO Australian Focus Fund \$270,000, PIMCO Australian Bond Fund -\$137,000 (reduction) and the new investment to PIMCO Diversified Fixed Interest Fund \$600,000. Carried.
- Subsequent to the Board’s decision at the April 2015 meeting to increase the Term Deposit investments from \$3M to \$5.5M, the Board discussed and agreed to consider investment amounts above the \$250K Government Guarantee limit in the following institutions: ANZ, Members Equity Bank, NAB, AMP, Bank of Queensland, St George and Westpac, with the CEO to implement on Nexia’s recommendation.

Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 11 June 2014 and minutes would be circulated in due course.
- Legal advice from Maddocks had now been received regarding online & proxy voting. The advice will be circulated with recommendations for consideration at the August Board meeting.
- The Committee agreed to engage Maddocks to conduct an audit of auDA’s compliance under the Accountability and Transparency Framework.
- There was no further update at this stage to the Board Performance Review. Further information will be circulated in due course.

Strategic Risk Committee:

- The Chair advised the Committee had last met on 20 April 2015 and minutes had been circulated, approved and published.
- The Committee agreed at the April meeting that the Risk log should be split into Operational and Strategic risks. Work has now been completed separating the risks and the logs will be reviewed at the next meeting on 15 June 2015.

8. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Acquaint Pty Ltd trading as Web Set Go (Andor Rosenberg)	Supply
Hostcorp Pty Ltd ( Marcus Emanuel)	Supply
Velocit Business Systems Pty Ltd (Jeff Wilson)	Supply
Luke Summers	Demand
Kim Harvey-Keddy	Demand
Simon Keddy	Demand
Tom Templeton	Demand

John Graham

Demand

## 9. Board Correspondence

Observers to the Board and G Pongas were not present for this item. Robert Gregory, Maddocks attended the meeting as legal adviser to the Board. All directors present in the room and by teleconference agreed to sign the Designation of Board Confidential Information form circulated prior to discussion of this item. It was confirmed that no director holds any financial interest in AusRegistry Pty Ltd, Bombora Technologies Pty Ltd or Neustar Inc.

The Board considered correspondence from AusRegistry Pty Ltd requesting that auDA consent to the sale of 100% of the issued share capital in its parent company Bombora Technologies, to Neustar.

The Board agreed to consent to the sale and change of relevant control of Bombora Technologies. In making its decision, the Board noted the following:

- auDA has never prohibited foreign-owned companies from being the registry operator
- clause 9.2 of the Registry Licence Agreement requires the registry operator to operate the registry in Australia; this includes the requirement that all employees and management personnel be located and resident in Australia, all administrative and operational functions be located in Australia, and the registry servers and backups to be located in Australia unless the technical specification requires otherwise
- Neustar is an established registry operator which runs a number of TLDs, and as a public company listed on the New York stock exchange, is subject to a raft of corporate governance controls
- any requirement for the sale to be approved by the Foreign Investment Review Board (FIRB) and/or the ACCC is a matter for AusRegistry and Neustar, and not a matter for auDA to consider.

Motion (proposed S Benjamin, seconded J Manariti): That in accordance with the request in the letter from AusRegistry Pty Ltd dated 15 June 2015, and pursuant to clause 30.3 of the Registry Licence Agreement (RLA), the auDA Board consents to Neustar Inc or a related entity taking relevant control of Bombora Technologies Pty Ltd (Bombora) and the Registry Operator, subject to:

1. Neustar Inc confirming in writing it is aware of and will comply with, and will cause Bombora and the Registry Operator to comply with, all of their obligations under the RLA; and
2. Adrian Kinderis remaining CEO of the Registry Operator for the remainder of the current term of the RLA, unless otherwise agreed by auDA.

Carried.

## 10. Other Business

- Independent Director Fees: Motion (proposed G Pongas, seconded J Manariti): That the Board approve the increase to Independent Directors Fees commencing 1 January 2015, as ratified at the 2014 AGM, in the amounts of \$70,000.00 T Staley, \$40,000.00 G McDonald and \$40,000.00 J Hammer. Carried.

11. Next Meeting

The next Board meeting will be held on Monday 17 August 2015.

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# 20 April 2015 Board Minutes

Meeting of the .au Domain Administration Board

20 April 2015 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present:

Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Simon Johnson, Stuart Benjamin

Observers:

Adrian Kinderis (Item 8), Annaliese Williams (DoC), Derek Whitehead (Items 4-5), Jacki O'Sullivan (auDA–Minutes), Jo Lim (auDA), John Higgins (Nexia Australia), Maggie Whitnall (Item 8), Naomi Tandy (DoC),

Apologies:

Nil

1. Continuous Disclosure

There were no matters to disclose.



## 2. Confirmation of February 2015 Minutes

The minutes of the 23 February 2015 Board meeting were confirmed.

## 3. Finance

The Board noted the March 2015 accounts.

## 4. 2015 Names Policy Panel

- Derek Whitehead advised that the panel had now met 3 times and had completed an issues paper which canvasses comments on several issues, in particular direct registrations in .au. The paper has been published on the website and will be promoted this week with comments closing on 1/6/15.
- The Panel is schedule to meet again in June and July to discuss responses and finalise the paper.

## 5. edu.au Review

- Derek Whitehead, Chair of eDAC, presented eDAC's final report on its review of edu.au Domain's Governance Arrangements and Eligibility and Allocation Policies. The process run by eDAC was along the lines of auDA's Panel process and included two rounds of consultation with relevant stakeholders in the Australian education and training sector.
- The Board formally accepted the recommendations of the eDAC final report and the auDA Chair will confirm the acceptance via a formal letter to eDAC.

## 6. CEO Report

- The CEO report was noted.
- The COPO advised the Board an OH&S review had been conducted by Worksafe consultancy, Action OHS. Overall the report indicated auDA's practices are operating well with only a few recommendations for changes in line with OH&S best practice. These recommendations will be reviewed and implemented as required.

## 7. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 15 April 2015 and minutes would be circulated in due course.
- The Committee advised a review of the current investment portfolio had been completed by Neal Dunn, Nexia, and recommended some changes to the investment strategy:
  - in relation to Term Deposits, the Board approved the recommendation to 1) increase the total amount invested from \$3m to \$5.5m, and 2) invest higher amounts than the \$250k Government Guarantee limit in selected institutions. A list of institutions which could

have higher amounts allocated is currently being compiled and a recommendation will be submitted for Board approval at the next meeting.

- in relation to Bond Fund investments, the Board approved the recommendation to invest \$600,000 into the PIMCO Diversified Fixed Interest Fund (in addition to the existing Bond Fund investments).

- The Board was advised an initial draft of the 2015-16 Budget had been circulated to the Finance Committee however the draft was still being finalised pending the April 2015 final figures. The final draft will be reviewed by the Committee at the May 2015 meeting and forwarded to the Board for approval at the June 2015 meeting.

#### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 16 April 2014 and minutes would be circulated in due course.
- The chair advised the following:
  - Legal advice had been sought regarding online & proxy voting and will be circulated when received.
  - The Board Performance Review was progressing.
  - QC opinion had been sought regarding the conflict of interest matters raised and discussed at the December and February Board meetings. The Committee noted the clear advice received from Daryl Williams QC that there is no legal impediment to an employee of the registry operator being elected, or remaining, a director of auDA. The Board agreed that this matter is now closed.

#### Strategic Risk Committee:

- The Chair advised the Committee had met on 23 February 2015 and minutes had been circulated, approved and published.
- The committee is currently assessing risks and updating the risk log and would continue this process at the next meeting scheduled for 20 April 2015.

#### 8. AusRegistry Presentation

- Adrian Kinderis and Maggie Whitnall attended from AusRegistry and gave a presentation on .au creates and the 2015 .au survey.

#### 9. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Web Prophets Pty Ltd (Julia Topliss)	Supply
Micron 21 Datacentre Pty Ltd (David Dunn)	Supply

## 10. Board Correspondence

The Board noted and discussed correspondence received from Scott Reading regarding .org.au domain name eligibility. The Board agreed to instruct staff to continue to process and deal with the matter in accordance with auDA policy. The auDA Chair will provide a formal response to Scott Reading.

## 11. Other Business

There was no other business.

## 12. Next Meeting

The next Board meeting will be held on Monday 15 June 2015.

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### **auDA Foundation**

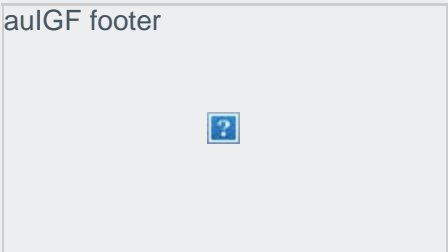
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# 23 February 2015 Board Minutes

Public Version

Meeting of the .au Domain Administration Board

23 February 2015 – 11.00am

auDA, 114 Cardigan Street, Carlton

Present:

Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Simon Johnson, Stuart Benjamin

Observers:

Derek Whitehead (Item 1), John Higgins (Nexia Australia, Items 1-5), Peter Nettlefold (DoC), Naomi Tandy (DoC), Maggie Whitnall (Item 6), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:

Nil

1. Continuous Disclosure

- Erhan Karabardak disclosed that his family trust owns shares in Domo Digital Pty Ltd which has recently become a domain name reseller including for .au. He advised his wife is the Director of this company whilst he is involved in the operation of the reseller business and the domain name after market.

## 2. Confirmation of December 2014 Minutes

It was noted that the minutes of the 16 December 2014 Board meeting were currently still open and would now be finalised.

## 3. 2015 Names Policy Panel

- Derek Whitehead advised that the first panel meeting had been held on 5 February 2014 at which previous panel findings were reviewed, and preliminary issues raised. The focus of the next meeting will be on the leading issue of direct registrations. An issues paper will be compiled for public consultation.
- The Chair reiterated that Board members on the panel should be mindful of their position and not be seen to be influencing discussions in any particular way.

## 4. Finance

- The Board noted the January 2015 accounts.
- The Board was advised that auDA's investment strategy will be reviewed by the Committee and a recommendation would be provided to the April 2015 Board meeting.
- It was noted preparations for the 2015-16 budget had commenced and a draft would be provided to the Board at the April 2015 Board meeting.

## 5. CEO Report

- The CEO report was noted.
- The CEO provided a summary overview of the IANA Stewardship transition and auDA's involvement.
- P Nettlefold advised that he would consult agencies on the Government review of Cybersecurity and provide an update in due course.

## 6. AusRegistry Presentation

- Maggie Whitnall-Client Services Manager .au, attended from AusRegistry and gave a presentation on the age of .au domains (follow up from AusRegistry's presentation in December), information on 'Behind the dot – state of the .au domain', the 2015 .au Survey and a summary of current activities.

## 7. 2015-18 Strategic Plan

- The Board approved the circulated 2015-18 Strategic Plan.

- The CEO advised that auDA staff would be attending their annual retreat on 5-6 March which would include review and update of the Operational Plan.

## 8. Board Committee Updates

### Finance & Audit Committee:

- The Chair advised the Committee had met on 18 February 2015 and minutes would be circulated in due course.
- The Committee agreed that the current investment portfolio would be reviewed by Neal Dunne, Nexia and the current NAB accounts would be reviewed by the CEO. Recommendations would be provided to the Committee in March with any formal recommendations to be presented to the Board at the April 2015 meeting.
- The Committee agreed the CEO would formally write to the landlord regarding interest in purchasing the Cardigan Street office.

### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 19 February 2014 and minutes would be circulated in due course.
- The Board agreed that the Board performance assessment review would be conducted by Stuart Benjamin, Graham McDonald and Jo Lim, reporting through the Governance Committee.

### Strategic Risk Committee:

- The Chair advised the Committee was due to meet on 23 February 2015 and an update would be provided at the April 2015 Board meeting.

## 9. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Bachco Pty Ltd trading as Domain IP (Jonathan Horne)	Supply

## 10. Board Correspondence

There was no Board correspondence.

## 11. Other Business

There was no other business.

## 12. Next Meeting

The next Board meeting will be held on Monday 20 April 2015.



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# Minutes 16 December 2014

Public Version

Meeting of the .au Domain Administration Board

16 December 2014 – 1.30pm

RACV Club, 501 Bourke Street, Melbourne

Present:

Tony Staley (Chair), Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Simon Johnson, Stuart Benjamin

Observers:

Derek Whitehead (Item 1), John Higgins (Nexia Australia), Peter Nettlefold (DoC), Adrian Kinderis (Item 7), Maggie Whitnall (Item 7), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:

Paul Levins

1. Continuous Disclosure

- New Director, Simon Johnson disclosed that he is a director of Kikabink

International Pty Ltd, a domain services company, and that he holds a portfolio of domain names registered in multiple TLDs including .au.

## 2. Confirmation of October 2014 Minutes

The minutes of the 27 October 2014 Board meeting were confirmed.

## 3. 2015 Names Policy Panel

- The 2015 Names Policy Panel list of membership nominations and recommendations were circulated for Board review.
- The Board approved the 20 recommended panel members along with Joe Manariti and Erhan Karabardak who also volunteered as panel members.
- Monthly Panel meetings will commence in February 2015 with a final report expected to be provided to the Board at the December 2015 meeting.

## 4. Election of Chair

The Chair handed over to the Deputy Chair for this item.

The Deputy Chair called for nominations for the position of Board Chair

Nominated: Tony Staley (moved G McDonald, seconded E Karabardak)

Elected: Tony Staley

## 5. Election of Deputy Chair

The Chair called for nominations for the position of Deputy Chair

Nominated: Julie Hammer (moved E Karabardak, seconded J Rowe)

Elected: Julie Hammer

## 6. Reconstitution of Board Committees

The Board agreed on reconstitution of the sub-committees with the following members:

Finance & Audit Committee:

- Graham McDonald (Chair), Kartic Srinivasan, Stuart Benjamin, Joe Manariti and Josh Rowe

Governance, Board Succession and Remuneration Committee:

- Tony Staley (Chair), Julie Hammer, Paul Levins, Joe Manariti and Erhan Karabardak

Strategic Risk Committee:

- Julie Hammer (Chair), George Pongas, Kartic Srinivasan, Graham McDonald and

Simon Johnson

## 7. AusRegistry Presentation

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager .au, attended from AusRegistry and gave a presentation on retention rates in the .au namespace, other .au statistics and Registry plans for 2015.
- The Board noted that approximately 40% of .au domain names have been registered for less than two years. AusRegistry will investigate this statistic further and report back at the February 2015 Board meeting.

## 8. Finance

- The Board noted the November 2014 accounts.

## 9. CEO Report

- The CEO report was noted.
- J Manariti provided the Board with feedback on the Reseller ID System launch.

## 10. auDA Foundation

The final list of successful auDA Foundation grants agreed by the auDA Foundation Board was circulated for the Board's information.

## 11. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 10 October 2014 and minutes would be circulated in due course.
- The Board was advised that previous financial reporting had a moving forecast due to a large number of variances/timing issues. The Committee have now agreed to restore the original forecast as per budget in monthly reporting.

Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 11 October 2014 and minutes would be circulated in due course.
- The 2014 Board Self-Assessment results and recommendations were circulated for Board information and decision. Results were discussed and the Board approved the Committee recommendations. In relation to the recommendation to conduct a critical review of the Board self-assessment document and associated processes, the Chair proposed that the review be led by Stuart Benjamin, who agreed to accept that role. In addition, it was also agreed to investigate using Survey Monkey for future responses/reporting and the CEO KPI's would be circulated to the Directors list in future.

Strategic Risk Committee:

- The Chair advised the Committee last met on 25 August with the next meeting scheduled for February 2015 to include the outcomes of the December 2014 Board retreat for review.

12. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Information Brokers Pty Ltd	Supply
Patrick Brown	Demand
Liz Williams	Demand
Craig O'Toole	Demand
Anthony Campbell	Demand
Brendan Fitzgerald	Demand

13. Board Correspondence

The Board was advised correspondence had been received from a member regarding the AGM Proxy voting process; the member's 2014 voting form had been posted prior to the deadline but not received at Maddocks until after the deadline and therefore it was not counted as valid. The Board discussed the need to review the proxy voting process, including the possibility of introducing online voting. It was agreed S Benjamin and J Lim would investigate options and report back to the Board in due course.

14. Other Business

There was no other business.

15. 2015 Proposed Board meeting dates

The 2015 schedule of proposed Board meeting dates will be circulated via email with Board members asked to advise of any conflicts.

16. Next Meeting

The next Board meeting will be held on Monday 23 February 2015.

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[Board Minutes - 27 October 2014](#)

# Board Minutes - 27 October 2014

Meeting of the .au Domain Administration Board

27 October 2014 – 11.00am

Maddocks, 140 William Street, Melbourne

Present:

Tony Staley (Chair), Cheryl Langdon-Orr, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Stuart Benjamin

Observers:

John Higgins (Nexia Australia), Peter Nettlefold (DoC), Naomi Tandy (DoC), Adrian Kinderis (Item 8), Maggie Whitnall (Item 8), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies:

Nil

## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of August 2014 Minutes

The minutes of the 25 August 2014 Board meeting were confirmed.

## 3. Finance

- The audit of the June 2014 end of year accounts had been completed by the auditors with no issues identified.
- The Board noted the September 2014 accounts.

## 4. CEO Report

- The CEO report was noted.
- The Board was advised that the org.au audit is approximately two-thirds completed, with the largest registrar still to be audited.
- Preliminary discussions had been held with InternetNZ staff who have indicated that they will host the 2015 ANZIs in New Zealand; we are awaiting formal confirmation. It was suggested that the Webstock NZ conference in February would be a good opportunity to promote the ANZIs.

## 5. 2015 Names Policy Panel

The Draft Terms of Reference for the 2015 Names Policy Panel were summarised by Jo Lim and reviewed by the Board. The following was noted:

- Derek Whitehead would chair the panel.
- Peter Nettlefold advised he would follow-up regarding DoC representation on the panel. Other federal and state government agencies will also be invited to participate.
- Board members are also able to join the Panel however it was noted that Panel membership requires a significant time commitment, and there needs to be an appropriate balance of supply and demand class representation.

Motion (proposed J Hammer, seconded J Rowe): That the Board approve the 2015 Names Policy Panel Terms of Reference. Carried.

## 6. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 23 October 2014 and minutes would be circulated in due course.
- The Board was advised that there had still been no response from the landlord regarding interest in selling the 114 Cardigan Street property. This matter will be carried over and reviewed at the December meeting.

Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 23 October 2014 and minutes would be circulated in due course.
- The 2014 Board Self-Assessment was in the process of being compiled. Once finalised, it will be analysed and reviewed at the next Governance meeting before forwarding to the Board for the December meeting.

#### Strategic Risk Committee:

- The Chair advised the Committee had not met since the immediately before the 25 August 2014 Board meeting. The minutes of the 25 August 2014 meeting had been circulated, approved and published.
- The Chair advised the committee was next scheduled to meet in February 2015 so that the outcomes of the December 2014 Board retreat can be taken into consideration. However, should any matters arise in the interim, the Committee may schedule a teleconference meeting prior to that date if required.

#### 7. Membership

There were no membership applications.

#### 8. Board Correspondence

There was no Board correspondence.

#### 9. Other Business

- The Board was advised the agenda for the December retreat was still in the process of being compiled with facilitator Patrick Sharry. All Board members were asked to diarise 15 & 16 December for the Board Retreat and December meeting.
- It was agreed that a report on the auDA Foundation be provided for the information of Board members at the December Board meeting.
- The Board noted the high quality of the 2013-14 Annual Report.

#### 10. AusRegistry Presentation

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager .au, attended from AusRegistry and gave a presentation on "Behind the Dot: State of the .au domain".

#### 11. Next Meeting

The next Board meeting will be held on Tuesday 16 December 2014 at 2.00pm and will be followed by the auDA Members Christmas function. Further details will be supplied in due course.

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# Board Minutes - 25 August 2014

Meeting of the .au Domain Administration Board

25 August 2014 – 2.00pm

Crown Conference Centre, Whiteman Street, Southbank

Present:

Tony Staley (Chair), Cheryl Langdon-Orr, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Stuart Benjamin

Observers:

John Higgins (Nexia Australia), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:

Nil

1. Continuous Disclosure

Joe Manariti advised he had been re-elected as Vice Chairman of AWIA, the Australian Web Industry Association.

## 2. Confirmation of June 2014 Minutes

The minutes of the 16 June 2014 Board meeting were confirmed.

## 3. Finance

- The Board noted the June 2014 accounts and were advised that the auditors were currently in the process of finalising the audited end of year accounts.
- The Board noted the July 2014 accounts.

## 4. CEO Report

- The CEO report was noted.
- The Board was reminded of the ANZIA and auGF events to be held 25-27 August at Crown. A review will be completed following the events for 2015 planning.

## 5. Directors Fees

Motion (proposed T Staley, seconded C Langdon-Orr): That the Board approve 1) an increase to elected Directors fees from \$750 to \$1000 per meeting, and 2) an increase in the amount payable to the independent directors to an amount not exceeding \$150,000 in aggregate per annum, subject to ratification by auDA members at the 2014 AGM. Carried.

Secretary's Note: Following the meeting, the wording of part 2) of the resolution was amended on legal advice, to specify the amount of fees.

Staff will prepare a report comparing the fees paid to auDA independent Directors to those paid to non-executive Directors at a sample of other comparable organisations.

## 6. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 20 August 2014 and minutes would be circulated in due course.
- The Chair gave a status update on auDA's investment portfolio.
- The Board was advised that no response had been received to date from the landlord regarding interest in selling the 114 Cardigan Street property.

Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee is next scheduled to meet on 23 October 2014.
- The Chair advised contact had been made with Marianne Cullen, DoC First Assistant Secretary, at ICANN London via meetings with the auDA Chair/CEO and the Women in DNS meeting.
- Work is currently still in progress on the DoC/auDA Framework and AoC

documents, updates will be provided in due course.

#### Strategic Risk Committee:

- The Chair advised the Committee had met immediately prior to the Board meeting on 25 August 2014 and minutes will be circulated in due course.
- The Chair advised the staff trial of Own Cloud for document sharing was currently in progress once staff testing is complete, setup/testing will be implemented firstly for the Risk Committee to develop a folder framework and guidelines for use, and subsequently for the auDA Board.
- The Committee reviewed recent strategic issues and whether there had been any major implications for the Risk Log, which will be updated accordingly.
- The Committee agreed the next scheduled meeting set for December would be rescheduled to February 2015 to enable any strategic risk items highlighted at the December Board Retreat to be taken into account.

#### 7. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Jenny Ng	Demand
David Kal	Demand

#### 8. Board Correspondence

There was no Board correspondence.

#### 9. Other Business

- The call for auDA Board nominations will be published on Monday 1 September. Retiring directors wishing to re-stand for nomination were reminded to complete and submit their documentation by the due date.
- The Board was advised the 2014 AGM is scheduled for Monday 27 October at 2pm and will be held at Maddocks in Melbourne.
- The Board was reminded the auDA Board Retreat, Board meeting and Christmas function will be held on 15 and 16 December in Melbourne. Further details will be provided in due course.

#### 10. Next Meeting

The next Board meeting will be held on Monday 27 October 2014 at 11.00am at Maddocks Melbourne.



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# Board Minutes - 16 June 2014

Meeting of the .au Domain Administration Board

16 June 2014 – 11.00am  
auDA, 114 Cardigan Street, Carlton

Present:  
Tony Staley (Chair), Cheryl Langdon-Orr, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Stuart Benjamin

Observers:  
John Higgins (Nexia Australia, items 1-4), Keith Besgrove (DoC, items 1-6), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:  
Nil

1. Continuous Disclosure

- Erhan Karabardak advised he represents Uniregistry who are currently in the process of applying for auDA Registrar accreditation.

2. Confirmation of April 2014 Minutes

The minutes of the 14 April 2014 Board meeting were confirmed.

### 3. Finance

- The Board noted the May 2014 accounts.

### 4. Budget 2014-15

- The Board considered the 2014-2015 budget which was endorsed by the Finance Committee.
- Motion (proposed G McDonald, seconded J Hammer): That the Board approve the 2014-2015 budget.  
Carried.

### 5. CEO Report

- The CEO report was noted.
- The Board was advised ANZIA applications had closed on 13 June 2014 with 42 applications received.

### 6. Operations Plan 2014-15

- Jo Lim gave a summary and outline of the 2014-15 High Level Operations plan.
- It was suggested that high-level international collaboration with Government departments should be reflected in the Operations plan and the Board agreed this would be added under Strategic Priority 3.

### 7. AusRegistry presentation

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager .au, attended from AusRegistry and gave a presentation which included an updates on the re-stated Registry Licence Agreement (2014-18), marketing activities including AusRegistry's May \$1 net.au campaign results and the 2014 .au Benchmark Survey key findings.

### 8. Board Committee Updates

#### Finance & Audit Committee:

- The Chair advised the Committee had met on 11 June 2014 and minutes would be circulated in due course for comment.
- The Board was advised Neal Dunne (Nexia) had met with the Finance Committee and provided a status update on auDA's investment portfolio.
- The Board was advised that the US\$ account had now decreased to a balance of appx \$300k due to the payment of ICANN fees. The Board agreed to the Committee's recommendation to purchase of a further US\$500k.

#### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 11 May and 13 June 2014 and minutes would be circulated for comment in due course.

#### Strategic Risk Committee:

- The Chair advised the Committee had last met on 14 April 2014 and minutes had been circulated and approved for publication. The Committee is next scheduled to meet on 25 August 2014.
- The Committee advised the staff trial of Own Cloud would be implemented once all staff had been moved onto new computers, which is currently in progress.

## 9. 2013 Board Performance Assessment

- The 2013 Board Performance Assessment results and recommendations were circulated and included the 2012 and 2013 results for comparison. Overall the scores were solid with no major problems identified.
- The Board agreed to implement the recommendations as proposed by the Strategic Risk Committee.

## 10. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant Class

Mailguard Pty Ltd (Craig McDonald) Supply

Fast Hit Pty Ltd (Chris Bauer) Supply

Claire Caine Demand

Christopher Caine Demand

Sam Bennett Demand

Imogen Corliss Demand

Max Webb Demand

Kevin O'Brien Demand

Graham Gooley Demand

## 11. Board Correspondence

There was no Board correspondence.

## 12. Other Business

- Membership: There was discussion regarding the membership application and renewal processes including the difference between the entry and annual fee and the requirement to send a notice of default for non-payment. The Board noted that the online application form was previously discontinued after complaints from members regarding invalid applications. The Board agreed the CEO would review.
- The Board noted this was the last Board meeting attendance by Keith Besgrove, DoC, and thanked Keith for his input and attendance at auDA Board meetings.

## 13. Next Meeting

The next Board meeting will be held on Monday 25 August 2014 at 2.00pm at Crown Promenade in Melbourne.

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# Board Minutes - 14 April 2014

Public Version  
Meeting of the .au Domain Administration Board

14 February 2014 - 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Cheryl Langdon-Orr, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Paul Levins, Stuart Benjamin

Observers:  
John Higgins (Nexia Australia, items 1-4), Keith Besgrove (DoC), Jo Lim (auDA), Paul Szyndler (auDA), Helen Hollins (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:  
Kartic Srinivasan

- 
1. Continuous Disclosure
    - Josh Rowe advised he has taken up a new position as CEO of Looking Together Pty Ltd, a start-up business in the Real Estate industry.
    - George Pongas advised his role at AusRegistry now includes the management of .shabaka.
    - Chris Disspain advised he had joined the Board of a Corporate Advisory



Service in the UK however anticipated no conflict of interest.

- Julie Hammer advised her term on the War Memorial Council has now concluded.
- Paul Levins advised he had been appointed to manage all Asian offices at Intellectual Ventures.
- Keith Besgrove, DoC, advised he would be retiring on 4 July 2014.

2. Confirmation of December 2013 Minutes

The minutes of the 17 February 2014 Board meeting were confirmed.

3. Finance Report

- The Board noted the March 2014 accounts.
- The Board was advised the 2014-15 draft budget will be discussed by the Finance Committee in early May, for final approval by the Board at the June 2014 meeting.

4. CEO Report

- The CEO report was noted.
- Keith Besgrove gave a summary on preparations for the NetMundial meeting to be held in Brazil in April 2014.
- New auDA GM Communications, Helen Hollins, was introduced to the Board.

5. Edu.au Governance Arrangements

- Jo Lim gave a summary on the proposed approach to Edu.au governance arrangements, aimed at maintaining current operations in the immediate period, pending a more substantial review and proposal for future governance arrangements to be provided to the Board in due course.
- The Board approved the recommendations as per the circulated proposal document.

6. Board Committee Updates

**Finance & Audit Committee:**

- The Chair advised the Committee had met on 9 April 2014 and minutes would be circulated in due course for comment.
- The Committee discussed buying vs. renting auDA office premises. It was noted the current lease at Cardigan Street, Carlton runs to 2017 with a 5 year further option. The Committee agreed that the landlord should be approached to gauge if there is any interest in selling the property. A further update will be provided at the June Board meeting.

**Governance, Board Succession & Remuneration Committee:**

- The Chair advised the Committee was scheduled to meet on 10 April 2014 however the meeting was postponed due to absences and pending a response from DoC.
- The 2013 Board Performance assessment was completed. Joe Manariti gave a summary of the outcomes noting that the Board was performing well with a few points that would be monitored. The final assessment document was currently being compiled and would be circulated to the Board prior to the June 2014 meeting.

**Strategic Risk Committee:**

- The Chair advised the Committee had met on 14 April 2014 and minutes would be circulated in due course for comment.
- The Committee agreed on a recommendation to trial the implementation of Own Cloud as a possible document circulation and repository solution for the Board.
- A high level status review of all actions, risk log progress, overall update and planning will be held at the next Committee meeting in August.

7. AusRegistry presentation

- Maggie Whitnall, Client Services Manager .au, attended from AusRegistry and gave a presentation on marketing activities including AusRegistry's May \$1 net.au campaign and the 2014 .au Benchmark Survey.

8. Membership

The following membership applications were approved in the classes indicated:

<b>Name of Applicant</b>	<b>Class</b>
George Fong	Demand
Jesse Needham	Demand
Jenny Wiltshire	Demand
Grant Wiltshire	Demand
John Nugent	Demand
Beagle Internet Pty Ltd	Supply

9. Board Correspondence

There was no Board correspondence.

10. Other Business

- Paul Szyndler advised there would be a high level Governmental meeting at the ICANN London meeting 22-26 June 2014 with the Minister for Communications likely to attend. It was also planned to hold a ccTLD Directors level meeting with colleagues from UK/Canada/Scandinavia with auDA Directors attending ICANN London asked to attend if available.
- The CEO advised there would be a Strategic Planning Session for Board members held in conjunction with the December Board meeting and Christmas function on 16 and 17 December 2014. Further details will be supplied in due course.
- Keith Besgrove, DoC, advised his last auDA Board meeting attendance would be in June 2014. He advised his replacement at the Department will be Marianne Cullen. It was suggested the auDA Chair and CEO meet with Marianne Cullen in the new financial year and that she might attend the August Board meeting and auIGF.

11. Next Meeting

The next Board meeting will be held on Monday 16 June 2014 at 11.00am in Melbourne.

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# Board Minutes - 17 February 2014

Public Version  
Meeting of the .au Domain Administration Board

17 February 2014 - 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Cheryl Langdon-Orr, Chris Disspain, Erhan Karabardak, George Pongas, Graham McDonald, Joe Manariti, Josh Rowe, Julie Hammer, Kartic Srinivasan, Paul Levins, Stuart Benjamin

Observers:  
John Higgins (Nexia Australia), Peter Nettlefold (DoC), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of December 2013 Minutes  
The minutes of the 11 December 2013 Board meeting were confirmed.

3. Finance Report

- The Board noted the January 2013 accounts.

4. CEO Report

- The CEO report was noted.
- The Board was advised the ANZIA gala event has been confirmed for Monday 25 August 2014 followed by the auIGF on 26-27 August 2014 at Crown Melbourne. The Board agreed the August Board meeting would be held on Monday 25 August.

5. DNSSEC presentation

Adam King – auDA CTO attended and gave a presentation on the status and timeline of the DNSSEC implementation.

6. AusRegistry presentation

Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager .au, attended from AusRegistry and gave a presentation on AusRegistry's coordinated strategy for influencing market growth in .au commencing in 2014.

7. Board Committee Updates

**Finance & Audit Committee:**

- The Chair advised the Committee had met on 12 February 2014 and minutes would be circulated in due course for comment.
- The Committee discussed whether the purchase of additional US\$ funds was required and decided, following a review of a yearly estimate of US\$ spent, that no further funds were required.
- The Committee discussed the amount of cash on hand and suggested consideration of buying office premises versus paying rent. A sub-committee has been formed and will research and compile further information for review by the Finance Committee for presentation to the Board.
- The Committee agreed it should be advised and would monitor any upcoming expenditure items above \$50K.

**Governance, Board Succession & Remuneration Committee:**

- The Chair advised the Committee would next meet in February/March 2014 and minutes would be circulated in due course for comment.
- The Committee advised a letter had been sent to DoC on 7 February 2014 attaching a draft Affirmation of Commitments document. The Board will be advised when a response has been received from DoC. The Committee noted its thanks to Paul Szyndler for his work on compiling the AoC draft document.

**Strategic Risk Committee:**

- The Chair advised the December meeting had been cancelled at short notice as it conflicted with the Memorial Service for Leonie Dunbar. The next meeting is scheduled to be held on 17 February 2014 and minutes will be circulated in due course for comment.

8. Membership

The following membership applications were approved in the classes

indicated:

Name of Applicant	Class
Beads Pty Ltd (Jarrod John Turner)	Demand
Peter Mead (Peter Mead)	Demand

9. Board Correspondence  
There was no Board correspondence.

10. Other Business  
There was no other business.

11. Next Meeting  
The next Board meeting will be held on Monday 14 April 2014 at 11.00am in Melbourne.

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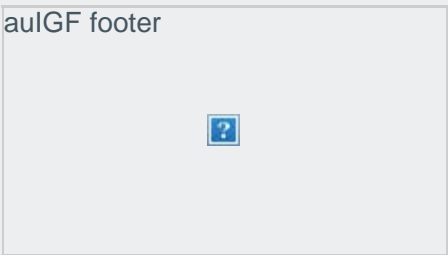
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# Board Minutes - 11 December 2013

Public Version  
Meeting of the .au Domain Administration Board

11 December 2013 - 2.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain, Kartic Srinivasan

Observers:  
John Higgins (Nexia Australia), Keith Besgrove (DoC), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies:  
Nil

- 
- Continuous Disclosure  
Erhan Karabardak advised his brother, Eric Karabardak, has acquired a second accredited registrar.
  - Confirmation of October 2013 Minutes  
The minutes of the 15 October 2013 Board meeting were confirmed.

### 3. Election of Chair

The Deputy Chair called for nominations for the position of Board Chair.

Nominated: Tony Staley (moved G McDonald, seconded C Langdon-Orr).

Elected: Tony Staley

### 4. Election of Deputy Chair

The Chair called for nominations for the position of Board Deputy Chair.

Nominated: Julie Hammer (moved E Karabardak, seconded C Langdon-Orr).

Elected: Julie Hammer

### 5. Reconstitution of Board Committees

The Board agreed on reconstitution of the sub-committees without change as follows:

Finance & Audit Committee:

- Graham McDonald (Chair), Cheryl Langdon-Orr, Kartic Srinivasan and Stuart Benjamin.

Governance, Board Succession and Remuneration Committee:

- Cheryl Langdon-Orr (Chair), Julie Hammer, Paul Levins, Graham McDonald and Joe Manariti.

Strategic Risk Committee:

- Julie Hammer (Chair), George Pongas, Kartic Srinivasan, Josh Rowe and Erhan Karabardak.

### 6. Finance

The Board noted the November 2013 accounts.

### 7. CEO Report

- The CEO report was noted.
- The Board was advised AICTEC, who currently have delegated responsibility via a sub-sponsorship agreement between DoE and auDA to manage and administer edu.au, would be abolished by the Government as at 31 December 2013. The COPO will attend a meeting on 13 December 2013 to discuss options for the ongoing management of edu.au. Further information will be supplied to the Board in due course.
- DoC advised it would provide auDA with a summary of outcomes of recent discussions with AGIMO regarding gov.au.
- DoC advised Andrew Maurer would take up a representative position on the MAG.

### 8. Board Committee Updates

Finance & Audit Committee:

- The Chair advised the Committee had met on 9 December 2013 and minutes would be circulated shortly for comment.

- The Committee are currently reviewing US\$ expenditure for the last 2 years and will consider whether the purchase of additional US\$ currency is required at the next meeting.

#### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 5 December 2013 and minutes would be circulated shortly for comment.
- The Chair noted there had been minor changes to the previous approved minutes of 11 October 2013 and a final copy would be circulated to the Board for information.
- The Board was advised a response to the draft ccTLD Protocols document is currently being finalised and would be provided by end January 2014.

#### Strategic Risk Committee:

- The Chair advised the December meeting had been cancelled at short notice as it conflicted with the Memorial Service for Leonie Dunbar. With the usual reduced activity in the December/January period, it is not practical to reschedule the December meeting in the near future. Therefore, the next meeting is scheduled to be held following the February 2014 Board meeting.

#### 9. Membership

The following membership applications were approved in the classes indicated.

Name of Applicant	Class
AusCert	Demand

#### 10. Board Correspondence

There was no Board correspondence.

#### 11. Other Business

- The CEO advised an award would be added to the 2014 ANZIAs (and ongoing) for community geographic websites, in memory of Leonie Dunbar.
- The Board was advised there would be a possible restructure/reorganisation of staff roles/duties over January-March 2014 prior to the March staff retreat.

#### 12. 2014 Proposed Board meeting dates

The proposed schedule of 2014 Board meeting dates was circulated and members were asked to advise of any date conflicts.

#### 13. Next Meeting

The next Board meeting will be held on Monday 17 February 2014 at 11.00am in Melbourne.

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# Board Minutes - 15 October 2013

Public Version  
Meeting of the .au Domain Administration Board

15 October 2013 - 2:00pm  
Park Hyatt Hotel. 1 Parliament Square, Melbourne VIC 3002

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain

Observers:  
John Higgins (Nexia Australia), Neal Dunne (Nexia Australia – Items 1-3), Keith Besgrove (DBCDE), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:  
Kartic Srinivasan

- 
1. Continuous Disclosure
- Erhan Karabardak advised he has been registered as a Trademarks Attorney by IP Australia.
  - Josh Rowe advised he has commenced a new role as Head of Digital with Medibank Health Solutions.

## 2. Confirmation of August 2013 Minutes

- The minutes of the 19 August 2013 Board meeting were confirmed.

## 3. Finance

- The Board noted the September 2013 accounts.
- Neal Dunne, Nexia Australia, attended and gave a summary of the re-evaluation of the investment proposal and recommendation for the remaining \$1M of agreed investment funds.
- Motion (proposed G McDonald, seconded C Langdon-Orr): That the Board accept the Finance Committee's recommendation to proceed with the Nexia Australia re-evaluated Investment Proposal for the remaining \$1M of agreed investment funds (PIMCO Australian Focused Fund \$350K, UBS Australian Bond Fund \$300K, UBS Diversified Fixed Interest Fund \$350K). Carried.

## 4. CEO Report

- The CEO report was noted.
- The CEO advised the auDA Foundation Board had met on 14 October 2013 and had approved funding for 14 projects at a total of \$300,862. Successful applicants would be announced at the end of October along with the launch of the auDA Foundation Knowledge Centre.
- The Board was advised the Registry Contract had been completed and signed on 14 October 2013.

## 5. Board Committee Updates

Committee minutes are sent to the Board list after each Committee meeting, prior to being published on the auDA website.

### Finance & Audit Committee:

- The Chair advised the Committee had met on 11 October 2013 and minutes would be circulated shortly for comment.

### Governance, Board Succession & Remuneration Committee:

- The Chair advised the Committee had met on 11 October 2013 and minutes would be circulated shortly for comment.

### Strategic Risk Committee:

- The Chair advised the Committee did not have a meeting scheduled in October and is next due to meet following the December Board meeting.

## 6. Membership

- The following membership applications were approved in the classes



indicated.

Name of Applicant	Class
Michael McKinnon	Demand
Kudret Bayram	Supply

7. Board Correspondence

There was no Board correspondence.

8. Other Business

- Keith Besgrove (DBCDE) advised the new Secretary of DBCDE, Drew Clarke, would attend the first day of the auIGF.

9. Next Meeting

- The next Board meeting will be held on Monday 9 December 2013 at 2.00pm in Melbourne. The meeting will be preceded by a workshop conducted by the Australian Institute of Company Directors and followed by the auDA Christmas function. Further details will be supplied in due course.

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# Board Minutes - 19 August 2013

Public Version  
Meeting of the .au Domain Administration Board

19 August 2013, 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain

Observers:  
John Higgins (Nexia Australia), Maggie Whitnall (AusRegistry – Item 5), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Teleconference:  
Peter Nettlefold (DBCDE)

Apologies:  
Nil

- 
1. Continuous Disclosure
    - George Pongas advised that, due to an internal restructure within AusRegistry, he has now been appointed to GM Registry Services Australia

which includes new gLTDs .melbourne and .sydney as well as .au.

- Joe Manariti advised he had been re-elected as Vice Chair of the Australian Web Industry Association.

2. Confirmation of June 2013 Minutes

- The minutes of the 17 June 2013 Board meeting were confirmed.

3. Finance Report

- The Board noted the July 2013 accounts.

4. CEO Report

- The CEO report was noted.

- The June EFY accounts are currently being finalised by the auditors and will be sent to the Finance Committee for review and approval.

- An update was provided to the Board on accredited registrar Web Address Registration (WAR) (formerly Crazy Domains). A further update will be provided at the next Board meeting following WAR's first scheduled compliance audit.

- The Board noted that staff will commence implementation of a number of initiatives aimed at attracting/retaining members of auDA, including offering free member registrations to the auIGF and holding more member networking events.

- The Board was advised there had been some delays with release of the new auDA website, but it is anticipated the website will be live by the October Board meeting.

- The CEO, C Langdon-Orr and J Hammer provided briefing updates respectively on the ICANN Durban meeting, the activities of the ccNSO and work of ICANN's Security and Stability Advisory Committee.

5. AusRegistry Presentation

- Maggie Whitnall - Client Services Manager .au, attended from AusRegistry and gave a presentation on the results of the .au Survey 2013 and a general industry update.

6. Board Committee Updates

**Finance & Audit Committee:**

- The Committee meeting minutes of 14 August 2013 were approved for publication.

- The June EFY accounts are currently being finalised by the auditors and will be sent to the Board once reviewed and approved by the Finance Committee.

- The Board was advised that \$1M of the agreed investment funds remains to be invested due to a re-evaluation of the investment proposed. A revised recommendation will be provided shortly and all funds will be invested prior to the October 2013 AGM.

**Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 8 August 2013 were approved for publication.

- The Board was advised a meeting was held between the Committee and Andrew Maurer/Annaliese Williams of DBCDE regarding the proposed ccTLD protocols. The Committee will provide a formal response to DBCDE regarding the discussions and outcomes of the meeting.

- The Conflict of Interest policy was circulated to the Board for approval on recommendation of the Committee. Motion (proposed C Langdon-Orr, seconded S Benjamin): That the Board adopt the Conflict of Interest Policy.

Carried.

**Strategic Risk Committee:**

- The Committee meeting minutes of 17 June 2013 (public version) were approved for publication.

**All Committees**

- The Board agreed that in future Committee minutes would follow the same process for approval and publication as Board minutes, ie. once approved by the Committee, the minutes would be sent to the Board mailing list and then published after 10 days if no comments are received.

**7. Membership**

- The following membership applications were approved in the classes indicated.

Name of Applicant	Class
Timothy James Connell	Demand

**8. Board Correspondence**

- There was no Board correspondence.

**9. Other Business**

- The Board was advised the Call for Board Nominations would be sent out this week. Retiring Directors who wish to stand for re-election will need to complete and lodge the nomination form.
- The AICD course for auDA Directors has been confirmed for Monday 9 December at 9.30am, prior to the Board meeting and Christmas function. It was recommended that all Directors attend the course.

**10. Next Meeting**

- The next board meeting will be held on Tuesday 15 October 2013 at 1.00pm in Melbourne before the AGM. Further details will be supplied in due course.

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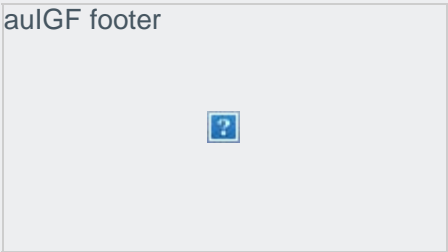
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# Board Minutes - 17 June 2013

Public Version  
Meeting of the .au Domain Administration Board

17 June 2013 - 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain

Observers:  
John Higgins (Nexia Australia), Adrian Kinderis (AusRegistry – Item 6), Maggie Whitnall (AusRegistry – Item 6), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Teleconference:  
Keith Besgrove (DBCDE), Peter Nettlefold (DBCDE), Annaliese Williams (DBCDE)

Apologies:  
Nil

- 
1. Continuous Disclosure
    - Erhan Karabardak advised he has incorporated a new company,

CooperMills DBS Pty Ltd, which is a reseller for auDA Accredited Registrar, Domain Shield.

- Graham McDonald advised he has recently been appointed to the Government's new Anti-Dumping Review Panel.

2. Confirmation of April 2013 Minutes

- The minutes of the 22 April 2013 Board meeting were confirmed.

3. Finance Report

- The Board noted the May 2013 accounts.

4. Budget 2013-2014

- The Board considered the 2013-2014 budget which was endorsed by the Finance Committee.

- Motion (proposed G McDonald, seconded J Hammer): That the Board approve the 2013-2014 budget.

Carried.

5. CEO Report

- The CEO report was noted.
- The 2013 AGM and October Board meeting have been rescheduled to Tuesday 15 October, immediately prior to the aulGF scheduled for 16-17 October. Further details will be provided to the Board in due course.

6. AusRegistry Presentation

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on the stability, maturity and growth of the .au Namespace.

7. Board Committee Updates

**Finance & Audit Committee:**

- The Committee meeting minutes of 13 June 2013 were approved for publication.
- Domain Name Licence Periods briefing paper: The Board discussed the circulated briefing paper in relation to the 2010 Names Policy Panel's outstanding recommendation to change the .au domain name licence period from the current fixed 2 year period to a variable 1, 2, 3, 4 or 5 year period.
- Motion(proposed G McDonald, seconded C Langdon-Orr): That the Board accept the Finance Committee's recommendation: 1) not to adopt the Panel's recommendation at this time, and 2) to reconsider the Panel's recommendation, in light of prevailing market conditions and a detailed financial analysis, as part of preparations for the registry tender process scheduled for 2017.

Carried.

**Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 6 June 2013 were approved for publication.
- The Committee advised the formal written response to DBCDE re; 'Protocols' for the management of Australia's extra-territorial ccTLD's had now been sent.
- The Director Exit interviews summary report and recommendations were discussed. The Board agreed the process of Exit interviews was valuable and the practice would be retained. The Board agreed the following points in response to issues highlighted by the Committee:
  - Additional time for policy discussion would be allocated at Board meetings as required.

- An ICANN debriefing would be held at the Board meeting after each ICANN meeting.
- 1:1 briefing for new Board members on current issues would be provided by the CEO/Chair.

**Strategic Risk Committee:**

- The Committee meeting minutes of 22 April 2013 (public version) were approved for publication.
- It was agreed that the Risk Committee would monitor action items for Board consideration to ensure items were allocated on Board agendas for review as required.

8. Membership

- There were no membership applications.
- Final current year membership renewals are due 30 June 2013. The CEO will provide a report on renewals at the August Board meeting.

9. Board Correspondence

- There was no Board correspondence.

10. Other Business

- Opportunities for a Regional Board meeting are still being investigated and will be reported on in due course.

11. Next Meeting

- The next board meeting will be held on Monday 19 August 2013 at 11.00am at the auDA office.

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# Board Minutes - 22 April 2013

Public Version  
Meeting of the .au Domain Administration Board

22 April 2013, 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain

Observers:  
Keith Besgrove (DBCDE), John Higgins (Nexia Australia), Neal Dunn (Nexia Australia), Robert Gregory (Maddocks), Simon Johnson (member), Ken Shiu (Consultant), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of February 2013 Minutes  
The minutes of the 18 February 2013 Board meeting were confirmed.
  3. Finance Report

- The Board noted the March 2013 accounts.

#### 4. Nexia Investment Proposal

- Neal Dunn, Nexia Australia, attended the meeting and presented a proposal for auDA to invest \$2M of funds currently on cash deposit, \$1M each into Pimco Australian Bond Fund and Aberdeen Inflation Linked Bond Fund. It was noted this would be an extremely conservative investment portfolio, keeping in mind the Board's stated financial objectives and its obligation to preserve capital whilst maximising returns for auDA members.
- Motion (proposed G McDonald, seconded J Rowe): That the Board accept the Finance Committee's recommendation to proceed with the Nexia Australia Investment Proposal of \$2M investment (\$1M each into Pimco and Aberdeen funds).

Carried.

#### 5. CEO Report

- The CEO report was noted.
- K Besgrove, DBCDE, advised that the Department would like to organise a session or workshop on WICT issues as part of the 2013 auIGF.

#### 6. Board Committee Updates

##### **Finance & Audit Committee:**

- The Committee meeting minutes of 17 April 2013 were approved for publication.

##### **Governance, Board Succession & Remuneration Committee:**

- K Besgrove, DBCDE, asked the Committee for clarification on item 2 of the 14 February 2013 minutes. It was agreed the Committee Chair would clarify and amend the item accordingly.
- Subject to amendments to Item 2 of the 14 February 2013 minutes, the Committee meeting minutes of 14 February 2013 and 18 April 2013 were approved for publication.
- K Besgrove, DBCDE, enquired when a formal response from the Board would be sent to the 2012 letter from DBCDE re; draft ccTLD protocols. The Committee agreed a formal written response would be provided in the near future.
- The Committee advised a report was currently being compiled on the Director Exit interviews and would be provided to the Board in due course.

##### **Strategic Risk Committee:**

- The Committee meeting minutes of 18 February 2013 were approved for publication.
- The Committee chair gave a brief status update.

#### 7. EGM Results

- The Board noted the results of the EGM reflected the wishes of the auDA members however the low number of member votes was disappointing.
- K Besgrove, DBCDE, conveyed the Department's disappointment at the outcome but noted that the process was legitimate. Given that nearly all Westlake recommendations have now been actioned, it was agreed that the Board should send a formal communication on the Westlake outcomes to the Minister.

#### 8. Membership

The following membership applications were approved in the classes indicated (Moved C Langdon-Orr, seconded S Benjamin):

Name of Applicant	Class
Rudy Labordus	Demand
Graeme Fleming	Demand

9. Board Correspondence

There was no Board correspondence.

10. Other Business

- K Besgrove, DBCDE, thanked the auDA Board for including Paul Szyndler on the WICT delegation and noted Paul’s excellent contribution.
- The Chair thanked the public members for their attendance and interest in the auDA Public Board meeting.

11. Next Meeting

The next board meeting will be held on Monday 17 June 2013 at 11.00am at auDA.

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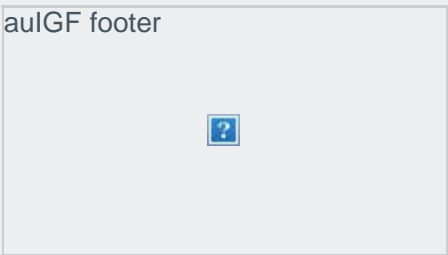
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# Board Minutes - 18 February 2013

Public Version  
Meeting of the .au Domain Administration Board

18 February 2013, 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Chris Disspain

Observers:  
Peter Nettlefold (DBCDE), John Higgins (NexiaASR), Jo Lim (auDA), Jacki O'Sullivan (auDA - Minutes)

Apologies:  
Joe Manariti

- 
1. Continuous Disclosure  
Josh Rowe advised he had concluded his role at Tarazz and is now undertaking independent consulting work. He currently has no conflict of interests
  2. Confirmation of December 2012 Minutes  
The minutes of the 10 December 2012 Board meeting were confirmed

### 3. Finance Report

The Board noted the January 2013 accounts

Following implementation of the \$3M term deposit investments, Nexia will prepare an investment proposal for the Finance Committee to consider with a view to the Committee making a recommendation to the April 2013 Board meeting

### 4. CEO Report

The CEO report was noted

The Governance Committee previously recommended that an update on the Strategic and Operational plans would be included in each CEO report to the Board. The Committee has now agreed this will be done via a quarterly report, with the next quarterly update due at the end of March 2013

- The CEO advised that the 2013 ANZIAs are likely to be held in New Zealand in conjunction with an IGF meeting. There will also be a separate Australian IGF meeting. Details will be advised in due course

Motion (moved C Langdon-Orr, seconded Paul Levins)

Proposed constitutional changes (Westlake): The Board approved the proposed constitutional changes to be put to members at an EGM on 22 April 2013

Carried

### 5. AusRegistry Presentation

Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on the .au Survey 'Establishing a Base', .auLOCKDOWN and the state of the .au name space

### 6. Policy Development

#### **2012 Industry Advisory Panel:**

The 2012 Industry Advisory Panel Final report and recommendations were circulated to the Board for review and approval. The Board passed the following resolutions (proposed J Rowe, seconded J Hammer):

That the Board accept recommendation 1A:

- a) the competitive registry model should be retained;
- b) auDA should initiate renegotiations with AusRegistry to extend contractual arrangements for 2, 3 or 4 years;
- c) auDA should seek stakeholder input on relevant negotiating factors prior to the renegotiations with AusRegistry;
- d) if renegotiations with AusRegistry fail, auDA should proceed to conduct a formal RFT process; and
- e) the auDA Board should publicly commit to undertaking a formal RFT process once the renegotiated registry agreement expires.

Carried.

- That the Board accept Recommendation 1B - that auDA should retain the current single registry for existing .au 2LDs, while allowing the option for the introduction of multiple registries in the future.

Carried.

- That the Board accept Recommendation 2A - that auDA should revise the fees for registrar accreditation, to better reflect the direct costs of the accreditation process and ongoing regulation.

Carried.

- That the Board accept Recommendation 2B - that:
  - a) current requirements for ASIC and ATO registration for overseas-based registrars should be retained; and
  - b) overseas-based registrars should be required to bear the reasonable costs of a site visit by an auDA staff member during provisional accreditation.

Carried.

- That the Board accept Recommendation 2C - that the requirement for applicants for registrar accreditation to act as a reseller of another registrar for at least 6 months, or show equivalent experience, should be retained.

Carried.

- That the Board accept Recommendation 2D - that the registrar accreditation process and criteria should be the same for all applicants, regardless of their proposed business model.

Carried.

- That the Board accept Recommendation 3 - that the auDA Board adopt the auDA Information Security Standard (ISS) as a mandatory requirement for accredited registrars, and take appropriate steps to finalise the ISS documentation and processes and ensure its prompt and effective implementation.

Carried.

- That the Board accept Recommendation 4A - the retention of the current .au industry model for auDA, registrar and reseller inter-relationships.

Carried.

- That the Board accept Recommendation 4B - that auDA develop a standardised agreement template that registrars may use in their reseller contracts.

Carried.

- That the Board accept Recommendation 4C - that auDA develop and implement a system for adding a reseller “contact object” to the registry database, including a “reseller contact ID”, name and email address, and that auDA should be responsible for managing this mechanism for recording resellers.

Carried.

- That the Board accept Recommendation 5A - that no changes be made to the current .au transfer authorisation process.

Carried.

- That the Board accept Recommendation 5B - that bulk registrar transfers be allowed in the case of mergers and acquisitions, and that auDA ensure

that the process includes appropriate registrant protections, including mandatory registrant notification and the opportunity to “transfer out”.  
Carried.

- That the Board accept Recommendation 5C: that bulk reseller transfers be allowed, and that auDA ensure that the process includes appropriate registrar and registrant protections, including mandatory notification to the losing registrar, registrant notification and the opportunity for registrants to “transfer out”.

Carried.

- That the Board accept Recommendation 6 - that auDA assume responsibility for facilitating regular review and updating of the .au Domain Name Suppliers’ Code of Practice in consultation with relevant stakeholders.

Carried.

- George Pongas left the room and abstained from voting on Recommendations 1A and 1B to avoid any possible conflict of interest.

- Kartic Srinisivan remained in the room but abstained from voting on Recommendations 2A, 2B, 2C and 2D to avoid any possible conflict of interest.

## 7. Board Committee Updates

### **Finance & Audit Committee:**

- The Committee meeting minutes of 13 February 2012 were approved for publication.

### **Governance, Board Succession & Remuneration Committee:**

- The Committee chair gave a brief status update and advised the Committee is investigating options for a full day Directors Course and will advise details in due course.

### **Strategic Risk Committee:**

- The Committee chair gave a brief status update.
- The Committee is meeting for the first time this year immediately after the Board meeting.

## 8. Membership

The following membership applications were approved in the classes indicated (Moved S Benjamin, seconded C Langdon-Orr):

<b>Name of Applicant</b>	<b>Class</b>
Netfleet	Supply
Miguel Wood	Demand

## 9. Board Correspondence

There was no Board correspondence.

## 10. Other Business

There was no other business.

## 11. Next Meeting

The next board meeting will be held on Monday 22 April 2013 at 11.00am at Maddocks and will be a Public auDA Board meeting.

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# Board Minutes - 10 December 2012

Public Version  
Meeting of the .au Domain Administration Board

10 December 2012 - 2.00pm  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Julie Hammer, Josh Rowe, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Graham McDonald, Stuart Benjamin, Erhan Karabardak, Joe Manariti, Chris Disspain

Observers:  
Craig Ng (Panel Chair-item 1-5), Peter Nettlefold (DBCDE), John Higgins (NexiaASR), Jo Lim (auDA), Jacki O’Sullivan (auDA–Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure
- The Chair formally welcomed new Directors Stuart Benjamin, Erhan Karabardak and Joe Manariti who were elected to the auDA Board at the 12 November 2012 AGM.
- Stuart Benjamin advised he owns companies in property and construction and IT industries. He is also a Member of the Regional Policy Advisory

Committee (RPAC) and Chairman of Regional Development Australia.

- Erhan Karabardak advised he is a Director of Cooper Mills Lawyers and Airborne Holdings Pty Ltd (which holds a portfolio of .au domain names). He is also a former Director of accredited registrar Sarar Pty Ltd, a member of the Australian Computer Society and ISOC AU and acts for a number of accredited registrars and resellers. He advised he would provide the Board with a formal letter advising of all his positions in due course.

- Joe Manariti advised he is the Director of Swim Communications, Vice-Chairperson of the Australian Web Industry Association, a domain name reseller and is also the owner of several domain names.

- Cheryl Langdon-Orr advised she has been reappointed to the Board of Directors of ISOC-au.

2. Confirmation of October 2012 Minutes

The minutes of the 10 October 2012 Board meeting were confirmed.

3. Election of Deputy Chair

The Chair called for nominations for the position of Board Deputy Chair.

Nominated: Julie Hammer (moved C Langdon-Orr, seconded J Rowe).

Elected: Julie Hammer

4. Election of Chair

The Deputy Chair called for nominations for the position of Board Chair.

Nominated: Tony Staley (moved G McDonald, seconded C Langdon-Orr).

Elected: Tony Staley

5. Policy Development

**2012 Industry Advisory Panel:**

- Craig Ng - Chair of the 2012 Industry Advisory Panel presented the Panel's final report to the Board. He advised that Panel members had approached their task with an open mind and had worked collaboratively to reach a clear consensus on all recommendations. He also advised that all conflicts of interest were fully disclosed and dealt with throughout the process.

- The Board thanked Craig Ng for chairing the Panel, and auDA staff Jo Lim and Paul Szyndler for their secretariat support.

- The Board will consider the Panel's final recommendations in detail at the February 2013 Board meeting.

6. Reconstitution of Board Committees

The Board agreed on the following sub-committees:

Finance & Audit Committee:

- Graham McDonald (Chair), Cheryl Langdon-Orr, Kartic Srinivasan and Stuart Benjamin.

Governance, Board Succession and Remuneration Committee:

- Cheryl Langdon-Orr (Chair), Julie Hammer, Paul Levins, Graham McDonald and Joe Manariti.

Strategic Risk Committee:

- Julie Hammer (Chair), George Pongas, Kartic Srinivasan, Josh Rowe and Erhan Karabardak.

It was agreed that committee meetings would be scheduled at a suitable time prior to each Board meeting and committee Chairs would provide a status update at each Board meeting. Jacki O'Sullivan will set the 2013 Committee meeting schedule and advise all members.

7. Finance Report

- The Board noted the November 2012 accounts.
- The CEO advised that the agreed term deposit investments are in the process of being finalised. John Higgins will send a copy of the term deposit investment advice to new Directors for their information.
- It was noted the income from domain name fees continues to be under budget for the YTD due to a slowing domain name growth rate. AusRegistry will continue to monitor the issue and report to the Board.

8. CEO Report

- The CEO report was noted.
- The CTO gave an update to the Board on the auDA website compromise in November.

9. AusRegistry Presentation

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on registrar engagement and outcomes from the September 2012 Registrar Conference.

10. Board Committee Updates

**Finance & Audit Committee:**

- The Committee meeting minutes of 5 December 2012 were approved for publication.

**Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 10 October 2012 were approved for publication.
- The Accountability and Transparency Framework document was approved by the Governance Committee and circulated to the Board for approval. It was noted the document would be published and reviewed annually.

Motion (proposed P Levins, seconded J Rowe):

That the Board approve the Accountability and Transparency Framework document.

Carried.

- The Board Self-Assessment responses were discussed and all recommendations were agreed by the Board.

**Strategic Risk Committee:**

- The Committee meeting minutes of 13 November 2012 were approved for publication.

11. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
Australian Web Industry Association Inc	Demand
Markwell Pty Ltd	Supply
MHP Media Pty Ltd	Supply
John Selby	Demand
Race Media	Demand

12. Board Correspondence

- University of Ballarat correspondence (14 November 2012): Stuart Benjamin updated the Board on the offer from University of Ballarat to host an auDA Board meeting at Technology Park in Ballarat. The Board gave in principle support to holding a regional Board meeting, depending on suitable timing and the opportunity to hold a meeting in conjunction with other events (eg; auDA Public meeting, CGDN event). It was agreed Jo Lim and Stuart Benjamin would discuss possible opportunities and compile a proposal for the Board.
- King Wood & Mallesons correspondence (23 October 2012): Rob Gregory of Maddocks gave a summary of the issues raised in the correspondence received from King Wood & Mallesons in relation to the 2012 Industry Advisory Panel. The Board noted Maddocks advice and agreed:
  - Rob Gregory will provide a written advice to the Board based on the discussions held at the Board meeting.
  - Rob Gregory/CEO will draft a response to the King Wood & Mallesons correspondence which will be provided to the Board for information prior to sending.

13. Other Business

- The Board was reminded of the auDA Christmas function to be held in the auDA office following the Board meeting and the Board Induction programme to be run on Tuesday 11 December 2012 in the auDA office.
- The CEO asked Board members to indicate if they would like to attend the ICANN Beijing meeting in March 2013.

14. 2013 Board meeting dates

The proposed dates for the 2013 auDA Board meetings were reviewed and agreed.

15. Next Meeting

The next board meeting will be held on Monday 18 February 2012 at 11.00am at the auDA office.

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# Board Minutes - 10 October 2012

Public Version  
Meeting of the .au Domain Administration Board

DD Month 2012 - 00.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Kim Heitman (Chair), Julie Hammer, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Chris Disspain, Dwayne Varey

Observers:  
Keith Besgrove (DBCDE), John Higgins (NexiaASR), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies:  
Tony Staley, Graham McDonald

- 
1. Continuous Disclosure  
Cheryl Langdon-Orr advised she has been appointed to the ICANN 2013 Nominating Committee (NomCom) as Chair-Elect for 12 months, then Chair for the following 12 months.
  2. Confirmation of August 2012 Minutes  
The minutes of the 20 August 2012 Board meeting were confirmed.
  3. Policy Development

## 2012 Industry Advisory Panel:

Jo Lim, on behalf of Craig Ng - Chair of the 2012 Industry Advisory Panel, presented a summary of the Panel's draft recommendations as follows:

- auDA to renegotiate with AusRegistry for the 2LD registry operation, with provision for a tender process if negotiations fail. The following registry appointment will be subject to a tender process.
- Overseas registrars will be required to finance a site visit by auDA during provisional accreditation.
- Adopt the Information Security Standard (ISS) as mandatory for accredited registrars.
- Commence listing resellers on the WHOIS database.
- Allowing bulk transfers in future for registrar acquisitions and for resellers listed on WHOIS.
- Recommendation for auDA to take control and manage the Code of Practice going forward.
- It was noted the draft recommendations are still in the public comment period with the closing date for submissions being 19 October 2012.
- The panel will meet in late October to review and finalise the recommendations for submission to the auDA Board.

### 4. Finance Report

- The Board noted the September 2012 accounts.
- It was noted the income from domain name fees was under budget for the YTD due to a slowing domain name growth rate. Some possible contributing factors were suggested, for example a possible decline in the number of ABN registrations. AusRegistry are monitoring and conducting research on the issue and will advise the Board of their findings in due course.

### 5. CEO Report

- The CEO report was noted.
- Jo Lim gave a summary of the proposed auDA website redevelopment to date noting that proposals from web design companies were still being evaluated and the estimated launch date of the new website is first half of 2013. It was agreed the final approved web design company would be called to do a presentation on the redevelopment at the December auDA Board meeting.
- The Accountability and Transparency Framework document was circulated for information. The Board was advised the Governance Committee will review the document and make recommendations at the December Board meeting. The Board thanked DBCDE for their feedback on the A&TF.
- Keith Besgrove, DBCDE, noted his thanks to auDA for their response received to date on the draft ccTLD protocols document and noted DBCDE would like to discuss the issues further with auDA. The Chair thanked DBCDE for their communications with auDA on the matter.
- It was noted the recent ASIC database changes have caused issues with registrars' domain name registration processes (ie. in terms of validating ACN and RBN data). It was agreed that auDA should raise the issue with ASIC and attempt to find a solution.

### 6. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
-------------------	-------



Blake Media Group Pty Ltd    Demand  
Internet Society Of Australia    Demand

7. Board Committee Updates

**Finance & Audit Committee:**

- The Committee meeting minutes of 3 October 2012 were approved for publication.

**Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 20 August and 2 October 2012 were approved for publication.

**Strategic Risk Committee:**

- The Committee Chair gave a summary of activities to date and advised work is continuing on the Risk Assessment with actions being compiled into an Action Plan. The committee will meet in the near future to review and assess the final documents before submission to the Board.

8. Board Correspondence

- There was no Board Correspondence.

9. Other Business

- George Pongas gave a summary of the AusRegistry Registrars Conference held at the Gold Coast in September 2012. He noted there was good level of industry engagement and attendance and thanked auDA for its sponsorship and support of the event.
- The Board was reminded the auDA 2012 AGM would be held in Sydney on 12 November 2012. 4 Supply class nominations and 3 Demand class nominations have been received for Director elections to the auDA Board. The Board confirmed Kim Heitman will Chair the 2012 AGM in Tony Staley's absence and Julie Hammer was noted as a formal apology.
- The Board acknowledged Kim Heitman and Marty Drill would not stand for re-election at the 2012 AGM and this would be their last Board meeting. Motion: The Board thanked Marty Drill and Kim Heitman in particular for his 13 years of outstanding service as a founding director of auDA. Carried by acclamation.
- It was noted the positions of Chair and Deputy Chair would require election and the auDA Board Committees would need to be reconstituted at the December 2012 meeting. The CEO asked all Board members to consider standing for the positions and Committees.
- The Board was reminded of the ANZIA gala event to be held at Old Parliament House on 10 October 2012 and the auIGF to be held at Hotel Realm on 11-12 October 2012.

10. Next Meeting

The next Board meeting will be held on Monday 10 December 2012 at 2.00pm in Melbourne, followed by the auDA Christmas party. A board induction session will be held on Tuesday 11 December at 10.00am-2.00pm.

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# Board Minutes - 20 August 2012

Public Version  
Meeting of the .au Domain Administration Board

20 August 2012 - 10.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Kim Heitman, Julie Hammer, Graham McDonald, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Chris Disspain, Dwayne Varey

Observers:  
Craig Ng (Panel Chair-item 4), Keith Besgrove (DBCDE-Item 1-6), John Higgins (NexiaASR), Jo Lim (auDA), Jacki O'Sullivan (auDA–Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
Graham McDonald advised he has been appointed to the ICANN ASEP Committee until 1 November 2012.
  2. Confirmation of June 2012 Minutes  
The minutes of the 12 June 2012 Board meeting were confirmed.
  3. Policy Development

### **2012 Industry Advisory Panel:**

- Craig Ng, Chair of the 2012 Industry Advisory Panel, attended and gave a summary update of meeting outcomes to date and discussions on the Panel Terms of Reference.
- The Chair advised the Panel had received 8 submissions and 10 survey responses to the public consultation which closed on 20 July 2012. He noted that the Panel had discussions on how auDA could improve engagement and communications to encourage more responses for the next public consultation.
- The Panel has considered its draft recommendations for the first 3 Terms of Reference.
- The panel will review and finalise the remaining 3 Terms of Reference at the next meeting.
- The Board thanked the Panel Chair and members for their commitment and work to date.

### **Single Character Domain Names:**

- The Single Character Domain Names briefing paper was circulated to the Board for review. Jo Lim summarised the status and issues identified. auDA staff have given extensive consideration to how the normal eligibility and allocation policy rules would apply to single character domain names, given that single letters and numbers do not have any intrinsic meaning. The “exact match” criterion is straightforward, less clear are the “acronym” and “abbreviation” criteria. More problematic is making eligibility assessments under the “close and substantial connection” rule, and the issue of how the Domain Monetisation Policy applies to single character domain names. Given the high visibility of these domain names, the central problem is how to ensure that auDA’s determination is reasonable, consistent and defensible under scrutiny. This is extremely difficult to do when so many elements of the policy are subjective.
  - The Board noted that in the two rounds of public consultation undertaken by the 2010 Names Policy Panel on this issue, there was no clear majority public support for the release of single character domain names, and the Panel had no evidence of any pent-up demand for these names. The Board also noted that the Panel’s recommendation to release the names was qualified in two ways: that there is no compelling technical or policy reason to maintain the restriction; and that the registrant must be eligible to register the name.
  - The Board discussed the issues and agreed to withdraw its decision to release single character domain names at this time, due to the difficulty in determining registrant eligibility under the current policy framework. It was agreed that the Board would reconsider the release of single character domain names should the policy framework change in the future. The Board also agreed to an announcement being released.
  - Motion (proposed T Staley, seconded M Drill): That the Board withdraw its decision to release single character domain names at this time due to the difficulty in determining registrant eligibility under the current policy framework. The Board will reconsider the release of single character domain names should the policy framework change in the future.
- Carried.

## **4. Finance Report**

- The Board noted the June 2012 end of year and July 2012 accounts.
- It was noted the Auditors are currently finalising the end of year accounts with the only further changes to be to staff accruals and audit fees.

### **Nexia Investment Strategy Report:**

- G McDonald summarised the Nexia Investment strategy and the recommended investment options.
- The Chair asked if consideration had been given to the investment strategies of Government agencies. It was agreed G McDonald would contact Treasury for information on Government agencies' investment strategies for comparison with the Nexia recommendations.
- The Board agreed that the main Term Deposit recommendation should be implemented immediately, with other investment options to be reviewed further and implemented at a later date.
- The Board agreed to accept the proposed \$10,000 annual fee by Nexia for management & reporting of the investment portfolio.
- Motion (proposed T Staley, seconded G McDonald): That the Board accept the Term Deposit recommendation from the Nexia report, with other investment options to be reviewed further and implemented at a later date.  
Carried.

### **5. CEO Report**

- The CEO report was noted.
- Board members were reminded that the AusRegistry yearly statistics are confidential until they are published on the auDA website after 3 months.
- The Accountability and Transparency Framework is being redrafted in light of comments received and will be reviewed by the Governance Committee.
- The CEO advised that only the high level operational plan had been circulated to the Board as the full operational plan contained information which would create a conflict of interest for Registrar members of the Board, however the full operational plan had been circulated to the Governance Committee non-Registrar members.
- Planning continues for the ANZIs to be held in Canberra on 10 October 2012.
- The auDA Foundation Board has now received the list of recommended projects and will meet in September to discuss and agree the allocation of auDA Foundation grants.
- Planning continues for the Australian Internet Governance Forum to be held in Canberra on 11-12 October 2012 with the website, registration and social media now launched. Board members will be contacted by J O'Sullivan for travel requirements & registration for the event.
- DBCDE noted its strong support for auDA's involvement at the ITU WCIT to be held in Dubai in December 2012 and advised it would be seeking accreditation for auDA to attend.

### **6. AusRegistry Presentation**

- Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on registration statistics and the impact of monetisation and the secondary market on the industry.
- It was noted that portfolio holders (ie. registrants with more than 50 domain names) account for approximately 16% of the .au market, with domainers considered to account for less than 10%. It was agreed auDA/AusRegistry would discuss preparing a public report on the statistics.

- Adrian Kinderis asked the Board to advise AusRegistry of any feedback on the presentations and information the Board would like to see in future presentations.
- The Board thanked AusRegistry for their continued informative presentations to the Board.

## 7. Membership

The following membership applications were approved in the classes indicated:

<b>Name of Applicant</b>	<b>Class</b>
Blair Cameron Boardman	Demand
BCB Consulting Pty Ltd (Blair Cameron Boardman)	Demand
Web Prophets (Julia Topliss)	Supply
Education Services Australia (Jerry Leeson)	Supply

## 8. Board Committee Updates

### **Finance & Audit Committee:**

- The Board approved the Committee's Terms of Reference with the following change of wording regarding frequency of meetings: 'The committee will meet before each Board meeting with additional meetings as required.'
- The Committee meeting minutes of 13 February, 4 April, 6 June and 15 August 2012 were approved for publication.

### **Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 20 February, 16 April and 6 August 2012 were approved for publication.
- The Committee meeting minutes of 12 June 2012 were approved for publication with the following amendment: Change M Drill from 'Registrar' to 'Supply class.'
- The Board Performance Evaluation Framework final document was submitted to the auDA Board for approval:
  - The Board accepted the final document.
  - It was noted the document will need to be completed before the 2012 AGM and would be formally circulated in early September 2012 for responses by the advised deadline.
  - It was noted J O'Sullivan would coordinate compilation of the responses and the results would be published in due course.
  - C Disspain asked Board members to add comments as well as ratings when completing the document.
  - It was noted the process would be reviewed after the first evaluation to gauge effectiveness and make any required changes to the document and process.
- The Committee advised it is still considering OH&S issues with the aim to report to the Board at the October 2012 meeting.
- CEO KPI's: All observers left the room for this item. The Committee & Board discussed the CEO KPI's.

### **Strategic Risk Committee:**

- The Committee meeting minutes of 12 June, 24 July and 14 August 2012 were approved for publication.
- The Committee advised work is continuing on the Risk Assessment log and it will be forwarded to the Board for endorsement in due course.

### **Constitution Committee:**

- The Chair advised the Committee had discussed the Westlake recommendations, and sought further information from Westlake Consulting.
- Motion (proposed T Staley, seconded G McDonald): That the Board accept the Committee recommendation as follows:

(a) Members to be invited to consider recommendations 11 and 12 in light of the further advice provided by Westlake Consulting. At the same time the Board to confirm that it proposes putting Recommendations 11 and 12 as a composite proposal to a vote at an EGM in early 2013. The Board also to notify that it will not be supporting or opposing the measure to avoid any conflict of interest which may arise and making it clear that the decision is one for the members.

(b) The consideration of Recommendations 11 and 12 to be undertaken by members in a two-step process vis;

(i) to be discussed at the 2012 AGM after which a summary including views expressed by members at the AGM, along with any written responses received from members, and the proposed motion and explanatory memorandum will be circulated so that members are fully appraised of the issues. A transition plan determined by the Board will also be circulated to ensure that the proposal is commenced by no later than the end of 2013. The time frame, consistent with the Westlake recommendation, ensures that the continued functioning of the Board is not unduly disrupted during the transition phase.

(ii) an EGM to be held in April 2013 for members to vote on the proposal.  
Carried.

The Chair thanked all the Committees and members for their work to date.

### **9. Board Correspondence**

- There was no Board Correspondence.

### **10. Other Business**

- 2010 Names Policy Panel recommendation regarding changes to domain name licence period: This item has previously been discussed by the Board however no formal decision was recorded. The Board agreed that, as any change to the licence period will require a change to the registry database, the appropriate time to consider the issue is in conjunction with arrangements for the new registry licence post 30 June 2014. It was agreed to include this decision in the announcement that will go out regarding Single Character domain names.

### **11. Next Meeting**

The next Board meeting will be held on Wednesday 10 October 2012 in Canberra.



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# Board Minutes - 12 June 2012

Public Version  
Meeting of the .au Domain Administration Board

12 June 2012 - 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Kim Heitman, Julie Hammer, Graham McDonald, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins, Chris Disspain, Dwayne Varey

Observers:  
Craig Ng (Panel Chair-item 4), Keith Besgrove (DBCDE), John Higgins (NexiaASR), Jo Lim (auDA), Jacki O’Sullivan (auDA – Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of April 2012 Minutes  
The minutes of the 16 April 2012 Board meeting were confirmed.
  3. Policy Development  
**2012 Industry Advisory Panel:**

- Craig Ng, Chair of the 2012 Industry Advisory Panel, attended and gave a summary update of meeting outcomes to date and the discussions on the Panel Terms of Reference.
- The Chair advised the Panel Issues Paper has now gone out for public consultation with submissions due 20 July 2012.
- The Chair thanked the secretariat, in particular Jo Lim & Paul Szyndler, for their work in coordinating the panel.

4. Finance Report

- The Board noted the May 2012 accounts.

5. Final Budget 2012-2013

- The Board noted the final 2012-2013 budget (including current domain name registration figures and renegotiated staff salaries) which has been endorsed by the Finance Committee.
- It was noted the summary budget will now be published on the auDA website.
- Motion (proposed M. Drill, seconded C Langdon-Orr): That the Board approve the 2012-2013 budget. Carried.

6. CEO Report

- The CEO report was noted.
- The Board noted the low response from members to the online survey regarding the Westlake recommendations for the proposed constitutional changes, and agreed to set up a sub-committee to consider the proposed changes in detail, including drafting options. The sub-committee will report back to the auDA Board at the 20 August 2012 Board meeting with recommendations for Board discussion and final agreement.
- Planning continues for the Australian Internet Governance Forum to be held in Canberra 11-12 October 2012 with good involvement from Government and various agencies. It was noted State Governments had not yet been contacted regarding involvement and CD will discuss if contact is appropriate with the steering committee.

7. AusRegistry Presentation

Adrian Kinderis-CEO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on achievements over the past 10 years of AusRegistry's operations.

8. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
1300WebPro (James Deck)	Supply
Uber Global Pty Ltd (Dwayne Varey)	Supply
Independent Mortgage Brokers Pty Ltd (Angelo Dounis)	Supply

9. Board Committee Updates

**Finance & Audit Committee:**

- The Committee met to discuss the final budget (refer to item 5).
- The Finance Committee will meet with Financial Advisers to discuss cash reserves and best management of auDA funds.

**Governance, Board Succession & Remuneration Committee:**

- The Committee meeting minutes of 29 May 2012 were formally endorsed and approved for publication by the auDA Board.
- The Board Performance Evaluation Framework final document will be submitted to the auDA Board for approval at the 20 August 2012 Board meeting.
- The Accountability and Transparency Framework draft document was approved by the Committee and will now be sent out for public comments.
- The CEO KPI's are current being finalised against the Operational Plan and will be completed in the next few weeks.
- An auDA Master Board Meeting Schedule is currently being compiled including all Board, Committee, Panel and ICANN meetings and will be circulated for review in due course.
- Maddocks advice is being sought by the Committee on auDA Board OH&S responsibilities.

**Strategic Risk Committee:**

- The Committee meeting minutes of 30 April 2012 were formally endorsed and approved for publication by the auDA Board.
- The Committee circulated the Environmental Scan report for Board review and approval.

Motion (proposed G McDonald, seconded M Drill): That the Board approve the final Environmental Scan Report.

Carried

- The Committee is currently working through the risk assessment and proposed risk treatments which will be submitted to the auDA Board in due course.

10. Board Correspondence

- The correspondence dated 8 June 2012 from Ned O'Meara regarding various issues, was considered & discussed by the auDA Board. A formal response will be drafted by J Lim for Board comment & approval.
- Keith Besgrove DBCDE advised correspondence has been forwarded to T Staley and C Disspain late last week re; the external territories' ccTLD managers.

11. Other Business

- Directors were reminded of the auDA Members Networking function to be held Tuesday 12 June 2012 at 5.00pm at the RACV Club.

12. Next Meeting

The next Board meeting will be held on Monday 20 August 2012 at 11.00am.

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# Board Minutes - Apr 16, 2012

Public Version  
Meeting of the .au Domain Administration Board

16 April 2012 - 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Kim Heitman, Julie Hammer, Graham McDonald, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas, Kartic Srinivasan, Paul Levins

Teleconference:  
Chris Disspain, Dwayne Varey

Observers:  
Keith Besgrove (DBCDE), John Higgins (NexiaASR), Jo Lim (auDA – Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
Julie Hammer advised that she has been appointed to the ICANN SSAC and has also taken on the role of ALAC Liaison to that Committee. Maddocks has formally advised that there are no conflict of interest issues.
  2. Confirmation of February 2012 Minutes



The minutes of the 20 February 2012 Board meeting were confirmed.

3. Finance Report

The Board noted the March 2012 accounts.

4. CEO Report

- The CEO report was noted.
- The Board noted that drafting the proposed changes to auDA's Constitution pursuant to the Westlake recommendations had highlighted some interpretational issues, which made it difficult to put the draft changes to members as originally envisaged. It was agreed to conduct an online survey of members using just the text of the relevant Westlake recommendations. Keith Besgrove expressed concern on behalf of DBCDE that these recommendations may not be implemented, whilst acknowledging that it is ultimately a matter for auDA's members to decide.

5. Strategic Plan 2012-2015

- The Board reviewed the draft Strategic Plan 2012-2015, revised to reflect comments made on the Board mail list. It was agreed to amend the headline mission statement so that it more accurately describes what auDA does.
- The revised draft will be circulated to the Board for approval on the mail list.

6. Draft Budget 2012-2013

- The Board gave in principle approval to the draft 2012/2013 budget. Final budget numbers (including current domain name registration figures and renegotiated staff salaries) will be provided to the Board for approval at the June meeting.
- The Finance & Audit Committee has agreed to increase the legal contingency fund to \$1 million over the next two years, and to create a separate security and stability reserve fund, subject to future budget surplus levels.
- The Board noted that the draft budget projects a surplus of \$877,049 at 30 June 2013. There was discussion about whether this should trigger a review of auDA's domain name fee. It was noted that the surplus is not projected to occur until next year, by which time the Board will be in a position to assess the possible impact of new gTLDs as well as any additional expenses arising from recommendations of the 2012 Industry Advisory Panel (eg. in relation to registrar security).

7. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
Sarar Pty Ltd (Erhan Karabardak)	Supply
Wireline Pty Ltd (Liam Widdowson)	Supply
Holly Raiche	Demand

8. Board Committee Updates

The Board agreed that the minutes of all Board Committees will be published with the approval of the Board, subject to the sensitivity and confidentiality of the subject matter. Committee Terms of Reference will be amended accordingly.

**Finance & Audit Committee:**

- The Committee met to discuss the draft budget (refer to item 6).

**Strategic Risk Committee:**

- The Committee has been working on a draft environmental scan which includes some preliminary risk identification. The Committee aims to finalise this document at its workshop on 30 April and provide it to the Board for the June meeting.

**Governance, Board Succession & Remuneration Committee:**

- The Committee met prior to the Board meeting.
- The Committee has asked management to propose some options for a Board performance evaluation framework. Board members are invited to send any suggestions to Kim Heitman.
- Motion (proposed Kim Heitman, seconded Marty Drill): That the Board approve a 10% increase in independent director fees effective 1 July 2012, to reflect cost of living increases. Carried. Tony Staley, Julie Hammer and Graham McDonald recused themselves from the discussion.

Note that the Board's decision will require ratification by auDA members at the AGM.

- The Committee also considered whether there should be any change to the sitting fees for elected directors. It was agreed that the intention of the sitting fee is to encourage attendance at Board meetings, and as such the current fee amount is appropriate.
- The Board approved the Committee's Terms of Reference. All directors will be required to sign the Summary of Directors' Duties (attached to the Terms of Reference).

9. Policy Development

- Jo Lim advised that the 2012 Industry Advisory Panel held its first meeting on 22 March 2012. Whilst the meeting was mostly introductory in nature, there was a good level of member participation and some preliminary discussion of issues. The Panel is due to hold its second meeting on 19 April.
- The Board thanked Rob Gregory and Maddocks for hosting a Panel dinner after the first meeting, noting that it helped Panel members to get to know each other and develop a group dynamic. It was suggested that auDA should consider doing the same for future Panels.

10. Board Correspondence

There was no Board correspondence.

11. Other Business

- Directors who attended the ICANN Costa Rica meeting gave a brief report, highlighting the benefits of networking and information exchange with other organisations. Josh Rowe and Julie Hammer also highlighted that, for those who cannot travel to ICANN Meetings, joining sessions through the Adobe Connect online facilities is an informative and inclusive way of attending the Meetings.
- Cheryl Langdon-Orr suggested that auDA should consider making a public submission on the draft letter to all ICANN SOs and ACs regarding proposed Consumer Confidence, Choice and Trust metrics for the new gTLD 12 month

review. See <http://www.icann.org/en/news/public-comment/cctc-draft-advice-letter-23feb12-en.htm>

12. Next Meeting

The next Board meeting will be held on Tuesday 12 June 2012 at 11.00am.

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# Board Minutes - Feb 20, 2012

Public Version  
Meeting of the .au Domain Administration Board

20 February 2012, 11.00am  
.au Domain Administration Limited. 114 Cardigan Street. Carlton VIC 3053

Present:  
Tony Staley (Chair), Kim Heitman, Chris Disspain, Julie Hammer, Graham McDonald, Josh Rowe, Marty Drill, Cheryl Langdon-Orr, George Pongas, Dwayne Varey, Kartic Srinivasan, Paul Levins

Observers:  
Keith Besgrove (DBCDE), John Higgins (NexiaASR), Adrian Kinderis (AusRegistry Item 6), Chris Wright (AusRegistry Item 6), Maggie Whitnall (AusRegistry Item 6), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of December 2011 Minutes  
The minutes of the 12 December 2011 Board meeting were confirmed.
  3. Finance Report

- The Board noted the January 2012 accounts.
  - The 2012/2013 budget will be prepared for circulation to the Board for the April 2012 meeting.
4. CEO Report
- The CEO report was noted.
  - The auDA Staff Retreat was held at Daylesford on 2-3 February 2012. Outcomes and updated staff roles & responsibilities were summarised for the Board.
5. Westlake Report Implementation Plan
- As requested by the Board at the December 2012 meeting, auDA staff reviewed and prepared for Board review, an Implementation Plan of the recommendations in the Westlake .au Governance Final Review Report.
  - A document setting out the Board's response to each recommendation and the relevant draft Implementation Plan will be publicly released.
6. AusRegistry Presentation
- Adrian Kinderis-CEO, Chris Wright-CTO and Maggie Whitnall-Client Services Manager-.au, attended from AusRegistry and gave a presentation on AusRegistry general & security updates.
7. Policy Development
- The 2012 Industry Advisory Panel member nominations shortlist was provided to the Board.
  - The first meeting of the Panel is scheduled for 22 March 2012.
  - The Board passed the following resolution (proposed TS, seconded by the Board):
  - That the Board appoint the recommended panel members as proposed in Attachment A of the 2012 Industry Advisory Panel Membership Recommendations document.
- Carried.
8. auDA Foundation Review
- The auDA Foundation Review and recommendations were circulated to the Board.
  - The Board agreed to the recommendations, with an amendment to recommendation 1.1C (change "remove" to "clarify").
  - Pursuant to recommendation 1.1A, the Board agreed that the term "innovative" should be defined as 'Research & development undertaken for the purposes of acquiring new knowledge creating new or improved processes or services to enhance the utility of the network for the benefit of the Australian Community.'
  - Pursuant to recommendation 2.1C, the Board agreed to invite Derek Whitehead to join the auDA Foundation Board.
9. Membership
- The following membership applications were approved in the classes indicated:

Name of Applicant	Class
Matthew Begbie	Demand
Imogen Corliss	Demand
Steven Roddis	Demand
Joshua Todd Cowper	Demand
Angelo Giuffrida	Demand

Craig Marchant	Demand
Cheyne Johnston	Demand
Michael Band	Demand
Jesse Mahoney	Demand
VentralP Group (Aust P/L (Angelo Giuffrida)	Supply

#### 10. Board Committee Updates

##### **Strategic Risk Committee:**

- The Committee held its first meeting on 31/1/12.
- The Committee draft Terms of Reference were completed & circulated for Board approval.
- The Committee Terms of Reference were approved by the Board (moved K Heitman, Seconded C Langdon-Orr).
- In conjunction with Patrick Sharry, the Committee will prepare an environmental scan report based on work completed at the Board retreat in November 2012 with further input to be sought from the Board, from auDA's legal and financial advisers and the SSAC. The Committee will hold a workshop on Tuesday 17/4 to do risk identification and assessment on the environmental scan report and plan next steps.

##### **Governance, Board Succession & Remuneration Committee:**

- The Committee draft Terms of Reference have been completed and agreed by the Committee and will be circulated to the Board for review at the April 2012 meeting.
- The Committee will lead the development of the Accountability & Transparency Framework.
- The Director induction process and timetable for the year was discussed and agreed. It is planned to hold an initial induction session immediately following the April 2012 Board meeting.
- A 2 tier set of KPI's were set for the CEO, comprising on-going KPIs from FY10/11 and short term KPIs for assessment in July 2012, which will inform the CEO Contract negotiation in September.
- The Committee will meet face-to-face prior to each Board Meeting.

##### **Finance & Audit Committee:**

- The Committee will continue to meet by teleconference prior to each Board meeting to review the financial statements.

#### 11. Board Correspondence

The correspondence dated 14 February 2012 addressed to Tony Staley-auDA Board from Keith Besgrove-DBCDE regarding the outcomes of the Westlake Review, was considered by the auDA Board under item 5.

#### 12. Other Business

The ICANN Meeting 43 will be held 11-16 March 2012 in Costa Rica. Board members Kartic Srinivasan, Marty Drill and Paul Levins will attend and provide a report at the April 2012 Board meeting.

#### 13. Next Meeting

The next Board meeting will be held on Monday 16 April 2012 at 11.00am. This will be followed by an introductory Director induction session at 2.00pm.



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# Board Minutes - 12 December 2011

Public Version  
Meeting of the .au Domain Administration Board

17 October 2011 - 10.00am  
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:  
Keith Besgrove (DBCDE), Robert Gregory (Maddocks), John Higgins (NexiaASR), Richard Westlake (Westlake Consulting – Items 2-8), Vaughan Renner (Westlake Consulting – Items 2-8), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of August 2011 Minutes  
The minutes of the 15 August 2011 Board meeting were confirmed.
  3. Finance Report

- The Board noted the September 2011 accounts.

4. CEO Report

- The CEO report was noted.
- It was suggested that future quarterly complaints reports include trend graphs.
- The board noted the recent auDA newspaper and radio advertisements. It was suggested that the advertisements be extended to FM & Community radio with a youth targeted version. The advertisement outcomes will be reviewed at the end of November 2011 and next steps formulated.

5. .au Governance Review

- The Westlake .au Governance Review Report & Recommendations were reviewed and summarised by Richard Westlake and Vaughan Renner of Westlake Consulting. The purpose of the discussion at this meeting was to seek additional Board input before finalising the report. The final report will be presented to the Board at the December 2012 meeting.

6. DNSSEC

- The draft DNSSEC implementation plan and indicative timetable report including red-line amendments was reviewed.

Motion (proposed T Staley, seconded M Drill).

The Board agreed and accepted the DNSSEC Implementation Plan and Indicative Timetable Report and amendments.

Carried.

7. Directors Deed of Confidentiality

- A summary was given by Rob Gregory as to best practice of implementing the Directors Deed of Confidentiality. It was suggested the Deed of Confidentiality be signed by all Directors as soon as possible with auDA staff to coordinate distribution and signing of the Deed of Confidentiality.

Motion (proposed T Staley, seconded K Heitman).

That the Board agreed to put in place the Directors Deed of Confidentiality to be signed by all Directors.

Carried.

8. Membership

The following membership applications were approved in the classes indicated:

<b>Name of Applicant</b>	<b>Class</b>
--------------------------	--------------

Jia Ge	Demand
Jonathan Hyne	Demand
Sean Fogarty	Demand
Lion Global Pty Ltd	Demand

9. Board Correspondence

- The Board received a letter from Mallesons on behalf of their client Domain Directors regarding patent of an electronic reminder system in the USA. Maddocks are awaiting further information from Mallesons and will keep the

Board informed of any updates.

10. Other Business

- The Chair thanked Amin Kroll (retiring Director) for his four years of service on the Board.
- Remuneration Committee: Kim Heitman advised the Board the Remuneration Committee had met & circulated via email to Board members the report with recommendations regarding the CEO Remuneration review. It was also recommended that KPI's be discussed at the upcoming Board Retreat.

Motion:

The Board agreed to accept the Remuneration Committee's report and authorised the Chair to sign the renewed contract on behalf of the Board.

Carried

- Keith Besgrove (DBCDE) advised of a review of ccTLDs for Australian External Territories. auDA offered assistance to DBCDE. Keith Besgrove asked for any feedback received by auDA in relation to the ccTLDs in question to be sent to DBCDE for inclusion in the review.

11. Next Meeting

The next board meeting will be held on Monday 12 December 2010 at 2.00pm followed by the auDA Board/Staff/Members Christmas Drinks Function.

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# Board Minutes - 17 October 2011

Public Version  
Meeting of the .au Domain Administration Board

17 October 2011 - 10.00am  
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:  
Keith Besgrove (DBCDE), Robert Gregory (Maddocks), John Higgins (NexiaASR), Richard Westlake (Westlake Consulting – Items 2-8), Vaughan Renner (Westlake Consulting – Items 2-8), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes)

Apologies:  
Nil

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of August 2011 Minutes  
The minutes of the 15 August 2011 Board meeting were confirmed.
  3. Finance Report



- The Board noted the September 2011 accounts.

4. CEO Report

- The CEO report was noted.
- It was suggested that future quarterly complaints reports include trend graphs.
- The board noted the recent auDA newspaper and radio advertisements. It was suggested that the advertisements be extended to FM & Community radio with a youth targeted version. The advertisement outcomes will be reviewed at the end of November 2011 and next steps formulated.

5. .au Governance Review

- The Westlake .au Governance Review Report & Recommendations were reviewed and summarised by Richard Westlake and Vaughan Renner of Westlake Consulting. The purpose of the discussion at this meeting was to seek additional Board input before finalising the report. The final report will be presented to the Board at the December 2012 meeting.

6. DNSSEC

- The draft DNSSEC implementation plan and indicative timetable report including red-line amendments was reviewed.

Motion (proposed T Staley, seconded M Drill).

The Board agreed and accepted the DNSSEC Implementation Plan and Indicative Timetable Report and amendments.

Carried.

7. Directors Deed of Confidentiality

- A summary was given by Rob Gregory as to best practice of implementing the Directors Deed of Confidentiality. It was suggested the Deed of Confidentiality be signed by all Directors as soon as possible with auDA staff to coordinate distribution and signing of the Deed of Confidentiality.
- Motion (proposed T Staley, seconded K Heitman). That the Board agreed to put in place the Directors Deed of Confidentiality to be signed by all Directors. Carried.

8. Membership

The following membership applications were approved in the classes indicated:

<b>Name of Applicant</b>	<b>Class</b>
Jia Ge	Demand
Jonathan Hyne	Demand
Sean Fogarty	Demand
Lion Global P/L	Demand

9. Board Correspondence

- The Board received a letter from Mallesons on behalf of their client Domain Directors regarding patent of an electronic reminder system in the USA. Maddocks are awaiting further information from Mallesons and will keep the Board informed of any updates.

10. Other Business

- The Chair thanked Amin Kroll (retiring Director) for his four years of service

on the Board.

- Remuneration Committee: Kim Heitman advised the Board the Remuneration Committee had met & circulated via email to Board members the report with recommendations regarding the CEO Remuneration review. It was also recommended that KPI's be discussed at the upcoming Board Retreat.

Motion:

The Board agreed to accept the Remuneration Committee's report and authorised the Chair to sign the renewed contract on behalf of the Board.  
Carried.

- Keith Besgrove (DBCDE) advised of a review of ccTLDs for Australian External Territories. auDA offered assistance to DBCDE. Keith Besgrove asked for any feedback received by auDA in relation to the ccTLDs in question to be sent to DBCDE for inclusion in the review.

11. Next Meeting

The next board meeting will be held on Monday 12 December 2010 at 2.00pm followed by the auDA Board/Staff/Members Christmas Drinks Function.

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**auDA Foundation**

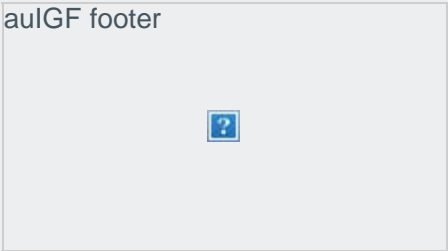
Established in 2005, the auDA Foundation makes annual grants to promote and encourage education and research initiatives that will enhance the utility of the Internet for the benefit of the Australian community

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# 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.

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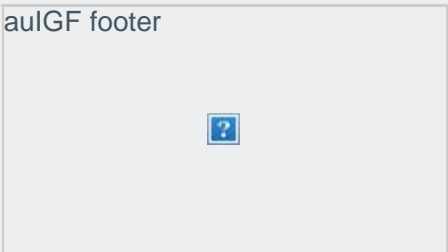
## auDA Foundation

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# Board Minutes - 14 June 2011

Public Version

Meeting of the .au Domain Administration Board

14 June 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), Jacki O'Sullivan (auDA-Minutes), Derek Whitehead (Reference item 5), John Higgins (Reference item 2- 7)

Apologies:

Nil

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## 1. Continuous Disclosure

Dwayne Varey advised the board (via email 2 June 2011) that he has resigned from his current role with iiNET and taken up a new position as CTO with Registrar, Uber Global.

## 2. Confirmation of April 2011 Minutes

The minutes of the 19 April 2011 Board meeting were confirmed.

3. Policy Development

2010 Names Policy Panel:

- Derek Whitehead, Chair of the 2010 Names Policy Panel, provided a summary and status. To date, there have been 10 submissions and 31 survey responses to the Panel's second public consultation. Final discussions will take place at the next panel meeting on 16 June. This is likely to be the final panel meeting with the final recommendations paper due to be submitted to the August Board meeting.

4. Finance Report

- The Board noted the May 2011 accounts.
- The Audit Services Request for Tender will be issued to selected companies and responses considered at the August Board meeting, for formal approval at the 2011 AGM.

5. Approval of 2011-2012 Budget

- The board noted the 2011-2012 budget.
- K Heitman endorsed the budget on behalf of the Finance Committee.

Motion (proposed K Heitman, seconded M Drill):

That the board approve the 2011-2012 budget.

Carried.

6. AusRegistry Presentation

Adrian Kinderis, CEO and Maggie Whitnall from AusRegistry attended and gave a summary of AusRegistry activities and commitments under the Registry Licence Agreement. The Board will gather information via the email list and advise AusRegistry on suggested topics for presentation at future Board meetings.

7. CEO Report

- The CEO report was noted.
- Board members noted progress on implementation of the recommendations contained in the Board & Membership Structure Sub-Committee final report.

8. Membership

The following membership applications were approved in the classes indicated:

Name of Applicant	Class
Ricky Jay van Berkel	Demand
Insynrg Pty Ltd	Demand
David Harry	Demand
Victor Ng	Demand
Stuart Benjamin	Demand
Naomi Benjamin	Demand
Peter Moon	Demand
Andrew Murray	Demand
Kovi Henenberg	Demand
Jump P/L	Demand
Liam Widdowson	Demand
Amba Communications P/L	Demand
Bill McGrath	Demand

Strategic Chemistry P/L	Demand
Kelly Taylor	Demand
Matthew Hall	Demand
Susan Mack	Demand
Website Essentials P/L	Supply
Provida Pty Ltd	Demand
Ian Robert Polman	Demand
Trinah Pickering	Demand
Michael Cafarella	Demand
Casey Stevens	Demand
Kym Squire	Demand
BigBangDomains.com.au	Demand
Peter Anderson	Demand
Robin Schmitt	Demand
Craig Ng	Demand
Chris Burgess	Demand
Nik Kingsman	Demand
William Standen	Demand
Lu Zhang	Demand
Joanne Dinh	Demand
Zara Hassan	Demand
Suzanna Broome	Demand
Paul Woods	Demand
Patrick Sharry	Demand
PS2 Pty Ltd	Demand
Paul Levins	Demand
Levins Consulting	Demand
Govind Pillai	Demand
Anders Sundberg	Demand
Craig Malouf	Demand
Darrel Andrew Menzies	Demand
Nicole Yvonne Quelhurst	Demand
Debbie McIntyre	Demand
Christopher Steven McIntyre	Demand
Michelle Lee Howell	Demand
Richard Denver	Demand
Stefan Willoughby	Demand
Wendy Colin	Demand
David Fromant	Demand
Vanessa Tyrer	Demand
Michael Shaw	Demand
Will Denver	Demand
Jamie Denver	Demand
Chris Denver	Demand
Barry Tyrer	Demand
Michael Hardiman	Demand

Cameron Groppi	Demand
Monty Hamilton	Demand
Wendy Praud	Demand
Dale Reeves	Demand
Jennifer Kieran	Demand
Luke Cuthbertson	Demand
David Connolly	Demand
John Hillier	Demand
Julian Penwright	Demand
Carl Hovey	Demand
Tim Noonan	Demand
Michelle Jakubowska	Demand
Jayne Bailey	Demand
George Pongas	Demand
Pipeflow Pty Ltd-Nick Waddell	Demand
Krista Papac	Demand

9. Proposed changes to Constitution

- The proposed changes to the constitution were reviewed and discussed. The changes deal with the proposal to introduce a ‘Life Members’ scheme, updating references to legislation and removing redundant provisions, and changes to the timeframe for handling membership renewals.
- It was agreed that Maddocks would revise the wording as discussed and resubmit the final suggested changes together with the proposed formal resolutions to the August Board meeting for formal approval at the 2011 AGM.

10. Board Correspondence

There was no Board correspondence.

11. Other Business

- Board members were requested to advise any change of address to Jo Lim & Jacki O’Sullivan via email so that the necessary ASIC and company paperwork can be completed as required.

12. Next Meeting

The next board meeting will be held on Monday 15 August 2010 at 11.00am.

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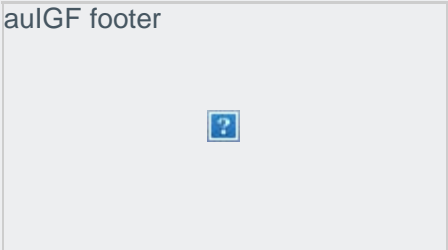
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# Board Minutes - 19 April 2011

Public Version

Meeting of the .au Domain Administration Board

19 April 2011 - 10.00am

RACV Club, 501 Bourke 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, Rosemary Sinclair

Observers:

Keith Besgrove (DBCDE), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes), Derek Whitehead (item 7), Richard Westlake

Apologies:

Dwayne Varey

## 1. Continuous Disclosure

- Cheryl Langdon-Orr disclosed she has now taken the position of Vice-Chair for the ICANN At-Large Advisory Committee (ALAC) and will now be the ccNSO Liaison.
- Julie Hammer advised she has been appointed to the Council of the Australian War Memorial.

- Marty Drill advised his company is currently working with auDA on the ANZIA Awards website.
- 2. Confirmation of February 2011 Minutes  
The minutes of the 21 February 2011 Board meeting were confirmed.
- 3. Finance Report
  - The Board noted the March 2011 accounts.
- 4. CEO Report
  - The CEO report was noted.
  - Cost recovery from the Australian Style court case is still progressing. The question was asked if personal guarantees or insurance should be requested from Registrars in future. The board agreed this issue should be referred to the next Industry Panel.
  - The board noted that complaints to auDA have been decreasing since December 2010. This allows staff to increase audit activities, with a focus on particular compliance issues.

#### DNSSEC:

- The board noted the DNSSEC Recommendations report provided by AusRegistry.
  - The board was advised the SSAC would meet in early May to discuss and review the AusRegistry DNSSEC Recommendations report. The SSAC, AusRegistry & auDA Staff will provide the Board with a full briefing and presentation at the August Board meeting (tbc).
  - Keith Besgrove requested permission to circulate the DNSSEC report within the Department which was agreed by the Board.
  - It was suggested a get-together be arranged at ICANN Singapore for auDA Board members to discuss DNSSEC issues with other ccTLDs that have already implemented DNSSEC.
  - Cheryl Langdon-Orr advised she would send a link to the Board to the current ALAC list on issues with DNSSEC.
- The Board was advised a Working Group of industry and consumer representatives has been formed to examine the operation of the .au domain name secondary market. Keith Besgrove advised the Department is interested in the outcome of this process.
5. Membership  
The following membership applications were approved in the classes indicated:

Name of Applicant	Class
KG Project Services Pty Ltd	Demand
ACCAN	Demand
Mark Galea	Demand
Sean Fogarty	Demand
Andrew Wright	Demand
Angelo Dounis	Demand
Martin Speedie	Demand
Ian Halson	Demand
Katie Halson	Demand
Angelina Potapova	Demand

Mark Lye	Demand
Pacific Fund Pty Ltd	Demand
Accommodation@Australia Pty Ltd	Demand
Mark Paton	Demand
Kimberley Lowton	Demand
Peter Callaghan	Demand
Dotrader Pty Ltd	Demand

- In accordance with Clause 12.2 of the auDA Constitution, for administrative purposes, the Board resolved the applicable annual membership fee at the time of application will be set at \$0.00 and the entrance fee (payable on application for membership) will be equivalent to the annual membership fee for each class of auDA membership.

Carried

- The Board & Membership Structure Sub-Committee final report was circulated to the Board for discussion & comments. The Recommendations were:

1. Appointment of "Life Members" or "Special Members" of auDA.
2. An "auDA knowledge base" comprising information about auDA, the history of .au, .au policy, etc.
3. An "auDA Member" logo or mark which auDA members could choose to display on their website.
4. A quarterly electronic newsletter for auDA members.
5. Regular online surveys for auDA members on a range of topics.
6. Regular networking events and/or training seminars for auDA members.

Since this report had not been circulated until the morning of the meeting, it was agreed that substantial discussion and consideration of the recommendations should be held over until the June 2011 Board Meeting. It was noted that Recommendation 1 would require changes to the auDA Constitution, to be put to members at the AGM. To better inform the June discussion, the Board decided the CEO should instruct Maddocks to draft a constitutional change for review. To assist in consideration of Recommendations 3, the Board also decided the CEO should request information from Maddocks regarding legal liability issues of an 'auDA Member' Logo.

Julie Hammer noted that the recommendation to make no changes to the current auDA Board structure was only made after the Sub-committee had thoroughly reviewed a variety of Board structures and other proposals for change and concluded that none considered offered worthwhile improvement. Keith Besgrove advised the TIO is currently being reviewed, which may be of interest to auDA in terms of board structures. The Board requested links and information to be provided when available.

The CEO advised the Board that Maddocks have been instructed to prepare a Confidentiality Agreement for appointed Board members.

6. Policy Development  
2010 Names Policy Panel:

- Derek Whitehead, Chair of the 2010 Names Policy Panel, provided a summary and status to-date. Draft recommendations are currently with the Panel for responses, after which time the recommendations will be sent out for public comment. The final panel report is due to be submitted to the auDA Board at the August 2011 meeting.
  - Richard Westlake thanked Derek Whitehead for allowing Westlake staff to sit in on the last Panel meeting in an observer capacity.
7. Board Correspondence
- There was no Board correspondence.
8. Other Business
- The CEO asked Board members to advise as soon as possible if they wished to attend the ICANN Singapore meeting in June 2011.
  - Cheryl Langdon-Orr advised the APriGF will be held in Singapore on 15 & 16 June 2011 and suggested those attending ICANN Singapore should also attend the APriGF if available.
9. .au Governance Review
- Richard Westlake held a consultation with the auDA Board on the .au Governance Review.
10. Next Meeting
- The next board meeting will be held on Tuesday 14 June 2010 at 11.00am.

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**auDA Foundation**

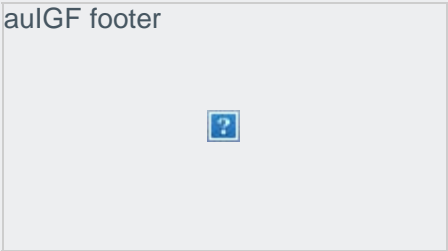
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# Board Minutes - 21 February 2011

Public Version  
Meeting of the .au Domain Administration Board

21 February 2011 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

## Present:

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

## Observers:

John Higgins (Nexia ASR), Keith Besgrove (DBCDE), Robert Gregory (Maddocks), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes), Elspeth Ross (auDA), Derek Whitehead (Reference - item 3)

## Apologies:

Nil

## 1. Continuous Disclosure

Chris Disspain disclosed he will be joining the ICANN Board following the 41st ICANN meeting in June 2011.

## 2. Confirmation of December 2010 Minutes

The minutes of the 13 December 2010 Board meeting were confirmed.



3. Policy Development

2010 Names Policy Panel:

- Derek Whitehead, Chair of the 2010 Names Policy Panel, provided a summary of the status and draft recommendations to date. The panel last met on 3 February to consider the responses received on the first consultation paper. It will meet again on 3 March to consider outstanding items before the final consultation paper is sent out for comment.

4. Finance Report

- The Board noted the January 2011 accounts.

5. CEO Report

- The CEO report was noted.
- Robert Gregory gave a summary on current legal matters (privileged item).
- It was noted that CGDN's have been set up for some recent QLD and Victorian flood affected communities. auDA is also monitoring domain name registrations containing the word 'flood' and are passing these to the ACCC for investigation if required.
- Further to the CGDN Advisory Committee meeting in December, the Board noted and approved the recommendation that auDA staff conduct further research and consultation on the proposal to expand CGDNs available for registration to include Local Government Areas.
- It was suggested that statistics from AusRegistry for month-to-month creates be included in future reporting data. George Pongas will create a template and circulate to the Board for comment.

6. Membership

The following membership applications were approved in the classes indicated:

<b>Name of Applicant</b>	<b>Class</b>
Brad Slade-Smith	Demand
Robin Sallay	Demand

The board was advised that the Board & Membership Structure Sub-Committee will meet today and an update of outcomes will be provided at the next Board meeting.

7. Board Correspondence

The Board noted the correspondence from The Hon Robert McClelland, Attorney-General regarding appreciation of auDA's involvement in Cyber Storm III.

8. .au Governance Review – Expressions of Interest

The Board noted the report on the EOI process and discussed the 2 shortlisted proposals. Both proposals were comprehensive and met auDA's requirements for the review, and included people who have had past dealings with auDA.

Motion (proposed MD, seconded KH):

That the Board authorise the CEO to enter into contract negotiations to conduct the review into .au governance.  
Carried.

9. Other Business

• Staff:

The Board was advised that Elspeth Ross has tendered her resignation from auDA effective 31 March 2011. The board formally thanked Elspeth for her hard work & assistance during her 9 years at auDA.

• AusRegistry:

George Pongas advised AusRegistry would like to present various registry information to the Board on a regular basis at Board meetings. This will commence with a presentation on DNSSEC at the April Board Meeting.

• DNS training:

Marty Drill proposed that auDA should consider providing DNS course/training sessions, possibly in conjunction with AusRegistry or other appropriate organisations. Marty Drill will discuss the suggestions and way forward further with Chris Disspain.

10. Next Meeting

Due to Bottle Domains arbitration being scheduled on 18th April 2011, it is proposed to reschedule the next Board meeting to Tuesday 19th April, 2011. Jacki will check availability with Board members and confirm the date.

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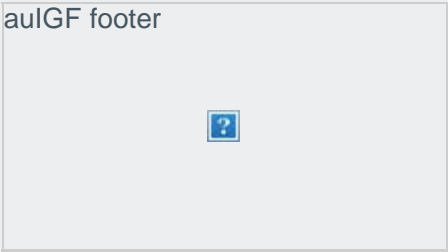
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# Board Minutes - 13 December 2010

Public Version  
Meeting of the .au Domain Administration Board

13 December 2010 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

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

Observers:  
John Higgins (Nexia ASR), Keith Besgrove (DBCDE), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes) and Derek Whitehead (item 4)

Apologies:  
Rosemary Sinclair

---

## 1. Apologies

Rosemary Sinclair was an apology.

## 2. Continuous Disclosure

There were no matters to be disclosed.

## 3. Confirmation of August 2010 Minutes

The minutes of the 18 October 2010 Board meeting were confirmed.

## 4. Policy Development

2010 Names Policy Panel:

- Derek Whitehead, chair of the 2010 Names Policy Panel, provided a summary of the status and issues to date. The Discussion paper which has been released for public responses, has received 116 online survey responses and 4 submissions to date with more responses expected closer to the submission deadline on 21 January 2011. The panel will next meet in early February to consider all responses and submissions received.

Appointment of Review Panelists:

- The Board agreed to appoint the recommended panelists for both the Registrar Review Panel and the Registrant Review Panel.

## 5. Finance Report

- The Board noted the November 2010 accounts.

## 6. CEO Report

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

## 7. Membership

The following membership applications were approved in the classes indicated:

- Traffic Sauce Pty Ltd (Demand)
- Cooper Mills Pty Ltd (Demand)
- Jonathan Bahr (Demand)
- David Sojevic (Demand)
- Intrinsic Data Pty Ltd (Supply)
- Brett Fenton (Demand)
- Lisa Jarrett (Demand)
- Your Life Choices (Demand)
- Zingspace Holdings Pty Ltd (Demand)
- Tyron Ball (Demand)
- Norganna's AddOns Pty Ltd (Supply)

Proposed changes to the administrative procedures for new membership applications and current membership renewals were discussed.

Motion (proposed Marty Drill, seconded Graham McDonald): That the Board adopt the amended membership application and renewal procedures. Carried

## 8. Board Correspondence

There was no Board correspondence.

## 9. Other Business

- Thanks to Craig Ng:

Craig Ng has served as auDA's legal counsel since soon after the organisation's establishment.

In this role, he has made an invaluable contribution to auDA through his knowledge, legal expertise and professional dedication.

He has also demonstrated his true support and passion for the growth of the Internet in Australia through his committed participation in a large number of auDA's Policy development processes.

He has fulfilled both roles with enduring integrity, openness and good humour.

Resolved: that the auDA Board expresses its heartfelt thanks and deep appreciation for Craig Ng's contribution to both auDA and to the development of .au, and wishes him well in all future endeavours.

- Auditors:

- The Board agreed that a tendering process be put in place for Auditors for 2011.

- DBCDE observer:

- Keith Besgrove, DBCDE advised that he will attend Board meetings from now on.

- .au Governance Review:

- Expressions of Interest have been sought to undertake the independent review into .au Governance with the closing date for responses being 31 January 2011.

- Keith Besgrove commended the Board on agreeing to commission the review..

- Remuneration committee:

- All auDA staff left the room for this item

- The board discussed the Remuneration Committee's report regarding CEO remuneration and performance and noted that the Board had approved the report and recommendation by circular email dated the 16th October 2010 and had resolved on that date (a) to review Chris's salary and bonus in accordance with the recommendations of the Remuneration Committee and (b) to authorise the Chair to sign the renewed contract on behalf of the Board.

## 10. 2011 Board meeting schedule

The proposed dates for 2011 auDA Board Meetings are:

Monday 21 February 2011



Monday 18 April 2011

Tuesday 14 June 2011

Monday 15 August 2011

Monday 17 October 2011

Monday 12 December 2011

The meeting schedule for 2011 will be circulated via email for confirmation by all.

11. Next Meeting

The next Board meeting will be held on Monday 21 February 2011 in Melbourne.

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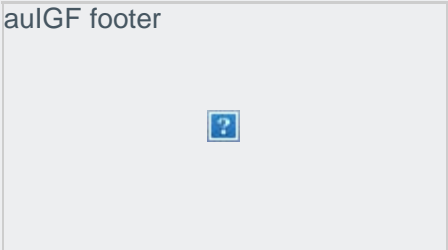
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# Board Minutes - 18 October 2010

Public Version  
Meeting of the .au Domain Administration Board

18 October 2010 - 12.30pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

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

Observers:  
John Higgins (Nexia ASR), Peter Nettlefold (DBCDE), Tristan Kathage (DBCDE), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes) and Derek Whitehead (item 8)

Apologies:  
Nil



1. Apologies

There were no apologies.

2. Continuous Disclosure

- C Disspain advised of his appointment to the ICANN Board and resignation as Chair of the ICANN ccNSO commencing June 2011.
- George Pongas advised of his appointment at AusRegistry as the .au Services Manager and subsequent divestment of all positions and interests in other Registrars.

The Chair formally congratulated C Disspain on his appointment to the ICANN Board.

### 3. Confirmation of August 2010 Minutes

The minutes of the 16 August 2010 Board meeting were confirmed.

### 4. Election of Chair

The Vice Chair called for nominations for the position of Board Chair.

Nominated: Tony Staley (moved J Rowe, seconded G McDonald).

Elected: Tony Staley (unopposed).

### 5. Election of Vice Chair

The Chair called for nominations for the position of Board Vice Chair

Nominated: Kim Heitman (moved C Langdon-Orr, seconded M Drill).

Elected: Kim Heitman (unopposed)

### 6. Reconstitution of Board Committees

The Board agreed that any Board Committees would be maintained status quo until further advice.

### 7. Policy Development

2010 Names Policy Panel:

- Derek Whitehead, chair of the 2010 Names Policy Panel, provided a summary of the status and issues to date. The Panel anticipates a discussion paper will be issued for public comment prior to the December Board meeting.
- D Whitehead advised that the Australian Computer Society submitted a

nomination for the Panel that was not received at the time due to an email error. As there is a vacancy caused by Adrian Kinderis' resignation, DW proposed the appointment of the ACS nominee Philip Argy to fill the vacancy.

- Resolution: That the Board appoints Philip Argy to the 2010 Names Policy Panel (proposed T Staley, seconded by the Board): Carried.

## 8. Finance Report

- The Board noted the September 2010 accounts.
- Due to the good current US\$ exchange rate, various options were discussed regarding the auDA US\$ account. C Disspain & J Higgins will discuss the options further and provide further details for the Board to consider.

## 9. CEO Report

- The CEO report was noted.
- The Board formally acknowledged the thank you email and excellent feedback received for Adam King for his work on the Cyberstorm exercises. The Board formally endorsed the CEO responding and acknowledging Adam King on its behalf.
- J Hammer noted the excellent work done by auDA Staff on production of the 2010 Annual Report.
- A Kroll noted the excellent work and judging process put in place for the Best Practice Awards.

## 10. Membership Applications

The membership applications below were approved in the classes indicated:

- Andrew Sykes (Demand)
- SWIM Communications (Supply)
- PetRescue Ltd (Demand)
- White Dog Green Frog (Supply)
- Anna Johnson (Demand)
- Richard Green (Demand)
- Shane Moore (Demand)

- Kevin Karp (Demand)
- PSS Internet (Supply)
- StudentNet (Demand)
- Atlantis Media Pty Ltd (Demand)
- Steven Baxt (Demand)

## 11. Board Correspondence

There was no Board correspondence.

## 12. Other Business

DNSSEC:

- The DBCDE representatives advised other Government agencies have expressed interest in DNSSEC and requested the Board's approval to give the agencies a copy of the DNSSEC Implementation Strategy provided to the Board previously. The Board agreed the CEO would confirm this with the SSAC and advise DBCDE.

## 13. Next Meeting

The next Board meeting will be held on Monday 13 December 2010 in Melbourne.

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# Board Minutes - 16 August 2010

Public Version  
Meeting of the .au Domain Administration Board

16 August 2010 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

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

Observers:  
John Higgins (Hayes Knight), Brenton Thomas (DBCDE), Peter Nettlefold (DBCDE), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes) and Derek Whitehead (item 1-3)

Apologies:  
Rosemary Sinclair

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## 1. Apologies

Rosemary Sinclair was an apology.

## 2. Continuous Disclosure

There were no matters to disclose.

## 3. Policy Development

### 3.1 2LDs Advisory Panel

Derek Whitehead, chair of the 2LD's Advisory Panel, attended and provided a summary of the Panel's final report and recommendations.

The board passed the following resolutions (proposed TS, seconded by the Board):

- That the board accept recommendation 1: That auDA amend its new 2LDs process to give the evaluating Panel the discretion to conduct its own research with respect to new 2LD proposals. Carried
- That the board accept recommendation 2A: That the proposal for blog.au should not be accepted by auDA at this time. Carried
- That the board accept recommendation 2B: That the proposal for event.au should not be accepted by auDA at this time. Carried
- That the board accept recommendation 2C: That conf.au should not be reactivated by auDA. Carried
- That the board accept recommendation 2D: That info.au should not be reactivated by auDA. Carried
- That the board agreed to grandfather linux.conf.au, with the CEO to determine the most appropriate operational arrangements. Carried.

### 3.2 2010 Names Policy Panel:

Derek Whitehead, chair of the 2010 Names Policy Panel, attended and provided a summary of the panel membership nominations received and the Panel recommendations.

The board passed the following resolutions (proposed TS, seconded by the Board):

- That the board appoint the recommended panel members as proposed in Attachment A of the 2010 Names Policy Panel Membership Recommendation

document. Carried.

- That board members Amin Kroll, George Pongas, Josh Rowe & Graham McDonald also be appointed as panel members. Carried.

#### 4. Confirmation of June 2010 Minutes

The minutes of the 10 June 2010 board meeting were confirmed.

#### 5. Finance Report

- The board noted the June 2010 end of year accounts and that the accounts were due to be audited late August 2010.
- The board noted the July 2010 accounts.
- J Higgins explained a number of methodologies for disclosure of foreign currency account balances and gains and losses in the financial statements. It was agreed for the purposes of future monthly reporting that foreign currency accounts would be stated at their purchase cost and that foreign exchange gains and losses would be recognised at the time of expenditure of the foreign currency funds. It was also agreed that the current \$A value of the foreign currency accounts would be shown as a note to the monthly financial report.

#### 6. CEO Report

- The CEO report was noted.
- The Chair acknowledged the Court of Appeal's judgment in the Australian Style Pty Ltd t/as Bottle Domains matter, which completely vindicated auDA's position regarding the termination and subsequent court case..
- The CEO gave a summary and update on DNSSEC implementation. The DBCDE observers requested the CEO send an email to them clarifying the reference to the Australian Government in auDA's media release of 12 August.

#### 7. 2010 AGM

- The board was advised that the AGM and Best Practice Awards presentation Dinner would be held in Melbourne on Monday 18 October 2010. Tentative venue and timings were advised and will be confirmed in due course.

## 8. Membership Applications

The membership applications below were approved in the classes indicated:

- Internet Shop (Demand)
- David Priest (Demand)
- Troy White (Demand)
- Every Ounce Counts (Demand)
- Publishing Australia (Demand)
- Sean Fogarty (Demand)
- Rabbit Tracks Pty Ltd (Demand)
- Emma Weekly (Demand)
- Vicki Gottliebsen (Demand)
- Shaun McGowan (Demand)
- Michael Purse (Demand)
- Ross Walsh (Demand)
- Shaun Tipson (Demand)
- Edward Keay-Smith (Demand)

## 9. Board Correspondence

There was no board correspondence.

## 10. Other Business

Board sitting fees:

- auDA research on other company board sitting fees was conducted with no comparable fee structures found. The board agreed to roll this matter forward pending a formal recommendations paper to the board.

Rafferty case:

- K Heitman noted the legal costs in the Rafferty case had exceeded the \$20,000.00 authorized by the previous board resolution. The final account has now been provided and is \$5,814 plus GST in excess. Motion (KH proposed, TS seconded): That the board authorize the CEO to pay the balance of the final account in this matter. Carried.

11. Next Meeting

The next board meeting will be held on Monday 18 October 2010 in Melbourne.

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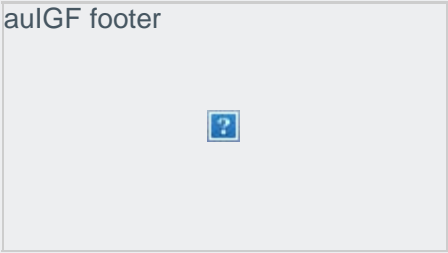
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# Board Minutes - 10 June 2010

Public Version  
Meeting of the .au Domain Administration Board

10 June 2010 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

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

Observers:  
John Higgins (Hayes Knight), Peter Nettlefold (DBCDE), David Lee (DBCDE), Jo Lim (auDA), Jacki O’Sullivan (auDA-Minutes) and Derek Whitehead (items 1-3)

Apologies:  
Amin Kroll and George Pongas



1. Apologies

Amin Kroll & George Pongas were apologies.

2. Continuous Disclosure

There were no matters to disclose.

### 3. 2LDs Advisory Panel

Derek Whitehead, chair of the 2LD's Advisory Panel, attended and provided a progress report and summary of the Panel's first round of public consultation. Draft recommendations for the 2nd consultation are scheduled to go out within the next few weeks and the Panel's final report is due to be provided at the August board meeting.

### 4. Confirmation of April 2010 Minutes

The minutes of the 19 April 2010 board meeting were confirmed.

### 5. Finance Report

The board noted the May 2010 accounts.

### 6. 2010-2011 Budget

- The board noted the 2010-2011 budget.
- K Heitman endorsed the budget on behalf of the Finance Committee.
- The board discussed whether the current sitting fee for Volunteer & Independent Directors required reassessment. It was agreed that auDA would research other company board sitting fees & report the findings back to the board for further discussion at the August meeting.

Motion (proposed Kim Heitman, seconded Josh Rowe): That the board approve the 2010-2011 budget. Carried.

### 7. 2010-2012 Strategic Plan

- The board noted the 2010-2012 Strategic Plan plus supporting documentation.

Motion (proposed Kim Heitman, seconded Julie Hammer): That the board approve the 2010-2012 Strategic Plan. Carried.

### 8. CEO Report

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

## CGDN:

- The board agreed with the recommendations of winding up .au Community Domains Pty Ltd by 30 June 2010 and establishing a CGDN Advisory Committee comprising former auCD Directors and other people as required.
- It was noted that future CGDN reporting would be included in the CEO report.

## 9. Policy Development

### 2010 Names Policy Panel:

- The Draft Terms of Reference were noted.
- There was discussion about issue 1 of the Terms of Reference and the Board requested a clarification from DBCDE. It was agreed Peter Nettlefold would respond by Friday 12 June. J Lim will then circulate the Terms of reference to the board for agreement.
- The board agreed to appoint Derek Whitehead as Panel Chair.

## 10. Membership Applications

The membership applications below were approved in the classes indicated:

- Ryan Kirgan (Demand)
- Hostcorp Internet (Supply)
- Emerging IT Pty Ltd (Supply)

## 11. Board Correspondence

There was no board correspondence.

## 12. Other Business

### DBCDE

- DBCDE advised that due to internal restructuring, their branch would now move to the Division headed by Keith Besgrove.

## 13. Next Meeting

The next board meeting will be held on Monday 16 August 2010 in Melbourne.

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

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# Board Minutes - 19 April 2010

Public Version

Meeting of the .au Domain Administration Board

19 April 2010 - 11.00am

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:

John Higgins (Hayes Knight), Peter Nettlefold (DBCDE), Tristan Kathage (DBCDE) Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes) and Derek Whitehead (items 1-2)

Apologies:

Nil

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## 1. Continuous Disclosure

C Langdon-Orr advised that she has been appointed to ICANN's accountability and transparency review team.

## 2. Policy Development

### New 2LDs Advisory Panel:

- Derek Whitehead, chair of the New 2LD's Advisory Panel, attended and provided a progress report. The Panel released a discussion paper for public comment on 16 April. The consultation will be advertised nationally and distributed to stakeholders through various means. An online survey form has setup to facilitate responses. The closing date for comments is 23 May.

## 3. Confirmation of 14 December 2009 and 1 March 2010 Minutes

- Additional changes to the 14 December 2009 and 1 March 2010 meeting minutes were proposed by DBCDE in an email dated 23 March 2010 and responded to by the CEO in an email dated 15 April 2010.
- DBCDE acknowledged that the board's view is that the minutes of 14 December 2009 stand as per board acceptance.
- The proposed changes to the 1 March 2010 minutes were discussed and the board agreed to make the following amendment:
  - o 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.

## 4. Finance Report

- The board noted the March 2010 accounts.
- The CEO advised that the 2010/11 financial year budget would be circulated shortly to the board for approval via the email list or a teleconference if required.

## 5. CEO Report

- The CEO report was noted.

### Complaints:

- J Lim gave a summary of the complaints information now included in the CEO report. It was highlighted that this information is a work in progress and will be refined in future.
- It was suggested by the board to include in future information numbers of



complaints that progress to 2nd and 3rd tier levels and a graph or visual element.

#### Best Practice Awards:

- J Hammer clarified to the board that winners had not yet been finalized for the Best Practice awards and that the judging process is still being conducted.
- J Hammer also requested that the judges for 2009 be involved in discussions to develop a possible streamlined judging process for future years, which may include preliminary assessment of the awards by auDA staff.
- It was highlighted that the suggestion of extending the awards to Pacific Nations beyond Australia & NZ may not be in the best interests of the awards. This was agreed and the CEO will pass the comments onto auDA staff.

#### New Registrar Agreement:

- The board was advised that a draft new Registrar Agreement is currently being finalised prior to consultation with registrars. The board asked for clarification of the incentives for registrars to sign to the new agreement. J Lim summarized that whilst the new agreement is not mandatory for registrars to sign, the main incentive under the new agreement is for registrars to have access to a review panel mechanism which was specifically requested by registrars.

#### ICANN

- ICANN Papers on a number of issues were circulated and reviewed and a summary given by the CEO. DBCDE advised they have also spoken with other governments regarding some of these issues and are happy to pass on to the board any responses received.
- C Langdon-Orr suggested the recent briefing call should also be circulated to board members. This was agreed and will be circulated by the CEO.

#### 6. Membership Applications

There were no membership applications for approval.

#### 7. Board Correspondence

There was no board correspondence.

#### 8. Other Business

#### New Full Names Panel:

- DBCDE asked when the Panel will commence. J Lim advised that draft Terms of Reference will be provided to the board for approval at the June meeting.

9. Next Meeting

The next board meeting will be held on Thursday 10 June 2010 in Melbourne.

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# 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.



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# Board Minutes - 14 December 2009

Public Version  
Meeting of the .au Domain Administration Board

14 December 2009 - 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

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Brenton Thomas (DBCDE), Peter Nettlefold (DBCDE), Jo Lim (auDA), Paul Szyndler (auDA), Jacki O’Sullivan (auDA-Minutes)

Apologies:  
Rosemary Sinclair

---

## 1. Welcome to new Directors

T Staley welcomed George Pongas and Rosemary Sinclair on their election to the board and congratulated Josh Rowe and Amin Kroll on their re-election to the board following the AGM in October 2009.

## 2. Apologies

Rosemary Sinclair was an apology.

## 3. Continuous Disclosure

G Pongas advised that he is CEO of two auDA accredited registrars, Domain8 Pty Ltd and Domain Candy Pty Ltd.

## 4. Confirmation of Minutes

The minutes of the 19 October 2009 board meeting were confirmed.

## 5. Election of Chair

The Vice Chair (K Heitman) called for nominations for Chair.

Nominated: Tony Staley (moved J Hammer, seconded G McDonald).

Elected: Tony Staley (unopposed)

## 6. Election of Vice Chair

The Chair called for nominations for Vice Chair.

Nominated: Kim Heitman (moved J Rowe, seconded C Langdon-Orr).

Elected: Kim Heitman (unopposed)

## 7. Reconstitution of Board Committees

· Finance & Audit Committee – continue with Amin Kroll to replace retired director Alex Woerndle.

- Board & Membership Committee – continue unchanged.
- Strategic Plan Committee – does not require to be reconstituted at this time.
- Remuneration Committee – continue unchanged.

## 8. Finance Report

The board noted the November accounts.

## 9. CEO Report

- The CEO report was noted.
- Craig Ng gave a summary on current membership issues (Privileged item). George Pongas left the meeting for this item due to a conflict of interest.
- The CEO Review document was noted and the board agreed to proceed as per the review recommendations.

## 10. Policy Development

New 2LDs Advisory Panel:

- The board approved the New 2LD Advisory Panel Terms of Reference and Panel membership. George Pongas, Kim Heitman and Graham McDonald agreed to be the board representatives on the panel.
- DBCDE expressed its view that auDA should conduct a broad community consultation about whether to introduce new 2LDs in general. The board affirmed its preferred approach, which is to conduct broad community consultation (including advertising in newspapers nationally) on specific new 2LD proposals. However, at the CEO's suggestion, it was agreed that any consultation on specific new 2LD proposals would also invite people to comment on new 2LDs in general. The board noted that the Panel may decide that the new 2LD proposals fail at the first hurdle and therefore do not warrant any further consideration, in which case, there would be no need to hold a public consultation.
- DBCDE advised it would not be appropriate for them to participate on the Advisory Panel, because it would make it difficult for them to critique the process afterwards. The board noted that Departmental officials have previously held observer status on Advisory Panels, and encouraged DBCDE to continue this practice. B Thomas will confirm and advise DBCDE attendance as an observer.

## 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.
- DBCDE will provide auDA with current id-checking mechanisms information as a resource for the Names Panel.

## 11. auCD Report

The board noted the auCD report.

## 12. Membership Applications

The membership applications below were approved in the classes indicated:

- Jim Davies (Demand)
- Alan Isherwood (Demand)
- Mercury Retail Pty Ltd, Jethro Marks (Demand)
- Michael Purse (Demand)
- Michael Sojevic (Demand)
- Paul Klerck (Demand)
- Glen Mylne (Demand)

## 13. Board Correspondence

There was no board correspondence.

## 14. Next Meeting

It was confirmed that the next meeting would be held on 1 March 2010 in conjunction with the auDA board retreat.

## 15. 2010 meeting schedule

The proposed dates for the 2010 auDA Board Meetings are:

- Monday 1 March 2010
- Monday 19 April 2010
- Tuesday 15 June 2010
- Monday 16 August 2010
- Monday 18 October 2010
- Monday 13 December 2010

The meeting schedule for 2010 will be circulated via email for confirmation by all.

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# Board Minutes - 19 October 2009

Public Version  
Meeting of the .au Domain Administration Board

19 October 2009 - 10.00am  
Sheraton Hotel. Adelaide Terrace. Perth WA 6000

Present:  
Kim Heitman (Acting Chair), Chris Disspain, Julie Hammer, Graham McDonald, Tony Steven, Dwayne Varey, Amin Kroll, Josh Rowe, Marty Drill and Cheryl Langdon-Orr

Teleconference:  
Alex Woerndle

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Tristan Kathage (DBCDE, Absent for items 6.2, 9, 10 & 11), Elspeth Ross (auDA), Jo Lim (auDA), Paul Szyndler (auDA) and Jacki O’Sullivan (auDA-Minutes)

Apologies:  
Tony Staley (Chair)

- 
1. Apologies  
Tony Staley was an apology.

## 2. Continuous Disclosure

There were no matters to be disclosed.

## 3. Confirmation of Minutes

The minutes of the 17 August 2009 board meeting were confirmed.

## 4. Finance Report

The board noted the September accounts.

## 5. CEO Report

- The CEO report was noted.
- The board was advised of the auDA/AusRegistry Registrar's dinner event to be held 26 November 2009. Board members wishing to attend should contact auDA for arrangements.
- Craig Ng gave a summary on current legal matters (Privileged item).

## 6. Policy Development

### 6.1 Domain Renewal, Expiry and Deletion Policy:

The CPO gave an update on the recent policy review. Based on public comments received, it is proposed that auDA/AusRegistry publish an official domain drop list and a fixed time for domain drops. A summary paper will be prepared and published on the website for comment.

### 6.2 New 2LDs:

The board noted the Call for New 2LD Proposals released on 1 October. The board agreed to appoint Derek Whitehead as Chair of the New 2LDs Advisory Panel. A draft terms of reference for the Panel will be provided to the board for approval.

## 7. auCD Report

- The board noted the auCD report.
- The operational consolidation report was reviewed and discussed.
- Motion (proposed J Hammer, seconded G McDonald): That the board authorise staff to implement the auCD Operational consolidation report. Carried.

## 8. Membership Applications

The membership applications below were approved in the classes indicated:

- Eric Karabardak (Demand)

The board agreed to request further information from additional membership applications received.

## 9. Board Correspondence

- The DBCDE representative left the conference call for this item.
- The Minister's letter of 1 October regarding new 2LDs and name hijacking was discussed.
- Motion (Proposed C Langdon-Orr, seconded M Drill). That a response letter to the Minister be prepared. Carried.

## 10. Next Meeting

It was confirmed that the December auDA Board Meeting and Board Christmas Dinner would be held in Melbourne on Monday 14 December 2009 at 2.00pm.

## 11. Other Business

- Remuneration committee report
  - All observers left the room for this item
  - The board approved the committee's report regarding CEO remuneration and performance.
- The board thanked retiring director Alex Woerndle for his service and contribution to auDA over the past 2 years.

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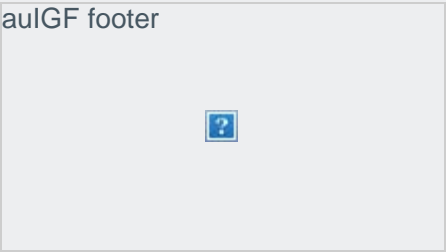
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# Board Minutes - 17 August 2009

Public Version  
Meeting of the .au Domain Administration Board

17 August 2009 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Julie Hammer, Kim Heitman, Graham McDonald, Tony Steven, Dwayne Varey, Alex Woerndle, Amin Kroll, Josh Rowe and Marty Drill

Teleconference:  
Cheryl Langdon-Orr

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Jacki O’Sullivan (auDA-Minutes) and Tristan Kathage (DBCDE)

Apologies:  
Jo Lim

---

## 1. Apologies

Jo Lim was an apology.

## 2. Continuous Disclosure

Marty Drill advised he is no longer a director of an accredited registrar, but is still a director of a reseller, Get Started Australia Pty Ltd.

## 3. Confirmation of Minutes

The minutes of the 15 June 2009 board meeting were confirmed.

## 4. Finance Report

- The board noted the June end-of-year and July accounts.
- Solvency resolution for Annual ASIC Statement (proposed T Staley, seconded K Heitman & J Hammer): The board resolved after reviewing the result of the company for the previous year, reviewing the budget for the ensuing year and considering the ability of the company to realize assets, that the company would be able to pay its debts as and when they fall due. Carried.

## 5. CEO Report

- The CEO & PAO reports were noted.
- Craig Ng gave a summary on current legal matters (Privileged item).

## 6. auDA Foundation Report

The board noted the report. The Foundation has received 39 grant applications for the 2009 funding round which will be considered for approval by the auDA Foundation board later in the month.

## 7. Policy Development

The CEO advised:

- Domain Renewal, Expiry & Deletion Policy: The policy was opened for review on 10 August with the closing date for submissions being 11 September 2009. There has been a good response to date with a strong indication that the policy requires



updating. The CEO encouraged all members to review the policy and lodge submissions as required.

- New 2LDs: It is anticipated that a call for proposals for new 2LDs will open within the next 6 months for a 3 month submission period. The board agreed to amend auDA's new 2LD selection process (approved in 2003) by 1) appointing a new 2LD evaluation committee instead of a full advisory panel, and 2) excluding closed 2LDs from consideration.

## 8. auCD Report

- The board noted the auCD report.
- The Future of auCD proposal was summarized and discussed. The strong support of the proposal by the auCD board was noted. J Hammer raised concerns regarding financial support beyond July 2010 for those communities that could not afford the 'community site in a box' hosting costs. It was agreed this should be revisited.
- The board agreed in principle to the operational consolidation proposal as recommended, including the ongoing role of the auCD board, with a proposed detailed budget for the next financial year to be reviewed at the October board meeting. The auCD board members present, T Staley & C Langdon-Orr, abstained from voting.

## 9. Membership Applications

The membership applications below were approved in the classes indicated:

- Robert Sandali (Demand)
- Rosemary Sinclair (Demand)
- Joseph Tiong (Demand)
- Domain8 Pty Ltd (Supply)
- William Lye (Demand)
- Jack Simpson (Demand)
- John Hillier (Demand)
- Glen Riseley (Demand)
- Get Started Pty Ltd (Supply)

- David Harry (Demand)
- Convertrix Pty Ltd (Supply)
- Itelligence Pty Ltd (Supply)
- NetStart Pty Ltd (Supply)
- Tony Steven (Demand)
- Corporate Web Service Pty Ltd (Demand) - Approved subject to clarification of application class

Marty Drill (Get Started Pty Ltd) and Tony Steven abstained from voting for their respective applications.

#### 10. October 2009 Board meeting & AGM

- It was confirmed that the next Board meeting and AGM would be held in Perth on Monday 19 October 2009.
- Alex Woerndle advised he would not be standing for re-election to the board at the 2009 AGM. The Chair and board thanked Alex for his contributions during his term.

#### 11. Reappointment of Independent Directors

- Motion (proposed K Heitman, seconded J Rowe & T Steven): That the board reappoint the independent directors Tony Staley, Julie Hammer and Graham McDonald for a further 12 months. Carried.
- C Disspain will circulate a note to the board regarding the independent directors' remuneration for agreement and formal resolution.

#### 12. Board Correspondence

There was no board correspondence.

#### 13. Other Business

- Future of domain names: T Steven raised the issue of the future impact on

domain names with respect to social websites (eg; Twitter/Facebook etc). J Rowe gave a summary of investigations by Australia Post into this issue and will email a summary to all for information. K Heitman also advised that research has been done into this issue however the current marketing has concluded domain names will remain core.

14. Next Meeting

The next board meeting will be held on Monday 19 October 2009 in Perth.

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# Board Minutes - 15 June 2009

Public Version  
Meeting of the .au Domain Administration Board

15 June 2009 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Julie Hammer, Kim Heitman, Graham McDonald, Tony Steven, Dwayne Varey and Alex Woerndle

Teleconference:  
Amin Kroll, Josh Rowe and Cheryl Langdon-Orr

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes) and Tristan Kathage (DBCDE)

Apologies:  
Marty Drill

- 
1. Apologies  
Marty Drill was an apology.
  2. Continuous Disclosure

There were no matters to be disclosed.

### 3. Confirmation of Minutes

The minutes of the 20 April 2009 board meeting were confirmed.

### 4. Finance Report

The board noted the May accounts.

### 5. CEO Report

Craig Ng gave a summary on current legal matters (Privileged item).

### 6. Policy Development

The Chief Policy Officer advised:

- Registrar accreditation: Accreditation applications for new registrars will open again the week of 15 June 2009. Whilst interest levels are expected to be fairly high, it may not necessarily result in large numbers of applications given the additional requirements for overseas-based applicants.
- New 2LDs: auDA has not considered proposals for new 2LDs since 2003. With the release of new gTLDs, it is considered timely to open up for new 2LD proposals again. The process will also include consideration of inactive legacy 2LDs info.au and conf.au. The board agreed that auDA should issue a call for proposals in the 2nd half of 2009.

### 7. Board & Membership Structure

Chris Disspain advised the Board & Membership Structure Sub-Committee is currently reviewing the models of other ccTLD organisations with a view to presenting a report & proposals at the August board meeting.

### 8. auCD Report

The board noted the auCD report.

## 9. Membership Applications

The membership applications below were approved in the classes indicated:

- Anestis Kozakis (Demand)
- Ravindra Sri Panditharathne (Demand)
- Phil Kapinski (Demand)
- Mike Kapinski (Demand)
- Gary Kapinski (Demand)
- ispONE (Supply)

## 10. Board Correspondence

There was no board correspondence.

## 11. ICANN Sydney

Chris Disspain reviewed the ICANN Sydney schedule and suggested meetings board members should attend. Meetings and function details will be confirmed via email including ccNSO & ALAC agenda & information.

## 12. Other Business

It was suggested the 2009 AGM be held in Perth & the December board meeting be held on 14 December in Melbourne followed by the board Xmas function. Jacki to look into venues and confirm details in due course.

## 13. Next Meeting

The next board meeting will be held on Monday 17 August 2009 at the Maddocks office in Melbourne.



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# Board Minutes - 20 April 2009

Public Version  
Meeting of the .au Domain Administration Board

20 April 2009 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Graham McDonald, Josh Rowe, Tony Steven, Cheryl Langdon-Orr, Dwayne Varey and Alex Woerndle

Teleconference:  
Paul Szyndler

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes), Brenton Thomas, Tristan Kathage, Erin Stenhouse (DBCDE), Leonie Dunbar (auCD - item 8)

Apologies:  
Nil / TBA

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1. Continuous Disclosure  
There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the 16 February 2009 board meeting were confirmed.

## 3. Finance Report

The board noted the March accounts and the 2009/2010 draft budget.

Motion (proposed Kim Heitman, seconded Marty Drill): That the board approve the 2009/2010 budget. Carried.

## 4. CEO Report

The following items were noted:

- Bottle Domains: Craig Ng gave a summary on the Bottle Domains matter. auDA terminated Bottle Domains' registrar accreditation on 15 April 2009, for breach of the Registrar Agreement. On 17 April the Supreme Court of Victoria ordered that Bottle Domains' accreditation be reinstated pending a full hearing scheduled for 22 April. The board noted that the possible termination of Bottle Domains' accreditation had been foreshadowed at the February meeting. The board formally endorsed the actions taken by the CEO in the matter to date.

- The Public Affairs Officer gave a summary of his report. Brenton Thomas noted that DBCDE would like to be engaged in auGF discussions.

Motion (proposed Kim Heitman, seconded Tony Steven): That the board give in principle agreement to the proposal to establish auDA Best Practice Awards with further details to be supplied by the Public Affairs Officer in due course. Carried.

## 5. Policy Development

The Chief Policy Officer advised that temporary staff have been engaged to conduct domain name compliance audits. An audit of org.au registrations for the past 2 years has been completed, which shows approximately 25% of registrations are non-compliant. Registrars will be asked to correct or delete their non-compliant registrations.

## 6. auCD Report

The auCD General Manager gave a summary of auCD community website activities following the Black Saturday bushfires noting there has been an overwhelming response with increased high traffic to local community sites. A summary document with further information of fire affected community websites will be distributed.

## 7. Membership Applications

The membership applications below were approved in the classes indicated:

- Scott Lunammachak (Demand)
- Leonard McQualter (Supply)
- John Swinson (Demand)
- Jason Pay (Demand)
- Fay Howard (Demand)

## 8. Board Correspondence

There was no board correspondence.

9. Other Business

- Chris Disspain advised he had been re-elected to the Multistakeholder Advisory Group of the United Nation’s Internet Governance Forum.
- Graham McDonald & Marty Drill gave a summary of their attendance at the ICANN Mexico meeting and recommended all board members should attend the ICANN Sydney meeting.
- DBCDE advised that they will be seeking auDA's input on new gTLD issues.

10. Next Meeting

The next board meeting will be held on Monday 15 June 2009 at the Maddocks office in Melbourne.

new foundation logo



**auDA Foundation**

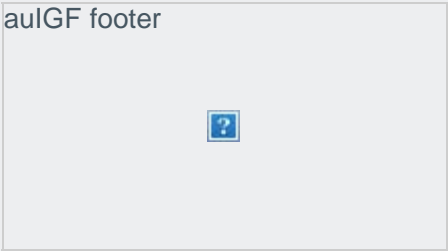
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# Board Minutes - 16 February 2009

Public Version  
Meeting of the .au Domain Administration Board

16 February 2009 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Graham McDonald, Josh Rowe, Tony Steven, Cheryl Langdon-Orr, Dwayne Varey and Alex Woerndle

Teleconference:  
Paul Szyndler

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Jo Lim (auDA), Jacki O'Sullivan (auDA-Minutes), Brenton Thomas, Tristan Kathage, Erin Stenhouse (DBCDE), Leonie Dunbar (auCD - item 8)

Apologies:  
Nil / TBA

- 
1. Continuous Disclosure  
There were no matters to be disclosed.



## 2. Confirmation of Minutes

The minutes of the 16 February 2009 board meeting were confirmed.

## 3. Finance Report

The board noted the March accounts and the 2009/2010 draft budget.

Motion (proposed Kim Heitman, seconded Marty Drill): That the board approve the 2009/2010 budget. Carried.

## 4. CEO Report

The following items were noted:

- Bottle Domains: Craig Ng gave a summary on the Bottle Domains matter. auDA terminated Bottle Domains' registrar accreditation on 15 April 2009, for breach of the Registrar Agreement. On 17 April the Supreme Court of Victoria ordered that Bottle Domains' accreditation be reinstated pending a full hearing scheduled for 22 April. The board noted that the possible termination of Bottle Domains' accreditation had been foreshadowed at the February meeting. The board formally endorsed the actions taken by the CEO in the matter to date.

- The Public Affairs Officer gave a summary of his report. Brenton Thomas noted that DBCDE would like to be engaged in auGF discussions.

Motion (proposed Kim Heitman, seconded Tony Steven): That the board give in principle agreement to the proposal to establish auDA Best Practice Awards with further details to be supplied by the Public Affairs Officer in due course. Carried.

## 5. Policy Development

The Chief Policy Officer advised that temporary staff have been engaged to conduct domain name compliance audits. An audit of org.au registrations for the past 2 years has been completed, which shows approximately 25% of registrations are non-compliant. Registrars will be asked to correct or delete their non-compliant registrations.

## 6. auCD Report

The auCD General Manager gave a summary of auCD community website activities following the Black Saturday bushfires noting there has been an overwhelming response with increased high traffic to local community sites. A summary document with further information of fire affected community websites will be distributed.

## 7. Membership Applications

The membership applications below were approved in the classes indicated:

- Scott Lunammachak (Demand)
- Leonard McQualter (Supply)
- John Swinson (Demand)
- Jason Pay (Demand)
- Fay Howard (Demand)

## 8. Board Correspondence

There was no board correspondence.

9. Other Business

- Chris Disspain advised he had been re-elected to the Multistakeholder Advisory Group of the United Nation’s Internet Governance Forum.
- Graham McDonald & Marty Drill gave a summary of their attendance at the ICANN Mexico meeting and recommended all board members should attend the ICANN Sydney meeting.
- DBCDE advised that they will be seeking auDA's input on new gTLD issues.

10. Next Meeting

The next board meeting will be held on Monday 15 June 2009 at the Maddocks office in Melbourne.

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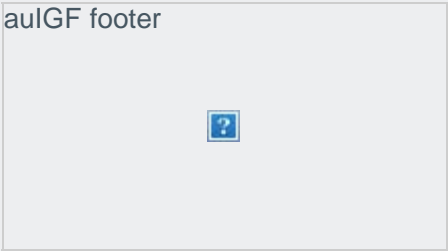
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# Board Minutes - 15 December 2008

Public Version  
Meeting of the .au Domain Administration Board

15 December 2008 - 2.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Graham McDonald, Josh Rowe, Tony Steven, Cheryl Langdon-Orr, Dwayne Varey and Alex Woerndle

Teleconference:  
Peter Nettlefold (DBCDE), Jen Watson (DBCDE) and Ivar Nell (DBCDE)

Observers:  
Craig Ng (Maddocks), John Higgins, Elspeth Ross and Jacki O’Sullivan (Minutes)

Apologies:  
Nil

- 
1. Welcome to new Director  
T Staley welcomed D Varey to the board, following election at the AGM in October.
  2. Continuous Disclosure

There were no matters to be disclosed.

### 3. Confirmation of Minutes

The minutes of the 20 October 2008 board meeting were confirmed.

### 4. Finance Report

The board noted the November accounts.

### 5. CEO Report

- The AusRegistry RLA was reviewed and it was agreed to continue along lines as proposed.

- Craig Ng updated the board on the status of the current legal matter with Domain Directors. The Board agreed auDA process was followed correctly.

### 6. Policy Development

The Complaints Committee Dispute Resolution draft ToR document was reviewed and recommendations discussed and agreed.

Action: CD & CN to agree next steps & discuss with GMcD, bring to February board meeting for final approval.

The Chairman thanked the committee for their work in developing the Dispute Resolution ToR.

### 7. auCD Report

The board noted the report.

### 8. auDA Foundation

Criteria for auDA Foundation grants will be reviewed prior to the 2009 funding round.

### 9. Membership Applications

The membership applications below were approved in the classes indicated:

- Anthony Towns (Demand)

- OZsmeBusiness (Supply)
- Robin Frousheger (Demand)
- Phillip Kingston (Demand)
- Adrian Stephan (Demand)
- Michael Gilmour (Demand)
- Bottle Domains (Supply)
- Domain Directors Pty Ltd (Supply)

Several membership applications were held in abeyance until the 16 February 2009 board meeting pending legal advice.

#### 10. Board Correspondence

There was no board correspondence.

#### 11. Other Business

- ICANN:

- Amin Kroll reported on his attendance at the ICANN meeting in Cairo. He particularly noted Australia's presence and respect held for the CEO within the ICANN community.

- The next ICANN meeting is scheduled 1-6 March 2009 in Mexico with board members attending being Graham McDonald and Marty Drill.

- The ICANN Meeting for June 2009 will be held in Sydney. auDA will be contributing as part of the host committee together with AusRegistry. All board members are welcome to attend.

- The Chairman thanked Peter Nettlefold, Jen Watson and Ivar Nell for their attendance via teleconference at this meeting.

#### 12. 2009 Meeting Schedule

16 February 2009

20 April 2009

15 June 2009

17 August 2009

19 October 2009 (and AGM)

14 December 2009

Meetings will start at 11am. Meetings will be held in Melbourne, except for the October meeting and AGM.

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# New PageBoard Minutes - 20 October 2008

Public Version  
Meeting of the .au Domain Administration Board

20 October 2008 - 2.00pm  
Sofitel Hotel. 249 Turbot Street. Brisbane QLD 4000

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Graham McDonald, Josh Rowe, Tony Steven, Cheryl Langdon-Orr and Dwayne Varey

Teleconference:  
Alex Woerndle

Observers:  
Craig Ng (Maddocks), Paul Szyndler (DBCDE), John Higgins, Elspeth Ross and Jacki O’Sullivan (Minutes)

Apologies:  
Nil

- 
1. Confirmation of Agenda  
The Agenda was confirmed.

## 2. Apologies

There were no apologies.

## 3. Continuous Disclosure

There were no matters to be disclosed.

## 4. Confirmation of Minutes

The minutes of the 18 August 2008 Board meeting were confirmed.

## 5. Election of Chair

The Acting Chair (KH) called for nominations for Chair.

Nominated: Tony Staley (moved T Steven, seconded CLO).

Elected: Tony Staley (unopposed)

## 6. Election of Vice Chair

The Chair called for nominations for Vice Chair.

Nominated: Kim Heitman (moved JH, seconded CLO).

Elected: Kim Heitman (unopposed)

## 7. Reconstitution of Board Committees

- Strategy Committee – continue unchanged.
  - Remuneration Committee – continue unchanged.
  - Complaints Committee – continue unchanged.
  - Finance Committee – moved to return Finance Committee meetings to run as per previously ie; Finance Committee to meet via phone and formally approve accounts prior to Board Meetings. KH/CLO to continue on the Finance Committee, DV & AW to join.
- Carried.

## 8. Finance Report

- The Board noted the September accounts.
- Forecasts – registrations & monthly renewals should commence being monitored and way forward agreed.

Action: CD to compile and send to board members a simple set of numbers for registrations & monthly renewals compared to same time last year.

### 8.1 Solvency resolution for annual ASIC statement

It was resolved, after reviewing the result of the company for the previous year, reviewing the budget for the ensuing year and considering the ability of the company to realize assets, that the company would be able to pay its debts as and when they fall due.

## 9. CEO Report

The CEO Report was reviewed during the AGM.

## 10. Policy Development

Industry Competition Advisory Panel:

- Greg Crew provided an update and summary on the final Panel recommendations to the Board.
- The legal implications raised by the ACCC were reviewed and explained by Craig Ng, Maddocks.

The board passed the following resolutions (proposed TS, seconded by the Board):

That the board accept Recommendation 1 – that the existing competitive registry model should be retained with future licence terms to be increased from the current 4 year licence term to either a 6 or 8 year licence term.

That the board accept Recommendation 2 – that auDA negotiates with the current registry operator with a view to extending the current registry licence term by up to 4 years. Such an extension should be subject to agreement being reached on (a) a suitable pricing model and (b) the inclusion of all items that auDA would require in a new license.

That the board accept Recommendation 3 - that if auDA and the current registry operator cannot reach an agreement as per Recommendation 2, the registry licence should be opened for public tender for a new term commencing in July 2010 and for a period as determined in Recommendation 1.

That the board accept Recommendation 4 - that auDA should amend the requirements for registrar accreditation from a requirement to be registered for the Goods and Services Tax (GST) to a requirement that all overseas accredited registrars must (i) be an incorporated company in their own jurisdiction (ii) obtain an ARBN from ASIC and (iii) obtain an ABN from the ATO.

That the board accept Recommendation 5 – that auDA should work with the Australian Internet community to develop mechanisms to ensure registrars have fair and equitable access to the registry so that the ownership of a number of registrar accreditations does not create an unfair market advantage.

That the board accept Recommendation 6 – no changes to the structure of the application and yearly fees for registrar accreditation.

That the board accept Recommendation 7 - that auDA work with the Australian Internet community to compile a list of registrar functions that would be subject to regulation by auDA.

That the board accept Recommendation 8 - that subject to the introduction of an independent appeals process, auDA should develop with the Australian Internet community a formalised system of penalties for breaches by registrars.

The board added the proviso that it's acceptance of some recommendations, notably Recommendation 2, is subject to a technical specifications review and set up of a Technical Committee.

Actions: auDA staff to prepare implementation plans, technical specifications review and set up Technical Committee.

The Board commended Greg Crew for bringing the panel to consensus on difficult issues and producing a report that was able to be so readily accepted. The Board thanked the panel for their efforts and willingness to be involved in auDA policy development.

#### 11. Strategy Sub-Committee

- The draft Initial Principals document was reviewed.
- The Board agreed to proceed.

#### 12. Complaints Committee Report

- Graham McDonald gave a verbal update to the Board on the Complaints Handling Committee noting that the Complaints Handling Committee draft document has been circulated and is pending comments.
- A further meeting will be held next week and the final document ready for the December Board meeting.

#### 13. Security Review

The board noted the final report.

#### 14. auCD Report

- The board noted the report.
  - The board noted the great work being done by Leonie Dunbar with auCD.
- Applications have increased due to Leonie's efforts and she is currently talking to possible sponsors to secure longer term sponsorship.

#### 15. Membership Applications

The members below were approved in the classes indicated:

- Andre Nadar (Demand)
- James Rowe (Demand)
- Charles Lee (Demand)

#### 16. Board Correspondence

There was no board correspondence.

#### 17. December 2008 Board Meeting

It was confirmed that the December auDA Board Meeting and Board Christmas Dinner would be held in Melbourne on Monday 15 December 2008.

#### 18. Other Business

Closed board session.

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# Board Minutes - 18 August 2008

Public Version  
Meeting of the .au Domain Administration Board

18 August 2008 - 2.00pm  
Sebel Heritage, Yarra Valley

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Graham McDonald, Josh Rowe, Tony Steven, Alex Woerndle, Cheryl Langdon-Orr, John Higgins, Elspeth Ross, Jacki O’Sullivan (Minutes)

Teleconference:  
Bennett Oprysa, Paul Szyndler (DBCDE) and Peter Nettlefold (DBCDE)

Observers:  
Martin Boyle (Nominet UK) and Patrick Sharry

Apologies:  
Nil

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## 1. Confirmation of Agenda

The Agenda was confirmed.

## 2. Apologies

There were no apologies.

## 3. Continuous Disclosure

There were no matters to be disclosed.

## 4. Confirmation of Minutes

The minutes of the 16 June 2008 Board meeting were confirmed.

## 5. Finance Report

- The Board noted the July accounts.
- The Board noted the 07/08 year-end accounts which will now be sent to the auditors for review. The Audited accounts will be finalised in September and sent out prior to the October AGM.

Action: JH/CD to check Bad debt \$6000 negative variance item and advise back to the Board.

## 6. CEO Report

The CEO Report was reviewed and the following items were noted:

- The SME Research & Survey process was outlined. It was suggested and agreed a survey should be included in the registrant's standard email. It may be possible for this to be set up on an ongoing basis.

Action: CD to include survey in registrant's email.

## 7. Policy Development

Industry Competition Advisory Panel update:

- Greg Crew provided a written report on the Panel status to date.

## 8. Complaints Committee Report

Graham McDonald gave a verbal update to the Board on the Complaints Handling Committee. The draft Complaints Handling Committee document has been commenced. Once it has been approved in principle by the Board it will be published for public comment.

## 9. Security Review

The final Security Review document was discussed. The document will now proceed to the SSAC for review and recommendations back to the Board.

- It was noted and agreed that the final document should be marked 'Confidential and not for wider distribution'.
- The board noted further discussion is required on the remaining Independent 2nd level domains in Australia.

Actions: CD to prepare a plan for remaining Independent 2nd level domains for further Board discussion.

CD to have final Security Review document marked 'Confidential and not for wider distribution'.

#### 10. auCD Report

The board noted the report.

#### 11. Membership Applications

The members below were approved in the classes indicated:

- Kelvin Markham (Demand)

#### 12. October Board Meeting & AGM

- It was confirmed that the October auDA Board Meeting and AGM would be held on 20 October 2008 in Queensland with the location and venue to be advised.

Action: CD/JOS to source venues and commence arrangements.

#### 13. Board Correspondence

There was no board correspondence.

#### 14. Next Meeting

The next board meeting will be held on Monday 20 October 2008 at 2.00pm – venue/location TBA.

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# Board Minutes - 16 June 2008

Public Version  
Meeting of the .au Domain Administration Board

16 June 2008 - 11.00am  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Tony Staley (Chair), Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Jo Lim, Graham McDonald, Josh Rowe, Tony Steven, Alex Woerndle, Elspeth Ross, Jacki O’Sullivan (Minutes)

Teleconference:  
Bennett Oprysa and Cheryl Langdon-Orr

Observers:  
Paul Szyndler (DBCDE)

Apologies:  
John Higgins (Hayes Knight) and Greg Crew

---

## 1. Confirmation of Agenda

The Agenda was confirmed.

## 2. Apologies

The following apologies were noted:

John Higgins (Hayes Knight) – Finance Report.  
Greg Crew - Industry Competition Advisory Panel update.

## 3. Continuous Disclosure

There were no matters to be disclosed.

## 4. Confirmation of Minutes

The minutes of the 14 April 2008 meeting were confirmed.

## 5. Finance Report

The Board noted the May accounts.

The Board was advised the 07/08 year-end accounts would be completed by end July and available at the August Board meeting.

## 6. CEO Report

The CEO Report was reviewed and the following items were noted:

Misspellings: The CEO raised the issue of major brand owners being unaware of registrations of similar misspellings of brand domain names. The Board noted that it is not auDA's role to provide protection to brand owners, however there may be more that auDA can do to encourage brand owners to protect themselves.

## 7. Policy Development

Industry Competition Advisory Panel update:

Greg Crew was an apology for the update and his apology was noted by the Board. A written report was provided on the Panel status to date.

Alex Woerndle & Amin Kroll would raise the subject of the Panel at the Registrars conference in July.

The Panel is aiming to issue its first public consultation report paper by the end of June with the final recommendations paper to the auDA Board scheduled for December 2008.

The board noted that registrar accreditation applications are currently on hold

pending the review of the accreditation policy and process by the Panel. The board agreed that the suspension should apply to all prospective applicants, and that it would not be appropriate to grant any exemptions. Given that the Panel's recommendations may have the effect of changing the business case for becoming a registrar, the board agreed that suspending accreditation applications is the most appropriate approach.

## 8. Complaints Committee Report

Graham McDonald gave a verbal update to the Board on the Complaints Handling Committee. 2 meetings have been held so far with initial discussions around the structure and options of an appeals mechanism for handling complaints. A report will be provided to the Board at the next meeting in August.

## 9. Security Review

Bernie Turcotte attended and gave a verbal update to the Board on the progress of the Security Review. The following was noted:

The review is aimed at benchmarking the security arrangements for .au and the .au 2LDs against world best practice.

Bernie is currently conducting site visits in Australia. Reports are currently being prepared and will be made available shortly.

## 10. auCD Report

The board noted the report.

## 11. Membership Applications

The members below were approved in the classes indicated:

Karl Williams (Supply)

David Underhill (Supply)

Karen Mills (Demand)

Stuart Benjamin (Demand)

## 12. Board 'Retreat'

It was confirmed that the auDA Board Meeting and Board Retreat would be held at the Sebel Heritage, Yarra Valley on Monday 18 & Tuesday 19 August 2008. Jacki O'Sullivan will contact all Board members regarding venue transfers and final arrangements.

It was noted that Emily Taylor, Nominet UK would attend the Retreat to update the Board on how Nominet UK operates including details of their sponsorship of the UKIGF which feeds into the UNIGF.



13. Board Correspondence

There was no board correspondence.

14. Other Business

The Board thanked Jo Lim and wished her well on her impending maternity leave.

15. Next Meeting

The next board meeting will be held on Monday 18 August 2008 at the Sebel Heritage, Yarra Valley at 2.00pm.

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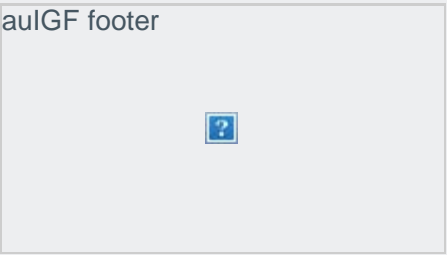
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# Board Minutes - 14 April 2008

Public Version  
Meeting of the .au Domain Administration Board

14 April 2008 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Cheryl Langdon-Orr, Jo Lim, Graham McDonald, Josh Rowe, Tony Staley, Tony Steven, Alex Woerndle

Teleconference:  
Bennett Oprysa

Observers:  
John Higgins (Hayes Knight), Paul Szyndler (DBCDE)

Apologies:  
Nil

---

1. Continuous Disclosure  
There were no matters to be disclosed.

2. Confirmation of Minutes

The minutes of the 18 February 2008 meeting were confirmed.

### 3. Finance Report

The board noted the March accounts.

### 4. 08/09 Budget

The board noted that the 08/09 budget is almost break-even, in line with the agreed budgetary policy to reduce auDA's operating surplus over time. Accordingly, auDA is not in a position to further reduce its domain name fee at this time.

In approving the 08/09 budget, the board noted that the Industry Competition Advisory Panel's recommendations (due at the end of 2008) may have an impact on auDA's expenses in 2009 and its ongoing cost structure.

Motion (proposed Kim Heitman, seconded Marty Drill): That the board approve the 08/09 budget. Carried.

### 5. CEO Report

The following items were noted:

- Cyberstorm II

auDA participated in Cyberstorm II during March, which reinforced the need to establish an appropriate communications protocol with Australian ISPs to improve auDA's disaster recovery planning.

- auDA Foundation

The board noted that all 2006 grant recipients have now provided their final reports.

### 6. Policy Development

- Industry Competition Advisory Panel appointments

auDA received 22 nominations for the Panel. The board:

- o agreed to increase Panel membership from 15 to 16
- o appointed Amin Kroll and Alex Woerndle from supply class, and Cheryl Langdon-Orr and Tony Steven from demand class
- o approved the other recommended appointments.

Motion (proposed Josh Rowe, seconded Kim Heitman): That the board approve the recommended appointments to the Panel. Carried.

- New transfers policy (secondary market) implementation progress report

The board was advised that the new policy will take effect on 1 June 2008.

The board noted that registration activity by domainers has steadily increased since the initial announcement in December 2007 that the transfers policy would be relaxed. auDA staff are monitoring the situation and taking appropriate action where there has been a breach of policy.

- Reserved List Policy

The board noted that auDA has recently published a revised Reserved List Policy

that enables auDA to place a name on the reserved list for technical security reasons, with the approval or ratification of the board.

Motion (proposed Marty Drill, seconded Josh Rowe): That the board ratify the decision to place “wpad” on the reserved list for technical security reasons. Carried.

## 7. auDA Strategic Plan

The board noted the final version of the Strategic Plan.

In relation to action 1(a), establishing an appeals mechanism for complaints to auDA, Graham McDonald agreed to chair a sub-committee to consider options and provide recommendations to the board.

Action: Board sub-committee to report on options for an appeals mechanisms by the end of the year.

## 8. Security Review

The board noted the proposed topic structure for the security review. Given the highly specialised nature of the review, the board agreed that it would be inappropriate to run a standard commercial tender process. The review will need to be conducted by a person or organisation with TLD DNS and registry operational knowledge, most probably from another ccTLD.

Action: Chris Disspain to identify suitable candidates to undertake the review and report back to the board.

## 9. auCD Report

The board noted the report.

## 10. Membership Applications

The members below were approved out of session following the meeting, in the classes indicated:

Simon Johnson (Demand)  
Khajaque Kortian (Demand)

## 11. Board 'Retreat'

The board agreed that it would be useful to hold a one day 'retreat' to discuss the future role of auDA.

Action: Chris Disspain to make arrangements for the board retreat.

## 12. Board Correspondence

There was no board correspondence.

13. Other Business

There was no other business.

14. Next Meeting

The next board meeting will be held on Monday 16 June 2008 at the Maddocks office in Melbourne.

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# Board Minutes - 18 February 2008

Public Version  
Meeting of the .au Domain Administration Board

18 February 2008 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Cheryl Langdon-Orr, Jo Lim, Graham McDonald, Bennett Oprysa, Josh Rowe, Tony Steven and Alex Woerndle

Teleconference:  
Jen Watson (DBCDE)

Observers:  
John Higgins (Hayes Knight) and Paul Szyndler

Apologies:  
Tony Staley

- 
1. Welcome to New Director  
The board welcomed Graham McDonald, appointed as an independent director.
  2. Continuous Disclosure

There were no matters to be disclosed.

### 3. Confirmation of Minutes

The minutes of the 10 December 2007 meeting were confirmed.

### 4. Finance Report

The board noted the January accounts.

### 5. CEO Report

The board noted the report.

### 6. Policy Development

- New transfers policy (secondary market) implementation plan

The board considered the draft implementation plan. Key features of the new policy are:

- o registrants may offer their domain name for sale (licence transfer) by any means
- o registrant transfers will be processed by the registrar of record using a standard transfer form
- o parties to a transfer will be asked to disclose the sale method and price, on a voluntary basis
- o the “correction to registrant details” process will be tightened up
- o auDA will issue a policy clarification on the prohibition on registering domain names for the purpose of resale
- o registrants will not be able to transfer their domain name for the first 6 months after registration.

The board thanked Derek Whitehead, chair of the 2007 Names Policy Panel, for his stewardship of this significant change to .au policy.

The board noted that the public education campaign will be very important in ensuring that the market is well-informed. It was suggested that there is already a degree of uncertainty about when the changes will be introduced.

Motion (proposed Alex Woerndle, seconded Marty Drill): That the board endorse the implementation plan for the new transfers policy. Carried.

Action: auDA staff to consult with AusRegistry and registrars on the technical aspects of implementation, and provide a progress report and timeline at the April board meeting.

- Industry Competition Advisory Panel terms of reference

Greg Crew has accepted an invitation to chair the Panel. auDA is aiming to issue a call for Panel nominations by the end of the month. Board members who want to join the Panel do not need to submit a nomination.

The board noted comments that some members of previous Advisory Panels, especially those from outside the industry, did not appear to have a good understanding of basic domain name policies and practices. It was agreed that

auDA should hold an induction session for non-industry Panel members.

Action: auDA staff to circulate the draft terms of reference for consideration and approval via the board mail list.

## 7. auDA Strategic Plan

The board noted the outcomes of public consultation on the draft strategic plan. Responses were mostly positive and no major changes have been made to the plan.

Action: auDA staff to finalise the draft plan, including timetable, for approval at the April board meeting.

It was suggested that auDA might enhance its position in the industry by using available registry data to produce reports on domain registrations and related issues.

Action: auDA staff to investigate the types of registry data that may be captured and analysed, for possible publication purposes.

## 8. Security Review

The board agreed to a proposal from the chair of the Security and Stability Advisory Committee (SSAC), that auDA commission an information systems security and assurance study of the .au domain. It is intended that the SSAC would review the study and make its own recommendations to the board for any changes to physical, managerial and technical security.

The board noted that the SSAC has held preliminary briefings and discussions with relevant organisations, and has not identified any immediate problems or risks in current operations.

Action: auDA staff to issue an RFP for the security study.

## 9. auCD Report

The board noted the second progress report from auCD.

The board also noted auCD's revised business plan for the period 2008-2009, which aims to use its remaining funds in a way that maximises the uptake of community geographic domain names.

Motion (proposed Marty Drill, seconded Amin Kroll): That the board accept the second progress report from auCD and authorise payment of the final grant instalment. Carried.

## 10. Membership Applications

The members below were approved in the classes indicated:

The Web Company (Supply)  
Betty Renz (Demand)  
Aaron Frauenfelder (Demand)  
Ari Klinger (Demand)

#### 11. Board Correspondence

There was no board correspondence.

#### 12. Other Business

- ICANN

Chris Disspain, Cheryl Langdon-Orr and Tony Steven reported on their attendance at the ICANN meeting in Delhi.

- Advisory Panel review

The board noted that there will be a review of the Advisory Panel process at the conclusion of the Industry Competition Advisory Panel.

#### 14. Next Meeting

The next board meeting will be held on Monday 14 April 2008 at the Maddocks office in Melbourne.

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# Board Minutes - 10 December 2007

Public Version  
Meeting of the .au Domain Administration Board

10 December 2007 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Chris Disspain, Marty Drill, Julie Hammer, Kim Heitman, Amin Kroll, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe, Tony Staley, Tony Steven and Alex Woerndle

Teleconference:  
Derek Whitehead (in context to item 6)

Observers:  
John Higgins (Hayes Knight), Paul Szyndler and Jen Watson (DBCDE)

Apologies:  
Nil

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1. Welcome to New Directors  
TStaley welcomed AK, TStevens and AW to the board, following their election at the AGM in October.



## 2. Continuous Disclosure

AK advised that he is managing director of IntaServe Pty Ltd, an auDA accredited registrar, and director of Hostway Corporation, a reseller.

TStevens advised that he is CEO of the Council of Small Business Organisations of Australia (COSBOA).

AW advised that he is managing director of Distribute IT Pty Ltd, an auDA accredited registrar.

## 3. Confirmation of Minutes

The minutes of the 22 October 2007 meeting were confirmed.

## 4. Finance Report

The board noted the November accounts.

## 5. CEO Report

The following issue was noted:

- Registrar accreditation

The board noted that auDA has currently suspended new registrar accreditation applications, due to a backlog. The board also noted some challenges that have arisen recently, with more overseas-based applicants and existing registrars seeking multiple accreditations.

The entire industry model (registry, registrars and resellers) is due to be reviewed by an Advisory Panel in 2008. The board agreed that it would be desirable to wait until the review has been completed (at least, with respect to registrar accreditation) before accepting new applications.

Action: auDA staff to draft Panel Terms of Reference for consideration at the February board meeting.

## 6. Policy Development

- 2007 Names Policy Panel

DW presented the Panel's final report. Most recommendations were canvassed in the Panel's second public consultation, with the exception of the secondary market issue which the Panel did not reach consensus on until its final meeting in October.

DW also provided feedback from the Panel on new elements introduced this year, as requested at the last board meeting:

- o payment of expenses for some Panel members – this was supported, and resulted in a higher level of attendance at meetings than with previous Panels
- o inclusion of auDA directors on the Panel – some concerns were raised about directors having “two bites at the cherry”, but generally it was considered beneficial
- o market research surveys commissioned by auDA – this was considered to be of limited use only, due to the difficulty in framing a meaningful questionnaire.

The board passed the following resolutions (proposed JR, seconded MD):

- (1) That the board accept Recommendation 1, that .au should not be opened up the direct registrations at this time.
- (2) That the board accept Recommendation 2a, that the .au domain name licence conditions should allow auDA to suspend a domain name without notice at the request of an Australian regulatory or law enforcement agency.
- (3) That the board accept Recommendation 2b, that the eligibility criteria for existing 2LDs should remain unchanged, but that auDA should consider re-launching info.au as a “catch-all” 2LD for users who do not fit within the current 2LD taxonomy.
- (4) That the board accept Recommendation 2c, that registrars should continue to be required to verify registrant details at the time of registration, by automated check if possible but otherwise by manual check.
- (5) That the board accept Recommendation 2d, that the registrant warranty statement should be strengthened in relation to providing true and accurate eligibility details at the time of registration.
- (6) That the board accept Recommendation 2e, that registrants should be able to license domain names for 1, 2 and 3 year periods, but that implementation be delayed until the new registry licence commences in 2010.
- (7) That the board accept Recommendation 2f, that the close and substantial connection rule should remain unchanged, but the clarification policy relating to domain monetisation should be strengthened to provide additional protection to brand names.
- (8) That the board accept Recommendation 3, that the transfers policy be relaxed to allow a registrant to transfer their domain name licence to another eligible entity, for any reason; and that auDA conduct a two year review of the new transfers policy.

The board added the proviso that its acceptance of some recommendations, notably Recommendation 3, is subject to a suitable implementation plan.

The board commended DW for bringing the Panel to consensus on difficult issues, and producing a report that was able to be so readily accepted. The board also acknowledged JL’s work in support of the Panel.

Action: auDA staff to prepare implementation plans for the Panel’s recommendations (where appropriate), for consideration at the February board meeting.

## 7. auDA Foundation Report

The board noted the report.

## 8. auCD Report

The board noted the report.

The board continued discussion from the last meeting in relation to the future of auCD. The following points were noted:

- auDA has made a public commitment to use the funds raised from the

commercial geographic names ballot to support the release of community geographic names

- the Grant Agreement does not require auCD to become self-funding at the end of the term, it is a performance measure for the overall success of the project
- there are different ways in which auCD might continue after funding from auDA ceases, but even if it does not, the namespace itself will continue.

The board agreed to vary the December 2007 milestone in the Grant Agreement, to reduce the number of domain name licences issued from 100 to 33, to facilitate payment of the final grant instalment to auCD.

The board also requested the auCD board to prepare a new business plan which focuses on how to use the remaining funds to achieve critical mass in the number of registered domain names.

#### 9. Appointment of Independent Director

Following changes to the constitution in 2006, the board has the right to appoint up to 3 independent directors. It was agreed that one of the reasons for appointing a third independent director should be to address any skill shortages on the board. The current composition of the board includes SME registrars with technical and market knowledge, and representatives of non-profits, small business and Internet users.

#### 10. Membership Applications

The members below were approved in the classes indicated:

Aland Holdings Pty Ltd (Supply)  
Ricardo da Paz (Demand)  
Gordon Frend (Demand)  
Dean Shannon (Demand)  
Jamie Murphy (Demand)  
Bill Hatzicostas (Demand)  
Duncan Riley (Demand)

#### 11. Remuneration Committee Report

CD, JL and JHiggins left the room for this item.

The board approved the committee's report regarding CEO remuneration and performance.

#### 12. Board Correspondence

There was no board correspondence.

#### 13. Other Business

- Reappointment of TStaley as independent director

Motion (proposed KH, seconded TStevens): That TStaley be appointed as an director for a further 12 months. Carried.

- Election of Chair and Deputy Chair

TStaley was elected Chair unopposed.

KH was elected Deputy Chair unopposed.

Action: Board committees to be appointed by email before the next meeting.

- ICANN meetings

JHammer advised that she attended the ICANN meeting in LA and found it very beneficial in terms of improving her understanding of the issues, and observing the prominent role that Australia plays, through people like CD and CLO.

Action: Directors to advise CD if they wish to attend either of the ICANN meetings in February and November 2008.

#### 14. 2008 Meeting Schedule

Monday 18 February 2008

Monday 21 April 2008 (to be confirmed)

Monday 16 June 2008

Monday 18 August 2008

Monday 20 October 2008 (and AGM)

Monday 15 December 2008

Meetings will start at 11am.

Meetings will be held in Melbourne, except for the October meeting and AGM.

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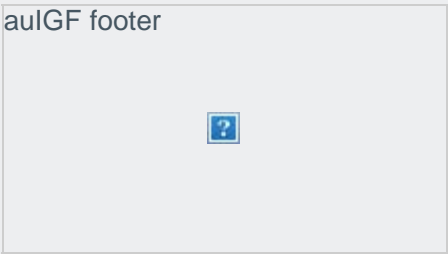
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# Board Minutes - 22 October 2007

Public Version  
Meeting of the .au Domain Administration Board

22 October 2007 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Chris Disspain, Marty Drill, Brett Fenton, David Goldstein, Julie Hammer, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe and Tony Staley

Observers:  
John Higgins (Hayes Knight), Nikki Vajrabukka and Paul Szyndler (DCITA)

Apologies:  
Peter Shilling

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1. Continuous Disclosure  
JR advised that he has resigned as a director and shareholder of reseller Sanctum Internet Pty Ltd.

CLO advised that she may be appointed chair of ICANN's At-Large Advisory Committee at the upcoming ICANN meeting.

## 2. Confirmation of Minutes

The minutes of the August and October 2007 meetings were confirmed.

## 3. Finance Report

The board noted the September accounts.

## 4. CEO Report

The following issues were noted:

- Stability and Security Advisory Committee (SSAC)

The next SSAC meeting is scheduled for December. The SSAC is likely to propose that auDA commission an independent security review and threat assessment of .au. The SSAC's role will be to evaluate the independent report and make recommendations to the auDA board.

The board noted that auDA is also participating in a government security review of critical national infrastructure.

Action: The SSAC to prepare an indicative workplan and timetable for board approval.

## 5. auDA Strategic Plan

The board discussed the redrafted Strategic Plan and noted actions completed to date. The following additions to the plan were suggested:

- a strategy for identifying new technological developments that may impact on .au (more than just a technology refresh)
- listing some national fora in representational activities, eg. NICTIA, IPv6 Summit
- reference to the auDA Foundation and auCD.

The board agreed that public consultation on the Strategic Plan would help to improve auDA's relationship with its key stakeholders and may increase general public awareness and support of auDA's role and activities. It was suggested that public consultation should also focus on membership and the types of services that members might want or expect from auDA.

The board discussed the merits of accepting Patrick Sharry's proposal without seeking wider expressions of interest/alternative proposals but accepted that, while that was normal prudent practice, in this particular instance, Patrick Sharry's experience in facilitating consultation on the ICANN Strategic Plan gave him unique skills and understanding in this regard.

Action: CD to amend the draft Strategic Plan as agreed, and request Patrick Sharry to revise his public consultation proposal to include membership issues.

## 6. Policy Development

- 2007 Names Policy Panel

DW gave a progress report. The Panel held its second public consultation during September, to which there was a relatively low response rate. The Panel has



reached agreement on the issue of direct registrations and some minor changes to the policy rules. The secondary market issue remains outstanding; although the majority of Panel members support relaxation of the current transfer policy, the supporters and opponents of an open secondary market hold equally strong views. The Panel is expected to hold its final meeting on 23 October.

The board requested feedback from the Panel on new elements introduced to the advisory panel process this year, including payment of expenses for some Panel members, inclusion of auDA directors on the Panel, and the market research surveys commissioned by auDA.

- auDRP review

auDA reviewed the auDRP in August/September. Eight public submissions were received, including from three of the four auDRP Providers.

The board agreed that the following amendments will be made to the auDRP Policy and Rules:

- increase the fees by a reasonable amount, subject to further consultation with Providers
- clarify that Panelists may use website archives such as the “Wayback Machine” to assist in making a determination
- clarify auDA’s role in relation to ensuring the overall integrity of the auDRP, and that in the case of substantive procedural flaws in a proceeding, auDA may request that the Provider re-administer the proceeding.

The board also agreed that action should be taken to improve auDRP awareness and education, such as conducting information seminars and workshops for Panelists.

- CGDN review

auDA reviewed the CGDN Policy Rules and Guidelines in August/September. No public submissions were received. auDA held consultations with auCD staff, and the auCD board endorsed the recommendations going forward to the auDA board.

The board agreed that auDA and auCD will undertake the following actions:

- in consultation with the CGNA and other relevant stakeholders, examine the possibility of making regional names and names of cultural significance (including capital city names) available for registration as CGDNs
- seek advice about the legal status of Special Committees of Council (or equivalent) and their suitability to hold a CGDN licence.

## 7. auDA Foundation Report

The board noted the report.

Action: CD to provide the board with copies (or a summary) of the final reports from the first round of funding grants in 2006.

## 8. auCD Report

The board noted the report, including advice that auCD has reduced its domain

name licence target for the 2007 calendar year from 100 to 33. The board discussed reasons why the target had been reduced and its effect on auCD's obligations under the Grant Agreement between auDA and auCD. It was agreed that auDA and auCD should be working together to improve the takeup of CGDNs, for example, by making changes to the policy rules (as per the outcome of the CGDN review). Further discussion of this item was held over to the next meeting.

#### 9. Appointment of Independent Director

This item was held over to the next meeting.

#### 10. Membership Applications

This item was held over to the next meeting.

#### 11. Board correspondence

This item was held over to the next meeting.

#### 12. Next Meeting

The next board meeting will be held on Monday 10 December in Melbourne.

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# Board Minutes - 8 October 2007

Public Version  
Meeting of the .au Domain Administration Board

8 October 2007 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Chris Disspain, Marty Drill, Brett Fenton, David Goldstein, Julie Hammer, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe and Tony Staley

Observers:  
Nikki Vajrabukka, Paul Szyndler, Jen Watson, Tracey Smith (DCITA), Mark Henry and Amalia Moylan (Maddocks)

Apologies:  
Peter Shilling

CD and JL left the room for the first half of the meeting.

The board discussed advice from Maddocks regarding its investigation into a formal complaint lodged by Larry Bloch in relation to the EGM held on 13 August 2007. These discussions are not minuted but the conclusions reached by the board were advised to CD and JL after they rejoined the meeting and are summarised below.

The following issues were noted:

- Details of the complaint

According to Maddocks' report, there was no evidence to support the allegation that the CEO had exerted undue influence or duress on any member in relation to their vote, or that any member had been misled as to their entitlement to vote.

- Proxies

auDA has changed its proxy-handling process. Proxies will be lodged with Maddocks and will not be provided to auDA staff until after the closing date. Maddocks will adopt the auDA process of checking the validity of proxy forms, verifying them against the member database and notifying any members of inaccurate or incomplete votes.. It was agreed that the chair is entitled to review proxies before a general meeting.

- Membership

The board discussed the need to ensure that membership queries are dealt with in a consistent manner and that information provided to members is accurate. The board also noted that auDA's processes for handling membership renewals and maintenance of members' contact details may need to be reviewed.

Action: CEO to provide advice at the next board meeting about options for processes to deal with membership queries, membership renewals and maintenance of members' contact details.

- CEO contact with members

The board confirmed that it falls within the CEO's duties to contact members before a general meeting to encourage them to vote. The board may also instruct the CEO to explain the board's position to members regarding any resolutions at a general meeting.

- Corporate governance

The chair reminded directors that if they have a grievance they should raise it with him in the first instance, and he will ensure that it is dealt with in an appropriate manner.

The board endorsed the appointment of Maddocks to handle the investigation. MH explained that in this matter he was acting for the board and not the CEO, and care was taken to ensure that the investigation was kept separate from auDA's other interactions with Maddocks.

The board accepted Maddocks' report and recommendations. It was agreed that the report, amended to remove the names of individuals, should be provided to Larry Bloch and all auDA members. Any questions about the report should be directed to the chair.

Motion (proposed MD, seconded CLO): That the board express its full confidence in the CEO. Carried unanimously.

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# Board Minutes - 13 August 2007

Public Version  
Meeting of the .au Domain Administration Board

13 August 2007 - 1.00pm  
Maddocks. Angel Place, 123 Pitt Street. Sydney NSW 2000

Present:  
Chris Disspain, Marty Drill, Brett Fenton, David Goldstein, Julie Hammer, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe, Peter Shilling and Tony Staley

Observers:  
Paul Szyndler (DCITA)

Apologies:  
Nil

- 
1. Continuous Disclosure  
DG advised that he has started providing his domain name news service to ACMA and DENIC.
  2. Confirmation of Minutes  
The minutes of the June 2007 meeting were confirmed.

### 3. EGM Outcomes

The special resolutions put to members were passed by the requisite majority in each class (refer to EGM Minutes). The changes to the constitution take immediate effect.

Action: Supply class members to be notified of possible changes to their membership.

CD proposed that a full independent review of auDA's membership and board structure be conducted by external consultants. If the board agrees, the review would take place during 2008.

Action: CD to advise the board of different review options at the October meeting.

### 4. Policy Development

- 2007 Names Policy Panel

JL gave a progress report on behalf of Derek Whitehead. The Panel is working towards its second consultation report, which will contain its draft recommendations to the board. Two issues remain outstanding – the domain monetisation policy, and resale of domain names.

JL advised that domain tasting may form part of the Panel's discussion of domain monetisation. It was noted that domain tasting is not just a policy issue, but also has security and stability implications. The board agreed that domain tasting does not fall within the Panel's Terms of Reference, and should not be included in the Panel's recommendations.

### 5. Finance Report

The board noted the July accounts.

### 6. CEO Report

The following issues were noted:

- Education and media

The current focus of auDA's education and media program is on raising small business awareness. It was noted that auDA is working on developing better links and communication with relevant state government agencies (eg. consumer affairs).

- auDA Strategic Plan

CD advised that an updated Strategic Plan, including actions completed to date and a timetable for outstanding actions, will be presented to the board at the October meeting.

### 7. auDA Foundation Report

The board noted the report. The Foundation has received 65 grant applications for the 2007 round, and total funds sought is approximately \$1.7million.

## 8. auCD Report

The board noted the report. It is anticipated that outcomes of the community geographic domain name policy review, and any consequential changes to auCD operations, will be presented to the board at the October meeting.

## 9. AGM 2007

The AGM will be held in Melbourne on Monday 15 October, after the board meeting.

The board noted that holding the AGM in conjunction with the October board meeting (instead of sometime in November) makes it possible to hold a board meeting in December, thereby maintaining a bi-monthly meeting schedule throughout the year.

## 10. Membership Applications

The members below were approved in the classes indicated:

Aussie HQ (supply)  
Anchor Systems (supply)  
Peter Davidoff (demand)  
Consumers' Telecommunication Network (demand)  
Jeremy Feiglin (demand)

The application from Planet Domain (supply) was held over, due to changes in supply class membership qualifications following the EGM.

## 11. Board correspondence

There was no correspondence.

## 12. Other Business

The board noted that KH attended the ICANN Puerto Rico meeting in June, and JH will attend the ICANN LA meeting in November. It was agreed that all directors should be given the opportunity to attend ICANN meetings.

Action: CD to recommend a policy for director attendance at ICANN meetings.

## 13. Next Meeting

The next board meeting will be held on Monday 15 October in Melbourne, before the AGM.

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# Board Minutes - 12 June 2007

Public Version  
Meeting of the .au Domain Administration Board

12 June 2007 - 1.00pm  
Maddocks. Angel Place, 123 Pitt Street. Sydney NSW 2000

Present:  
Chris Disspain, Marty Drill, Brett Fenton, David Goldstein, Julie Hammer, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Elspeth Ross and Tony Staley

Teleconference:  
Josh Rowe

Observers:  
Evan Arthur (AICTEC), Craig Ng (Maddocks), Don Williams, Killian O’Shaughnessy (DCITA) and Derek Whitehead (Names Panel)

Apologies:  
Peter Shilling

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1. Continuous Disclosure  
There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the April 2007 meeting were confirmed.

## 3. Policy Development

### • 2007 Names Policy Panel

Derek Whitehead gave a progress report. The Panel released an Issues Paper for public consultation on 18 May. There have been few responses to date, which may indicate that there is no real pressure for any significant change to the existing .au policy framework. The board noted that the consultation has been advertised via online means only, and it was suggested that there may be a need to try to raise awareness of the Panel's work among a broader cross-section of the community, including large companies.

### • edu.au

Evan Arthur presented AICTEC's proposed changes to edu.au policy and operations. In summary, the changes are:

- introduce a system of Domain Managers (similar to resellers), to be appointed by the edu.au registrar
- migrate data in "pseudo" registries to AusRegistry (eg. eq.edu.au)
- introduce new "childzones" to operate alongside the existing state/territory 3LDs (eg. eq.edu.au)
- encourage registrants to move to a 4LD naming structure, but at the same time grandfather existing 5LDs and 6LDs (eg. within catholic.edu.au).

EA advised that the changes take into account the complex system of legacy edu.au registrations inherited by AICTEC in 2002, and the needs of major stakeholders within the education sector.

The board noted that the proposed changes are technically feasible, and the costs will be borne by the education sector. If agreed, the policy changes would be implemented immediately, however the operational changes would take place over time subject to the business case requirements of individual users.

The board raised some concerns about DNS stability and integrity associated with the proposed new child zones and grandfathering 5LDs/6LDs, however it was agreed that on balance the current situation in edu.au probably poses a greater risk to integrity and stability. The board also noted the particular challenges associated with reaching consensus among the various edu.au stakeholders.

Motion (proposed CLO, seconded KH): That, notwithstanding concerns about DNS stability and integrity, the board (1) approve the recommendations in the AICTEC paper, and  
(2) authorise auDA staff to enter into a new 3 year Sub-Sponsorship Agreement between auDA and AICTEC. Carried.

### • Domain tasting

The board noted recent domain tasting activity in .au and discussed various options for addressing it if it becomes a problem. It was agreed that auDA staff should continue to monitor the situation.

## 4. Finance Report

The board noted the May accounts.

## 5. CEO Report

The following issues were noted:

- Security and Stability Advisory Committee (SSAC)

The board noted the establishment of the SSAC, comprising individuals with a wide range of technical and security expertise. In most cases SSAC activities will be directed by the board, however the SSAC will be able to act on its own initiative where appropriate and subject to board approval. It is expected that the first task of the SSAC will be a general threat assessment of .au.

It was agreed that SSAC reports should be a standing item on the board agenda.

- Cyberstorm II

CD advised that auDA is a participant in Cyberstorm II, scheduled for March 2008.

## 6. auDA Foundation Report

The new Foundation website has been launched, and the next funding round will open on 20 June.

## 8. auCD Report

The board requested quarterly summary accounts to be provided by auCD for informational purposes, noting that the auCD board is responsible for overseeing the financial management of auCD.

## 9. Registrars conference

CD advised that auDA is awaiting input from registrars on possible conference agenda items. It was suggested that more regular discussions between auDA and the Domain Industry Association (DIA) would help to improve communications and keep stakeholders informed of auDA activities. To this end, elected directors were encouraged to report back to, and engage with, their respective constituencies.

## 10. Membership Applications

The members below were approved in the classes indicated:

Jackson Haynes (demand)

Abbas Heidari (demand)

Andrew McCullough (supply)

## 11. Board correspondence

The board discussed correspondence from DCITA.

## 12. Other Business



CD advised that Hayes Knight is currently working out how elected directors’ sitting fees should be calculated and paid.

13. Next Meeting

The next board meeting will be held on Monday 13 August in Sydney, after the EGM. The meeting will be open to the public.

The board agreed to change the meeting schedule to the third week of every second month, to allow sufficient time for the Finance Committee to consider the accounts. The next meeting after August will be held on Monday 15 October.

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# Board Minutes - 16 April 2007

Public Version  
Meeting of the .au Domain Administration Board

16 April 2007 - 1.00pm  
.au Domain Administration Limited. 1 Queens Road. Melbourne VIC 3004

Present:  
Chris Disspain, David Goldstein, Julie Hammer, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Marty Drill and Brett Fenton

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Brenton Thomas, Don Williams and Paul Szyndler (DCITA)

Apologies:  
Nil

- 
- Action Items:
- auDA staff to advise registrars of the fee reduction, and publish the new fee model.
  - The board to set up a sub-committee to consider demand class membership

issues.

## 1. Continuous Disclosure

DG advised that he is doing consulting work for Domain Directors, an auDA accredited registrar.

## 2. Confirmation of Minutes

The minutes of the February 2007 meeting were confirmed.

## 3. Policy Development

### • 2007 Names Policy Panel

Derek Whitehead gave a progress report on the Panel's first two meetings. The attendance rate at both meetings was high. The Panel has held general discussion of all three issues under review, with a particular focus to date on direct registrations. The Panel's first public consultation paper is expected to be released in May/June.

DW noted that this is the first Panel that will have evidence-based input, ie. the market research being conducted by auDA.

## 4. Finance Report

The board noted the March accounts.

## 5. 07/10 Budget and Fee Model

The board approved the proposed 07/10 Budget. The following points were noted:

- the education and media budget may need to be increased if there are significant changes to policy arising from the Names Panel
- the basis for calculating the annual ICANN fee may change in future
- the international travel budget will be split into 'meetings' and 'other'
- the internet traffic budget is still to be determined, but has been estimated using the current deal with AAPT as a guide
- it is highly unlikely that there will be any future windfall gains from one-off domain name allocations like the generics auction in 2002.

It was noted that one of the first responsibilities of the Stability and Security Advisory Committee (currently being formed) will be to provide the board with advice on a suitable allocation for the security and stability contingency fund. Until then, a notional amount has been allocated. Once the 'correct' amount is known, the board will then be in a position to calculate the available remaining surplus and decide what steps to take to reduce it.

The board agreed the proposed new auDA domain name fee model, with the fee to be set according to the number of domain name registrations. It was noted that the model would provide greater certainty and transparency to the industry, and better guidance to the board for future budget deliberations. Pursuant to the model, the board agreed to reduce the fee to \$3.00 ex GST (subsequently amended to \$3.00

ex GST) on 1 May 2007 .

Action: auDA staff to advise registrars of the fee reduction, and publish the new fee model.

## 6. CEO Report

The following issues were noted:

- edu.au

auDA has granted a further 3 month extension to the Sub-Sponsorship Agreement, until 30 June 2007. A representative from AICTEC has been invited to attend the June board meeting to present the proposed changes to edu.au policy.

## 7. auDA Foundation Report

CD advised that reports from the current grant recipients will be provided at the June board meeting.

## 8. auCD Report

The board noted the report from auCD, and requested more detailed reports in future.

The board also noted that auDA will hold a review of the community geographic domain names policy later this year.

## 9. Constitutional Review

The board discussed a paper drafted by CN outlining possible changes to the auDA Constitution to address three issues:

1. potential supply side capture of demand class
2. supply related person standing as a demand class director
3. related entities holding multiple supply class memberships.

The board affirmed the need to ensure that the Constitution is effective and achieves auDA's objectives. The board also noted the importance of achieving a fair and reasonable balance between supply and demand, observing that there will always be a tendency for demand class to be under-represented.

The board agreed changes to address issues 2 and 3 above, as proposed in paras 4.2, 4.4 and 4.5 of the board paper. It was decided that the change proposed in para 4.3 of the board paper to address issue 1 may not be effective, and further consideration should be given to options for increasing demand class membership and making it more representative.

Motion (proposed JR, seconded Julie H): That the proposed new definition of 'Supply Related Person' and proposed amendments to clauses 9.4 and 18.3 be put to members at an EGM. Carried unanimously.

Action: The board to set up a sub-committee to consider demand class

membership issues.

12. Membership Applications

The members below were approved in the classes indicated:

- Brad Winton (demand)
- Get Started (Australia) Pty Ltd (supply)
- Emerging IT Pty Ltd (supply)
- Velocit Business Systems Pty Ltd (supply)
- Connectivity Australia Pty Ltd (supply)

13. Board Correspondence

There was no board correspondence.

15. Next Meeting

The next board meeting will be held on Tuesday 12 June at 10.30am in Sydney.

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**auDA Foundation**

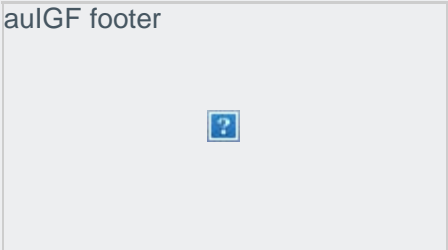
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# Board Minutes - 12 February 2007

Public Version  
Meeting of the .au Domain Administration Board

12 February 2007 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Roger Dean, Chris Disspain, Marty Drill, Brett Fenton, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Peter Shilling and Tony Staley

Teleconference:  
David Goldstein and Don Williams (DCITA)

Observers:  
Julie Hammer, John Higgins (Hayes Knight), Danielle Larkin (DCITA) and Killian O'Shaughnessy (DCITA)

Apologies:  
Josh Rowe

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes

The minutes of the November 2006 meeting were confirmed.

### 3. Finance Report

The board noted the January accounts.

CD advised that he intends to present a 3 year budget and a proposed auDA funding model at the next board meeting.

### 4. CEO Report

The following issues were noted:

- Awareness report

The board discussed the outcomes of the survey of 800 SME domain name holders to assess current levels of awareness of auDA. The main result from the survey is that 22% of the sample were aware of auDA, compared to the previous research conducted in December 2004, where only 0-1% of business owners had heard of auDA. The board considered this to be on par with similar organisations, such as the Telecommunications Industry Ombudsman.

The report sets a benchmark for the awareness-raising KPI and will be incorporated into auDA's strategic planning process.

Action: auDA to publish the awareness report on the website.

- Closed 2LDs

The board noted that AICTEC has released its draft edu.au policy changes for public consultation.

The board noted that auDA does not currently have a sub-sponsorship agreement in place with CSIRO for csiro.au. It was agreed that auDA should endeavour to bring csiro.au into line with the other closed 2LDs. Don Williams offered DCITA's assistance in making contact with appropriate people at CSIRO.

Action: CD and DW to discuss next steps regarding csiro.au.

- DCITA Review of .au

DW advised that submissions received by DCITA (published on the DCITA website) generally indicated overwhelming support for, and confidence in, the current .au administration. The main issues raised were in relation to policy matters to be considered by auDA's 2007 Names Policy Panel.

DW clarified that some text in some submissions had been blacked out on the advice of DCITA's lawyers, due to the potentially defamatory nature of the comments; the authors were given the opportunity to revise their submissions before publication.

DW advised that DCITA will provide briefing to Senator Coonan, and any further action will be a matter for her to determine.

The board noted that auDA staff had provided DCITA with a written response to some of the comments raised in submissions.

Action: auDA to publish the response to DCITA on the website.

## 5. Policy Development

### • 2007 Names Policy Panel

auDA received 38 nominations for the Panel. The board:

- o agreed to increase Panel membership from 20 to 22
- o appointed DG and KH from demand class, and BO and BF from supply class
- o selected Adrian Kinderis to replace Kimberley Lowton (due to BF's appointment)
- o approved the other recommended members.

The board also confirmed the Terms of Reference for the Panel.

## 6. auDA Strategic Plan

The board discussed the draft auDA 3-5 Year Strategic Plan. The following issues were raised:

- There are two contingency funds: a serious dispute contingency fund, for legal actions similar to the action against Domain Names Australia; and a security contingency fund, to be allocated on the recommendation of auDA's Security and Stability Advisory Committee. It is possible that both funds can be supported from current surplus revenue.
- Staffing levels are an operational matter, however the Strategic Plan could include a statement that current staffing levels are thought to be sufficient.

Action: CD to revise the draft plan as discussed, include target dates and circulate the final version on the board list.

## 7. auDA Foundation Report

The Foundation board is currently reviewing the first round evaluation process and aiming to launch a second round in the second quarter of 2007.

## 8. auCD Report

The board noted the first progress report from auCD, showing that all milestones have been met except the number of issued domain name licences (7 licences issued instead of 10).

Motion (proposed KH, seconded MD): That the board accept the first progress report from auCD and authorise payment of the next grant instalment. Carried.

The board also approved amendments to the auCD Constitution to allow it to self-assess its tax exempt status as a not-for-profit entity.

## 9. Constitutional Review

The board noted that it is currently possible for directors and employees of supply class entities to become demand class members, and potentially demand class directors, of auDA.

Action: CD to ask Maddocks to prepare a report on possible constitutional amendments to address the above issue.

#### 10. Domain Industry Association (DIA)

The board noted that the DIA made a submission to the DCITA review purportedly on behalf of 15 registrars, although at least three of those registrars have since disassociated themselves from comments made in the submission.

BO advised that the DIA is a NSW incorporated association set up by Vic Cinc of Enetica, and that the DIA submission to DCITA was written mostly by Vic Cinc. BF said that membership of the DIA is by invitation.

It was suggested that the DIA being a very new organisation, did not yet seem to have all operational procedures in place to effectively act as an industry peak body, but may do so in future.

#### 11. Independent Directors

GC tendered his resignation as an independent director. The board acknowledged GC as a distinguished member of the industry, and thanked him for his profound wisdom during auDA's important formative years.

Motion (proposed MD, seconded CLO): That the board accept GC's resignation as an independent director of auDA. Carried.

TS introduced Retired Air Vice-Marshal Julie Hammer to the board and highlighted her impressive military career and extensive IT security experience. JH advised that she was looking forward to becoming more involved in DNS security issues through her role with auDA.

Motion (proposed CLO, seconded MD): That the board appoint JH as an independent director of auDA for a 12 month term. Carried.

#### 12. Membership Applications

The members below were approved in the classes indicated:

Creative Stream Pty Ltd (demand)  
PortalStreet Pty Ltd (demand)  
Michael Purse (demand)  
Peter Firminger (demand)  
Gareth Ward (demand)  
Snapsite Pty Ltd (supply)

#### 13. Board Correspondence

There was no board correspondence.

#### 14. Other Business

RD tendered his resignation as the remaining representative association class director of auDA, due to the fact that he will shortly be leaving his position as Vice-Chancellor of Canberra University. The board thanked RD for his service as a director of auDA.

15. Next Meeting

The next board meeting will be held on Monday 16 April at 10.30am in Melbourne.

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# Board Minutes - 23 November 2006

Public Version  
Meeting of the .au Domain Administration Board

23 November 2005 - 1.00pm  
Maddocks. Angel Place, 123 Pitt Street. Sydney NSW 2000

Present:  
Greg Crew, Roger Dean, Chris Disspain, Marty Drill, Brett Fenton, David Goldstein, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe, Peter Shilling and Tony Staley

Observers:  
Craig Ng (Maddocks), John Higgins (Hayes Knight), Don Williams (DCITA) and Paul Szyndler (DCITA)

Apologies:  
Nil

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1. Welcome New Directors  
The board welcomed new director Marty Drill.

2. Vote of Thanks to Retiring Directors  
Motion (proposed GC, seconded KH): That the board give a formal vote of thanks to GW for his brilliant contribution to auDA's work and the development of the

Australian DNS. Carried.

Action: Board to send a formal letter of thanks to GW.

### 3. Continuous Disclosure

MD is a director of Domain Candy Pty Ltd, an auDA accredited registrar, and Get Started Pty Ltd, a reseller of Domain Candy.

### 4. Election of Chair

TS was elected Chair unopposed.

### 5. Election of Deputy Chair

KH was elected Deputy Chair unopposed.

### 6. Appointment of Board Committees

Finance and Audit Committee: GC, CD, KH, CLO, BO, PS. The purpose of the committee is to review and recommend accounts to the board.

Strategic Planning Committee: RD, CD, MD, BF, DG, JR. The purpose of the committee is to assist the CEO with the development of auDA's 5 year strategic plan.

### 7. Confirmation of Minutes

The minutes of the 9 October 2006 meeting were confirmed.

### 8. Policy

#### • Name Policy Advisory Panel

The board discussed the selection process for Panel membership. auDA will issue an open call for Panel nominations. Nominations will be shortlisted by auDA staff and the Panel chair, and the board will make final appointments. Concerns were raised about the potential for supply side members to be outnumbered by demand side members on the Panel, because "demand" encompasses a broader set of stakeholders (ie. government, law enforcement, intellectual property lawyers as well as consumer and user groups). The board noted that previous Panels have operated according to consensus-building principles as opposed to formal voting. It was also noted that the Panel must undertake public consultation, which provides further opportunity for supply side members to garner support for their views. However, the board acknowledged the concerns and undertook to take them into consideration when making appointments to the Panel.

Action: Board to confirm Panel terms of reference and membership at the February 2007 board meeting.

### 9. Membership

The members below were approved in the classes indicated:

- Shaun Ewing (demand)
- Stewart Carter (demand)
- Griffith Hack (demand)
- Kimachi Group (supply)
- Spirit Connect Pty Ltd (supply)
- Blinddog Hosting (supply)

10. Board Correspondence

No correspondence was received.

12. 2007 Meeting Schedule

- Monday 12 February – Melbourne
- Tuesday 10 April – Melbourne
- Tuesday 12 June – Sydney
- Monday 13 August – Sydney
- Monday 8 October – Melbourne

Board meetings start at 10.30am.

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**auDA Foundation**

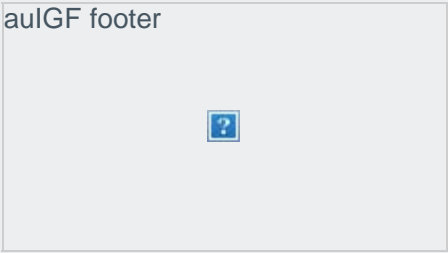
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# Board Minutes - 9 October 2006

Public Version  
Meeting of the .au Domain Administration Board

9 October 2006 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Roger Dean, Chris Disspain, David Goldstein, Kim Heitman, Jo Lim, Bennett Oprysa, Josh Rowe and Tony Staley

Teleconference:  
Brett Fenton and Cheryl Langdon-Orr

Observers:  
Don Williams and Paul Szyndler (DCITA)

Apologies:  
Peter Shilling, Greg Watson and Brenton Thomas

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## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the August 2006 meeting were confirmed.

### 3. Finance Report

Motion (proposed JR, seconded GC): That the board accept the 2005-06 audited accounts and authorise the chair and CEO to sign them for publication in the notice of AGM. Carried.

The board noted the September accounts.

### 4. CEO Report

The following issues were noted:

- auDA strategic plan

One of the CEO's KPIs is to develop a 5 year strategic plan for auDA. Oakton Consulting has been engaged to facilitate the strategic planning process. The aim is to present a draft plan to the board in February 2007.

- Awareness raising

The KPIs also include raising awareness of auDA to 70% by September 2007. The board agreed to commission a survey of 800 SME domain name holders in order to set a starting benchmark. The board also agreed that the focus should be on increasing awareness among existing registrants, as opposed to the general public. Any awareness-raising actions should be assessed for cost effectiveness.

### 5. DCITA Review of .au

Don Williams advised that DCITA's discussion paper is due to be released shortly for public consultation.

The board discussed whether auDA should make a formal submission to DCITA, but directors considered it more appropriate to wait for the outcome of the review.

The board noted that it may be possible to consider both the draft strategic plan and the outcomes of the DCITA review at the February meeting.

### 6. Policy Development

- Advisory Panel on name policy

The board agreed to appoint Derek Whitehead as chair of the Advisory Panel. The board also agreed, in principle, to provide funding assistance to Panel members where required, in order to ensure balanced representation of key stakeholder groups.

Action: auDA staff to draft Panel terms of reference.

- Fraudulent domain name registrations

The board was advised of recent instances where domain names have been fraudulently registered in the name of a company by someone who is not associated with that company.

## 7. auDA Foundation Report

The first round of grant recipients was announced on 5 October. The Foundation funded 16 projects totalling \$275,000. All projects are required to provide a report to the Foundation within 12 months.

The Foundation board is aiming to launch a second round in the first half of 2007, following a review of the first round evaluation process.

## 8. auCD Report

Four CGDN licences have been granted since the launch on 8 August. auCD has set up a Stakeholders' Group to provide advice and feedback about the CGDN application process and community website best practice.

The NSW Department of Commerce wrote to auCD raising a number of CGDN policy and governance issues which fall within auDA's responsibility. auDA met with NSW departmental officials to discuss their concerns, and also provided a formal response to their letter.

## 9. 2006 AGM

The AGM will be held on Thursday 23 November 2006 at Maddocks' offices in Sydney.

## 10. Independent Directors

TS and GC left the room for this item.

Motion (proposed KH, seconded JR): That TS and GC be appointed as independent directors for a further 12 months. Carried.

The board agreed that it would be desirable to appoint a third independent director next year, resulting in the need for an increase in the total amount of fees payable to independent directors (currently \$60,000 per annum).

Motion (proposed DG, seconded RD): That members be asked to ratify an increase in total amount of fees payable to independent directors from \$60,000 to \$100,000 per annum. Carried.

## 11. Directors' Fees

The board discussed the payment of fees to elected directors and agreed that \$750.00 per meeting attended (in person or by teleconference) would be an appropriate starting amount which could be reviewed in 12 months. If ratified by members, payment of fees would commence in February 2007 and the total amount payable in the calendar year would be \$4,500 (for attendance at six board



meetings).

Motion (proposed KH, seconded GC): That members be asked to ratify payment to elected directors of \$750.00 per meeting attended (in person or by teleconference).  
Carried.

## 12. Membership Applications

The members below were approved in the classes indicated:

Macquarie Regional Networks (demand)

Joel Ruffles (demand)

Sean McGuire (demand)

Alexander Ristovski (demand)

## 13. Board Correspondence

Correspondence from the NSW Department of Commerce was noted under agenda item 8.

## 14. Other Business

- Proposed WHOIS changes

Action: DG and CD to discuss the accessibility implications of the proposed changes to the public WHOIS display.

## 15. Next Meeting

The next board meeting will be held after the AGM on 23 November 2006.

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# Board Minutes - 14 August 2006

Public Version  
Meeting of the .au Domain Administration Board

14 August 2006 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Chris Disspain, Brett Fenton, David Goldstein, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Peter Shilling and Tony Staley

Observers:  
Brenton Thomas (DCITA)

Apologies:  
Roger Dean, Josh Rowe and Greg Watson

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes  
The minutes of the June 2006 meeting were confirmed.
  3. EGM Results  
All resolutions put to members were carried (refer to [EGM Minutes](#)). The changes

to the constitution take immediate effect.

Action: Representative Association members to be notified of changes to their membership.

#### 4. Finance Report

The board noted the July accounts.

#### 5. CEO Report

The following issues were noted:

- Market share statistics

auDA has provided an annual report to ACMA as part of its telecommunications industry performance report. The market share statistics included in the annual report will be published to registrars later this month, and the full report to ACMA will be included in auDA's AGM report.

- Domain drops

AusRegistry experienced service degradation during July caused by some registrars performing excessive create commands in an attempt to register a number of high-value domain names that were policy deleted by auDA.

This raises two issues:

- o Technical – AusRegistry is drafting an acceptable use policy that governs how registrars connect to the registry, and is also considering technical solutions for handling increased registry load when high-value domains drop.

- o Policy – within the current review of the Domain Expiry, Renewal and Deletion Policy, auDA is considering ways of handling deleted domain names that would ensure a level playing field among registrars.

- auDA recruitment

auDA has advertised for a compliance officer to assist in complaints-handling and general administration.

#### 6. DCITA Review of .au

Senator Helen Coonan, Minister for Communications, IT and the Arts, wrote to TS in July inviting auDA to participate in a proposed review of the .au environment. Further details of the review, including terms of reference, are to be announced by the Minister at a later date.

The board was advised that Brenton Thomas and Don Williams have replaced Ashley Cross and Andrew Maurer as government observers.

#### 7. Policy Development

- Advisory Panel on name policy

The board agreed to delay further action on the Advisory Panel until the terms of reference of the DCITA review have been announced, in case of potential conflict and confusion between the two processes.

- Other scheduled policy reviews

auDA is currently conducting a review of the Domain Expiry, Renewal and Deletion

Policy. Reviews of the auDRP and legacy 2LDs conf.au and info.au are also scheduled to commence before the end of the year. The board agreed that the next consideration of new 2LD proposals should be delayed until after the Advisory Panel and DCITA review have been completed.

- edu.au

The Sub-Sponsorship Agreement with AICTEC has been extended to 31 March 2007. auDA staff met with eDAC in July to discuss next steps for introducing policy changes to edu.au.

## 8. auDA Foundation Report

The Foundation has received 51 grant applications totalling \$818,000 in funding, of which 33 applications have been shortlisted for further consideration. The Foundation board expects to announce the first round of grant recipients in October.

## 9. auCD Report

Community geographic domain names (CGDNs) were officially launched in Sydney on 8 August. The national launch is being followed up by a roadshow to all capital cities during August. auCD has received 13 CGDN applications to date, one of which has also applied for the optional “site in a box” product.

## 10. Membership Applications

The members below were approved in the classes indicated:

Kamdha Pty Ltd (Demand)  
J B Duncan Pty Ltd (Demand)  
Ronald Burnstein (Demand)  
Brendan Lewis (Demand)

## 11. Board Correspondence

Correspondence from Senator Coonan was noted under agenda item 6.

## 12. Other Business

- ICANN Marrakech Meeting

TS advised that he attended the ICANN Marrakech meeting in July. He noted the important role played by Australia at ICANN, in particular by CD as chair of the ccNSO.

- Registry IDN upgrade

BO advised that some registrars have raised objections to the proposed registry upgrade to accommodate IDN hosts and contacts. CD advised that the upgrade is mandated in the registry technical specification, which was drafted by auDA's technical committee and released for public comment prior to the registry tender last year.

Action: CD to conduct further discussions with AusRegistry and registrars about the

IDN upgrade.

13. Next Meeting

The next board meeting will be held on Monday 9 October at 10.30am.

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# Board Minutes - 13 June 2006

Public Version  
Meeting of the .au Domain Administration Board

13 June 2006 - 1.00pm  
Maddocks. Angel Place, 123 Pitt Street. Sydney NSW 2000

Present:  
Greg Crew, Roger Dean, Chris Disspain, Brett Fenton, David Goldstein, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Peter Shilling and Tony Staley

Teleconference:  
Kim Heitman, Josh Rowe, Greg Watson and Paul Szyndler (DCITA)

Observers:  
Craig Ng (Maddocks) and Jamie Baker (DCITA)

Apologies:  
Nil

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## 1. Continuous Disclosure

DG advised that he is currently providing consulting services to accredited registrar Domain Directors Pty Ltd.

## 2. Confirmation of Minutes

The minutes of the April 2006 meeting were confirmed.

## 3. Finance Report

The board noted the accounts.

## 4. CEO Report

Issues in the report were discussed under separate agenda items below.

## 5. 2006/07 Budget and auDA Domain Name Fee

The board discussed the proposed 2006/07 budget. The most significant variance from the 2005/06 budget is capital expenses relating to improving .au DNS infrastructure, pursuant to the CEO's report.

The finance committee recommended that the auDA domain name fee be reduced from \$5.50 to \$4.50 (ex GST). This would decrease auDA's surplus to the equivalent of 12 months operating expenses, in line with board policy. The committee assumed a growth rate in .au of 12%. The board noted that this is a very conservative assumption and agreed to review it in 12 months.

Motion (proposed CLO, seconded PS): That the board approve the 2006/07 budget and reduction of the auDA domain name fee from \$5.50 to \$4.50 (ex GST).  
Carried.

## 6. Proposed Constitutional Amendments

### • Objects

The board proposes to amend the Objects to ensure that auDA has sufficient jurisdiction to regulate the industry effectively, and to give auDA better flexibility to distribute surplus funds within the internet sector.

Motion (proposed GC, seconded CLO): That the proposed amendments to clauses 3.1 and 3.2 be put to members at an EGM. Carried.

### • Abolition of representative association class and redistribution of board seats to supply and demand classes

The board proposes to abolish the representative association class, to reflect changes in the industry since 2002. Two board seats would be redistributed one each to supply and demand classes, and the third seat would be abolished.

Whilst the majority of current representative association class members would qualify for demand class membership, the board noted that it would be open to individual members of a representative association to join auDA as a supply class member if appropriate.

It was suggested that the current organisational structure had proved effective and resilient to date, and abolishing the representative association class might give rise to board capture and destabilisation.

The majority of board members felt that stability and balance can and should be provided by independent directors, and membership stacking and board capture are more effectively dealt with under other provisions of the Constitution.

It was noted that there is a perception that the supply class is under-represented because representative association class interests tend to align with demand class interests. The board agreed on the need to bring auDA more into line with other industry regulators in relation to equity of board representation.

It was further noted that there are only 11 current members in the representative association class, and last year only one candidate stood for election to the board.

CLO advised that the ISOC-AU board supports the proposed amendment.

Motion (proposed GC, seconded CLO): That the proposed amendments to clauses 9.4, 9.6, 9.11, 17.4 and 19.3 be put to members at an EGM. Carried. GW voted against the resolution.

- Additional independent director

The board proposes to give auDA the capacity to appoint a third independent director, to help maintain balanced board representation and to provide access to particular skills and expertise that may be lacking among the elected directors.

It was noted that the Constitution does not currently define “independent director”, although it has been taken to mean a person who does not have any vested interest in the domain name industry.

Motion (proposed DG, seconded RD): Subject to a suitable definition of “independent director” being included in the Constitution, that the proposed amendments to clause 18.2 be put to members at an EGM. Carried.

Action: CN to draft definition of “independent director”.

- Directors fees

The board proposes to give auDA the capacity to pay fees to elected directors, in recognition of their time and effort, and to help attract suitable candidates.

It was suggested that supply class directors should not be paid fees because their participation is of direct benefit to, and therefore subsidised by, their employers. However, it was noted that many supply class members are small businesses which cannot afford to let an employee take time off to attend board meetings. The board also noted that recent difficulties in attracting sufficient numbers of candidates applies to all classes, including supply.

The board confirmed that any increase in directors' remuneration must be ratified by members.

Motion (proposed GC, seconded CLO): That the proposed amendment to clause 5 be put to members at an EGM. Carried. GW voted against the resolution.

- Electronic voting

The board proposes to give auDA the capacity to allow voting by an electronic method at members' meetings.

Motion (proposed GC, seconded CLO): That the proposed amendments to clauses 15.6, 15.8, 16.1, 16.2, 17.1, 17.2, 17.6 and 17.7 be put to members at an EGM. Carried.

## 7. Policy Development

- Domain monetisation

The board agreed to adopt the proposed approach recommended by auDA staff.

Action: auDA staff to work out implementation details and publish policy clarification.

- edu.au

The board considered a letter from Evan Arthur, chair of eDAC, attaching eDAC's report on the recent policy review process. The board authorised a 9 month extension to the sub-sponsorship agreement with AICTEC, to allow time for auDA staff to work with eDAC to ensure that any policy changes meet the requirements of the education sector whilst also meeting auDA's requirement to maintain the integrity and stability of the .au DNS.

Action: auDA staff to liaise with eDAC.

- Outcomes of Industry Conference

The 2006 industry conference was held in Melbourne on 1 June. Most board members attended at least part of the day. Outcomes from the roundtable session included:

- o Registry changes affecting registrars – auDA to convene registry/registrar committee
- o Access to ASIC/ABR and validation checks by registrars – CEO to follow up possible access to ABR
- o Domain expiry – auDA to review policy within the next 1-2 months
- o Registrar market share statistics – CEO to write to all registrars seeking permission to provide monthly reports
- o Opening up .au – auDA to convene advisory panel by the end of the year.

## 8. auDA Foundation Report

The deadline for grant applications is 16 June 2006. Four applications have been received to date.

Action: CEO to advise whether there is a board resolution to pass the org.au domain name fee to the Foundation.

## 9. auCD Report

auCD is planning to launch in late July or early August, depending on the availability of a keynote speaker after Senator Coonan declined an invitation to participate. Registry modifications are completed and the 'how to' kit is being tested with communities. Over 70 groups have registered their interest in obtaining a community geographic domain name.

Action: auCD to provide a written progress report at each auDA board meeting.

## 10. Membership Applications

Five membership applications were received.

Action: CEO to seek further information from the applicants about their reasons for wanting to join auDA.

## 11. Board Correspondence

Correspondence was received from Giles Donovan, director of NetRegistry Pty Ltd, in relation to the audit of TLD registrations currently being conducted by auDA.

Action: CEO to respond on behalf of the board.

## 12. Other Business

### • Jan Webster

The board noted Jan Webster's resignation as policy manager at Melbourne IT. The board commended Jan on her significant contribution to the Australian domain name industry over the past 10 years, and wished her well for the future.

## 13. Next Meeting

The next board meeting will be held on Monday 14 August at 10.30am, at the Maddocks office in Melbourne. The meeting will be open to the public.

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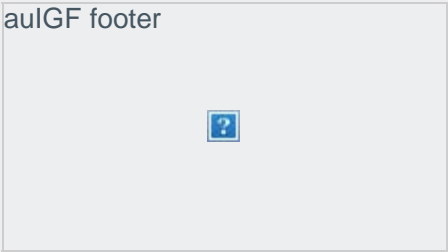
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# Board Minutes - 10 April 2006

Public Version  
Meeting of the .au Domain Administration Board

10 April 2006 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Roger Dean, Chris Disspain, Brett Fenton, David Goldstein, Kim Heitman, Jo Lim, Bennett Oprysa and Tony Staley

Teleconference:  
Cheryl Langdon-Orr

Observers:  
Andrew Maurer (DCITA) and John Higgins (Hayes Knight)

Apologies:  
Josh Rowe, Peter Shilling and Greg Watson

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes  
The minutes of the February 2006 meeting were confirmed.

### 3. Finance Report

The board noted the accounts.

CD advised that the 2006/07 budget will be ready for board consideration at the June meeting, including a possible reduction in auDA's domain name fee.

### 4. CEO Report

The following issues were noted:

#### ICANN Wellington

The meeting was attended by auDA staff and directors. CLO congratulated CD for giving auDA a recognisable and respected presence, and noted that auDA brings valuable experience to ICANN especially in relation to facilitating stakeholder participation.

#### Education and media campaign

The advertising campaign commenced in March and will continue through to May. The new website was launched on 24 March.

#### Community geographic names

auCD has been incorporated and the first board meeting is on 24 April. TS has invited Senator Coonan to attend the official launch later this year.

### 5. Policy Development

#### Domain monetisation public consultation

auDA has released an issues paper for public consultation. The issue is not whether domain monetisation is good or bad, it is whether or not domain monetisation should be included within the interpretation of the close and substantial connection rule. As such, it is a matter of policy clarification rather than new policy.

Action: auDA staff to prepare a report on the outcomes of the public consultation, for consideration by the board at the June meeting.

#### auDRP

The auDRP is scheduled to be reviewed later this year. Feedback from registrars is that some people find the \$1,500 fee too high. The board noted that lowering or removing the fee may lead to an increase in frivolous or vexatious complaints.

### 6. Constitution Review Committee Report

KH presented the committee's findings and recommendations to the board:

Objects: The Objects clause should be amended to ensure that auDA has sufficient jurisdiction to regulate the industry effectively, and to give auDA better flexibility to distribute surplus funds within the Internet sector.

Membership classes and board representation: The representative association class should be merged with demand class; the representative association board seats should be distributed one each to supply and demand classes and one reserved for a possible third independent director; the prohibition on paying fees to elected directors should be removed.

Advisory Panels: no change to the Constitution is required, however the board should abolish the internal rule against directors serving on panels.

The committee also suggested that electronic voting by members at AGMs should be permitted. The board agreed that auDA should have the capacity to utilise electronic voting technology if and when a suitable method becomes available.

In order for changes to board representation to come into effect at this year's AGM, it is proposed to hold an EGM in conjunction with the August board meeting.

Action: The committee to circulate the proposed amendments and explanatory memorandum, for consideration by the board at the June meeting.

## 7. auDA Foundation

The Foundation will issue its first call for submissions by the end of April.

## 8. Membership Applications

The members below were accepted in the classes indicated:

David Katiforis (Demand)

## 9. Board Correspondence

No correspondence was received.

## 10. Other Business

DCITA review of .au self-regulatory system

AM drew the board's attention to the recent report of the Banks Taskforce on reducing business regulation, which recommends that the Government consider conducting a review of com.au administration. AM advised that DCITA intends to conduct a review of the .au self-regulatory system later this year, marking 5 years since auDA assumed management.

IPv6

Following the forum organised by ISOC-AU last year, auDA and ISOC-AU are planning to set up an IPv6 working group.

Council of Country Code Administrators (COCCA)

DG advised that he met with Garth Miller of COCCA, who agreed that it would be appropriate for liaison between auDA and COCCA to occur at a staff level. The board suggested that COCCA could be invited to participate in auDA policy development processes.

11. Next Meeting

The next board meeting will be held on Tuesday 13 June at 10.30am, at the Maddocks office in Sydney.

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**auDA Foundation**

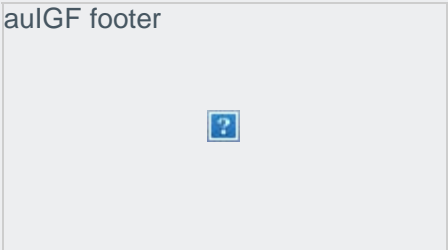
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# Board Minutes - 13 February 2006

Public Version  
Meeting of the .au Domain Administration Board

13 February 2006 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Roger Dean, Chris Disspain, Brett Fenton, David Goldstein, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Elspeth Ross, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Bennett Oprysa

Observers:  
Andrew Maurer (DCITA), Craig Ng (Maddocks) and John Higgins (Hayes Knight)

Apologies:  
Greg Watson

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes

The minutes of the November 2005 meeting were confirmed.

### 3. Community Geographic Domain Names

Leonie Parkinson presented the business plan for the new organisation, to be known as .au Community Domains (auCD). auCD will receive approximately \$1.5m seed funding from auDA, and is aiming to become self-funding in the third year of operation.

There was some discussion about the auCD budget, and it was suggested that the proposed web portal software licensing fee may be higher than current market rates.

Motion (proposed GC, seconded KH): That the board (1) instruct Maddocks to incorporate the trustee company and settle the trust; (2) instruct the CEO to finalise the funding agreement between auDA and auCD; and (3) appoint TS, CLO, JL and Paul Harcombe to the auCD board. Carried.

### 4. Finance Report

The board noted the accounts.

### 5. CEO Report

The following issues were noted:

GST ruling

CD advised that he would be meeting ATO officials to clarify their recent ruling on the issue of foreign registrars charging GST to .au registrants.

Staff planning day

auDA staff held a planning day on 10 February. Issues for 2006 include:

- new registry licence
- policy reviews – ‘megarants’, sale of domain names, password policy, auDRP, WHOIS, registrar accreditation, resellers
- new 2LDs – including conf.au and info.au
- release of TLDs and remaining geographic names
- policy training for registrars
- IPv6 working group
- internal disaster recovery.

### 6. auDA Foundation

The Foundation will issue its first call for submissions in February/March.

### 7. Membership Applications

The members below were accepted in the classes indicated:



Paul Day (Demand)

8. Board Correspondence

No correspondence was received.

9. Other Business

Remuneration Committee

The Committee’s terms of reference (circulated by email) were confirmed, subject to comments from Greg Watson.

Council of Country Code Administrators (COCCA)

DG advised that he has been invited to become an observer on the COCCA board, and COCCA has requested observer status on the auDA board.

Action: DG to follow up with Garth Miller of COCCA.

10. Next Meeting

The next board meeting will be held on Monday 10 April at 10.30am.

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# Board Minutes - 18 November 2005

Public Version  
Meeting of the .au Domain Administration Board

18 November 2005 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Greg Crew, Chris Disspain, Brett Fenton, David Goldstein, Cheryl Langdon-Orr, Jo Lim, Bennett Oprysa, Josh Rowe, Peter Shilling and Tony Staley

Observers:  
John Higgins

Apologies:  
Roger Dean and Greg Watson

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## 1. Welcome New Directors

The board welcomed new directors Roger Dean, Brett Fenton and David Goldstein.

## 2. Vote of Thanks to Retiring Directors

The board thanked Larry Bloch, Kim Davies and Peter Nissen for their contribution to auDA.

### 3. Continuous Disclosure

BF is an employee of NetRegistry Pty Ltd, an auDA accredited registrar.

DG is contracted by auDA, ICANN and Maddocks to provide a regular news monitoring service.

### 4. Election of Chair

TS (nominated GC, seconded JR) was elected Chair unopposed.

### 5. Election of Deputy Chair

KH (nominated GC, seconded JR) was elected Deputy Chair unopposed.

### 6. Appointment of Board Committees

Finance Committee: membership to be confirmed at the next board meeting.

Constitution Committee: KH (chair), BF, JR, GC with assistance from CD and Craig Ng (Maddocks). The purpose of the Committee is to review auDA's Constitution and make recommendations to the board about what changes (if any) should be made. Any changes to the Constitution will require approval by auDA members at the 2006 AGM or an earlier EGM.

### 7. Confirmation of Minutes

The minutes of the 10 and 28 October 2005 meetings were confirmed.

### 8. Policy

Geographic names update

Commercial names: The second round ballot was held on 27 October, and names that no one applied for will be released on 20 November.

Community names: Leonie Parkinson has been appointed General Manager of the new organisation, commencing 28 November. She will be employed by auDA initially until the new organisation is set up.

Domain traffic capture

An ad hoc meeting of board members and other interested parties was held in October to discuss the emerging trend of "megarants" - people who register thousands of domain names to generate revenue by capturing web traffic. auDA will hold a public consultation on the issue in early 2006.

### 9. Membership

The members below were accepted in the classes indicated:

Seamless Technology Services (Demand)  
Creative Digital TV (Supply)  
Alex Portnoy (Demand)  
Peter Somogyi (Demand)

#### 10. auDA Foundation

The Foundation will issue the first call for submissions in February 2006. The board intends to hold two funding rounds per year. No targets or limits have been set at this stage, but it is expected that each grant will be between \$5,000 and \$20,000 depending on the nature of the project. The board is still pursuing deductible gift recipient status through the ATO.

#### 11. Board Correspondence

No correspondence was received.

#### 12. Other Business

##### GST ruling

CD advised that Maddocks has lodged a formal complaint with the Commonwealth Ombudsman about the ATO's failure to respond to auDA's request for a private ruling on whether overseas-based accredited registrars are required to charge GST.

##### WSIS update

CD advised that the WSIS meeting in Tunisia agreed to maintain the status quo in relation to Internet governance, a position advocated by the Australian delegation.

#### 13. 2006 Meeting Schedule

The board will meet on 13 February, 10 April, 13 June, 14 August, 9 October 2006.

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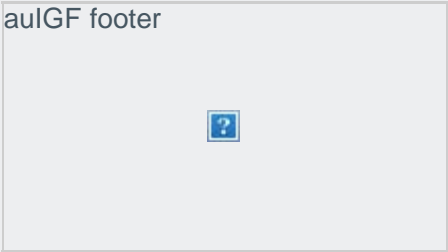
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# Board Minutes - 28 October 2005

Public Version  
Meeting of the .au Domain Administration Board

28 October 2005 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Greg Crew, Chris Disspain, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Peter Nissen, Josh Rowe, Tony Staley

Apologies:  
Kim Davies and Greg Watson

All directors present at the meeting signed Confidentiality and Conflict of Interest statements.

Larry Bloch, Bennett Oprysa and Peter Shilling were excluded from the board meeting on the advice of auDA's probity advisers, due to potential conflict of interest. BO and PS signed Confidentiality and Conflict of Interest statements and were provided with a high-level version of the tender evaluation report.

The full tender evaluation report was tabled at the meeting. The Tender Evaluation Panel conducted a two stage evaluation process (as outlined in the RFT documentation) and recommended that the tender be awarded to AusRegistry.

Motion (proposed KH, seconded CLO and JR): That the recommendation of the Tender Evaluation Panel be accepted, and the CEO be authorised to finalise and sign the RLA with AusRegistry. Carried.

The board gave a formal vote of thanks to the Tender Evaluation Panel.

It was agreed to publish the high-level version of the tender evaluation report once the RLA has been signed.

A probity report on the entire tender process will be provided to the board.

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# Board Minutes - 10 October 2005

Public Version  
Meeting of the .au Domain Administration Board

10 October 2005 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Bennett Oprysa, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Kim Davies, Cheryl Langdon-Orr and Greg Watson

Observers:  
Andrew Maurer (DCITA) and John Higgins (Hayes Knight)

Apologies:  
Nil



## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the August 2005 meeting were confirmed, subject to email comments by CLO and PN regarding the University of Wollongong proposal.

### 3. Finance Report

Motion (proposed KH, seconded GC): That the board accept the 2004-05 audited accounts and authorise the Chair and CEO to sign them for publication in the notice of AGM. Carried.

The board noted the September accounts.

### 4. CEO Report

The following issues were noted:

Registry RFT

The Tender Evaluation Panel will report to the board on 28 October.

Action: CEO to seek advice from the probity adviser regarding the attendance of Supply class directors at the board meeting on 28 October.

auDA Foundation

The board noted the status report attached to the CEO report. There will be a meeting of the auDA Foundation board in early November to finalise all outstanding matters with a view to issuing the first call for funding proposals in early 2006.

It was agreed to include a progress report from the auDA Foundation as a standing auDA board agenda item.

Action: auDA Foundation board to follow up/renew the application for tax exempt status and deductible gift status.

### 5. Policy

Commercial geographic names ballot

2,700 geographic domain names were allocated in the first round ballot. auDA is following up over 180 ballot winners who are in default of payment. A second round ballot will be held in October. auDA will also release the geographic names that no one applied for, on a first come first served basis at the normal wholesale fee.

Community geographic names

The board noted a briefing paper outlining the structure, purpose and key activities of the new organisation. There was general discussion about state portals and the board agreed to examine the issues and options in more detail at the next meeting.

Action: auDA staff to prepare an issues paper for the board on state portals.

## Transfers Policy and sale of domain names

These issues were recently discussed on the DNS list and the board agreed that there needs to be further consideration and community consultation. The board may decide to set up an advisory panel or use an alternative process, pending the outcome of a constitutional review in early 2006.

### 6. Independent Directors

TS and GC left the room for this item.

Motion (proposed PH, seconded JR): That TS and GC be appointed as independent directors for a further 12 months. Carried.

### 7. CEO Contract

CD and JL left the room for this item.

Motion (proposed KH, seconded JR): That the board establish a remuneration sub-committee of CLO, GC, JR and KH. Carried.

Action: KH to circulate draft terms of reference for the sub-committee.

### 8. AGM 2005

The 2005 AGM will be held on Friday 18 November at 11am in Melbourne at Maddocks.

Five director nominations were received (2 supply, 2 demand, 1 rep assoc).

LB, KD and PN are not standing for re-election.

### 9. Membership

The members below were accepted in the classes indicated:

Mike Russell (Supply)  
Axis Legal Pty Ltd (Demand)  
David Goldstein (Demand)  
Shoalhaven Ski Park Pty Ltd (Demand)  
William Lye (Demand)

### 10. Board Correspondence

No correspondence was received.

### 11. Other Business

Registrar access to ASIC database

auDA has attempted to secure direct access to the ASIC database for the purpose of ACN/RBN verification by registrars.

Action: auDA and DCITA to make a joint approach to ASIC.

ICANN Wellington, March 2006

Directors were invited to attend the ICANN meeting in Wellington, 27-31 March 2006.

Action: Directors to advise the CEO whether or not they wish to attend ICANN Wellington.

12. Next Meeting

The next board meeting will be held on Friday 28 October 2005 at auDA.

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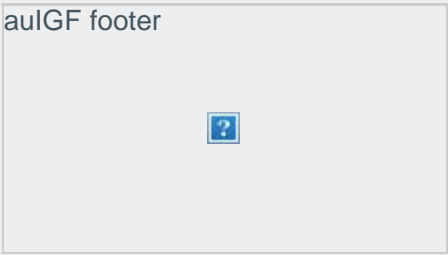
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# Board Minutes - 8 August 2005

Public Version  
Meeting of the .au Domain Administration Board

8 August 2005 - 1.00pm  
Maddocks. Level 7, 140 William Street. Melbourne VIC 3000

Present:  
Larry Bloch, Greg Crew, Kim Davies, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Bennett Oprysa, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Craig Ng (Maddocks)

Observers:  
Andrew Maurer (DCITA)

Apologies:  
Greg Watson

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes  
The minutes of the June 2005 meeting were confirmed.

### 3. Finance Report

The board noted the July accounts.

### 4. CEO Report

The board noted the CEO Report.

### 5. Policy

#### Commercial geographic names ballot

The ballot closed on 31 July. Participating registrars are in the process of submitting their applications to the registry. Initial data shows that over 13,500 applications have been submitted for approximately 3,000 geographic names.

#### org.au policy

auDA staff are concerned at an apparent increase in the number of non-legal/non-identifiable registrants in org.au since the eligibility criteria were relaxed in April.

Action: auDA staff to continue to monitor org.au registrations and report back to the board.

#### Community geographic names

The board agreed the following:

The new organisation will be set up as a trust (similar to the auDA Foundation).

The trust will be managed by a trustee company governed by a board of 4-6 directors, including at least one auDA director.

There will be a funding agreement between auDA and the trustee company, including appropriate KPIs and milestones.

The board noted that auDA may need to employ someone on a short-term contract to set up the organisation and develop a business plan.

The board considered a request from the University of Wollongong for funding to develop a community web site development project. The board decided that the scope of the project falls outside auDA's constitution, however the new organisation may decide to contribute funding from within its own budget. LB, PN and CLO suggested that the project may be of interest to their own organisations, or those they represent.

Action: LB, PN and CLO to consider following up directly with the University of Wollongong, or referring the proposal to the organisations they represent.

### 7. AGM 2005

The 2005 AGM will be held on Friday 18 November at 10am in Melbourne (venue tba).

## 8. Membership

The members below were accepted in the classes indicated:

Ben Mc Ginnes (Demand)  
Nigel Phair (Demand)  
Shaun Tipson (Demand)  
Warren Hudson (Demand)

Action: LB to ask VeriSign to consider submitting an application for Supply Class membership instead of Demand Class.

## 9. Board Correspondence

No correspondence was received.

## 10. Other Business

Proposed board resolution from VeriSign

LB tabled a proposed board resolution from VeriSign regarding the registry tender process. The board reaffirmed its commitment to conducting a tender process that will give prospective tenderers certainty in relation to evaluation criteria and weightings, and will meet all probity requirements. The board noted that there are significant differences between auDA and ICANN, and agreed that it would not be appropriate for auDA to adopt the same process that ICANN used for the .net tender. In particular, the board agreed that it would not be appropriate for the tender evaluation panel to be completely independent of auDA.

Action: (1) CEO to respond to VeriSign. (2) CEO to seek legal advice about whether individual tender bids should be disclosed.

Carriage and content forum

CLO advised the board of a Convergence Forum to be held on 19 August in Sydney.

.hm

JR advised that there have been complaints about service in .hm, which is administered by former accredited registrar Capital Networks. The board noted that auDA's constitution specifically excludes Australian external territory ccTLDs from auDA's purview.

## 11. Next Meeting

The next board meeting will be held on Monday 10 October 2005 at auDA.

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# Board Minutes - 14 June 2005

Public Version  
Meeting of the .au Domain Administration Board

14 June 2005 - 1.00pm  
Maddocks. Angel Place, 123 Pitt Street. Sydney NSW 2000

Present:  
Greg Crew, Chris Disspain, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Peter Nissen, Bennett Oprysa, Peter Shilling and Tony Staley

Teleconference:  
Josh Rowe

Observers:  
Andrew Maurer (DCITA) and Craig Ng (Maddocks)

Apologies:  
Larry Bloch, Kim Davies and Greg Watson

---

## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes



The minutes of the April 2005 meeting were confirmed.

### 3. Finance Report

The board noted the April and May accounts.

The June and end of year accounts will be dealt with via email prior to the August board meeting.

### 4. CEO Report

The following issues were noted:

#### Capital Networks

auDA terminated Capital Networks' registrar accreditation on 29 April and all legal action has finished.

#### Industry conference

auDA's third annual industry conference was held in Sydney on 26-27 May. There were not many major issues for discussion, a sign of industry stability.

### 5. Registry RFT

CLO declared her interest as an ISOC-AU director, because at least two ISOC-AU members may respond to the RFT.

The board agreed that, as in 2001, the tender will include marketing/registrar subsidy programs as a non-mandatory selection criterion.

The board discussed the tender process. The registry technical specification has already been published in draft form. The remaining tender documentation will not be made public until the RFT is published. Tender bids will not be made public.

Craig Ng advised that probity requirements apply not only to the evaluation of tender bids but also to the preparation of the tender documentation. The board noted that, unlike the 2001 tender, this time there is an incumbent with a clear commercial interest and it is therefore imperative that the process is able to withstand scrutiny.

The board agreed that it is not appropriate for directors and registrars to have direct input to the tender documentation as this could be perceived as an attempt to influence the outcome in a particular way. However, it was acknowledged that registrars have valuable experience that could help to refine the tender requirements.

Action: CEO to invite registrars to provide general comments and suggestions relevant to the registry tender.

## 6. Policy

### Name Policy Review Panel outstanding recommendations

The board accepted the Panel's recommendation to allow registrants to shorten their domain name licence period in order to synchronise expiry dates for multiple domain names.

The board accepted the Panel's recommendation to remove the restriction on domain names that match existing TLDs, based on the advice of people with DNS technical experience who argued that RFC 1535 describes technical limitations that were relevant in 1993 but which no longer apply.

Action: Staff to arrange for implementation of the Panel's recommendations in consultation with the registry and registrars.

### Commercial geographic names ballot

The ballot was launched on 1 June and people have until 31 July to apply. auDA ran print advertisements in all major national, state and regional newspapers, and there was a high level of media interest. Feedback to date has been generally positive.

The board was advised that the community geographic 2LDs have now been entered in the .au zone file, and the OCOS pilot project domain names have been granted.

### Policy investigations

auDA is currently investigating registrants with large numbers of domain names (known as "megarants") to ensure that they comply with .au policy rules.

### Upcoming policy reviews

auDA will hold public reviews of the WHOIS Policy and auDRP, as well as some other minor published policies.

## 7. Membership Applications

The members below were accepted in the classes indicated:

Paul Clarke (Demand)  
Greg Grimwood (Demand)  
Dirk Hunter (Demand)  
Elizabeth Keys (Demand)  
Ian Smith (Demand)  
Discount Domain Name Services Pty Ltd (Supply)

The board noted that membership will be considered as part of a general review of the auDA Constitution in 2006.

8. Board Correspondence

Correspondence received from the Augusta Margaret River Tourism Association was dealt with via email prior to the meeting.

9. Other Business

The CEO advised that a minor shareholder of AusRegistry has gone into administration and the shares have been advertised by the administrator.

10. Next Meeting

The next board meeting will be held on Monday 8 August 2005 at auDA.

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# Board Minutes - 15 April 2005

Public Version  
Meeting of the .au Domain Administration Board

15 April 2005 - 10.00am  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Chris Disspain, Kim Heitman, Jo Lim, Elspeth Ross, Josh Rowe and Tony Staley

Teleconference:  
Kim Davies, Cheryl Langdon-Orr, Bennett Oprysa, Peter Shilling and Greg Watson

Observers:  
Andrew Maurer (DCITA) and John Higgins (Hayes Knight)

Apologies:  
Peter Nissen

---

1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the February 2005 meeting were confirmed.

## 3. Finance Report

The board noted the March accounts approved by the Finance Committee.

The board discussed the draft 2005/06 budget, previously approved by the Finance Committee.

The board accepted the Expenses and Income Projection which produced a surplus of approximately 12-months operating costs.

Motion (proposed GC, seconded KH): That the board approve the 2005/06 budget. Carried.

Action: auDA staff to publish a summary of the budget on the web site.

The finance committee presented a report on the domain name fee review. It was confirmed that one of auDA's objectives is to reduce the auDA domain name fee and the finance committee suggested that this reduction be based on the operating surplus. The board agreed that a surplus of approximately 12-months operating expenses was prudent and therefore the auDA domain name fee can be reduced to \$5.50. The board agreed a review should be undertaken every 6-months to ensure that actual income and expenses tracks correctly.

Motion (proposed GC, seconded JR): That the board approve a \$2.00 reduction in the auDA Domain Name Fee from \$7.50 to \$5.50 to be implemented on 1 May 2005. Carried

Action: CEO to issue media release in relation to the auDA Domain Name Fee reduction.

## 4. CEO Report

The following issues were noted:

### Communication Strategy

A proposal for auDA's communication strategy was presented the board. It was generally accepted that the strategy was the correct way for auDA to move forward. The board requested that the finance committee periodically review the expenditure side of the strategy during its roll out.

### Geographic names in com.au and net.au

The registry is developing the necessary software and registrars have it available in the OTE for testing. The board confirmed that the auDA fee for these names would be \$750.00 (plus GST) and that those names not taken up in the initial round would just be released at a date to be determined.

## Technical Specification

The draft technical specification was released on 31/03/05. The board suggested that the technical committee be review the specification. It was noted that no members of AusRegistry that sit on that committee be involved.

## 5. Membership Applications

The member below was accepted in the class indicated:

LemonStone Group Pty Ltd (Demand)

## 6. Board Correspondence

Correspondence was received from Domain Directors concerning auDA's objection to a trademark application.

## 7. Other Business

There was no other business.

## 8. Next Meeting

The next board meeting will be held on Tuesday 14 June 2005 in Sydney at Maddocks Office, 123 Pitt Street, Sydney.

Board meetings commence at 10am.

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# Board Minutes - 14 February 2005

Public Version  
Meeting of the .au Domain Administration Board

14 February 2005 - 10.00am  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Greg Crew, Chris Disspain, Kim Heitman, Peter Nissen, Bennett Oprysa, Elspeth Ross, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Larry Bloch and Cheryl Langdon-Orr

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

Apologies:  
Kim Davies and Greg Watson

- 
- Continuous Disclosure  
There were no matters to be disclosed.
  - Confirmation of Minutes  
Subject to one amendment, the minutes of the November 2004 meeting were

confirmed.

### 3. Finance Report

The board noted the finance report approved by the Finance Committee.

### 4. CEO Report

The following issues were noted:

#### Registry

Software for EPPv1 (the new IETF endorsed standard for EPP) will be released for testing by registrars with implementation planned after 6-months.

#### Geographic names in com.au and net.au

A proposal for the release of the names has been sent to registrars for feedback. The registry is developing the necessary software which will be available for testing in March.

#### New Names Policy

Amended and new policies have been sent to registrars for feedback and it is anticipated that they will come into force in March.

#### GST

The ATO is still considering this issue.

#### Domain Names Australia

DNA and Rafferty have now been issued with a taxation certificate (costs order) for costs awarded against them in the Federal Court action and the Appeal.

### 5. Membership Applications

The members below were accepted in the classes indicated:

Colin Jones (Demand)  
Justin Sullivan (Demand)  
Daytec Australia Pty Ltd (Supply)  
Beetle Domains (Supply)

### 6. Board Correspondence

No correspondence was received.

### 7. Other Business

Following a discussion on the growing cash surplus it was agreed that the finance

committee develop a policy on the appropriate level of reserve funds to be held, and a strategy to bring the current capital surplus into line with that policy. A recommendation is to be circulated to the Board by end March for discussion at the April meeting.

8. Next Meeting

The next board meeting will be held on Friday 15 April 2005 in Melbourne.

The following board meeting will be on 14 June 2005 in Sydney at a venue to be advised.

Board meetings commence at 10am.

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# Board Minutes - 22 November 2004

Public Version  
Meeting of the .au Domain Administration Board

22 November 2004 - 10.00am  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Chris Disspain, Cheryl Langdon-Orr, Peter Nissen, Bennett Oprysa, Elspeth Ross, Peter Shilling and Tony Staley

Teleconference:  
Kim Davies, Kim Heitman and Greg Watson

Observers:  
Allan LeBusque (DCITA), Craig Ng (Maddocks), Derek Whitehead and David Thompson

Apologies:  
Josh Rowe

---

1. Continuous Disclosure  
There were no matters to be disclosed.

2. Confirmation of Minutes



The minutes of the October 2004 meeting were confirmed.

3. Report from DCITA

ALB advised the board of DCITA's work on spam legislation.

4. Election of Chair

TS (nominated GC, seconded CD) was elected Chair unopposed.

5. Election of Deputy Chair

KH (nominated CD, seconded CLO) was elected Deputy Chair unopposed.

6. Appointment of Board Committees

Finance Committee: KH, GC, JR, PS, CD with John Higgins (Hayes Knight)

Education and Media Committee: Was still in place.

Technical Committee: This is not a board committee, but an advisory committee of technical experts that assists auDA with technical issues and reports to the board from time to time.

The board noted that the Membership Committee had completed its work.

7. Name Policy Review Panel

DW presented the Panel's final 8 recommendations on domain name policy rules.

1. Retention of current policy rules relating to verification of registrant identity, other than the proposed change in recommendation 6. Agreed.

2. Retention of the current rule that registrants must, with three exceptions, be Australian. Agreed

3. Licence periods be 1, 2 or 3 years and synchronization of expiry dates for multiple domain names – In abeyance. The Board reserved its decision and requested further research on the implications of this recommendation.

4. Remove the restriction on registration of domain names that match TLDs. In abeyance. The Board requested DW to provide the reference documentation upon which this recommendation was based.

5. Retention of the eligibility criteria for net.au. Agreed.

6. Eligibility criteria for org.au and asn.au be combined and applied to both 2LDs and strengthening of the registrant warranty. Agreed

7. Allocation criteria for asn.au, com.au, net.au and org.au be either of two categories and strengthening of the registrant warranty. Agreed.

8. Policy rules for id.au be amended to allow registration of any personal name by which they are known (ie. Nickname). Agreed.

The Board thanked DW and the panel members for their work.

Action: auDA staff to conduct research on the implications of a change in licence periods.

#### 8. Registry Competition Review Panel

DT presented the Panel's final 4 recommendations on the provision of .au 2LD registry services. All 4 recommendations were agreed unanimously.

1. Current competition model that allows for multiple 2LD registry operations be retained.

2. Current periodic open tender process for provision of registry services for existing 2LDs be retained.

3. For new 2LDs:

a. Determine a threshold of projected volume registrations and the Registry Competition Review Panel suggests 200,000 registrations in the first 12 months.

b. The new 2LD selection panel advise the auDA Board if registrations of the new 2LD be above or below the threshold.

c. If registrations of the new 2LD are estimated to be below the threshold, then the incumbent registry operator can provide registry services under terms of its registry licence agreement (post 2006).

d. If registrations of the new 2LD are estimated to be above the threshold, the provision of registry services should be contestable through a competitive tender process.

e. The start of the periodic registry tender process should be the cut-off point for introducing new 2LDs within the term of the current registry licence agreement.

4. auDA should synchronise the new 2LD registry licence term with the registry licence term for existing 2LDs.

The board emphasised that the figure of 200,000 registrations is a suggestion only.

The Board thanked DT and the Panel members for their work.

9. Community Geographic Domain Names and Geographic Names in com.au and net.au

Community Geographic Domain Names

The board approved in principle that

An organisation be formed consisting of its own board and management team independent from auDA but under auDA's control initially.

The organisation be charged with the responsibility of facilitating the development of the community geographic names

auDA will provide capped funds from the release of the commercial geographic names to fund the organization.

Action: auDA staff to prepare a detailed proposal to be submitted to the Board for final approval.

### Commercial Geographic Domain Names

The board approved the plan for the release of the commercial geographic domain names. Elements of the plan include a "lottery" type release whereby one winner would be randomly selected from all applications received for a particular geographic name.

Supply class directors suggested there may be an alternative method with greater registrar involvement and agreed to provide a proposal by 15 January 2005 for consideration by the Board.

### 13. Board Correspondence

No correspondence was received.

### 14. Membership

The members listed below were accepted in the classes indicated.

WestNet Pty Ltd (Supply)

2 Monkeys (Demand)

### 15. Other Business

There was no other business.

### 16. 2005 Meeting Schedule

The next board meeting will be held on Monday 14 February 2005 in Melbourne.

The board will meet on 11 April in, 14 June, 8 August, 10 October at venues to be advised.

Board meetings commence at 10am.

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# Board Minutes - 11 October 2004

Public Version  
Meeting of the .au Domain Administration Board

11 October 2004 - 10.00am  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Chris Disspain, Kim Heitman, Jo Lim, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Cheryl Langdon-Orr

Observers:  
John Higgins (Hayes Knight), Lindsay Barton (DCITA), Derek Whitehead and David Thompson

Apologies:  
Kim Davies, Ric da Paz, Peter Nissen and Greg Watson

- 
1. Continuous Disclosure  
There were no matters to be disclosed.
  2. Confirmation of Minutes

The minutes of the August 2004 meeting were confirmed.

### 3. Name Policy Review Panel

DW gave a progress report. The Panel has recently completed its second consultation and will consider the outcomes on 13 October. There has not been much public response to the Panel's reports to date, indicating that there is a no real impetus for policy change at this time. The Panel's draft recommendations to the auDA Board address the following issues:

eligibility criteria for asn.au and org.au

domain name licence periods

non-Australian registrants

domain names that match TLDs

policy rules for id.au

allocation criteria categories.

### 4. Finance Report

Motion (proposed KH, seconded GC): That the board approve the 2003-2004 audited accounts. Carried.

The board noted the September accounts, previously approved by the finance committee.

The board noted that there will be a 6 month review of the auDA Domain Name Fee in February 2005.

### 5. CEO Report

The following issues were noted:

AusRegistry reporting

auDA and AusRegistry have met with individual registrars to discuss their particular concerns. AusRegistry has recently implemented some improvements to registry-registrar communications, which have been well received by registrars.

eq.edu.au

auDA recently met with Education Queensland, AICTEC and DEST. All parties are working on a compromise solution to the problem.

Membership

Action: CEO to circulate the list of new members for approval on the board mail list.

## 6. Independent Directors' Remuneration

TS and GC left the room for this discussion.

The board noted that there has not been an increase in independent directors remuneration since 2002. The recommended increase from \$45,000 to \$60,000 was considered to be commensurate with non-executive directors' fees in other non-profit organisations.

Motion (proposed JR, seconded LB): That: (1) the term of the independent directors be extended for a further 12 months; and (2) the rate of remuneration for independent directors be increased to \$60,000. Carried.

## 7. CEO Contract

CD and JL left the room for this discussion.

The board approved the CEO's contract.

## 8. AGM 2004

The board noted that there will be an ordinary resolution at the AGM to appoint Ken Wright as auditor as replacement for Ron Meagher who is retiring from Meagher Howard Wright.

auDA has received 2 nominations for director in each class, meaning that there will be an election in demand class only. The board agreed that there is a need to boost membership during 2005, especially in representative association class. The purpose of the representative association class is to provide a balance between supply and demand, and also to give auDA access to expertise in other industries.

## 9. auDA Foundation

The CEO advised that the auDA Foundation will open for submissions in early 2005. The Foundation's application for deductible gift status is still pending.

Motion (proposed KH, seconded CLO): That the board approve the transfer of \$2 million from .au Domain Administration Ltd to auDA Foundation Ltd. Carried (LB voted against).

## 10. Code of Practice

CLO presented the revised Code of Practice, following a review by the Code of Practice Committee during September.

The board endorsed the revised Code of Practice. The board also agreed that:

the annual review be replaced with a provision for ad hoc review in response to market demand

Maddocks should maintain a watching brief on legislative changes that may impact



on the Code.

Action: auDA staff to ask Maddocks to maintain a watching brief on legislative changes that may impact on the Code.

## 11. Community Geographic Domain Names

The board considered the ETHOS reports on the OCOS pilot project. The board made the following observations:

releasing community geographic names on a "sink or swim" basis (ie. without additional community facilitation and support) would almost certainly result in failure of the namespace

it is not auDA's role to provide facilitation and support services to communities, but auDA does have a responsibility to ensure that new 2LDs are given a fair opportunity to succeed

delaying the release of commercial geographic names would deny business stakeholders access valuable and desirable names.

Action: auDA staff to prepare a detailed proposal and implementation plan for board consideration.

## 12. Registry Competition Review Panel

DT gave a progress report. The Panel has considered all comments on its first consultation report, including those from the auDA Board. The Panel will shortly release its second consultation report including the following draft recommendations:

retain the multiple registries model

retain the periodic registry tender process and licence agreement model

adopt a "volume threshold" process for adding new 2LDs

synchronise new 2LD licence terms with the main periodic registry tender.

The board noted that the Panel's terms of reference do not include consideration of technical issues, tender implementation details, registry licence agreements or transition to a new registry operator. These are all matters for auDA to determine.

## 13. Board Correspondence

No correspondence was received.

## 14. Other Business

There was no other business.

15. Next Meeting

There will not be a board meeting following the AGM.

The next board meeting will be held on Monday 22 November 2004.

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# Board Minutes - 9 August 2004

Public Version  
Meeting of the .au Domain Administration Board

9 August 2004 - 1.00pm  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Ric da Paz, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Greg Watson

Observers:  
Craig Ng (Maddocks), Allan LeBusque (DCITA) and Derek Whitehead

Apologies:  
Kim Davies

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## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the June 2004 meeting were confirmed.

### 3. Finance Report

The board noted the June and July accounts.

### 4. CEO Report

The following issues were noted:

#### AusRegistry reporting

AusRegistry has provided a report to auDA on recent outages and performance degradations. All registrars have been invited to comment on the report, and auDA and AusRegistry are meeting individual registrars to discuss their particular concerns. auDA's technical committee will also be consulted.

Depending on the outcome of current discussions, auDA will consider a range of actions including an independent audit of AusRegistry's systems, ongoing independent monitoring of AusRegistry's performance, renegotiating service levels in the Registry Licence Agreement, and improvements to registry-registrar communications and reporting processes.

#### auDA media releases

The board considered correspondence from LB on behalf of 14 registrars, in relation to auDA's media release of 29 July 2004 entitled "TPP Internet renewal advice emails breached Code of Practice". The registrars requested that auDA introduce guidelines about the appropriate use of media releases when a registrar has breached the Code of Practice.

It was agreed that decisions about Code breaches are not a matter for the board.

Action: auDA staff to discuss media release guidelines with registrars.

The board also considered correspondence from Theo Hranakis, Melbourne IT and an accompanying statement signed by 7 other registrars, in relation to auDA's media release of 17 June 2004 entitled "auDA reduces its fee for .au domain names". Registrars expressed concerns about the statement "If consumers find that their registrar has not passed on auDA's cost saving, they may wish to shop around to find another registrar who will".

The board agreed that one of auDA's primary roles is to educate consumers about competition and choice. However, it was also agreed that price is merely one of a range of factors that go towards consumer choice and auDA should mention other factors when making public statements.

Action: CEO to respond to the letter from Melbourne IT.

#### legacy net.au and org.au domains

Approximately 3,000 org.au names and 1,800 net.au names were purged from the registry on 1 August 2004 after a 30 day pending delete period. Approximately 1,000 legacy asn.au names were also deleted (under the management of Connect West).

eq.edu.au

The board noted the actions of Education Queensland in relation to the use of eq.edu.au as an alternative to qld.edu.au for state school 4LDs. auDA has notified AICTEC that it regards these actions as detrimental to the stability and integrity of the edu.au 2LD. The board supported the CEO's efforts to resolve the situation cooperatively with AICTEC as quickly as possible.

## 5. Policy Development

### Name Policy Review Panel

DW reported on the first meeting of the Panel, held in Sydney on 27 July 2004. The Panel has identified a number of issues for consideration, including non-Australian registrants, domain name licence periods, eligibility criteria for net.au and org.au, the meaning of "close and substantial connection" and rules for id.au. The Panel will release an issues paper shortly.

### Community geographic names

The board noted the preliminary report on the OCOS pilot project by ETHOS, comments by the National Reference Group (NRG), and ETHOS's response to the NRG's comments.

### Commercial geographic names

The board considered the outcomes of public consultation during July. GW advised that ISOC-AU supports the release of commercial geographic names.

The board agreed that commercial geographic names are useful and desirable for Australian businesses. It was noted that the restriction was introduced by the previous com.au and net.au administrators and had been interpreted and applied in different and inconsistent ways over the past 7 years. It was further noted that, to auDA's knowledge, geographic names are not restricted in any other comparable ccTLD.

The board decided, in principle, to lift the restriction on geographic names in com.au and net.au. The board noted that concerns about the possible negative impact on community geographic names could be addressed as part of the implementation plan.

Action: auDA staff to prepare an implementation plan, including timing and method of releasing the commercial geographic names.

## 6. auDA Foundation

Motion (proposed KH, seconded GC): That the board approve the draft charter for the auDA Foundation. Carried.

LB expressed his view that the auDA Foundation breaches the auDA Constitution, not in legal terms but with regard to a "common understanding" among members about auDA's role and purpose. The board noted that the auDA Foundation has been in existence for 12 months, with details made available to members at the 2003 AGM and on the auDA web site, and no complaints have been received.

Action: CN to write to auDA confirming his original advice that the objects of the auDA Foundation fall within the objects of the auDA Constitution.

## 7. 2004 AGM

The 2004 AGM will be held at the Hilton Parmelia Hotel in Perth on 8 November 2004. Board seats up for election: 2 supply class, 1 demand class, 2 representative association class.

## 8. Membership

The members listed below were accepted in the classes indicated.

Ric da Paz(demand)  
Karl Schaffarczyk (demand)  
Martin Freckmann (demand)  
Shelston IP (demand)

## 9. Board correspondence

Correspondence was received from Theo Hranakis, Melbourne IT, and LB on behalf of 14 registrars - both were discussed under item 4 above.

## 10. Other Business

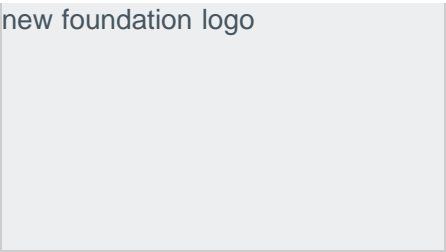
There was no other business.

## 11. Next Meeting

The next board meeting will be held on Monday 11 October 2004.



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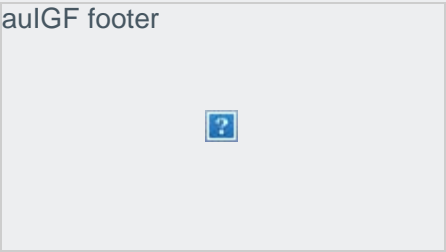
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# Board Minutes - 15 June 2004

Public Version  
Meeting of the .au Domain Administration Board

15 June 2004 - 1.00pm  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Ric da Paz, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Greg Watson

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

Apologies:  
Kim Davies

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## 1. Continuous Disclosure

Ric da Paz advised that he resigned from iiNet Ltd in April 2004.

## 2. Confirmation of Minutes

The minutes of the April 2004 meeting were confirmed.

### 3. Finance Report

The board noted the May accounts, previously approved by the Finance Committee.

The board discussed the draft 2004/05 budget, previously approved by the Finance Committee. The board accepted the Operating Expenses and Income Projection. In relation to projected income, the board noted recent domestic and global trends pointing to a 20-30% growth in domain name usage.

The board confirmed that one of auDA's main objectives is to reduce the auDA Domain Name Fee over time.

The board agreed that a surplus of approximately \$200,000 is prudent, and therefore the auDA Domain Name Fee can be reduced to \$7.50. The board agreed to keep the issue under internal review to ensure that actual income tracks against projected income.

Motion (proposed KH, seconded CLO): That the board:

- approve the 2004/05 budget
- approve a \$2.50 reduction in the auDA Domain Name Fee from \$10 to \$7.50.

Carried.

Action: CEO to issue media release in relation to the auDA Domain Name Fee reduction.

Action: auDA staff to implement the Domain Name Fee reduction as soon as possible (likely implementation date being 1 August 2004).

### 4. CEO Report

The following issues were noted:

legacy net.au and org.au domains

auDA has sent renewal advice to all legacy registrants using available email and postal contact details. Approximately 12% of registrants have transferred away from auDA.

GST charged by overseas-based registrars

Namescout has obtained legal advice that it is not required to charge GST. The issue has been referred to the ATO for a ruling.

Industry conference

auDA held its second industry conference in Melbourne on 27-28 May. The conference was well-attended by registrars and auDA has received a lot of positive feedback.

## 5. Policy Development

### Name Policy Review Panel and Registry Competition Review Panel

The board discussed the draft Terms of Reference for both Panels.

The board agreed that both Derek Whitehead and David Thompson have the requisite background knowledge, experience, independence and management capability to fulfil the role of Panel chair.

It was agreed that the process used to appoint Panel chairs is a matter for future decision by the board.

Motion (proposed KH, seconded GC): That the board:

- approve the Terms of Reference for the Name Policy Review Panel and the Registry Competition Review Panel
- appoint Derek Whitehead as chair of the Name Policy Review Panel
- appoint David Thompson as chair of the Registry Competition Review Panel.

Carried.

### Geographic names (commercial and community)

JL advised that the following matters will be put forward for board consideration in August:

- outcome of public consultation about the restriction on geographic names in com.au and net.au (consultation to be held in July)
- preliminary evaluation report on the community geographic 2LDs pilot project.

## 6. auDA Foundation

The board discussed the draft charter for the auDA Foundation.

Action: auDA Foundation directors to amend the draft charter in accordance with board comments, then submit it for approval via the board mail list.

## 7. Membership

The members listed below were accepted in the classes indicated.

- DIRS Pty Ltd (demand)
- Peter Emery (demand)
- Michael Clancy (demand)
- Dr Ben Ami Gelin (demand)
- Lejla Vrazalic (demand)

- Alison Norris (demand)
- Rhys McMurdo (demand)
- Natasha Scully (demand)
- Tactical Designs Pty Ltd (demand)
- Connectra Pty Ltd (demand)

8. Board correspondence

No correspondence was received.

9. Other Business

Draft Statement of Principles

Action: Board members to finalise and approve the draft statement via the board mail list.

10. Next Meeting

The next board meeting will be held on Monday 9 August 2004.

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**auDA Foundation**

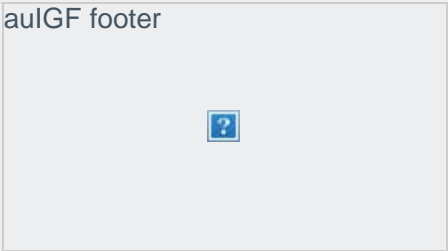
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# Board Minutes - 19 April 2004

Public Version  
Meeting of the .au Domain Administration Board

19 April 2004 - 1.00pm  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Cheryl Langdon-Orr

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

Apologies:  
Greg Crew and Greg Watson

---

## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the February 2004 meeting were confirmed.

### 3. Finance Report

The board noted the finance report, previously approved by the Finance Committee.

Reserve targets and a possible reduction in the auDA Domain Name Fee will be considered by the board as part of the 2004/05 budget.

Action: Finance Committee to prepare draft 2004/05 budget for decision at the June board meeting, including the timing and amount of a possible reduction in the auDA Domain Name Fee.

Action: JH to respond to a question about receivables listed in the March accounts.

### 4. CEO Report

The following issues were noted:

#### auDA Foundation

TS and CD met with Assistant Treasurer Senator Helen Coonan in March. Further work will be required to obtain deductible gift status for the Foundation.

In the meantime, the Foundation directors will continue to draft proposals for operating procedures and grant selection criteria.

Action: Foundation directors to submit proposals to the board for discussion by email, prior to decision at the June board meeting.

#### Domain Names Australia

Justice Finkelstein handed down his decision on 8 April. His Honour found that:

notices sent by DNA in July and September 2003 constituted conduct that was misleading or deceptive or likely to mislead or deceive in contravention of s.52 of the TPA; and

Chesley Rafferty was knowingly concerned in DNA's contraventions of the TPA.

DNA and Rafferty will be subject to an injunction restraining them from further breaching s.52 of the TPA for 3 years, and the court will make further orders in relation to the class action in due course. DNA has advised that it intends to lodge an appeal.

The board noted that the class action has resulted in increased public awareness and media coverage of the issues. There is an opportunity for auDA to push its key consumer safeguard messages, eg. the importance of using an accredited registrar or appointed reseller.

Action: CD to circulate advice from Maddocks regarding next steps for the class action.

legacy net.au and org.au domains

auDA has commenced a project aimed at getting legacy net.au and org.au registrants to transfer and renew their domain name through an accredited registrar. Registrants will be contacted by email, post and finally by telephone.

Depending on the number of registrants who still have not transferred before the end of June, auDA may implement special measures to minimise the risk that registrants will lose their domain name.

## 5. Policy Development

Competition Model - registry

auDA's competition policy model (adopted by the board in 2001) envisages competition at the registry level by way of regular tender. This led to auDA awarding a 4 year registry licence to AusRegistry which commenced on 1 July 2002. Developments since then, in particular the board's decision to create new 2LDs, have exposed some problems with the registry tender model.

The board agreed to convene a new Advisory Panel to review competition at the registry level, taking into account the introduction of new 2LDs, current market realities and the experience of the 2001 tender process.

Action: auDA staff to draft terms of reference for the panel, for consideration at the June board meeting.

Other activities

The board noted the following policy development activities that are scheduled to take place in 2004:

- finalisation of policy for community geographic 2LDs
- public consultation re geographic names restriction in com.au and net.au
- panel review of eligibility and allocation rules for open 2LDs
- panel review of registry competition (see above)
- annual Code of Practice review
- ongoing policy clarifications (on an ad hoc basis).

## 6. Membership

The members listed below were accepted in the classes indicated.

Australian Online Solutions P/L (Demand)  
Matthew Carter (Demand)  
Michael Purse (Demand)

The board considered a membership application from the Australian Trademark

Centre Pty Ltd, nominee James Guy. The board noted that Guy and Associates, nominee James Guy, was expelled by auDA members at the 2003 AGM for conduct detrimental to the interest and/or objects of auDA. The board resolved that it would not be appropriate to accept the Australian Trademark Centre Pty Ltd as a member of auDA at this time.

Action: CD to write to the Australian Trademark Centre Pty Ltd giving reasons for the board's decision not to accept its membership application.

#### 7. Board correspondence

LBarton tabled a letter from John Grant A/g Australian Government Chief Information Officer regarding organisational changes affecting NOIE.

#### 8. Other Business

KH queried whether there were any implications in relation to auDA's WHOIS and dispute resolution policy arising from the US-Australia Free Trade Agreement. LB advised that in NOIE's view, the wording of the Agreement does not require any changes to auDA policy.

#### 9. Next Meeting

The next board meeting will be held on Tuesday 15 June 2004.

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# Board Minutes - 9 February 2004

Public Version  
Meeting of the .au Domain Administration Board

9 February 2004 - 1.00pm  
.au Domain Administration Limited, 107 Faraday Street. Carlton VIC 3053

Present:  
Larry Bloch, Greg Crew, Chris Disspain, Kim Heitman, Jo Lim, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Kim Davies, Cheryl Langdon-Orr and Greg Watson

Observers:  
John Higgins (Hayes Knight)

Apologies:  
Ric da Paz, Ashley Cross (NOIE) and Peter Nissen

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## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the November 2003 meeting were confirmed.

Action from the November board meeting regarding membership applications outstanding from October 2003: "Maddocks to write again to all applicants giving them a final opportunity to respond."

Following further discussion of this item on the board mail list, the letters to applicants were sent by auDA not Maddocks.

### 3. Finance Report

The board noted the finance report, previously approved by the Finance Committee.

### 4. CEO Report

The following issue was noted:

legacy net.au and org.au domains

auDA is the registrar of record for a large number of legacy net.au and org.au domains that are due to expire on 30 June 2004. auDA has made arrangements with AusRegistry to send renewal notices to registrants using available email, postal and phone contacts. In many cases the domain records are incomplete or incorrect; it may be possible for auDA to cross-reference these records with registrars to find registrant contact details. It was also suggested that media coverage and liaison with state fair trading offices might help to raise awareness among registrants.

### 5. auDA Foundation

The Foundation has been granted tax exempt status. An application for deductible gift status will need to be made to the Assistant Treasurer.

The board discussed whether additional directors should be appointed to the Foundation at this time. It was agreed to defer this decision pending the outcome of the application for deductible gift status. In the meantime, the current Foundation directors should prepare relevant documentation (eg. operating procedures, selection criteria for grant applications, etc) for approval by the auDA board so that funds can be transferred from auDA to the Foundation.

Action: TS and CD to arrange a meeting with the Assistant Treasurer regarding deductible gift status for the Foundation.

Action: The current Foundation directors to prepare relevant documentation for consideration at the next auDA board meeting in April.

### 6. Policy Development

Community geographic 2LDs



JL gave an update on the public consultation held by the National Reference Group (NRG) in December/January. There was general support for the draft domain name policy rules and they are likely to be finalised at the next NRG meeting.

To date there has been little interest among accredited registrars to provide services for community geographic 2LDs. There is concern that the policy compliance checks required will be onerous and not commercially viable. The NRG has requested that auDA consider acting as registrar, to help preserve the policy integrity of the namespace and keep costs to a minimum for registrants.

Supply class directors indicated that registrars would be happy to provide technical services to registrants. Registrars may also be prepared to perform policy compliance checks if the rules are clearly defined and there are mechanisms in place to handle complaints and disputes about eligibility. It was suggested that the NRG should hold direct consultation with registrars to explore these issues further.

The board confirmed the general principle that auDA is a registrar of last resort and should only provide services where no commercial opportunity exists. The NRG would need to present a compelling case for the board to grant an exemption with respect to the community geographic 2LDs.

#### Geographic names restriction in com.au and net.au

In August 2003 the board resolved to hold a public consultation on whether or not the restriction on geographic names in com.au and net.au should be lifted. The consultation has been delayed to allow the NRG to hold its own public consultation.

At its last meeting the NRG expressed concern about the timing of the consultation and possible public confusion about commercial versus community geographic domain names. NRG member Natasha McGuire (NSW Government) has written to the board requesting that the consultation be postponed until after the implementation of the community geographic 2LDs.

The board acknowledged that people's views about commercial use of geographic domain names might differ depending on the availability of community-based geographic domain names.

The board agreed to postpone the consultation until June 2004, by which time it is expected that the community geographic 2LDs will be ready for public release.

#### 7. Membership

The members listed below were accepted in the classes indicated.

Web Farm Ltd (Demand)  
Anthony Blackie (Demand)  
Frank Priscoglio (Demand)

#### 8. Board correspondence

Correspondence was received from Natasha McGuire (NSW Government) which the board considered under item 6, above.

## 9. Other Business

Board openness and transparency

The board discussed a draft statement of principles circulated by GW prior to the meeting. It was agreed to adopt the draft as a working document. When finalised, the statement will be published on the auDA web site.

Action: Board members to further discuss and refine the draft statement of principles on the board mail list.

auDA policy reviews

Supply class directors advised that registrars would like auDA to conduct reviews of some of its policies, mostly in relation to the eligibility and allocation criteria for open 2LDs. The board agreed that a starting point would be for registrars to submit their request to the auDA executive. The executive will determine if the requested reviews can be conducted by auDA staff consultation, or if they need to be referred to an advisory panel.

## 10. Next Meeting

The next board meeting will be held on Monday 19 April 2004.

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# Board Minutes - 27 November 2003

Public Version  
Meeting of the .au Domain Administration Board

27 November 2003 - 1.00pm  
Hotel Intercontinental. 117 Macquarie Street. Sydney NSW 2000

Present:  
Larry Bloch, Greg Crew, Ric da Paz, Chris Disspain, Kim Heitman, Cheryl Langdon-Orr, Jo Lim, Peter Nissen, Elspeth Ross, Josh Rowe, Peter Shilling, Tony Staley

Observers:  
David Keegel, Craig Ng (Maddocks) and John Higgins (Hayes Knight)

Apologies:  
Kim Davies and Greg Watson

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## 1. Welcome New Directors

The board welcomed new director Larry Bloch.

## 2. Vote of Thanks to Retiring Directors

The board registered its thanks to Peter Dean and David Keegel for their past

contribution to auDA.

### 3. Continuous Disclosure

LB advised that he is CEO of NetRegistry Pty Ltd, an auDA accredited registrar.

### 4. Election of Chair

TS (nominated GC, seconded RdP) was elected Chair unopposed.

### 5. Election of Deputy Chair

KH (nominated JR, seconded GC) was elected Deputy Chair unopposed.

### 6. Appointment of Board Committees

Finance Committee: PN, GC, JR, CD with John Higgins (Hayes Knight)

Membership Committee: The board agreed to combine this committee with the advisory committee of registrar and consumer representatives that will assist with auDA's education and awareness-raising campaigns.

Technical Committee: This is not a board committee, but an advisory committee of technical experts that assists auDA with technical issues and reports to the board from time to time.

The board noted that Foundation and Vision committees have completed their work.

### 7. Confirmation of Minutes

The minutes of the October 2003 meetings were confirmed.

### 8. Board policy re media

The board confirmed its policy in relation to media contact. The CEO is the authorised spokesperson for auDA, and directors should refer all questions or requests for comment about auDA-related matters to the CEO.

### 9. Membership

The members listed below were accepted in the classes indicated.

Jeff Marr (Demand)

Online Referral Networks Australia (Demand)

Kimberley Heitman (Demand)

The board discussed the membership applications outstanding from October. CN advised that Maddocks received three responses to the letters that were sent to applicants asking for further information; of the three, only one applicant confirmed that he wished to proceed with his application.

Action: Maddocks to write again to all applicants giving them a final opportunity to respond.

10. Other Business

No other business was raised.

11. 2004 Meeting Schedule

The next board meeting will be held on Monday 9 February 2004.

The board will meet on 19 April, 15 June, 9 August, 11 October.

Board meetings are held at the auDA office in Melbourne and commence at 10am.

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**auDA Foundation**

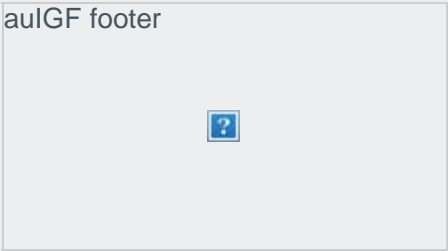
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# Board Minutes - 22 October 2003

Public Version  
Meeting of the .au Domain Administration Board

22 October 2003 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Peter Dean, Chris Disspain, Jo Lim, Josh Rowe and Tony Staley

Teleconference:  
Ric da Paz, Kim Davies, Kim Heitman, David Keegel, Cheryl Langdon-Orr,  
Peter Nissen and Peter Shilling

Observers:  
Allan Lebusque (NOIE) and Craig Ng (Maddocks)

Apologies:  
Greg Crew and Greg Watson

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## 1. Proposed amendments to the auDA Constitution

Action from the board meeting on 13 October 2003: "Maddocks to recommend possible amendments to the Constitution that would help to prevent membership stacking in future, with any amendments to be put to members at the AGM."

The board discussed the amendments proposed by Maddocks.

1. RESOLVED as a Special Resolution that the Constitution be amended by inserting the following after clause 11.1:

'11.2 Prohibition on Voting Agreements A Member must not enter into or give effect to any contract, arrangement or understanding under which the Member (or any associate of the Member) has or will receive any material benefit in consideration for voting in a particular way (including not voting) on any matter before a general meeting including any election.'

Motion (proposed PD, seconded JR): That the above special resolution be put to members at the AGM. Carried.

2. RESOLVED as a Special Resolution that the Constitution be amended by deleting clause 16.1 and replacing it with the following:

'16.1 Entitlement to Vote Every Member who:

a) was a Member on 14 October 2003 and has continuously been a Member since that date; or

b) has been a Member for not less than six (6) months, present at a general meeting in person or represented by proxy or representative has one vote, whether by show of hands or on a poll.'

The board supported the intent of the amendment, but thought that a 6 month qualifying period was too long, especially given that it can take up to 2 months for applications to be approved. It was agreed to reduce the qualifying period from 6 to 3 months.

Motion (proposed CLO, seconded PS): That the above special resolution (amended as agreed) be put to members at the AGM. Carried.

3. RESOLVED as a Special Resolution that the Constitution be amended by deleting clause 19.4.a and replacing it with the following:

'19.4 Nomination for Election

a. Each candidate for election as a Director by a Class in accordance with clause 19.2 or 19.3 must be proposed by a Member of auDA in that Class and seconded by another Member of auDA in that Class.

aa. A Member may only propose or second a candidate for Election as a Director if they have:

(i) paid their entrance fee (if any) and their membership fees as at the time that the proposal takes place; and

(ii) in respect of a candidate for election by a Class with 4 or more Members, not proposed or seconded any other person for election as a Director at that election.'

Motion (proposed PD, seconded JR): That the above special resolution be put to members at the AGM. Carried.

4. RESOLVED as a special resolution that the Constitution be amended by deleting

clause 13.2 and replacing it with the following:

'13.2 Termination of Membership for Non-Payment of Membership Fees The Board may at any time terminate the membership of a Member for non-payment of membership fees if:

- a. the membership fees payable by the member have remained unpaid for a period of not less than three (3) months after the due date for payment; and
- b. after the end of that (3) month period, a notice of default has been given to the Member by the Secretary; and
- c. the membership fees payable by the member remain in arrears for a period of one (1) month after the date of service of the notice of default upon the Member in relation to those outstanding fees.'

Motion (proposed CLO, seconded KD): That the above special resolution be put to members at the AGM. Carried.

## 2. Special resolution regarding Guy & Associates

Action from the board meeting on 13 October 2003: "Subject to Mr Guy being given an opportunity to explain his conduct, the board agreed that a special resolution be proposed at the AGM to terminate the membership of Guy and Associates."

The board noted Mr Guy's responses to letters from Maddocks regarding his conduct.

Motion (proposed CLO, seconded KH): That in the opinion of directors, Guy & Associates may have been guilty of conduct detrimental to the interests of auDA or to the objects of auDA. Carried.

Motion (proposed CLO, seconded KH): That the following special resolution be put to members at the AGM. Carried.

RESOLVED as a special resolution that the membership of Guy & Associates be terminated under clause 13.3 of the Constitution.

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# Board Minutes - 13 October 2003

Public Version  
Meeting of the .au Domain Administration Board

13 October 2003 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Greg Crew, Ric da Paz, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Peter Nissen, Josh Rowe, Peter Shilling, Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Greg Watson

Observers:  
Lindsay Barton (NOIE), John Higgins (Hayes Knight) and Craig Ng (Maddocks)

Apologies:  
Kim Davies and Peter Dean

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## 1. Continuous Disclosure

There were no matters to be disclosed.

## 2. Confirmation of Minutes

The minutes of the August 2003 meeting were approved.

### 3. Finance Report

The board noted the August and September accounts. The only major budget variance is legal costs, due to the ongoing action against Domain Names Australia.

Motion (proposed GC, seconded JR): That the board approve the 2002-2003 audited accounts. Carried.

### 4. CEO Report

The following issues were noted:

#### Closed 2LDs

NOIE is making good progress in its review of gov.au management arrangements. Registrar services for edu.au seem to be operating smoothly. auDA has re-entered negotiations with CSIRO regarding the delegation of csiro.au.

#### Domain Names Australia

CN gave an update on auDA's proceedings against DNA. DNA has applied twice, unsuccessfully, to have the action struck out. The ACCC launched its own proceedings on 2 October. The board confirmed that the DNA action is a necessary and justifiable expense.

### 5. Policy Development

The following issues were noted:

#### Code of Practice

The board endorsed the revised Code and agreed that the next review should be held in 12 months time, unless there is a market-driven need for an earlier review.

#### Geographic 2LDs

The board noted progress on policy development for community geographic domain names. The approach that is currently being considered involves local council endorsement of domain name applications; this will require extensive consultation with local government.

#### New 2LDs

The board considered a paper prepared by auDA staff, suggesting that auDA adopt a two-phase approach: 1) evaluation by the New Names Advisory Panel to determine whether the 2LD meets "public interest" criteria; 2) RFT for registry operations to determine whether there is market demand for the 2LD.



The board discussed problems associated with trying to introduce new 2LDs into the existing registry environment. It was agreed that the competition model adopted by the board in 2001 may need to be revisited in light of new 2LD developments.

Action: auDA staff to draft a paper on different registry options for consideration at the next board meeting.

## Resellers

JL advised that an ad hoc committee of registrar and reseller representatives has been looking at possible changes to the way that auDA deals with resellers. It is proposed that auDA should reduce the reseller notification fee to zero, make a minor amendment to the Registrar Agreement in relation to registrar liability for resellers, establish a reseller mailing list and conduct web site audits on the "top" resellers. The proposal will be released for public comment.

## 6. AGM

Date: Thursday 27 November 2003

Time: 10.30am

Venue: Hotel InterContinental, 117 Macquarie St, Sydney

After the AGM there will be a lunch for old and new directors, followed by a meeting of the new board.

DK advised that he will not stand for re-election at this year's AGM.

Motion (proposed TS, seconded GC): That the board express its high appreciation of DK's outstanding service to auDA as a founding director and technical advisor. Carried by acclamation.

## 7. Membership

The members listed below were accepted in the classes indicated.

Elicence Pty Ltd (demand)

Ian Johnston (demand)

Erhan Karabardak (demand)

Higher Ed Systems Pty Ltd (demand)

Magnetic Media Pty Ltd (demand)

Nick Langmaid (demand)

AusCERT (rep assoc)

UltraFast Communications (supply)

Mort Bay Communications Pty Ltd (supply)

Mailwizards Pty Ltd (demand)

Snapsite Pty Ltd (supply)

Gequetta Leago (demand)

Raymond Zylstra (demand)

Lucas Benning (demand)

Eli Barel (demand)

Conexim Australia Pty Ltd (supply)

Domain Candy Pty Ltd (supply)  
Domain Directors Pty Ltd (supply)  
JustNet Pty Ltd (supply)  
Bottle Domains (supply)

The board agreed to issue notices of default to members who have not yet paid their annual membership fee.

The CEO advised that approximately 50 additional demand class membership applications were received just prior to the board meeting. There were strong indications that the applications were garnered by James Guy in support of his nomination as a demand class director. The CEO further advised that auDA had received a copy of an email from James Guy to a DNS list member, in which Mr Guy offered to pay the person's membership fee in return for a proxy vote in his favour.

CN advised that the auDA Constitution allows the board to refuse any membership application, with reason. The board agreed to seek further information from the applicants before reconsidering their membership applications at the next board meeting.

The board expressed serious concerns about Mr Guy's actions. The board formed the view that Mr Guy may have been guilty of conduct detrimental to the interests of auDA and to the objects of auDA. Subject to Mr Guy being given an opportunity to explain his conduct, the board agreed that a special resolution be proposed at the AGM to terminate Mr Guy's membership.

The board noted that there have been other attempts in the past to stack the membership of auDA prior to a board election. It was suggested that auDA should amend the Constitution and/or the membership approval process to minimise the risk of membership stacking in future.

Action: Maddocks to write to the demand class membership applicants not approved at this meeting, seeking further information about their reasons for applying to join auDA.

Action: Maddocks to write to James Guy giving him an opportunity to explain his conduct.

Action: Maddocks to recommend possible amendments to the Constitution that would help to prevent membership stacking in future, with any amendments to be put to members at the AGM.

## 9. Board correspondence

The board noted correspondence from James Guy regarding various matters.

Action: Chair to reply to James Guy.

## 10. Other Business

Independent directors

TS and GC left the room for this discussion.

Motion (proposed CLO, seconded KH): That the board re-appoint TS and GC as independent directors under clause 18.2(f) of the Constitution for another 12 month term. Carried.

info.au and conf.au

DK advised that info.au is now operating on AUNIC. Robert Elz has not responded to auDA's requests to provide the zone file for conf.au.

Action: CEO to request Melbourne University to provide a copy of the zone file for conf.au (from munnari).

11. Next Meeting

The next board meeting will be held on Thursday 27 November 2003, after the AGM.

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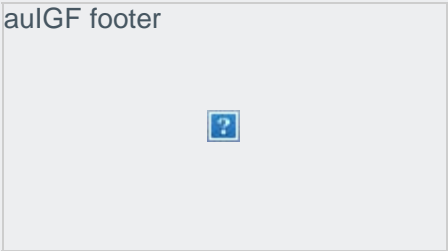
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# Board Minutes - 8 August 2003

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.

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# Board Minutes - 10 June 2003

Public Version  
Meeting of the .au Domain Administration Board

10 June 2003 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Greg Crew, Ric da Paz, Peter Dean, Chris Disspain, Kim Heitman, David Keegel, Peter Nissen, Elspeth Ross, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Greg Watson

Observers:  
John Higgins (Hayes Knight) and Tom Dale (NOIE)

Apologies:  
Kim Davies

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## 1. Continuous Disclosure

GC advised that he is no longer on the Board of ERG.

## 2. Confirmation of Minutes

The minutes of the April 2003 meeting were approved. There were no matters arising from the April meeting.

### 3. Finance Report

The board noted the finance report, previously approved by the Finance Committee. Three items were noted:

- auDA has received tax exempt status
- auDA's web site is being redesigned to meet best practice
- there is a significant increase in the allocation for education and media.

The 2003/04 budget was tabled. There was discussion about whether a draft of the budget should be published for comment prior to it being approved by the board. The board did not think this was appropriate but agreed to publish a summary of the budget once it was approved.

Motion (proposed GC, seconded KH): That the board approve the 2003/04 budget. Carried.

Action: auDA staff to publish a summary of the budget on the web site.

Action: auDA staff to establish an advisory committee to make recommendations on the use of the Education and Media budget. The committee will include registrar representatives.

### 4. CEO Report The following issues were noted:

edu.au

AUNIC/edu.au site was closed on Friday 6 June. AICTEC is due to go live on 12 June but they have not published their policies or procedures on their site to date.

gov.au

NOIE is currently reviewing gov.au arrangements particularly to include more involvement with the states and territories. The Technical Committee will report on the status of gov.au.

edu.au and gov.au

It was noted that there needs to be consistency between the 2LDs.

AUNIC

Now that edu.au is being moved to AusRegistry, the future of AUNIC needs to be determined.

### 5. Matters Arising from the Registrars Conference

An issues paper has been prepared by registrars.

Action: PS to circulate the paper to the board as soon as possible.

Action: auDA staff to prepare a formal response to registrars, including the points discussed below.

The Supply Class directors raised the following issues:

#### auDA Foundation

Concern: The basis of the Foundation is not understood and its objectives are not stated.

Reponse: Once the Trust Deed has been settled, it will be published on the web site accompanied by its objectives and an explanatory paper. However it was made clear that the Foundation was to be funded from monies raised from the generic names auctions and that (with the possible exception of domain name fees from org.au names) there is no intention that auDA's \$10 domain name fee would be paid into the Foundation on an ongoing basis.

Action: The trust deed to be finalised and published as soon as possible thereafter.

#### Board Transparency

Concern: Greater transparency of the board is requested.

Response: The board agenda will be published on the web site and the minutes of meetings will be published in a timely fashion.

Action: auDA staff to publish the board agenda and minutes on the web site.

#### Supply Class Representation on the Board

Concern: Registrars are concerned about how vacancies are filled.

Response: The board is constrained by the constitution in relation to mid-term board appointments.

Action: A constitution committee (CLO, RdP, DK & GW) has been formed to review the constitution in relation to board appointments.

#### Policy Reviews

Concern: There is no clear roadmap for policy reviews.

Response: There was lengthy discussion regarding policy review and whether all policies should be reviewed as a matter of course or only reviewed when there is stimulus to do so and whether reviews should be conducted by panels or not.

Action: auDA staff to consider setting up a policy review panel at some stage within

the next 12 months and make a call for submissions on which policies should be reviewed. Following further discussion, the board noted in particular that all relevant parties need to have input into policy issues.

## 6. Policy Development

A position paper on open and closed second level domains was presented to the board. It was unanimously agreed to endorse the paper and to accept the New Names Advisory Panel's recommended Process for Future Consideration of New 2LDs (modified to reflect the position paper).

It was noted that all proposals received for 2LDs would be published on the web site.

Action: auDA staff to publish the position paper and Panel report on the web site.

## 7. Membership

The members listed below were accepted in the classes indicated.

Anchor Systems Pty Ltd (supply)  
Information Technology Services, The University of Queensland (supply)

## 8. Board correspondence

There was no correspondence to the board.

## 9. Other Business

auDA Moving Forward Report by Jane Fenton

The report was tabled, discussed generally and approved.

Action: auDA staff to publish the report on the web site.

IANA database entry for .au.

Action: auDA staff to notify IANA that "whois.aunic.net" is the central .au whois server.

10. Next Meeting The next board meeting will be held on Monday 11 August 2003, at 10am.

**10 June 2003**

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# Board Minutes - 14 April 2003

Public Version  
Meeting of the .au Domain Administration Board

14 April 2003 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

Present:  
Kim Davies, Chris Disspain, Kim Heitman, David Keegel, Cheryl Langdon-Orr, Jo Lim, Michael Malone, Peter Nissen, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Greg Watson

Observers:  
Ric da Paz, John Higgins (Hayes Knight), Derek Whitehead (Swinburne University) and Keith Besgrove (NOIE)

Apologies:  
Greg Crew and Peter Dean

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## 1. Continuous Disclosure

PS advised that, subject to due diligence, Destra Corporation will acquire a 60% shareholding in TPP Internet (Two Purple Plums Pty Ltd).

## 2. Confirmation of Minutes

The minutes of the February 2003 meeting were approved. Report on actions arising from the February meeting:

auDA is awaiting advice from the Privacy Commissioner's office regarding opt-in/out options for mailouts.

auDA has submitted an expression of interest to the ccTLD Ad Com to run the ccTLD secretariat through to the Montreal meeting and possibly provide secretariat services to the new ccNSO when it is formed. Provision of secretariat would be on a cost recovery basis.

## 3. Finance Report

The board noted the finance report, previously approved by the Finance Committee. The draft 2003/04 budget will be submitted for consideration at the June board meeting.

## 4. New Names Advisory Panel DW presented the Panel's final reports.

New 2LD proposals. The board accepted the Panel's recommendations in full, namely: 1) conf.au will be reactivated, following policy development and consultation by auDA; and 2) no other proposal for new 2LDs will be accepted at this time. KB noted the Government's support for the evaluation process undertaken by the Panel.

Future process for consideration of new 2LDs. The board gave in principle support to the Panel's report, pending further clarification of the issue of open and closed 2LDs. The board confirmed its view that all 2LDs should be directly managed by auDA, apart from the legacy closed 2LDs (csiro.au, edu.au and gov.au).

Action: JL and DW to draft a position paper regarding open and closed 2LDs, to be considered at the next board meeting.

The board thanked DW and the Panel for their efforts. The board agreed that, in future, advisory panel chairs should receive remuneration. The board also discussed whether panel members should be remunerated, but decided that it may undermine the independence and integrity of the panel process. It was noted that, to date, there has not been any difficulty in attracting suitable people to participate on the panels in a voluntary capacity.

## 5. CEO Report

The following issues were noted:

AusRegistry quarterly report, Jan-Mar 2003

The board noted the drop-off rate for renewals and the increase in org.au registrations since 1 July 2002. auDA will examine these issues in more detail.

## auDA Foundation

auDA is awaiting a response from the Assistant Treasurer regarding the request for deductible gift status.

## gov.au

NOIE is currently reviewing gov.au arrangements, in particular the provision of registrar services for the state/territory 3LDs.

## 6. Membership

The board noted the report from the membership committee. The board approved the committee's recommendation that the auDA membership fee for demand class members be reduced from \$100 (plus GST) to \$20 (plus GST).

Action: auDA staff to investigate fee payment methods.

The members listed below were accepted in the classes indicated.

Cowley Hearne Lawyers (demand)

The Australasian Online Services Directory (supply)

CAUDIT (rep assoc)

## 7. Policy development

### Geographic names

JL advised that the Committee for Geographical Names in Australasia (CGNA) will provide a new reserved list for geographic names, when it updates the Concise Gazetteer in October. The CGNA will also provide the list of names to be used by local communities in the new geographic 2LDs.

The board discussed the restriction on geographic names in com.au and net.au. Two previous advisory panels have considered the issue but have not been able to provide a consensus recommendation. The board agreed that, rather than set up a new panel to consider a single policy issue, auDA should conduct its own public consultation. The consultation process will draw on the earlier work of the panels. The board reserved the right to refer the issue to a new advisory panel, depending on the outcome of the public consultation process.

The board noted progress on the implementation of the new geographic 2LDs, and the upcoming workshop with state/territory governments.

## 9. Board correspondence

Correspondence was received from Fr Michael Kelly (Australian Catholic Bishops' Conference) and John Mullarvey (Australian Vice-Chancellors' Committee) regarding the New Names Advisory Panel's report. The board considered the issues raised by both letters under item 4, above.

## 10. Other Business

### Code of Practice

The board endorsed the latest version of the Code on 31 March 2003 (via email). CLO raised the issue of a compliance mark for signatories to the Code. A registered compliance mark would require consultation with and approval from the ACCC and possibly the TIO. A registered compliance mark may also require auDA to take a more active role in monitoring the behaviour of resellers, which would have significant resource and regulatory implications.

Action: JL to further investigate the use of a compliance mark and report at the next board meeting.

### NOIE activities

KB advised the board of NOIE's work on 1) a strategic framework for the information economy, 2) spam and 3) critical infrastructure protection.

## 11. Appointment of New Director

MM tendered his resignation from the board, due to business and personal commitments. The board thanked MM for his outstanding contribution as one of the founding directors of auDA.

auDA's constitution (clause 19.7) states that where a director resigns mid-term, the board is required to appoint a replacement director within 3 calendar months of the vacancy. There is no provision for an election to fill the vacancy. The board agreed that it would be appropriate to appoint another person from iiNet/Connect West to replace MM as a supply class director.

Motion (proposed JR, seconded CLO): That the board appoint Ric da Paz to replace MM, for the remainder of MM's term of office (ie. until the 2004 AGM). Carried.

## 12. Next Meeting

The next board meeting will be held on Tuesday 10 June 2003, at 10am.

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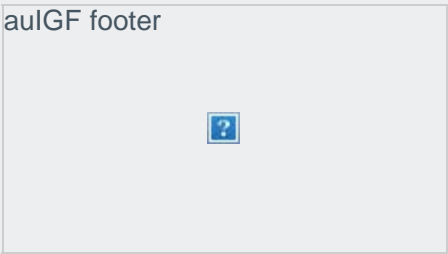
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# Board Minutes - 10 February 2003

Public Version  
Meeting of the .au Domain Administration Board

10 February 2003 - 1.00pm  
.au Domain Administration Limited, 107 Faraday Street, Carlton

Present:  
Greg Crew, Peter Dean, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Josh Rowe, Peter Shilling and Tony Staley

Teleconference:  
Cheryl Langdon-Orr and Greg Watson

Observers:  
Lindsay Barton (NOIE) and Derek Whitehead (Swinburne Uni)

Apologies:  
Kim Davies, Michael Malone and Peter Nissen

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## 1. Continuous Disclosure

PD clarified that he is a shareholder of A1 Registrar Pty Ltd, but has not been a director since July 2002. PD advised that his company The Company People Pty Ltd is negotiating to become a reseller of an accredited registrar.



JR advised that his company Sanctum Internet Pty Ltd has become a reseller of Enetica and is no longer a reseller of Melbourne IT.

## 2. Confirmation of Minutes

The minutes of the November 2002 meeting were approved.

## 3. New Names Advisory Panel

DW reported on the activities of the Panel during December and January.

Future process for consideration of new 2LDs. The Panel proposes a variation of the normal advisory panel process to consider proposals for new 2LDs on an ongoing basis in future. The Panel released its draft proposal for public consultation in January. Two submissions were received.

New 2LD proposals. The Panel short-listed 4 proposals in December and met with the proposers in January. The Panel will release its draft recommendations for public comment in February, before submitting its final report to the Board at the end of March.

TS advised that he has agreed to meet with Fr Michael Kelly regarding the catholic.au proposal. CD advised that he had a telephone call from Karen Rose regarding the same proposal; he invited her to write to the Board if she had any concerns about the Panel's process in evaluating the proposal.

## 4. Finance Report

The board noted the finance report, previously approved by the Finance Committee. The board noted the budget variances in income and expenditure, however it was agreed not to adjust the budget for the remaining 5 months of the year.

## 5. CEO Report

The following issues were noted:

### Closed 2LDs

auDA has signed a Sponsorship Agreement with NOIE regarding management of gov.au. The edu.au Sponsorship Agreement with DEST/AICTEC is being finalised.

### auDA Foundation

Arrangements for setting up the Foundation are proceeding. auDA has applied to the Treasurer for tax exempt status.

### AusRegistry outage, 15/1/03

The board noted the incident report provided by AusRegistry.

## 6. Membership

Pursuant to the decision at the last Board meeting, auDA notified non-paid-up members that their membership would lapse in December 2002. auDA now has 107 fully paid members (42 supply, 49 demand and 16 representative associations).

The members listed below were accepted in the classes indicated.

ADSL Direct (supply)

Computing Assistance Support and Education Inc (CASE) (rep assoc)

Jason Pay (demand)

Warner Village Theme Parks (demand)

## 7. auDA/AusRegistry mailouts

The board discussed recent mailouts by auDA to domain name registrants. The board agreed that it is part of auDA's basic mission to raise general awareness of the DNS and regulatory regime in Australia. Feedback on the letter and brochure was overwhelmingly positive. Consumer alerts are published on the auDA web site and notified to registrars. auDA would not ordinarily email a consumer alert to the registrant database, unless the circumstances warranted an immediate approach to prevent harm to registrants. The board noted that the AusRegistry mailout would provide useful information for both auDA and AusRegistry in relation to future growth of the .au domain space.

Action: auDA to:

- redraft the relevant legal agreements to ensure compliance with the National Privacy Principles for mailouts to registrants; and

- seek advice from the Privacy Commissioner regarding opt-in/out options for mailouts.

## 8. Policy development

Registrar accreditation

New accreditation criteria will be introduced this year, aimed at raising the standard of registrar compliance with the Code of Practice and other regulatory requirements.

Transfers policy

auDA received around 25 submissions on the transfers policy, mainly focusing on 2 aspects: registrant confirmation and loss of licence period. The revised policy will be released within the next month.

Code of Practice

The Code Committee is due to meet again this week to finalise changes to the Code arising from the 3 month review.

## 9. Board correspondence

No correspondence was received.

## 10. Other Business

### ICANN meeting

CD and JR will attend the next ICANN meeting in Rio de Janeiro at the end of March. The Board gave in principle support to the suggestion that auDA make an offer to run the secretariat for the new ccNSO.

### auDA committees

Action: CD to organise meetings of the auDA vision and membership committees.

## 11. Next Meeting

The next board meeting will be held on Monday 14 April 2003, at 10am.

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### **auDA Foundation**

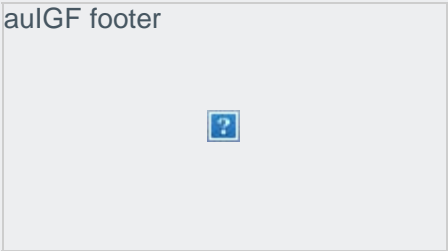
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# Board Minutes - 14 October 2002

Public Version  
Meeting of the .au Domain Administration Board

14 October 2002 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

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

Teleconference:  
Greg Watson

Observers:  
Allan Lebusque (NOIE), John Higgins (Hayes Knight), Craig Ng (Maddocks) and Derek Whitehead (Swinburne Uni)

Apologies:  
Kim Davies, Peter Dean and Liz Williams

- 
1. Continuous Disclosure  
No new declarations of interest were made at the meeting.
  2. Confirmation of Minutes

The minutes of the August 2002 meeting were approved.

### 3. Finance Report

The board approved the finance report. The 2001-02 audited accounts have been signed. There was a significant increase in members funds from the previous year, due to revenue raised by the generics auction.

The board noted that monthly income received from the auDA Domain Name Fee (implemented on 1 July) is currently running over-budget, however this is offset to some extent by the increased legal costs incurred by auDA with respect to the action against Internet Registry.

### 4. auDA Foundation

The board considered the sub-committee's report. It was suggested that a sunset clause be included, to provide a review point for the Foundation to ensure that sufficient funds remain and that the Foundation continues to meet its objectives. Details of the grants process and selection criteria will need to be refined by the Foundation board, in consultation with the auDA board.

Motion (proposed KH, seconded JR): That the board approve the sub-committee's report and proceed with implementation of the auDA Foundation. Carried.

### 5. New Names Advisory Panel

DW presented the Panel's Interim Report to the board.

#### New 2LDs selection criteria and process

The board commended the Panel on an excellent report, and agreed that the Panel is acting responsibly in raising the broad policy implications of its work at this time. The board expressed full confidence in the Panel's handling of the process to date.

Motion (proposed MM, seconded DK): That the board agree that the Panel proceed to evaluate new 2LD proposals according to its understanding of the selection criteria and process as set out in the Interim Report. Carried.

#### Geographic 2LDs

The board expressed in principle support for the Panel's recommendations regarding new geographic 2LDs. However, the board was concerned about the apparent low level of public response and participation in the process, and asked the CEO to attempt to raise awareness among the media. The board felt that it was necessary for the public to have a further opportunity to comment on the Panel's recommendations on new geographic 2LDs.

The board noted that the creation of wa.au, sa.au and nt.au might breach ICANN's restriction on using TLDs as lower level domains. It was agreed that auDA would request an exemption from ICANN, on the basis that the community benefits in using the recognisable abbreviations for Australian states and territories outweigh any technical disadvantage.

Action: The Panel will undertake a final round of public consultation on geographic 2LDs, before submitting its final recommendations on the OCOS proposal.

## 6. edu.au

PN declared his interest in edu.au management issues, as a representative of education and training stakeholders. Progress on the transfer of management of edu.au from auDA to AICTEC was discussed.

## 7. Policy Development

Transfer of domain name licences between registrants

The board approved the amended Transfers Policy, permitting a transfer where a dispute between the parties has been settled prior to litigation or arbitration. The board noted that transfers are processed manually by AusRegistry, thereby providing a checkpoint for auDA to investigate transfers that may be in breach of the policy.

Action: JL to request AusRegistry to notify auDA when a transfer is processed.

## 8. AGM Arrangements

The AGM will be held on Monday 11 November 2002 at 11am, at Maddocks. The main agenda items are the election of a new board and a resolution to approve the increase in independent directors' fees.

## 9. Membership

auDA currently has approximately 70 financial members. The board agreed to send a final notice to all non-financial members giving them 30 days to pay their account, after which time their membership will be terminated (in accordance with the process outlined in auDA's Constitution).

The members listed below were accepted in the classes indicated.

Samuel Bauers (demand)  
Netmastery Pty Ltd (supply)  
BKB Computer Services (supply)  
Adrian Chadd (demand)  
Paul Day (demand)  
Michelle Dixon (demand)  
Enetica Pty Ltd (supply)  
Express Domains (supply)  
David Greenland (demand)  
Robert Gregory (demand)  
Host 1 Pty Ltd (supply)  
Ilisys Internet (supply)  
Cheryl Langdon-Orr (demand)  
Master Plumbers and Mechanical Services Association of Australia (rep assoc)



Mort Bay Communications Pty Ltd (supply)  
Stephen Moulton (demand)  
Australian Retailers Association (rep assoc)  
Sanctum Internet Pty Ltd (supply)  
Telstra Corporation Pty Ltd (supply)  
Chris Wright (demand)  
Brett Zezulka (demand)  
AusRegistry Pty Ltd (supply)

## 10. GST

The board agreed that auDA will require all foreign registrars to register in Australia for GST purposes, in accordance with advice received from the Australian Taxation Office.

## 11. Board correspondence

The board noted the following correspondence:

Dharmamati Dharmamati, regarding the introduction of a fee for org.au names.  
Brian Goodchild, Committee for Geographical Names in Australasia, regarding the restriction on geographic domain names in com.au and net.au.

Jesmond Camilleri, Telstra, regarding auDA's Transfers Policy. The board noted that Mr Camilleri's comments will be taken into account when auDA reviews this policy in early 2003.

## 12. Other Business

auDA goals for 2003

The CEO has prepared an overview of auDA's goals for 2003, which will be further developed in consultation with the board and staff.

Retiring directors

CC, PC and LW advised that they will not re-stand for election at the AGM.

The board thanked CC for his significant contribution to auDA and the Australian DNS, his technical expertise and goodwill have been much appreciated.

The board acknowledged PC for his unique charm and participation in auDA's activities over the past 2 years.

The board registered LW's enthusiasm and in particular her efforts to develop the industry Code of Practice, and wished her well in her future endeavours in the international DNS.

## 13. Next Meeting

The next board meeting will be held on Monday 11 November 2002 at 2pm, after the AGM.

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# 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 structure. 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 constitutional 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.

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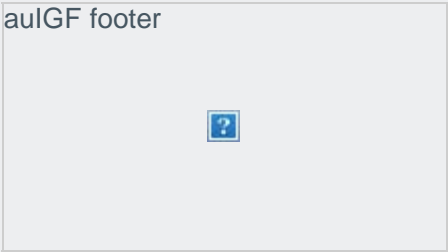
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# Board Minutes - 17 June 2002

Public Version  
Meeting of the .au Domain Administration Board

17 June 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, Josh Rowe, Tony Staley and Liz Williams

Observers:  
Michelle Scott (NOIE) and John Higgins (Hayes Knight)

Apologies:  
Kim Davies, Peter Nissen and Greg Watson

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## 1. Continuous Disclosure

PC advised that he has submitted a proposal for a new 2LD, club.au.

## 2. Confirmation of Minutes

The minutes of the April 2002 meeting were approved.

3. Finance Report The Finance Committee approved the finance report prior to the meeting.

#### 4. 2002-2003 Budget

The board approved the 2002-2003 Budget, noting that the Budget will be reviewed on an ongoing basis to ensure that it remains relevant throughout the next 12 months.

The board noted that the auction of generic domain names is a one-off event and therefore should not be considered part of auDA's ongoing income. At the end of the auction process, auDA will determine how to allocate the generics auction proceeds. The board agreed that it would be prudent to allocate at least part of the proceeds to a contingency fund.

The board agreed that it would not consider reducing auDA's Domain Name Fee until the end of the first 12 months of the new regime. Until auDA has more information about the effect of the new regime on the market and future domain name growth trends, it is not possible for auDA to determine its ongoing income and expenditure.

#### 5. CEO Report

The CEO gave a progress report on the generics auctions and transition to the new regime. The board also received a progress report from AusRegistry about the status of the new registry system.

The members listed below were accepted in the classes indicated, subject to checks by the CEO.

Karl Schaffarczyk (supply)  
Net Dot Com Dot Au Pty Ltd (supply)  
Ian Bergman (demand)

#### 6. Policy Development

Transfer of domain name licences between registrants

The board discussed the advantages and disadvantages of facilitating transfers of domain name licences between registrants. Some directors thought that allowing transfers would increase the value of domain names in the marketplace, while others thought that it might undermine the overall value of the .au domain space vis-a-vis the gTLDs.

Action: Directors to continue discussion on the board mail list, and auDA staff to draft an issues paper and recommendations for consideration at the next board meeting.

New 2LDs

auDA received 15 new 2LD proposals. The board approved all 23 nominations for membership of the New Names Advisory Panel. The Panel will commence work in July and provide its final report to the board by the end of the year.

### Code of Practice

LW gave a progress report on Code of Practice development. The drafting committee released a draft Code for public comment on 7 June. The committee will take public feedback into account when finalising the Code for presentation to auDA for approval. Until the Code is finalised, auDA's Interim Code will continue to apply.

Action: auDA staff to update the Interim Code before go live, to include some sections of the draft Code.

## 7. Other Business

### Remuneration Review Committee

The board appointed a sub-committee of MM, GC and PD to review CEO remuneration.

### Membership Committee

The committee has been tasked with formulating proposals to address:

1. Structure of membership classes (including possible constitutional change)
2. Membership fees - including streamlined process (eg. online payment methods)
3. Budget implications of any benefits attaching to membership Action: Membership committee will meet in July to draft an issues paper and recommendations for consideration at the next board meeting.

### ICANN reform

NOIE advised that the Australian Government has proposed that ICANN be reformed along the lines of the auDA model.

## 8. Next Meeting

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

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# Board Minutes - 8 April 2002

Public Version  
Meeting of the .au Domain Administration Board

8 April 2002 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

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

Teleconference:  
Liz Williams

Observers:  
Keith Besgrove (NOIE), Michelle Scott (NOIE) and John Higgins (Hayes Knight)

Apologies:  
Michael Malone and Josh Rowe

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## 1. Continuous Disclosure

CC advised that he has resigned from Connect Internet Services and accepted a position with COMindico.

KD advised that he has accepted a position with CENTR in Austria.

PC advised that he is no longer a director of the TLDA.

## 2. Confirmation of Minutes

The minutes of the February 2002 meeting, as amended by PC, were approved.

## 3. Finance Report

The Finance Committee approved the finance report prior to the meeting. Deloitte Touche Tohmatsu has advised that auDA may qualify for tax exempt status under recent amendments to the taxation legislation regarding non-profit organisations in the ICT sector.

Action: auDA to lodge objection to tax assessment, in accordance with the new legislative provisions.

## 4. CEO Report

The CEO gave a progress report on the generics auctions, transition to competition, and new staff.

Action: Transition update to be posted on auDA web site.

## 5. Policy Development

### auDRP

The board noted progress on auDRP implementation. auDA will hold training sessions for prospective auDRP panelists during May.

### New 2LDs

The board approved the selection criteria for new 2LDs. It was agreed that the board should reserve its opinion on whether open 2LD proposals should take precedence over closed 2LD proposals, until the outcome of the call for proposals is known. The board requested that the New Names Panel provide its final report in November 2002.

Action: auDA staff to issue call for proposals for new 2LDs, and nominations for New Names Panel.

### Code of Practice

LW gave a progress report on Code of Practice development. The next committee meeting is on 22 April, after which a draft Code will be released for public comment. The board re-affirmed that it is not auDA's role, nor is it sufficiently resourced, to actually write the Code. Rather, auDA's role is to promote and facilitate development of the Code by the industry.



## 6. New DNS Secondary Arrangement

KD advised that ISOC-NZ has requested a reciprocal DNS secondary arrangement for .au and .nz. The board agreed that there are benefits to such an arrangement, that it could be incorporated into the general .au DNS strategy currently being implemented, and that appropriate terms and conditions (eg. service levels) could be specified in a Memorandum of Understanding between auDA and ISOC-NZ.

Action: KD to follow up with ISOC-NZ.

## 7. Membership

The members listed below were accepted in the classes indicated, subject to checks by the CEO.

DHS International P/L (supply)  
Destra Corporation (supply)  
webarama.com.au (supply)  
Anthony Alder (demand)  
Fleur Hinton (demand)  
Cyrille Lefevre (supply)  
Michael Pappas (supply)  
Internet Registry P/L (supply)  
Imagineering Technology P/L (supply)  
Augusta Margaret River Tourism Assoc (rep assoc)

Action: Membership outreach committee to draft issues paper for the board focusing on 1) who auDA members should be (eg. all domain name holders?), and 2) what services should be provided to members. The committee was also asked to consider how to improve transparency of auDA (eg. public board meetings?), and a process for regular review of auDA policy.

## 8. NOIE report on ICANN reform

NOIE advised that it will shortly issue a discussion paper regarding ICANN reform. Submissions are due by 6 May.

Action: auDA to provide input to NOIE in early May.

## 9. Other Business

### IDNs

The board noted that AusRegistry will implement checks to prevent registration of International Domain Names (IDNs) in the .au domain, in accordance with ICANN policy. This means that domain names with hyphens in the third and fourth position (eg. ab--cde.com.au) will not be able to be registered. Action: Restriction on IDNs to be included in auDA's policy rules.

Transfer of domain name licences between registrants

The board noted that under auDA's draft Consumer Safeguards policy, a registrant may transfer their domain name licence to another registrant. This is not allowed under current policy. The change in policy requires board approval.

Action: PC to draft a paper on transfer of domain name licences between registrants, for consideration at the next board meeting.

#### Standing technical advisory committee

The board agreed to appoint a standing technical advisory committee, pursuant to the Competition Panel's final report. The role of the committee will be to provide information and advice to the board on DNS technical developments of relevance to the .au domain.

Action: auDA staff to draft proposed composition and terms of reference for the committee, for consideration at the next board meeting.

#### Attendance at next ICANN meeting in Bucharest

TS will attend with the CEO.

#### Directors

GW advised that he will be moving to the US at the end of May. The board acknowledged GW for his outstanding contribution to the development of auDA and the .au domain, in particular his personal commitment and effort in securing Government endorsement of auDA in 2000.

The board noted that KD is also moving overseas, and acknowledged KD for his contribution to .au reform over the past 4 years, in particular his work as auDA webmanager and DNS list administrator.

#### 10. Next Meeting

The next board meeting will be held on Monday 17 June 2002 at 10am.

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# Board Minutes - 4 February 2002

Public Version  
Meeting of the .au Domain Administration Board

4 February 2002 - 1.00pm  
.au Domain Administration Limited. 107 Faraday Street. Carlton VIC 3053

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

Observers:  
Michelle Scott (NOIE) and John Higgins (Hayes Knight)

Apologies:  
Patrick Corliss



## 1. Continuous Disclosure

PC, PD, MM and JR advised that they have submitted applications for generic domain names through the auction process, and/or they have advised other applicants.

## 2. Confirmation of Minutes

The minutes of the November 2001 meeting were approved.

### 3. Finance Report

The Finance Committee considered the accounts and budget prior to the board meeting. The Jan-Jun 2002 budget has been re-cast to take account of the revised transition timeline, and additional sources of funding (eg. generics auction).

Motion (GC proposed, KH seconded): That the November and December 2001 accounts are accepted, and the budget for Jan-Jun 2002 is approved. Carried.

Action: CEO to prepare draft 2002/03 budget for consideration by the board at the next meeting.

### 4. CEO Report

The following issues were noted:

Transfers between registrars is a critical issue and should be resolved prior to go live. auDA can draw on ICANN experience, as well as similar experience in the telecommunications industry. Action: LW to draft issues paper for the board.

No changes proposed to the current Delegations of Authority. The amount at which contracts must go out to tender is set at \$20,000.

### 5. auDA Domain Name Fee for org.au

The board noted that the proposed registry fee for org.au (\$12.00 including the auDA DNF of \$11.00) is already much lower than the other 2LDs. The board's view was that there are few if any disadvantages in a small charge for org.au domains, but a number of advantages. Most organisations, even not-for-profits and charities, can afford to pay for domain name registration. However the current arrangement has resulted in a significant number of "dead wood" domains; those that have been registered in the past but are no longer being used. In addition, it was felt that a small charge would be justified by registrant's expectations of a minimum level of service for the domain, something that is not provided under current arrangements. Finally, the board could not see a reason why org.au should receive preferential treatment over other 2LDs (especially asn.au, whose registrants also include not-for-profits).

Motion (GW proposed, JR seconded): That the auDA Domain Name Fee for org.au should be maintained. Carried.

### 6. New com.au policy – meaning of “close and substantial connection”

The board discussed the meaning of the new “close and substantial connection” rule as it applies in com.au (and net.au). The board acknowledged comments provided by Name Panel Chair Derek Whitehead, in support of a more flexible interpretation. The board also noted that one of its guiding policy principles is the facilitation of industry growth and business development.

Motion (LW proposed, GC seconded): That the board clarify that the “close and substantial connection” rule refers to a connection between the domain name and a name of the registrant (ie. including the registrant’s company/business name or trade mark, and the name of the registrant’s products and services). Carried. DK voted against the motion. PD, MM and JR did not vote.

## 7. New Names Advisory Panel

The board agreed that auDA would issue a call for proposals for new 2LDs, and set the selection criteria to be used by the Panel in assessing the proposals. Different criteria may be relevant for open and closed domains. The Panel will be asked to provide clear recommendations to the board, in particular showing how each successful proposal rates against the selection criteria. The Panel will also be asked to recommend a process for future consideration of new 2LD proposals on an ongoing basis, possibly as an administrative process by auDA staff.

Action: CPO to re-draft Panel Terms of Reference for board approval.

Action: auDA staff to draft selection criteria for new 2LDs, for board approval.

## 8. Code of Practice

The closing date for nominations for the Code drafting committee was 25 January. Committee membership will be announced once an additional consumer representative has been confirmed. The first committee meeting will be held in mid-February.

## 9. Membership

The members listed below were accepted in the classes indicated.

Mark Cheeseman (demand)  
Christopher Norman (demand)  
The Aussie Internet (supply)  
Domain Registration Services (supply)  
Mediakinetix (supply)  
Webaccess (supply)  
Teragen Pty Ltd (supply)  
Sebastian Filzek (demand)  
James Mitchell (demand)  
Mark Jarvis (demand)  
IntaServe (supply)  
TotalNIC (supply)  
SecureNet Ltd (supply)  
Peter Nissen (demand)  
Brett Howell (demand)  
Internet Business Corp Ltd (supply)

Action: CEO to draft issues paper for the board on proposed changes to membership fees, including any necessary constitutional changes. GC offered to assist.

Action: LW to draft issues paper for the board on membership outreach to existing and potential new members, including possible services that could be provided to members and a process for regular review of auDA policy.

10. Other Business

The board agreed to add a standing agenda item dealing with board correspondence.

11. Revised 2002 Meeting Schedule

The next board meeting will be held on Monday 8 April 2002 at 11am.

The board will meet on 8 April, 17 June, 12 August, 14 October.

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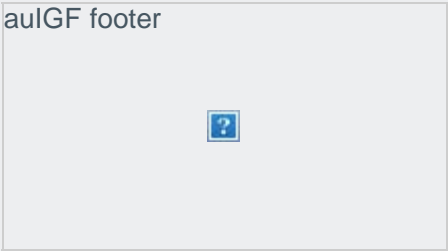
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# Board Minutes - 26 November 2001

Public Version  
Meeting of the .au Domain Administration Board

26 November 2001 - 1.00pm  
The Bank Room. Sebel Hotel. 394 Collins Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Patrick Corliss, Kim Davies, Peter Dean, Chris Disspain, Kim Heitman, Jo Lim, Peter Nissen, Josh Rowe, Tony Staley, Greg Watson and Liz Williams

Observers:  
Michelle Scott (NOIE), Craig Ng (Maddock Lonie & Chisholm) and John Higgins (Hayes Knight)

Apologies:  
Greg Crew, David Keegel and Michael Malone

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## 1. Welcome New Directors

The board welcomed Peter Dean, Peter Nissen and Josh Rowe.

## 2. Vote of Thanks to Retiring Directors

Motion (proposed KH, seconded CC): Thanks to Iain Morrison, Erica Roberts and David Thompson for their past contribution to auDA. Carried.

Action: Chair to write thankyou letters to IM, ER and DT.

### 3. Continuous Disclosure

PD advised that he is chairman of The Instra Group, a channel partner of Melbourne IT. Instra has applied to become a test-bed registrar.

JR advised that he is a director of Sanctum Internet Pty Ltd, a channel partner of Melbourne IT.

PN advised that he is a director of Education.au Ltd, an organisation that is likely to become the registrar for edu.au. PC advised that he provided advice and assistance to one of the test-bed registrar applicants.

KD advised that he was involved in drafting a response to the registry RFT (previously advised by email on 31/10/01).

### 4. Election of Chair and Co-Chair

TS (nominated GW, seconded LW) was elected Chair unopposed.

GW (nominated TS, seconded CC) was elected Co-Chair unopposed.

### 5. Election of Deputy Chair

LW (nominated PC, seconded KD) was elected Deputy Chair unopposed.

### 6. Election of Board Committees

Finance Committee: PD, KH, GC, PC, CD, John Higgins

Audit Committee: PD, KH, GC, PC, JH

Technical Committee: CC, JR, KD, DK, GW

Membership Committee: LW, PN, KH, CD

Action: Board committees to be listed on the auDA web site.

### 7. Confirmation of Minutes

The minutes of the October meeting were approved. The board was reminded that minutes will be approved via email, after a 10 day comment period. Once approved, the public version of the minutes will be posted on the auDA web site.

### 8. Finance Report

The board accepted the October monthly accounts.

### 9. CEO Report

A registry tender evaluation panel has been established comprising CN, JH and Len Whitehouse from Monash University. All tenderers have been notified of the change of evaluation panel and no objections have been received.

#### 10. Policy Development

auDA will facilitate the development of an industry Code of Practice, to replace the Interim Code of Practice, starting with a public meeting on 11 December 2001. The Code of Practice falls outside auDA's normal policy development processes, as it does not require the board to make a decision but instead requires the industry to reach consensus agreement.

Pursuant to the recommendations of the Name Panel (accepted by the board in August), a new Advisory Panel will be established in early 2002 to consider the creation of new 2LDs. Derek Whitehead has indicated his willingness to chair the new Panel.

Action: DW to be formally invited to chair the new Panel. auDA staff and DW to draft terms of reference for approval by the board in February.

#### 11. Other Business

PC proposed that the amount at which contracts should be subject to multiple quotes or tender be reduced from \$20,000 to \$5,000.

Action: CEO to consider PC's proposal and report back to the board.

#### 12. Extraordinary Board Meeting

There will be an extraordinary board meeting of non-conflicted directors to consider the registry tender outcomes on Wednesday 5 December 2001, 2-5pm at Faraday St.

#### 13. 2002 Meeting Schedule

The next board meeting will be held on Monday 4 February 2002.

The board will meet on 8 April, 10 June, 12 August, 7 October.

Action: auDA staff to consider possibility of holding Board meetings in locations other than Melbourne.

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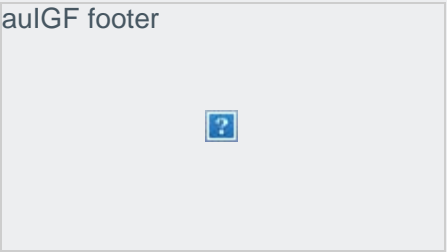
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# Board Minutes - 8 October 2001

Public Version  
Meeting of the .au Domain Administration Board

8 October 2001 - 1.00pm  
.au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Patrick Corliss, Greg Crew, Kim Davies, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Iain Morrison, Erica Roberts, Tony Staley, Greg Watson, Liz Williams

Teleconference:  
David Thompson

Observers:  
Donna Austin (NOIE), Paul Szyndler (NOIE), Craig Ng (Maddock Lonie & Chisholm) and John Higgins (Hayes Knight)

Apologies:  
Michael Malone

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## 1. Continuous Disclosure

PC advised that he has resigned as Alternate Chair of the DNSO General



Assembly.

## 2. Confirmation of Minutes

The minutes of the August meeting were approved, subject to one change requested by ER.

The board agreed that minutes will be approved via email, after a 10 day comment period. The draft minutes will indicate which sections (if any) will be changed for publication. Once approved, the public version of the minutes will be posted on the auDA web site. Any subsequent issues with the minutes can be addressed by the board in the minutes of the next meeting.

## 3. Corporate Governance

CN advised that there are two important issues in relation to conflict of interest:

- whether a director with a material interest is in a position to advantage themselves or someone else; and

- whether there is a perception that a director with a material interest in a position to advantage themselves or someone else.

In the case of an industry self-regulatory body like auDA, the perception of conflict is just as important as actual conflict. CN advised that auDA should err on the side of caution to ensure that its integrity is not compromised. Decisions about whether a director is conflicted or not should be made by non-conflicted directors.

Directors declared any interests relevant to consideration of the Registry RFT and Licence Agreement:

- DK is a director and employee of Cybersource, which provides system administration services for AUNIC. DK advised that Cybersource will not respond to the RFT.

- GW is an employee of Monash University, which drafted the Registry Technical Specification.

- PC is a director of the Top Level Domain Association, and may be interested in responding to any future tenders for new 2LD registries.

- KH's employment with iinet was terminated in June and he is currently serving a notice period. Based on his own legal advice, KH conceded that there may be a perception of conflict of interest.

- LW consults to Momentous Canada, which may respond to the RFT.

- IM is a director of Melbourne IT, which may respond to the RFT.

- ER consults to Melbourne IT, which may respond to the RFT.

- CC is an employee of Connect.com.au. CC was not able to obtain written confirmation before the meeting from Connect.com.au that it will not respond to the RFT.

Conflict of interest does not arise in relation to the Registrar Agreement, as it is a public document.

## 4. Registry Technical Specification

The board agreed that IM be permitted to submit late comments on the Registry Technical Specification.

The CEO advised that the contract with Monash University todraft the Registry Technical Specification was negotiated pursuant to the board's approval of the Implementation Plan at the August meeting.

The board agreed that there is a need to clarify the operating processes to be followed by auDA.

Action: CEO to advise which delegations of authority arecurrently in place, and board to discuss at the next meeting.

Action: GC and JL to draft operating manual, referred to in clause 21.7 of auDA's Constitution.

## 5. Registrar Agreement

The draft Registrar Agreement was published on 1 October and a public meeting to discuss the Agreement was held on 5 October, attended by approximately 30 people. A few written comments have been received to date. The original closing date for comments was 8 October, and has since been extended to 12 October. The board noted that it is critical that industry have adequate opportunity to respond to such an important document, and therefore agreed to further extend the public comment period to 19 October.

Some directors expressed concern that the draft Agreement is heavily weighted in favour of auDA, and is therefore less balanced than ICANN's registrar agreement. This could result in it being a barrier to entry. The CEO and CN explained that the Agreement has been drafted to ensure that auDA has the legal power it needs to regulate the industry effectively. For example, the limitation of liability provisions in clause 20 are aimed at preventing a big registrar from crippling auDA by suing it for damages.

CN further explained that the Agreement is to be read in conjunction with auDA's Published Policies. It is intended that most issues will be dealt with in the Published Policies, thereby removing the need to change the Agreement every time auDA changes policy. This is so that auDA can respond quickly to policy issues as they arise.

The board noted that Clause 19 of the Agreement lists the general obligations of auDA, including being open and transparent and ensuring that registrars have adequate opportunity to contribute to auDA's policies. It was agreed that this could be highlighted more prominently in the Agreement, to address the perception that auDA has unconstrained power in relation to registrars.

The board agreed that the development of an industry code of practice is an essential element of industry self-regulation. It was agreed that the code development process would commence during the test-bed period.

Once the Registrar Agreement is finalised, following public comment, auDA will issue an Expression of Interest for registrars to participate in the test-bed with the new registry (or registries). The number of test-bed registrars will be limited. Test-bed registrars will be the first auDA Accredited Registrars to “go live”.

The board agreed the need to ensure that due process is followed in providing a final sign-off for the Registrar Agreement.

Action: auDA staff to prepare explanatory documentation that sets out the key documents and timelines for the introduction of competition.

Action: GW, DT and KD to consider the revised Registrar Agreement, to determine whether the changes are substantial enough to warrant a second round of public comment. If so, then the Agreement will be released for public comment for a short period, before being issued as part of the EOI for test-bed registrars.

## 6. Registry RFT and Licence Agreement

CC, KH, IM, ER and LW left the room for this discussion.

The CEO advised that once the Registry Technical Specification (RTS) is finalised, the RFT will be ready for release. The RFT will be open for 3 weeks.

The RFT evaluation panel will comprise 3 people from Deloitte Touche Tohmatsu and 1 from Monash University, each of whom will consider proposals according to their own area of expertise. JL and CN will provide advice to the panel. The panel will provide a full report to the board. Only those directors who are non-conflicted at the time of evaluation will be able to consider the report.

Motion (proposed GC, seconded GW): That the board approve the Registry RFT and Licence Agreement, to be issued by auDA as soon as the RTS is finalised. Carried.

The board agreed the need to ensure that due process is followed in providing a final sign-off for the RFT.

Action: GC and DK to consider the revised RTS, to determine whether the changes are substantial enough to warrant a second round of public comment. If so, then the RTS will be released for public comment for a short period, before being issued as part of the RFT.

## 7. CEO Report

The redelegation agreement with ICANN has not yet been signed, and no fees have been paid to ICANN. auDA has made it clear to ICANN that although we will sign the agreement, we will continue to participate in ccTLD constituency negotiations with ICANN.

DK will attend the ICANN meeting in Marina del Ray in November.

auDA will move offices at the end of October to 107 Faraday Street, Carlton.

## 8. Finance Report

The board accepted the August and September monthly accounts.

The CEO advised that the funding issue with Melbourne IT had been resolved, and payment from Melbourne IT had been received. There will probably be one more payment due from Melbourne IT before competition is introduced (any extra will be refunded to Melbourne IT as auDA's cash flow permits).

Directors were reminded to submit their expense claims in a timely manner.

## 9. Dispute Resolution Working Group report

JL advised that the DRWG has adapted the auDRP to provide an appeals process for a complainant whose domain name application is rejected by a registrar for failure to meet the policy rules.

The board accepted the report, subject to a change to clause 8 of Attachment A to qualify the right of registrars to modify the policy with auDA's permission..

The board thanked PA and the group for its efforts.

## 10. AUNIC

Action: CN to send letter to NetRegistry notifying termination of the contract. CEO to issue media release when appropriate.

## 11. Membership

The members listed below were accepted in the classes indicated.

Business Park Pty Ltd (supply)  
Two Purple Plums Internet (supply)  
Aussie Web Hosting (supply)  
Ian Johnston (demand)  
Motive Pty Ltd (demand)  
Adrian Kloeden (demand)  
Matt Narayen (demand)  
Theo Hranakis (demand)  
Elizabeth Rizzi (demand)  
Scott Arbuthnot (demand)  
Guye Engel (demand)

## 12. AGM

The AGM will be held on Monday 26 November 2001, at 12pm. No more members will be approved before the AGM.

The following directors will be standing down: DK (supply), KD and DT (demand), IM (representative), ER (general).

There are no proposed changes to the Constitution.

13. DNS list

The board discussed recent problems with the DNS list (eg. some people using the list to make personal attacks).

It was suggested that auDA discontinue its association withthe DNS list and set up a new list for members.

Action: auDA staff to report to the board on options for running a mail list, including liability issues if auDA takes over hosting the DNS list from iinet (or if auDA sets up a new list).

14. Next Meeting

The next board meeting will be held on Monday 26 November, following the AGM.

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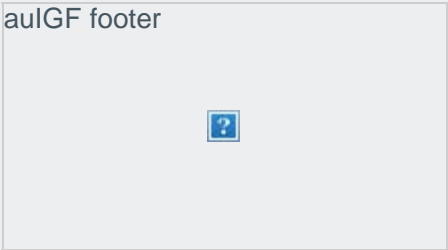
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# Board Minutes - 13 August 2001

Public Version  
Meeting of the .au Domain Administration Board

13 August 2001 - 1.00pm  
.au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Patrick Corliss, Greg Crew, Kim Davies, Chris Disspain, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Erica Roberts, Tony Staley, David Thompson, Greg Watson

Teleconference:  
Liz Williams and Philip Argy

Observers:  
Donna Austin (NOIE), Craig Ng (Maddock Lonie & Chisholm), John Higgins (Hayes Knight), Derek Whitehead, Philip Argy

Apologies:  
Nil

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## 1. Continuous Disclosure

PC advised that he is a director of the Top Level Domain Association (TLDA).



GC advised that his business relationship with Melbourne IT has now ceased.

## 2. Confirmation of Minutes

The minutes of the July meeting were approved.

## 3. Finance Report

The CEO advised the appointment of Hayes Knight as auDA's new accountants. John Higgins from Hayes Knight presented the finance report. The board accepted the July monthly accounts.

## 4. Budget 2001/02

The CEO explained the funding model outlined in the draft budget for 2001/02. Under the new regime, it is proposed that auDA's income will be sourced from the following:

- per domain name charge, to be collected monthly via the registry
- annual registry licence fees, to be banded according to size of 2LD
- annual registrar licence fees
- registrar accreditation fees.

The budget also includes a line item for the one-off auction of generic domain names.

The board approved the funding model.

## 5. Name Panel report on New 2LDs

Derek Whitehead advised that the Panel's public consultation had not demonstrated a high level of community demand for new 2LDs at this time. The Panel's recommendations therefore focused on changing some existing 2LDs and the process to be used by auDA to select new 2LDs in future.

The board accepted the Panel's report in full:

The Panel recommends that new 2LDs be selected through a process by which auDA will issue an open call for proposals.

The Panel recommends the following criteria [listed in report] be used in evaluating and determining appropriate new 2LDs.

The Panel recommends that auDA draft a policy statement and rules in a uniform format for each of the existing Australian 2LDs.

The Panel recommends that the rules drafted for id.au should permit the licensing of domain names directly under id.au.

The Panel recommends that auDA undertake a public review of conf.au and info.au, to determine their role in the Australian DNS.

The Panel recommends that a new community-focused geographic 2LD or 2LDs should be given high priority in the process for selecting new 2LDs.

The Panel recommends that the new ICANN TLDs should not be accorded

priority in the process for selecting new 2LDs.

The board agreed that the report would not be implemented until early next year, following the introduction of competition and new domain name policy. The board noted that the evaluation criteria for new 2LDs should address issues such as consumer demand and technical compliance.

The board thanked DW and the Panel for all the work they have done over the past 12 months.

Action: CEO to issue a media release announcing the board's acceptance of the Panel's report.

## 6. Generic Domain Names

The board agreed to adopt the following method of allocation of generic domain names:

1. Publish list of names refused by Melbourne IT because deemed to be generic. The list will be closed shortly before publication.
2. Advertise a 14 day period during which an interest in a name can be registered.
3. Interested parties must complete an application form to demonstrate that as at 13 August 2001, they were eligible to hold the name under the new policy rules.
4. At the end of the 14 day period, auDA will assess the applications received.

There are 3 scenarios:

- a. If there is only one eligible applicant for a name, that applicant may reserve the name by paying a fixed price (eg. \$100) to auDA. The applicant will be able to register the name under the new regime for the normal retail price. OR
- b. If there is more than one eligible applicant for a name, those applicants may proceed to a closed auction for the name. The winner of the auction may reserve the name by paying the amount bid to auDA. The winner will be able to register the name under the new regime for the normal retail price. OR
- c. If there are no eligible applicants for a name, the name will become available for registration under the new regime on a first come, first served basis. Note that the generic domain names will be registered by registrars, not by auDA. auDA will receive the proceeds of the auction, it will not receive payment for generic domain names when they are registered after the auction.

The board decided that while the list of generic domain names will remain open until shortly before the auction, applicants for generic domain names should be eligible to hold the name as at 13 August 2001. This will minimise the opportunity for people to register business names solely for the purpose of registering generic domain names. This is intended as a measure of protection for those people who have applied for names in the past and would otherwise have been eligible to hold them but for the restriction on generics. ER voted against this decision.

Action: auDA staff to further develop the implementation plan for the auction of generic names, including the technical means and cost of conducting the auction.

## 7. auDRP

Philip Argy explained that the working group's intention in drafting the auDRP was to maintain consistency with the ICANN UDRP, but try to close some of the loopholes that have become apparent in UDRP experience to date, and also tailor the policy to fit the .au context.

The board accepted the auDRP report in full. It was noted that the provision of effective notice to the respondent may be difficult if WHOIS information is restricted for privacy reasons, however this can be addressed as part of the implementation plan.

The board thanked PA and the group for its efforts, and noted that the group is now working on adapting the policy to cover other types of disputes.

Action: CEO to issue a media release announcing the board's acceptance of the auDRP report.

## 8. Implementation Plan

The board approved the implementation plan for the transition to the new regime, noting the tight deadlines and scarce resources.

Action: CEO to provide interim status reports to the board during implementation.

## 9. Membership

The members listed below were accepted in the classes indicated.

Internet Names Protection (supply)

Steven Plunkett (demand)

e-sign (demand)

The Company People (demand)

M James (demand)

Australian Unified Services (supply)

## 10. Board Development

Action: TS to follow up options for providing training to directors with regard to not-for-profit corporate governance and industry self-regulation issues.

## 11. AGM

The AGM has been deferred until December.

## 12. Other Business

LW advised that Allan Horsley of the ACA had approached her seeking auDA's assistance in drafting a code of practice for ISPs. The board agreed that this activity falls outside auDA's core business, and given the lack of resources and other priorities over the next 6 months, it would not be possible for auDA to participate.

The CEO advised that letters would be sent to Melbourne IT, Connect West and Connect.com.au pursuant to their agreements with auDA, offering them a position as registrar under the new regime on no less favourable terms than everyone else.

13. Next Meeting

The next board meeting will be held at the auDA office on Monday 8 October, 10am.

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# Board Minutes - 9 July 2001

Public Version  
Meeting of the .au Domain Administration Board

9 July 2001 - 1.00pm  
.au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Greg Crew, Kim Davies, Chris Disspain, Craig Hand, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Iain Morrison, Erica Roberts, Tony Staley, David Thompson, Greg Watson, Liz Williams

Teleconference:  
David Lieberman

Observers:  
Michelle Scott (NOIE) and George Michaelson

Apologies:  
Nil

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## 1. Continuous Disclosure

Board members declared any interests relevant to consideration of the Competition Panel's final report:

ER owns and manages a consultancy business that provides consultancy service to Melbourne IT and managers of other ccTLD registries.

CC is the delegate for net.au.

MM is the delegate for asn.au and CEO of inet.

DK is the delegate for wattle.id.au.

LW is associated with Momentous Canada, a Canadian registrar.

GC chairs a company that is part-owned by Melbourne IT.

IM is a director of Melbourne IT.

## 2. Confirmation of Minutes

The minutes of the April and May meetings were approved (including for publication on the auDA web site).

## 3. Final Report of the Competition Model Advisory Panel

George Michaelson and David Lieberman presented the Competition Panel's final report to the board. They advised that the Panel had a steady rate of participation and achieved a good level of response to its public reports.

The following principles of the report were highlighted:

- separation of policy and operations
- transparency and accountability of auDA
- multiple registries model – ie. registry functions are contestable (but not within the same 2LD)
- open tender process for registry must allow for all possible responses
- minimum technical standards and SLAs to be imposed on registry operators and registrars
- adequate consumer safeguards to be imposed on registrars and resellers, via contract and/or industry code of practice
- non-objective policy compliance checks to be dealt with by independent body
- registrant participation in auDA to be encouraged.

The Panel Co-Chairs acknowledged the need for some flexibility with regard to implementation of the model, and therefore encouraged auDA to honour the spirit if not the letter of the report.

The board passed the following resolutions with regard to the Competition Panel's final report:

### 1. That the board accepts Recommendation 2.2, regarding policy authority:

- Only auDA will have authority for setting domain name policy for .au.
- auDA may delegate its policy authority for a 2LD under .au to another body; in which case, that body shall be subject to appropriate accountability mechanisms including the submission to auDA of an annual report that shall be published.

- There should be a clear separation of policy and operations.

- auDA is accountable to its members, and subject to legislative and judicial review.



Reviews of the self-regulatory regime should be periodic, independent and the results shall be published.

2. That the board accepts Recommendation 2.3, regarding the registry:

auDA will adopt a competition model that allows for multiple registries.

Provision of registry services under a licence agreement from auDA will be contestable, through a periodic open tender process to be administered by auDA.

Closed 2LDs may elect to be included in the tender process; if they choose to opt-out, then they must provide a minimum set of registry services to ensure they can function as part of the unitary DNS and meet public interest requirements.

The registry operator(s) will provide the authoritative nameserver, generate zone files and maintain public (WHOIS) information for their own 2LD(s).

Registry information will be published in a central data register to be maintained by auDA for the purposes of providing a centralised WHOIS service, by replicating the registry data in a central repository.

The registry operator(s) must provide customer service to all registrars.

The registry operator(s) will provide registrars with an electronic interface to enter and update records in the registry.

The registry operator(s) will perform final checks on domain name registrations to maintain the integrity and stability of the registry database.

The registry operator(s) shall be subject to appropriate accountability mechanisms, including the submission of reports to auDA.

auDA will set minimum technical standards, data protocols, security and service level requirements for the registry operator(s), including escrow requirements for data and registry software.

auDA will develop a disaster recovery plan, including back up plans in the event of breach by the registry, so that it is in a position to protect the .au domain and related infrastructure.

auDA will be the technical and administrative contact for making changes to DNS records for .au and the 2LDs within .au (eg. com.au).

A registry operator may not also operate as a registrar unless there is a clear and effective separation of the two business operations.

Board comment: The tender process should produce the 'best value for money' in respect of registrants.

3. That the board accepts Recommendation 2.4, regarding registrars:

Provision of registrar services will be contestable, through an accreditation process to be administered by auDA.

Registrars will provide customer sales and support services either directly to registrants or through their resellers.

Registrars will have rights of access to all 2LDs (with the possible exception of the closed 2LDs).

Registrars will perform policy compliance checks, with non-objective policy requiring approval by an independent body accountable to auDA.

In closed 2LDs with only one registrar, the registrar may perform all policy compliance functions.

auDA will impose minimum conditions on registrars, focused mainly on ensuring adequate consumer safeguards, such as privacy of personal information.

Registrars will develop and adhere to an industry code of practice to deal with issues such as transfer of registrants and complaints-handling.

Registrars will be subject to appropriate accountability mechanisms, including the submission of regular reports to auDA.

Board comment: Some matters are more appropriately dealt with in the registrar contract than the industry code of practice.

4. That the board notes Recommendation 2.5, regarding resellers, but considers that these matters are more effectively dealt with under Recommendation 2.4.

Resellers will provide customer services to registrants.

Registrars will be responsible for managing the behaviour of their resellers and will be ultimately responsible to the registrant.

Resellers should disclose their relationship with the registrar(s).

auDA should require registrars to include some minimum consumer safeguards in their reseller agreements.

Board comment: auDA should be able to regulate the behaviour of resellers via the registrar agreement.

5. That the board accepts Recommendation 2.6, regarding registrants:

auDA will ensure adequate consumer safeguards for registrants by subjecting registry operators and registrars to agreed standards that include technical standards, data protocols, security, service levels, and escrow requirements.

auDA will review its membership policy to make it easier for all registrants to participate at low cost.

Board comment: The review of membership policy should apply to all classes of membership, not just the demand class.

6. That the board notes Recommendation 2.7, regarding a funding model for auDA.

Funding for auDA will be secured primarily, but not exclusively, through a levy on domain name registrations and renewals.

auDA will charge fees for registry operator and registrar licences to meet the cost of managing compliance with technical requirements and consumer safeguards.

auDA may also charge fees for accreditation of registrars, complaints-handling, dispute resolution and other services, on a cost-recovery basis.

auDA will conduct regular reviews of its budgets and the results shall be published.

Board comment: These matters will be taken into account when auDA determines its budget and funding sources.

7. That the board accepts Recommendation 3, regarding the implementation strategy:

auDA will adopt an implementation strategy that is in accordance with sound

commercial practice and ensures that the integrity and stability of the .au domain is maintained during the transition period.

The board thanked George Michaelson, David Lieberman and the Panel for their efforts.

Action: CEO to issue a media release announcing the board's acceptance of the Panel's report.

Action: auDA staff to draft an implementation plan based on the Panel's report, to be circulated to the board for approval as soon as possible.

## 8. COO Report

The COO presented the end of year accounts, to be audited by Meagher, Howard & Wright at the end of July. The board noted the letter from MHW advising auDA's income tax payable for 1998-2000.

## 9. Name Panel report on New 2LDs

This item was deferred until the August board meeting.

Action: Report to be published on auDA web site.

## 10. auDRP

This item was deferred until the August board meeting.

Action: Report to be published on auDA web site.

Action: DRWG to be invited to continue its work on dispute resolution.

## 11. Redelelegation

The CEO advised that ICANN has been provided with further information in support of auDA's redelegation request, including a statement of compliance with GAC principles and evidence of problems with service in org.au.

## 12. Membership

The members listed below were accepted in the classes indicated.

The Australian Internet Company P/L (supply)

Joe Cicala (demand)

Finlaysons (demand)

Anne Greiner (demand)

Keith Inman (demand)

Oznet Internet Services P/L (supply)

Phillips Ormonde & Fitzpatrick (demand)

The board discussed the need for auDA to be more responsive to, and encourage

more active participation by, its members.

Action: Membership committee (LW, ER, DK) to report to the board on possible outreach strategies and initiatives.

### 13. Directors' Education and Training

Action: TS to follow up options for providing training to directors with regard to not-for-profit corporate governance and industry self-regulation issues.

### 14. Other Business

DT advised that he will be resident in the US from August. He will resign from the Audit & Finance Committee, but will remain a member of the board until the AGM. The board thanked DT for his contribution to auDA.

The proposed date for the AGM is 8 October 2001, to be followed by a board meeting on 9 October.

### 15. Next Meeting

The next board meeting will be held at the auDA office on Monday 13 August, 10am.

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# Board Minutes - 8 May 2001

Public Version  
Meeting of the .au Domain Administration Board

8 May 2001 - 1.00pm  
.au Domain Administration Limited, Level 7, 50 Queen Street, Melbourne

Present:  
Chris Chaundy, Greg Crew, Patrick Corliss, Kim Davies, Chris Disspain, Craig Hand, Kim Heitman, David Keegel, Jo Lim, Iain Morrison, Erica Roberts, Tony Staley, David Thompson, Liz Williams

Teleconference:  
Michael Malone

Observers:  
Donna Austin (NOIE) and Derek Whitehead

Apologies:  
Greg Watson

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## 1. Final Report of the Name Policy Advisory Panel

The Board noted advice from Maddock Lonie & Chisholm, that directors must act in the best interests of auDA in deciding whether or not to accept the Panel's

recommendations. The Board agreed that it cannot change the wording of the report. Instead, any ambiguities or inconsistencies in the Panel's recommendations will be addressed in auDA's implementation strategy.

The Board passed the following resolutions with regard to the Name Panel's final report:

1. That the Board accepts Recommendation 3.1, that there is no restriction on the number of domain name licences that may be held by a single entity.
2. That the Board accepts Recommendation 3.2, that all domain name licences are subject to a renewal period, to be specified by auDA, or by the relevant 2LD administrator subject to ratification by auDA. Board comment: The imposition of a renewal period is an administrative change, not a policy change. Therefore, the 'grandfathering' provision in Recommendation 3.8 does not apply to this recommendation.
3. That the Board accepts Recommendation 3.3, that domain name licences are allocated on a first come, first served basis. Board comment: This principle is important and should stand alone from the other recommendations.
4. That the Board accepts Recommendation 3.3 a, that the domain name licence applicant must be an Australian entity.
5. That the Board accepts Recommendation 3.3 b, that the proposed use of the domain name licence must fit the purpose specified for the relevant 2LD.
6. That the Board accepts Recommendation 3.3 c, that there must be a 'good faith' intention to use the domain name licence for the purpose envisaged by the relevant 2LD.
7. That the Board accepts Recommendation 3.3 d, that purposes that would not be considered 'in good faith' include but are not limited to those listed at (i)-(iv) in the report. Board comment: Recommendation 3.3 d (ii) should be extended to cover Internet services other than web sites. The implementation strategy will need to address enforcement mechanisms.
8. That the Board accepts Recommendation 3.3 e, that the domain name licence applicant must agree to be bound by any Dispute Resolution Procedure specified by auDA. Board comment: The introduction of a Dispute Resolution Procedure is an administrative change, not a policy change. Therefore, the 'grandfathering' provision in Recommendation 3.8 does not apply to this recommendation.
9. That the Board accepts Recommendation 3.4, that there must be a substantial and close connection between the domain name and the domain name licence holder, to be demonstrated by the methods listed at 3.4 b (i) and (ii) in the report. Board comment: This recommendation will help to prevent cybersquatting and domain name hoarding. The implementation strategy will need to address how this recommendation would be applied objectively by multiple registrars, preferably by automated check (for example, by use of a registrant warranty).



10. That the Board accepts Recommendation 3.5, that domain names that begin with a number are allowed.

11. That the Board accepts Recommendation 3.6, that domain names that match TLDs are not allowed. Board comment: This recommendation should apply only to domain names that match TLDs that are in existence at the time of application. In the situation where a registered domain name subsequently becomes a TLD, then auDA should reserve the right to revoke the domain name in the event of misuse (ie. if the licence holder is exploiting the technical problem described in RFC 1535 and using the domain name in bad faith).

12. That the Board accepts Recommendation 3.7, that a 'reserved list' approach be adopted for domain names that may not be licensed. Board comment: auDA will need to develop a process for deciding what words to place on the reserved list, as part of the implementation strategy. For example, words that are protected under statute can be gleaned from existing lists (eg. ASIC, IP Australia). Any other words to be included on the list will require careful consideration.

13. That the Board accepts Recommendation 3.8, that changes to domain name eligibility and allocation policies do not have retrospective effect for current domain name licence holders. Board comment: The intention of the recommendation is that the new policy will only apply to existing domain name licences if the licence is re-registered to a different entity, or when the existing licence holder's licence is not renewed. As noted above, this recommendation applies only to policy changes, and does not apply to administrative changes such as the imposition of a renewal period or introduction of a Dispute Resolution Procedure.

14. That the Board accepts the recommendation in Schedule A, that an Australian Registered Trade Mark be included as an eligibility criterion for a domain name.

15. That the Board accepts the recommendation in Schedule A, that an application for an Australian Registered Trade Mark be included as an eligibility criterion for a domain name.

16. That the Board agrees, in principle, that the prohibition on generic domain names in the com.au 2LD should be removed.

Board comment: The prohibition on generic domain names in com.au should be removed, subject to agreement on an appropriate method of allocation. The Board decided to reserve its position on geographic domain names until it receives the

Panel's report on new second level domains.

The Board commended the Panel for its report, and thanked Derek Whitehead for his work and wisdom as Chair of the Panel.

Action: CEO to issue a media release announcing the Board's acceptance of the Panel's report.

Action: CEO and CPO to draft an implementation strategy for the changes to domain name policy arising from the Board's acceptance of the Panel's report.

Action: CEO and CPO to draft a policy paper for the Board regarding the allocation of generic domain names.

Next Meeting The next board meeting will be held at the auDA office on Monday 9 July, 10am.

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# Board Minutes - 9 April 2001

Public Version  
Meeting of the .au Domain Administration Board

9 April 2001 - 1.00pm  
.au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Greg Crew, Kim Davies, Chris Disspain, Craig Hand, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Iain Morrison, Erica Roberts, Greg Watson

Teleconference:  
Patrick Corliss

Observers:  
Michelle Scott (NOIE)

Apologies:  
Tony Staley, David Thompson and Liz Williams

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## 1. Confirmation of Minutes

The minutes of the February meeting were approved.

Motion (proposed MM, seconded ER): That expenses of PC, KH and DT relating to

attendance at ICANN in Melbourne in March be reimbursed. Carried.

Action: CEO to prepare a memo to the board on future handling of directors' expenses.

Action: MM to prepare a memo to the board on the different status of executive and non-executive directors.

The minutes of the 2000 AGM were approved for publication on the auDA web site.

## 2. Report from Chair of the Name Policy Advisory Panel

DW presented the Panel's final report to the board. He advised that the Panel had a high rate of participation, and membership was representative of key stakeholders and reflected a diversity of opinions. The Panel stayed on its timeline and followed the auDA Advisory Panel Procedures as closely as possible, especially with regard to consensus decision-making. The recommendations contained in the Panel's final report have been canvassed in its previous reports. The Panel has referred some decisions back to the auDA Board, eg. the content of the 'reserved list', and the issue of generic and geographic domain names. The report includes a minority report on the use of trade marks as domain name eligibility criteria.

The board agreed that it may not ask the Panel to amend its report. However, directors may seek clarification from the Panel if there are any sections of the report that they do not understand. GW advised that a letter from SETEL was received immediately before the meeting. The letter asked that SETEL's views be incorporated into the Panel's final report prior to publication. As noted above, the board agreed that it cannot amend the report. SETEL's views will be considered at the extraordinary board meeting.

Action: Directors to send any questions of clarification to the board list, JL to collate and refer questions to the Panel for a written response.

Action: CEO to respond to SETEL letter on the Co-Chairs' behalf.

Action: Panel's final report to be published on the auDA web site, CEO to issue media release.

## 3. Extraordinary Board Meeting

The board will meet at the auDA office on Tuesday 8 May, 10am, to consider the Name Panel's final report.

## 4. Report from Co-Chair of Competition Model Advisory Panel (by teleconference)

GM reported on the Panel's progress following release of its first public consultation report in February. The Panel received 13 submissions, most of which demonstrated good commonality of views regarding the majority of proposals contained in the report. The Panel has therefore agreed to proceed with all its non-contentious proposals. On the issue of single registry versus multiple registries, the

Panel is developing a 'blended model', ie. accept a multiple registries model in principle, but the first implementation would be a single registry for all open 2LDs, to be tendered out by auDA. AUNIC could be used to provide a centralised WHOIS service and data escrow. Accreditation of registrars would be minimal, to ensure the lowest possible barrier to entry.

The Panel is also looking at a funding model for auDA, as required in its Terms of Reference. The board agreed that the Panel should canvas different funding options, but should not recommend a particular model, to give auDA some flexibility on this matter.

The Panel will release its second public consultation report in May, which will also include the Stage 4 implementation strategy.

## 5. Continuous Disclosure

PC advised that he has been elected co-chair of the General Assembly of the ICANN DNSO (subject to approval by the Names Council). He has also been appointed to the board of the Top Level Domain Association (TLDA). PC advised that the TLDA has been established to coordinate the development of alternate roots. He does not consider that the TLDA is contrary to ICANN policy.

DK advised that he is a director and employee of Cybersource, which has entered into negotiations with auDA to provide technical support services for AUNIC. DK has not been involved in the negotiations. The board noted that this is a related third party transaction.

Action: PC to re-submit his declaration of interest in relation to his appointment as a director of the TLDA.

## 6. CFO Report

The CFO tabled the financial statements for February and March 2001. He advised that auDA will finish the financial year in a solvent position with a positive cash flow.

Motion (moved GW, seconded MM): That independent directors' remuneration be set at \$35,000 pa, with \$20,000 for an independent director who is chair of the board, and \$15,000 for an independent director who is not. Carried.

Action: CFO to follow up Government announcement that not-for-profit organisations in the ICT sector will be exempted from income tax.

## 7. Redelegation of .au

The CEO advised that there has been no response from Robert Elz regarding the redelegation. The next step is to approach NOIE for assistance. It was suggested that auDA should try to organise another meeting with Robert to ascertain his position; however, it was agreed that this should not delay the approach to ICANN.

Action: GW to explore possibility of a meeting with Robert Elz.

## 8. org.au

The CEO advised that auDA is receiving an increasing number of complaints about the lack of service in org.au. Robert Elz has not responded to offers of assistance in processing org.au applications.

## 9. AUNIC

The board discussed the proposed contract with Cybersource to provide technical support services for AUNIC, including transition to the new hosting arrangements and ongoing maintenance for a 6 month period. DK left the room for the discussion.

The board stressed the need for a 'key man' provision to ensure that DK is the person who provides the service, based on his high level of experience and expertise in operating AUNIC. Cybersource should be required to produce documentation about AUNIC, to ensure 'knowledge capture'. Cybersource should also be required to operate in a client-oriented manner, so that any problems or changes to AUNIC are notified to the organisations that use it.

Motion (moved GC, seconded KH): That the board ratify the contract with Cybersource, subject to changes to address specific issues raised by the board. Carried.

Action: CEO to address the issues raised by the board in finalising the contract with Cybersource.

## 10. Membership

Motion (proposed ER, seconded CC): That the members listed below are accepted in the classes indicated. Carried.

Aristocrat Technologies Australia Pty Ltd (demand)  
Fast Media Pty Ltd (supply)  
Maddock Lonie & Chisholm Lawyers (demand)  
pulsat communications ltd (supply)  
Baldwin Shelston Waters (demand)  
George Katsaromitsos (demand)  
Webcity Australia Pty Ltd (supply)

Action: CEO to revise membership form to streamline the application process.

Action: CEO to include membership numbers by class in his reports to the board.

## 11. Number of domain names in .au

Action: CEO to include the number of domain names in .au in his reports to the board. MM to assist in sourcing the information.

## 12. ICANN meeting in Stockholm



The CEO advised that all auDA staff will attend the ICANN meeting in Stockholm, 30 May – 4 June. Arrangements will be made to ensure the office administration is adequately handled during that time. The CEO will take recreation leave for 2 weeks prior to the ICANN meeting (from 11 May).

The board agreed that individual directors should have the opportunity to attend ICANN meetings, as a learning experience and for information-sharing with other directors.

Motion (moved GC, seconded KD): That GW attend the ICANN meeting in Stockholm. Carried.

### 13. Transition Funding

The board discussed the transition budget and funding options. It was suggested it would not be possible to secure a loan from Government within the required timeframe. The board discussed the possibility of imposing a levy on each com.au and net.au domain name registration and renewal from 1 July. This would replace the existing licence agreements with Melbourne IT and connect.com.au. The levy would be an interim measure only, to be removed once competition is introduced.

Action: CEO and CFO to approach Melbourne IT and Connect.com.au, in confidence, to discuss the domain name levy option.

Action: CEO and JL to approach NOIE to discuss the Government loan option.

Action: Finance Committee to further refine the transition budget and report back to the board.

Action: CFO to confirm membership of the Audit and Finance Committees.

### 14. Next Meeting

The next board meeting will be held at the auDA office on Friday 15 June, 12pm.

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# Board Minutes - 12 February 2001

Public Version  
Meeting of the .au Domain Administration Board

12 February 2001 - 1.00pm  
.au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Patrick Corliss, Kim Davies, Chris Disspain, Craig Hand, Kim Heitman, David Keegel, Jo Lim, Michael Malone, Iain Morrison, Tony Staley, Greg Watson

Teleconference:  
Liz Williams

Observers:  
Nikki Vajrabukka (NOIE)

Apologies:  
Greg Crew, Erica Roberts and David Thompson

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## 1. Continuous Disclosure

MM advised that he has been appointed to the WA State Training Board, and that his company has entered into a joint venture with an ICANN-accredited registrar.

Further to his email to the board, PC advised that there is a possibility that his company may want to apply for a new 2LD under the new regime.

The board re-affirmed that directors should exclude themselves from participating in decisions that may give rise to a conflict of interest.

## 2. Confirmation of Minutes

Motion (proposed DK, seconded MM): That the minutes of the December meeting are approved. Carried. Motion (proposed DK, seconded TS): That the public minutes of the September, October and November meetings are approved subject to suggested changes being made. Carried.

## 3. Report from Chair of the Name Policy Advisory Panel

DW reported that the Panel last met on 30 January and intends to release its second public consultation report by 16 February. The Panel has agreed on recommended changes to domain name licence eligibility requirements, however it is still tentative about some of the recommended changes to domain name allocation policies. The two contentious issues for the Panel are the derivation rule and generic domain names. With regard to the latter, the Panel has not yet reached a consensus view but is aware of the need to take a firm position in its final report. The Panel intends to address the transitional issues associated with opening up generic names, but notes that practical implementation is the role of auDA.

The board approved a 3 month extension to the Panel's Terms of Reference, asking the Panel to investigate and report on: "Those second level domains which should be created upon the commencement of competition, and particularly as a means of remedying pressing problems in the current Australian DNS which have been highlighted as part of the policy review process; and the means by which public consultation should be undertaken and decisions made." The Panel will commence work on new 2LDs after it makes its final report to the board in April.

## 4. Report from Chairs of Competition Model Advisory Panel (by teleconference)

GM and DL reported that the Panel intends to release its first public consultation report by 16 February. The report identifies five levels of activity in the domain name services market – policy, registry, registrar, reseller and registrant. There is a good convergence of views among the Panel on the policy, registrar, reseller and registrant level. The Panel is not in agreement over the issue of single registry versus multiple registries and will put both models forward in the report. The Panel has attempted as much as possible to separate the core and non-core elements of the registry function. The Panel is aware of the need to align its recommendations with those of the Name Panel, and the recommended competition model will take account of the new domain name policy environment, in terms of the need for manual policy compliance checks and the introduction of new 2LDs.

## 5. CFO Report

The CFO tabled the financial statements for December 2000 and January 2001.

Action: TS, GW, CD and CH will meet to consider auDA's future legal services arrangements.

## 6. Redelegation of .au

The board agreed that it is critical for auDA to secure the redelegation of .au from IANA as soon as possible. There was consensus to proceed along the following lines:

1. Email Robert Elz with package of material for IANA and request his agreement to transfer the delegation.
2. Three possible outcomes:
  - a. Robert agrees – proceed to IANA.
  - b. Robert does not agree and specifies what needs to be done to gain his agreement – undertake required tasks (if possible) and go back to Robert for agreement – proceed to IANA.
  - c. Robert does not respond – approach Government for assistance – proceed to IANA.
3. In the case of 2a and 2b, the IANA process is likely to take 3-4 months. In the case of 2c, the IANA process is likely to take 6-7 months.

## 7. Dispute Resolution

The CEO advised that a small working group will be established to develop a dispute resolution framework to handle disputes about domain name policy, and disputes about domain name service provision.

## 8. Funding for Competition Model

The board noted that the transition to competition will require additional funding that has not yet been sourced. A number of possible options were discussed.

Action: auDA staff will investigate funding options to cover the costs of transition to competition.

## 9. Membership

Motion (proposed DK, seconded CC): That the members listed below are accepted in the classes indicated. Carried.

Blake Robertson (demand)  
Catherine Coorey (demand)  
RegistrarsAsia Pty Ltd (supply) VICNET (supply)

## 10. ICANN and ccTLD Policy

The CEO advised that Robert Elz has agreed that auDA can act as the .au representative for the purposes of ICANN. Arrangements are being made to admit auDA as a member of the ccTLD constituency. In relation to the current conflict between ICANN and the ccTLD constituency, the board agreed that auDA should take a moderate position and work with both parties to facilitate an acceptable solution to the problem. The board agreed that directors may be reimbursed for

attendance at ICANN (according to usual reimbursement guidelines).

Action: The CEO will coordinate the attendance of auDA directors and staff at ICANN meetings.

11. Transfer of IP networks to APNIC

APNIC is preparing to take over the legacy IP addresses from AUNIC, in May 2001.

Action: The CEO will contact Paul Wilson at APNIC to discuss a joint announcement.

12. Next Meeting

The next board meeting will be held at the auDA office on Monday 9 April, 12pm.

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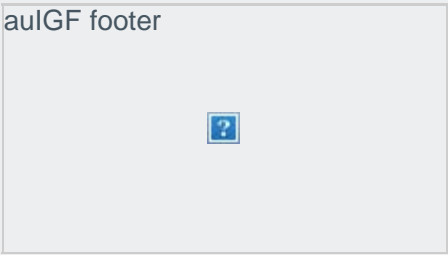
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# Board Minutes - 6 December 2000

Public Version  
Meeting of the .au Domain Administration Board

6 December 2000 - 1.00pm  
Austnetinfo, Level 1, 132-136 Albert Road. South Melbourne VIC 3205

Present:  
Chris Chaundy, Patrick Corliss, Greg Crew, Chris Disspain, Kim Heitman, David Keegel, Erica Roberts, Tony Staley, David Thompson, Greg Watson, Liz Williams

Teleconference:  
Michael Malone

Observers:  
Craig Hand, Jo Lim (NOIE), Michelle Scott (NOIE)

Apologies:  
Kim Davies and Iain Morrison

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1. Continuous Disclosure  
PC advised that he is the owner/operator of Quad Quality Addressing Pty Ltd and the holder of several domain names. LW advised that she runs her own consultancy business and is the chair of the IIA's E-Commerce Taskforce. Both PC and LW resigned from the Competition Panel upon election to the Board. GC

advised that he is no longer a director of ICANN.

2. Appointment of new Chair

CC nominated GW and TS as co-chairs. GW and TS were elected unopposed. At this point, TS took over chair of the meeting.

3. Appointment of new Deputy Chair

DK nominated GC, who declined and nominated DT. DT was elected unopposed.

4. Appointment of new Secretary

PC nominated DK to hold the position until January 2001, when it was proposed that JL take over. DK/JL were elected unopposed.

5. Appointment of new Treasurer

The Board agreed that, as auDA now has a permanent CFO and Finance & Audit sub-committee, the position of Treasurer is no longer required.

6. Observers at Board Meetings

Barrister Len Lindon, who has filed a complaint against auDA with the ACCC for breaches of the Trade Practices Act, asked to attend the Board meeting as an observer. The Board agreed that normal Board meetings are not open to the public. The CEO was asked to invite Mr Lindon to put his views in writing for the Board's consideration in due course.

7. Actions from Previous Minutes

No outstanding action items were reported.

8. CEO's Report and Matters Arising

Motion (GC proposed, CC seconded): That the following applications for supply class membership be accepted:

Eclipse Telecommunications P/L  
Domain Intellect P/L  
Net.Neighbourhood P/L

Carried.

Action: CD to make arrangements for a one day strategic planning session at the auDA offices during the first week of February 2001, to be attended by all interested Board directors.

9. Report by telephone from Chairs of Competition Panel (GM and DL)

GM and DL presented the Panel's Stage 1 and 2 reports, deliverables required by the Terms of Reference. GM explained that the reports simply describe the current situation in Australia and overseas, and as such are non-contentious. Comments on the reports by Board directors will be taken into account by GM/DL/JL before public release.

DL advised that the Panel also intends to release a "Stage 2a" paper that outlines the competition objectives and issues identified by the Panel to date. A sub-group of the Panel will hold a 1-2 day workshop in mid-January 2001 to develop a draft competition model, to be considered by the full Panel at the end of January and released for public consultation in February. The Board reaffirmed the importance of extensive, meaningful public consultation, and agreed that the process should not be rushed.

Motion (proposed TS, seconded GC): That the Board accept the Panel's Stage 1 and 2 reports, subject to amendments as discussed at the meeting. Board members have until 8 December to make further comments to GM/DL/JL. The reports will be publicly released by 15 December. Carried.

#### 10. Report from Chair of Name Panel

Derek Whitehead reported that the Panel's first public consultation report was released in November, and the Panel will consider the outcomes at its next meeting on 12 December. The Board reaffirmed its decision that there is no need for a separate Panel to consider dispute resolution; the Name and Competition Panels will provide joint (or identical) recommendations regarding dispute resolution.

#### 11. Directors' dealings with the Media

Motion (proposed GC, seconded LW): That all contact with the media with regard to matters relevant to auDA be through the CEO and/or the co-chairs. Carried.

#### 12. CFO's Report

The CFO tabled his report. DT advised that the month end accounting reports were approved by the Finance & Audit sub-committee. The Board was advised that the CEO and CFO are in the process of developing the policies referred to in the Delegations of Authority document.

#### 13. Technical Committee

The Board was advised that a Technical sub-committee of GW, DK, CC and CD will be established to deal with all technical matters relevant to auDA.

#### 14. Other Business

The Board agreed that the IIA be invited to nominate a replacement for Liz Williams on the Competition Panel, however, finding a replacement for Patrick Corliss should be left to the discretion of the Panel co-chairs. Similarly, the appointment of new members to the Name Panel should be left to the discretion of the chair.

Action: CD to advise the Panel chairs of the Board's decision.

The Board agreed that CD and GW should decide the rate of remuneration for the independent directors, within the quantum approved at the AGM.

Action: CD and GW to decide the rate of remuneration for independent directors.

Action: CH to make available a copy of the form used for reimbursement of directors' expenses.

GC advised arrangements for the ICANN meetings in Melbourne, 10-13 March 2001. The Board agreed to establish an 'auDA at ICANN' sub-committee of GC, LW, CD and JL to coordinate auDA's involvement at the ICANN meetings, including auDA's policy position in relation to ccTLD issues.

Action: GC to send ICANN news to the Board list.

## 15. Next Meeting

The Board agreed to meet on the second Monday of every second month, from 12-5pm. Meetings will be held at the auDA offices, Level 7, 50 Queen Street, Melbourne.

Schedule of meetings for 2001:

12 February; 9 April; 11 June; 13 August; 8 October; 10 December

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# Board Minutes - 6 November 2000

Public Version  
Meeting of the .au Domain Administration Board

6 November 2000 - 1.00pm  
Melbourne IT. Level 2, 120 King Street. Melbourne VIC 3000

Present:  
Chris Chaundy, Greg Crew, Kim Davies, Kevin Dinn, Chris Disspain (CEO), Kim Heitman, Mark Hughes, David Keegel (Secretary), Iain Morrison, David Thompson (Acting Chair), Erica Roberts

Observers:  
Craig Hand (CFO), Jo Lim and Michelle Scott

Apologies:  
Greg Watson, Michael Malone and Tony Staley

- 
1. Previous Minutes  
Motion (proposed GC, seconded DK): That the Minutes of the October meeting are approved. Carried.
2. Continuous Disclosure  
Nothing to report.



### 3. Name Policy Panel

Derek Whitehead reported to the Board. The aim is to have a stage 2 paper ready for public consultation shortly (by mid November). A joint meeting of key Name Panel and Competition Panel people for co-ordination of the two panels is planned for November 21.

CC arrived.

The first round of public consultation will likely have some open questions with arguments for and against different options.

### 4. Competition Panel

George Michaelson introduced David Lieberman (Co-Chair) and reported stages 1 and 2 are being reviewed. The plan is to have them released in early December.

### 5. Action Items

xxxxxxxx@xxxx.xxx.xx should just be directed to the ceo, rather than the whole board.

### 6. CEO Report

CD tabled his CEO report.

Motion (proposed ER, seconded KDi): The Board authorises the CEO to advise members more than 3 months overdue in paying membership renewal fees that they will be in default on 30 November. Carried.

Action: CD to organise a lease for office space at 50 Queen St.

Motion (proposed KH, seconded CC): The resolution to change auDA's constitution to allow payment to independent directors is to be put to the AGM as a special resolution. Carried.

Motion (proposed DT, seconded KH): The resolution to allocate \$35,000 for payment to independent directors is to be put to the AGM as an ordinary resolution. Carried.

### 7. CFO Report

Motion (proposed GC, seconded DT): The Board endorses the budget approved by the Finance & Audit sub-committee. Carried.

Motion (proposed ER, seconded GC): In the interim period until a Delegations of Authority document is approved, the CEO may enter into commitments in accordance with the budget. Carried.

### 8. Membership Officer's Report

CD reported on a number of applications received up to 5 November 2000.

Motion (proposed DK, seconded DT): That the following members are accepted in the classes indicated:

Click 'n Go (Supply)

Hotkey Internet Services (Supply)

Instra Pty Ltd (Supply)

LIST Pty Ltd (Supply)

Primus Telecommunications Pty Ltd (Supply)

Primus Telecommunications (Australia) Pty Ltd (Supply)

Bruce Arnold (Demand)

Final Drafts Media (Demand)

James Blackmore (Demand)

John Dowell (Demand)

Jonathan Lawrence (Demand)

Nita Tapsas (Demand)

Patrick Corliss (Demand)

Peter Gerrand (Demand)

Tony Hill (Demand)

Small Enterprise Telecommunications Centre Ltd ( Rep Assoc )

Australian Chamber of Commerce and Industry ( Rep Assoc )

Small Business Coalition ( Rep Assoc )

## 9. Publicity Officer's Report

CD had an interview with ABC radio. An interview with LateLine is scheduled soon. CD to investigate having a Christmas Drinks event, possibly after the AGM.

MH was asked to talk at AIA (not representing auDA).

## 10. AGM

Action: CD to put out Notice of AGM (with help from DK).

Action: DK List of retiring Directors to be put on web site.

## 11. ccTLD/APTLD

auDA to consider financial membership of ccTLD constituency and APTLD after/if auDA becomes the delegate for .au. This could be covered by the provision for ICANN fees in the budget.

## 12. Other business

CH to be added to Board list. CH to be removed from aunic list. Baker McKenzie staff to be removed from Board list. Change DT and ER email addresses on Board list.

Action: DK update board email list.

Motion (proposed DT, seconded ER): A vote of thanks to retiring directors.

13. Next meeting

Wednesday December 6th, 9:30am, in Melbourne. (The morning after the AGM.)

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# Board Minutes - 9 October 2000

Public Version  
Meeting of the .au Domain Administration Board

9 October 2000 - 1.00pm  
connect.com.au Pty Ltd. Level 9, 114 Albert Road. South Melbourne VIC 3205

Present:  
Chris Chaundy, Greg Crew, Kevin Dinn, Kim Heitman, David Keegel (Secretary, Minutes), Tony Staley, David Thompson (Deputy Chair)  
Erica Roberts (initially), Greg Watson (Chair)

Teleconference:  
Michael Malone and Iain Morrison

Observers:  
Craig Hand, Jo Lim (NOIE) and Michelle Scott (NOIE)

Apologies:  
Kim Davies and Mark Hughes

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1. CEO selection  
GW reported on CEO selection.

The CEO selection sub-committee unanimously recommended the appointment of

Chris Disspain as auDA's CEO. Chris should be available full-time by 16/10/2000.

Motion (proposed KH, seconded ER): That auDA appoint Chris Disspain as CEO, under the terms and conditions recommended by the sub-committee. Carried.

CD was then invited to join the meeting.

## 2. Continuous Disclosure

DK reported that a Declaration of Interest form was received from GC.

TS to fill out Register of Interest form and return to DK. Action: TS

DK organise change of mail destination for xxx@xxxx.xxx.xx. Action: DK

## 3. Minutes

DK to fill in details of members approved in September. Action: DK

Motion (proposed DT, seconded DK): That the September Minutes are approved, subject to minor changes. Carried. Publication version of minutes for January 2000 to August 2000 accepted, subject to any corrections noted by 13 October.

## 4. AUNIC Hosting Tender

CC and ER left the meeting.

GW reported on behalf of the AUNIC Hosting Tender sub-committee.

Motion (proposed GC, seconded KH): The Board received the report, and authorises the CEO to enter into negotiations with the preferred tenderer.

At this point CC returned, Derek Whitehead and George Michaelson joined the meeting, and MM and IM joined by teleconference.

## 5. Name Policy Panel

Derek Whitehead reported to the Board. The aim is to have a stage 2 paper ready for public consultation in November.

Action: CEO to consider the issue of public comments on name policy, and determine how this should be handled.

## 6. Competition Panel

George Michaelson reported that the first meeting of this Panel was on 27/9/2000. An accelerated time line was discussed by the Panel, but details were not available at the time of the meeting. George will provide accelerated time line to the Board.

## 7. Competition Co-Chair

GC approached David Lieberman to become Competition Panel Co-Chair. David

agreed provided that time commitment is manageable. Motion (proposed GC, seconded CC): To appoint David Lieberman as a Co-Chair of the Competition Panel. Carried.

## 8. Action Items

GW went through all outstanding action items since May to determine their status.

## 9. CFO Report

CH tabled a report to the Board on the status of his activities to date.

## 10. Treasurer's Report.

DT tabled accounts as approved by the Finance & Audit Sub-Committee. This included the FYE 2000 accounts for annual reporting purposes and accounts as at 30 September 2000.

Motion (proposed TS, seconded GC): That the FYE 2000 accounts are accepted ready for audit. Carried.

Action: CH to arrange for accounts to be audited in preparation for producing the annual report.

Motion (proposed GC, seconded KH): GW and TS are authorised to sign the annual report. Carried.

Motion (proposed TS, seconded KH): Add GC to Finance and Audit sub-committee. Carried.

Discussion on the low number of membership renewals to date.

Action: CH to review the renewals process listed at [www.auda.org.au](http://www.auda.org.au), and determine if updates are needed.

Action: CH to check status of membership database and issue reminders that members must be financial to vote at the AGM.

## 11. AGM

The following Directors will stand down at the AGM (and may re-nominate):

CC & MM from Supply

MH from Demand

GW & KD from Representative Association

KH from General

Implications of the resolution of June 2000 that "Motion carried that board members are not eligible to be members of Advisory Panels." were discussed. It was agreed that if any Panel members were successful in being elected Directors, then they would need to resign from the Panel at the time of the AGM. Potential candidates should be warned of this as part of the call for nomination process.



DK and CEO to do organising for the AGM. Action: DK,CEO.

The AGM is currently scheduled on 5 December 2000 at 5.30pm (for 6.00pm start), in Melbourne.

DK authorised to finalise the Call for Nominations and associated documents and publish them shortly.

## 12. Constitution

Motion (proposed DT, seconded GW): That a resolution be put to the AGM which would allow remuneration for independent Directors. Carried.Action: CEO to investigate legal implications and determine wording for the resolution.

## 13. Membership Officer's Report

No new requests were reported.

## 14. Publicity Officer's Report

MH had 3 major interviews / contacts, summarised below:

A media interview with David Elias of Fairfax. Auda wasn't an issue in the article.

A media interview with Simon Hayes of the Oz re the submissions to ICANN for new gTLDs.

MH also followed up with a phone call and an email to the ALP staffer who was sending around emails on the government's electronic addressing legislation.

Publicity officer changed from MH to CD, effective 16/10/2000.

## 15. Government Endorsement

Motion (proposed GC, seconded DT): The document as amended is to be sent to NOIE. Carried. Action: GW.

## 16. ICANN March Meeting

GC reported on ICANN meeting March 10-13 in Melbourne, with host committee chaired by Tony Hill.

## 17. Other business

The Chair is authorised to sign the CEO workplace agreement.

## 18. Next meeting

November 6th, 1pm, in Melbourne.

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# Board Minutes - 4 September 2000

Public Version  
Meeting of the .au Domain Administration Board

4 September 2000 - 1.00pm  
connect.com.au Pty Ltd. Level 9, 114 Albert Road. South Melbourne VIC 3205

Present:  
Chris Chaundy, Kim Davies, Kevin Dinn, Kim Heitman, David Keegel (Secretary, Minutes), Michael Malone, David Thompson (acting Chair), Erica Roberts, Greg Crew, Tony Staley, Craig Hand (CFO)

Teleconference:  
Mark Hughes and Greg Watson

Observers:  
Tom Dale (NOIE), Jo Lim (NOIE), Michelle Scott (NOIE) and Derek Whitehead (Chair, Names Panel)

Apologies:  
Nil

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## 1. Minutes of Previous Meeting

Motion: DK/CC: That the August Minutes are approved. Passed.

## 2. Independent Directors

Motion: KH/ER: That the Board appoints Mr T. Staley and Mr G. Crew as Directors of the Board of auDA, for a period of one year, that period subject to legal requirements, including if required ratification at the AGM. Passed.

Tony Staley and Greg Crew were welcomed to the Board.

Register of Interest forms were given to TS and GC to be filled out and returned to the Secretary.

GC declared that he will have future work with Melbourne IT, but not in relation to domain names.

## 4. Name Policy Panel

Derek Whitehead reported to the Board. The Names Panel met Tuesday, 29 August 2000. The Panel has organised itself into 6 working groups. Each working group is writing a paper with recommendations, and these papers will then be discussed and integrated by the Panel. The aim is to have a stage 2 paper ready for public consultation in October.

At this point Mark Hughes and Greg Watson joined by teleconference.

## 5. CEO Search

There were 25 applicants in response to the advertisement placed in the Weekend Australian for a CEO on Saturday 5th August by Perry McKerlie from KPMG Perth. This has been reduced to a short list of 3 candidates.

Interviews are expected in the next week or so. Confirmed that applications are closed.

Craig Hand has been engaged to work as CFO for a 3 month period. The position is essentially full-time. An issues paper and action plan was prepared in regard to the CFO. CH spoke to the paper.

GC to ask ACIF about a sample Delegation of Authority and report to CH. Action: GC. Until further motion, MH is to act with the authority of the Board in handling media enquiries in his capacity as Publicity Officer.

## 6. Competition Panel

Co-Chair. ER does not currently have time to follow this up further.

Motion MM/KD : That auDA begin the Competition Panel immediately and continue efforts to find a Co-Chair that satisfies the concerns of all stake-holders. Passed.

Greg Crew indicated that he would be willing to follow up possible Co-Chairs, continuing the process which ER started. Action: GC.

The Board now turned its attention to finalising the Panel membership. Jo Lim offered to collate votes. The result was a finalisation of membership of the Competition Panel.

The Competition Panel is now able to start convening. George Michaelson to advise the successful candidates. JL to advise unsuccessful candidates. Action: GM,JL.

## 7. Transfer of .au Authority.

A clear distinction was drawn between Government endorsement and the transfer of authority for the .au ccTLD (which is a matter for ICANN/IANA, not for Australian Government).

The requirements for a smooth transfer of authority for the .au ccTLD from Robert Elz to auDA are:

- Robert Elz agrees that a transfer of .au to auDA is appropriate
- auDA agrees that it will accept responsibility for managing .au, and shows that it has the capability to do so.

- auDA secures Government endorsement as an appropriate body for .au

- Other stake-holders in the Australian Internet community also express views on the appropriateness of auDA

- auDA should then collate these views and forward them to ICANN staff.

On the subject of Government endorsement, auDA is preparing a report for Minister Alston, responding to a letter from the Minister. It is expected that this report will be completed in September. The report can then be sent to Government so that it can conduct a review.

A sub-committee of GW, GC, DK was formed to determine how to measure a community consensus and liaise with Robert Elz. Action: GW,GC,DK

Action: GW and others.

## 8. Continuous Disclosure.

As mentioned in 5, GC declared that he will have future work with Melbourne IT, but not in relation to domain names.

ER is not longer employed by Melbourne IT.

TS suggested moving the Continuous Disclosure item closer to the top of the agenda. Agreed.

## 9. Treasurer's Report.

### 1. AGM

We will aim for an AGM in the third week of November.

DK and KDa to start organising for the AGM. Action: DK,KDa.

CH to liaise with auditor (John Howard) to ensure Annual Report will be ready.  
Action: CH.

## 2. Outstanding Agreements.

It was suggested that Jim Aked of OGO is now responsible for co-ordinating an agreement with auDA, with respect to gov.au. CH to liaise with Baker McKenzie to determine current status.

## 10. Members

Motion CC/DK: That Peter Batchelor, Chandana De Silva, Simon Stainsby, Adam Barclay, Tony Myers, and Bruce Tonkin are accepted as Demand Class Members and Cheap Global Domains is accepted as a Supply Class Member. Passed.

## 11. Public Interaction

CH to liaise with MH and DK on admin/technical resource requirements for AUNIC/public interaction and determine a sustainable model. Action: CH.

## 12. Publicity

MH reported on 3 interviews.

## 13. Registry issues

### 1. Zone file

MH reported on com.au secondary servers.

### 2. AUNIC Hosting

DT reported that letters have been sent by BM to tenderers seeking more information, after an initial evaluation determined that further information was required.

## 14. ICANN

GC reported that ICANN will meet in Melbourne, 10-13 March 2001.

## 15. Other issues

### 1. com.au Fee Increases

GW reported that Melbourne IT has increased fees for com.au domain registration. Melbourne IT are asserting that this is as a result of their agreement with auDA. GW to obtain advice from BM on the implications of the M-IT/auDA agreement on M-IT's per domain fees

### 2. Internet Name Protection

KH asked about the status of the press release regarding Internet Name Protection.

16. Next Meeting

Next meeting: 9 October. Location: Melbourne, venue TBA.

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# Board Minutes - 7 August 2000

Public Version  
Meeting of the .au Domain Administration Board

7 August 2000 - 1.00pm  
Melbourne IT. Level 2, 120 King Street. Melbourne VIC 3000

Present:  
Kevin Dinn, David Thompson (Acting Chair), Kim Davies, Mark Hughes, Erica Roberts, Chris Chaundy

Teleconference:  
Kim Heitman

Observers:  
Jo Lim (NOIE) and Michelle Scott (NOIE)

Apologies:  
Michael Malone and Greg Watson

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## 1. Minutes of Previous Meeting

Response has been received from one director re the previous meeting's minutes.

The result of that has been a change to the heading of Item 9 which now reads

"Transfer of .au Authority"

Motion to accept the minutes: Moved KD, Seconded CC; passed.

## 2. Name Policy Panel

Derek Whitehead reported on the Domain Name Policy Advisory Panel.

Second meeting was held with good attendance.

Panel considered the stage 1 report, and made changes.

The panel decided not to provide commentary on existing policies as part of the Stage 1 report.

Panel has set up working groups to look at several areas of policy.

DW to draft press release highlighting the completion of the stage 1 report and the formation of the working groups.

## 4. CEO Search Update

Advertising of Permanent Position - CEO search subcommittee was working with iiNet HR to move forward with this and place the ad for a permanent CEO.

## 5. Competition Panel

List of nominations for the Competition Panel had been sent to the board previously, as had the proposed short list. A late nomination from ACCI had been received. Outcome of general discussion was a decision to delete one nominee from categories 2&3, and include the ACCI nominee. Co-chair and Jo Lim would recommend two names to be removed from the shortlist. IM volunteered to follow up with ATUG re their providing a 'consumer oriented' representative for the panel.

## 6. Transfer of .au Authority

Discussion about what was required to get government endorsement of the transfer of .au authority. DT, MH, KH & IM to work on auDA's response to government.

## 7. Corporate Governance

### 1. Continuing Disclosure

MH employed by a company that is majority owned by a Registrar - connect.com.au.

### 2. Independent Directors

The chair has written to potential directors. Awaiting response.

## 8. Operational Plan and Strategy

Motion that auDA spend up to \$42k over the next three months to develop and implement required finance and administration systems. Moved ER, seconded DT.

Carried.

## 9. Treasurer's Report

DT reported, and subsequently sent the report to the board list.

## 10. Customer Service

We received / responded to 377 email enquiries in July.

## 11. Publicity

### 1. Interviews

Several media interviews by Acting CEO including:

The Australian  
BRW  
The Standard  
Australian Net Guide

### 2. Press Releases

July 6th Domain Name Review Panel holds first Meeting  
July 31st Domain Name Review Panel holds second Meeting

## 3. auDA Web Site

The increasing use of the auDA web site appears to reflect auDA's increasing status as the entity responsible for .au issues, and provision of information about .au.

Updates:

FAQ at HYPERLINK "<http://www.auda.org.au/faq.html>" [www.auda.org.au/faq.html](http://www.auda.org.au/faq.html) has been revised several times during the month to include new issues and correct/provide more information on other issues.

Domain Name Policy Advisory Panel information updated on web site

## 12. AUNIC Hosting Tender Report

DT will report on progress. B&McK is doing the evaluation. They will write to the tenderers on various issues requesting clarification/confirmations. The Subcommittee will review responses, get independent evaluation, and make a recommendation to the board.

## 13. Transfer of AUNIC IP Address Range to APNIC

DK has had general discussions with APNIC. Correspondence was received from Paul Wilson, Director General, APNIC (Asia-Pacific Network Information Centre) and tabled. Motion that auDA will co-operate with APNIC in transitioning the historic

AUNIC address range to APNIC. Moved DK, seconded CC. Carried.

14. Gov.au

Discussions with OGO reported, and are continuing.

15. ICANN

Report from July Meeting - as per Kim Heitman's separate report emailed to board members.

March Melbourne Meeting bid - auDA has agreed to sponsor the ccTLD sessions at the March meeting in Melbourne. The cost will be approximately \$2,000.

16. Director's & Officers' Insurance

To be actioned by the new temporary financial officer.

17. Internet Name Protection

General discussion about practices of businesses in the domain name area, and how this was affected by:

Public availability of data from AUNIC / Registrars

Codes of practice of AUNIC / Registrars

ER tabled a letter from MIT to auDA noting that auDA and Registrars should work together on this issue.

18. Next meeting / Meeting closed

Next meeting: 4 September at Connect.com.au

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# Board Minutes - 10 July 2000

Public Version  
Meeting of the .au Domain Administration Board

10 July 2000 - 1.00pm  
connect.com.au Pty Ltd. Level 9, 114 Albert Road. South Melbourne VIC 3205

Present:  
Greg Watson (Chair), David Thompson (Deputy Chair), Chris Chaundy, Kim Heitman, Kim Davies, Erica Roberts, Iain Morrison

Teleconference:  
Michael Malone and David Keegel

Observers:  
Jo Lim, Michelle Scott and Asa Masterman

Apologies:  
Kevin Dinn

- 
- 2. Minutes of previous meeting
  - Minutes of last meeting to be carried over to next meeting
  - Action Item: KD to put previous minutes on the web site

### 3. Name Policy Panel

Derek Whitehead reported to the board.

First meeting has been held

Discussion papers have been put on the web site.

Discussion is taking place on the Names Panel discussion list.

Press Release has been released.

Existing 2LD registrars have been asked to provide a list of issues relating to domain name policy that they are encountering in their operations

Password protection area of the web site required

General discussion email list is required

Board agreed to use the DNS list as the general discussion list. GW suggested that auDA consider sending selected panel chairs to the ICANN meeting to enable them to participate in ccTLD discussions.

### 4. MIT contract

ER excused herself from the meeting for this discussion.

IM reported that MIT's board agreed in principle to recommend the contract, subject to auDA's finalising of budget considerations. IM then excused himself from the meeting for the remainder of this discussion.

GW noted that there has been one change to the contract circulated the previous Friday - that change was to do with GST.

GW updated the board on the process over the last couple of weeks following the meeting in Melbourne chaired by Paul Twomey.

Motion to accept the proposed contract in principle and delegate to the chair GW.  
Moved by DT, Seconded KH. Motion carried.

Action Item: GW write to the competition panel chair and advise him of anything in the contract that would affect the operation of the competition panel.

### 5. Budget

GW spoke to the proposed budget, which requires approval by the auDA board as part of the contract process.

General discussion about what would happen after 1 July 2001 with regard to the proposed MIT contract, and after that date with other 2LD registrars.

Discussion about whether in principle auDA should provide services or not. The general feeling was that this should be reviewed after the outcome of the competition model is known.

Question about whether auDA should budget for taking on the costs of Melbourne

University's operation of the munnari servers.

Action Item: IM would report to the board on the cost of the existing munnari infrastructure.

Motion to approve the budget in principle to be used in the finalisation of the MIT contract. Moved GW, seconded KH. Motion carried.

## 6. ICANN - auDA representation

Discussion in whether auDA should be represented at ICANN meetings. Agreement in principle that auDA should be represented.

Motion that auDA reimburse KH's reasonable expenses at the next ICANN meeting. KH will report to the board on significant issues from the ICANN meeting. Moved ER, Seconded DT Motion carried.

Discussion on whether Panel chairs should participate in ICANN meetings. Agreed that it may be relevant for that to happen depending on the panel and the issues at the ICANN meeting.

Action Item: Acting CEO to enquire about D Whitehead's availability for the next ICANN meeting, and report back at the next board meeting.

## 7. Transfer of .au authority

Discussion about auDA's progress on issues raised by the government:

View expressed that auDA has made progress in all the areas:

- Corporate Governance
- Open Policy Processes
- Independent Chair

CEO search sub-committee of GW, DT, IM, MM to co-ordinate the search for the new CEO.

Expansion of the auDA membership.

Directors to promoting auDA membership through the existing membership classes.

- KH to review while at ICANN the 'at large' membership

Directors report to other industry bodies about auDA activities - including development of standard presentation

- auDA to provide a progress report to NOIE by the end of August - GW to respond to NOIE on all these issues by mid-august.

Action Item: DT to provide an issues paper on expansion of membership.

## 8. Corporate governance

## 1. Continuing Disclosure

No changes

## 2. Independent Directors

Action item: GW to write to first two names re independent director's positions.

## 9. Treasurer's Report

Treasurer's report was tabled.

Mark Hughes resigned as Treasurer.

Called for nominations for Treasurer. DT nominated as Treasurer. CC seconded the nomination. DT declared Treasurer.

IM, ER, GW and DT nominated as the finance sub-committee.

Action Item: IM will provide a draft Terms of Reference for the finance sub-committee.

## 10. Membership report

Demand Class membership applications have been received from:

Acce Netmastery  
Liz Williams  
Ricci Consulting & Investment Pty Ltd  
Websters International Publishers Limited  
Parliament of Victoria  
Michael Green  
Kenneth Brownsmith

Moved GW seconded IM to accept all members except parliament of Victoria-actingCEO to query that application for more information.

## 11. Customer service

We have received and responded to approximately 380 queries in June.

Action Item: CEO to respond to the board with proposed solution and admin requirements for handling the current workload.

## 12. Publicity

### 1. Interviews

Several media interviews by Acting CEO including:

Financial Review

The Australian  
Business NSW

2. Press releases

June 14 Domain Name Review Panel Finalised

June 29 auDA issues Call for Participants for Competition Model Advisory Panel

July 7th Domain Name Review Panel holds First Meeting

3. auDA web site

Updates:

FAQ at HYPERLINK "<http://www.auda.org.au/faq.html>" [www.auda.org.au/faq.html](http://www.auda.org.au/faq.html) has been revised several times during the month to include new issues and correct/provide more information on other issues.

Domain Name Policy Advisory Panel details included on web site

Competition Model Advisory Panel details included on web site

13. Acting CEO's report

1. AUNIC

Several responses have been received to the AUNIC Tender. We have asked Baker & McKenzie to evaluate them and provide a report to the board.

Action Item: A/CEO to ask BMcK to provide an indicative cost for the evaluation. And timelines.

2. Domain Name Database

ATO has asked for continuing access to the domain name database. Acting CEO asked ATO to provide details of their authority to access this data.

3. Competition Panel

Terms of Reference has been completed and the call for participants has been issued.

Agreement that Jo and George will short-list the candidates; short list will then be circulated by email.

Motion that board ratify the adoption of the Competition Panel TOR. Moved GW, seconded by DT, Motion carried.

14. Other business

1. APNIC

Discussion about the existing AUNIC IP address range, and whether its management should be moved to APNIC.

Action Item: CC and DK to investigate and advise the board.

15. Next meeting / Meeting closed

Next meeting: 7th August 2000 at Melbourne IT.

Meeting Closed at 17:30.

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# Board Minutes - 5 June 2000

Public Version  
Meeting of the .au Domain Administration Board

5 June 2000 - 1.00pm  
Melbourne IT. Level 2, 120 King Street. Melbourne VIC 3000

Present:  
Chris Chaundy, David Keegel, Erica Roberts, Greg Watson (Chair), Kevin Dinn, Kim Davies, Kim Heitman

Advisory Panel Discussions:  
Derek Whitehead and George Michaelson

Teleconference:  
Michael Malone

Observers:  
Jo Lim and Paul Walsh

Apologies:  
David Thompson

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## 1. Minutes of previous meeting

Motion that if no comments were received in the next week, the minutes of the previous meeting be accepted. Moved: GW, Seconded: MM. Carried.

## 2. Action items

List of action items was not presented.

## 3. Corporate governance

### 1. Independent Directors

KH reported on behalf of the Independent Directors Sub-Committee (IM, MM and KH).

The sub-committee proposed a short list of 5 names and proposed that these individuals be approached in that order to see if they were willing to serve as an auDA director.

Discussion about the importance of independent directors being supported by all major stakeholders.

Discussion about the issue of board independence, and NOIE's request for an auDA to have an independent chair. Paul Walsh confirmed that the definition of 'independent' was a person who was not, or was not an employee of:

- a Registry
- a registrar
- a domain name administrator
- a delegate

Agreed that each director has until Monday 12 June to advise KH of any concerns they have about any of the proposed independent directors. KH would advise the board list of any proposed independent directors who were not acceptable to a board member.

## 5. Treasurer's Report

Treasurer's report was tabled.

## 6. Membership report

Motion carried that the following be accepted as demand class members.

Geoff Mullis  
Simon Stainsby  
Tracey Bedford

## 7. Acting CEO's report

### 1. Contracts

All existing contracts were forwarded to board members for comments, and to the ACCC. A discussion on the MIT contract in relation to the auDA funding model.

## 2. Domain Name Database

NOIE has approached auDA with regard to use of the domain name database for statistical analysis such as country vs metro, state comparisons, etc. The auDA board previously approved making the domain names available to third parties. Acting CEO proposes the following extension to the policy: auDA will make the domain name database available to selected third parties. Information available to be used is:

- domain names at detail level

- geographic information - postcodes to be used at summary level only

- creation date - to be used at summary (month minimum) level only

## 8. Advisory Panels

### 1. Name Policy Panel

To be set up:

- Email list for panel members

- Open email list for domain name policies - panel chair has responsibility of moderating the list.

- Web archive for working papers

- Web archive for submissions

General discussion about whether in principle board members should be allowed to participate in panels, and whether this created a conflict of interest as board members would have to approve the outcome of panels.

Motion carried that board members are not eligible to be members of Advisory Panels.

### Membership Eligibility Criteria

#### Eligibility and Name Allocation Policy Review in Second Level Domains

#### auDA Advisory Panel No. 1

#### Membership Selection Criteria

Members of the Name Policy Advisory Panel are selected on the following criteria:

1. Ability to represent a specific stakeholder group - the Panel should include a balance of representatives from:

- Consumers including commercial and non-commercial users.

- Domain name holders

- Registrars

- ISP and web hosting entities
- Intellectual property

## 2. Understanding of the issues being reviewed by the panel.

Motion that board members be ineligible for membership of auDA panels. Moved GW, seconded KD. Motion is carried.

DW to contact MIT and ask for new nominee.

Membership short list

Short list of panel members tabled.

Motion to accept the panel membership carried. Proposed KD, seconded KH.

## 2. Competition Panel

Draft Terms of Reference circulated to auDA board and ACCC:

Competition Model

auDA Advisory Panel No. 2 Terms of Reference

Revision Date: 1 June 2000

This document is the Terms of Reference for the auDA Policy Advisory Panel Number 2, for the development of a Competition Model for the .au namespace.

### 1. Activity and outcome

This Advisory Panel is set up to develop a Model to be used to introduce competition in the provision of domain name services in the .au namespace. auDA believes that the introduction of competition will deliver the best result for:

- quality of service
- user choice
- lowest cost

The model will review different options for the operations of / interfaces between Regulatory Authority, Registry, Registrar, and User levels, and the relevant issues and effect of the options for: how registries, registrars, and users operate and interact, including issues of:

- single/multiple registries
- location and content of registry / registrar data
- access, ownership and IP of registry data
- communication between registry and registrar, and between Users and registry / registrar
- security
- transfer of users between registrars

- service levels - quality and timeliness
- licensing and accreditation of registry / registrar
- barriers to entry
- dispute resolution between various levels
- equality of access
- registry and registrar fees

The panel's operations will have multiple stages, with a separate report from each stage:

Stage 1: Define existing environment

Stage 2: Review current practices worldwide in other domains

Stage 3: Recommend competition model for .au, and an implementation strategy for introduction of competition

Stage 1 and 2 may run concurrently.

## 2. Duration

The estimated timeline for the panel is subject to change. The current estimate is:

Elapsed Time

Activity

5 June

auDA board to confirm Terms of Reference

1 week

Call for participants

4 weeks

auDA board to confirm participants

6 weeks

First meeting; confirm Panel operational procedures; start Stage 1 and Stage 2

10 weeks

Stage 1 Documentation Draft complete

14 weeks

Stage 2 Draft complete; start Stage 3

22 weeks

Stage 3 Draft complete; start first public consultation period

26 weeks

End first public consultation period; start Proposed report.

28 weeks

End Proposed report; start second public consultation period

31 weeks

End second public consultation period; start final Report

33 weeks

Complete final Report; submit to auDA board

### 3. Chair

The panel Chair is George Michaelson.

### 4. Members

The panel should include representatives from all areas of the community including:

- Consumers
- General domain name users
- Registrars
- ISP & Web Hosting entities
- Government

Panel membership will be limited to 30. auDA will issue a general invitation via the auDA members and discussion lists to interested parties to participate in the panel.

### 5. Operations and budget

Members of the panel will determine their method of operation. auDA will provide email list server, web site including archived submissions provided to the panel, documentation of work, will arrange meeting venues, and provide teleconference support for meetings. auDA also plans to provide resources to enable a consultant to carry out a substantial part of Stage 2.

Discussion on whether the TOR should include general principles regarding competition.

Motion that board members and Competition panel chair should review the TOR and suggest additions/improvements via email for one week with revised TOR to be approved via email list.

Moved KH, seconded GW. Motion Carried.

9. Next meeting / Meeting closed

Meeting closed at 18:00.

Next meeting 13:00 3 July at Connect.com.au Level 9, 114 Albert Road South Melbourne

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**auDA Foundation**

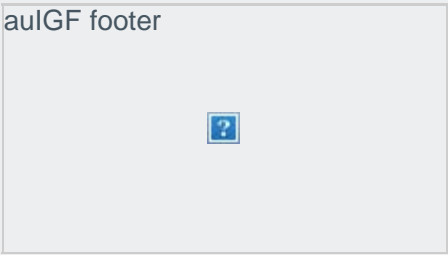
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# Board Minutes - 1 May 2000

Public Version  
Meeting of the .au Domain Administration Board

1 May 2000 - 01.00pm  
connect.com.au Pty Ltd. Level 9, 114 Albert Road. South Melbourne VIC 3205

Present:  
Chris Chaundy, David Keegel, David Thompson (Deputy Chair), Erica Roberts, Greg Watson (Chair), Iain Morrison, Kim Davies  
Kim Heitman, Mark Hughes

Observers:  
Jo Lim and Paul Walsh

Apologies:  
Kevin Dinn and Michael Malone



## 1. auDA chair

There was extensive discussion on whether or not to have an acting chair until the AGM.

Moved DT seconded KH motion to elect a Chair & Deputy chair for the period up to the AGM. Carried.

Call for nominations for position of Chair.

Candidates were Greg Watson and David Thompson. Greg Watson was elected auDA Chair. David Thompson was the sole candidate for Deputy Chair, and was therefore elected unopposed.

Moved David Thompson, seconded Greg Watson, that there be a vote of thanks to Michael Malone for all his work as Chair. Carried.

Action item that the Chair will write to Michael expressing our appreciation for his services.

## 2. Confirmation of Agenda

Agenda was confirmed.

Question from Chair re outcome of strategic planning meeting. David Thompson confirmed that he would be providing a report to the board.

### 1. Minutes of previous meeting

Proposed GW seconded DT that minutes including the changes will be circulated, if there are no further objections within a week, they will be accepted.

### 2. Action items

### 3. Corporate governance

### 4. Continuing Disclosure

No changes to any director's status under continuing disclosure rules.

## 2. Independent Directors

A list of possible independent directors for appointment to the board of auDA was tabled.

Iain Morrison, Michael Malone and Kim Heitman comprise the board's independent director's subcommittee, reviewing proposed candidates for independent directors. The time period for board members to propose candidates to the Independent directors sub-committee was extended to Monday 8 May.

Discussion of requirements for independent directors. Agreed that it was desirable that independent directors had experience with government; experience with industry self regulation; experience in building consensus amongst key stakeholders, independence in terms of shareholdings and employment.

## 7. Treasurer's Report

Treasurer's report was tabled.

Action Item: Acting CEO to provide 12 month budget/plan at each board meeting.

## 8. Membership report

Response from Baker McKenzie to clarify the situation regarding auDA members who are employees of Supply Class members:

Individuals who are employees of Supply Class members are Demand Class members, unless their activities separate from their employment qualify them for Supply Class; i.e. the fact that they are employed by Supply Class members does not affect an individual's membership class.

ER moved seconded IM that we accept and publish this advice via web site, FAQ, etc.

Supply Class  
ECORPORAT8 Pty Ltd  
WebCentral Pty Ltd

Demand Class  
Peter Moss  
Erica Roberts

Action item: Acting CEO to include in the membership renewal process that the member re-confirms their eligibility for correct class.

Motion to accept 4 new members. Moved DK seconded GW carried. ER abstained due to potential conflict of interest.

## 9. Customer service

We have received / replied to 607 enquiries.

## 10. Publicity

Acting CEO has accepted an invitation to speak on Domain Name Issues at the ISPCON in Melbourne 14-16 August, in the 'Regulatory Stream' of the conference.

Phone interview with Peter Young of The Industry Standard on 28 April. Salient points:

auDA is close to finalising an agreement with Melbourne IT re .com.au  
auDA will soon initiate reviews of competition model and domain name policy  
NOIE is supporting auDA by providing resources to enable the reviews to progress properly

auDA web site updates:

FAQ at HYPERLINK "<http://www.auda.org.au/faq.html>" [www.auda.org.au/faq.html](http://www.auda.org.au/faq.html) has been revised several times during the month to include new issues and correct/provide more information on other issues.

Advisory Panel Vn 2.3 is at HYPERLINK "<http://www.auda.org.au/>"  
[www.auda.org.au/](http://www.auda.org.au/)

Membership form at HYPERLINK "<http://www.auda.org.au/membership-form.html>" [www.auda.org.au/membership-form.html](http://www.auda.org.au/membership-form.html) has been revised

Action item: Acting CEO to update faq to point out that .au.com is not part of .au -it is a second level domain under .com. Not under our jurisdiction.

Action item: Acting CEO to advise link and other mailing lists of its existence and to ask existing 2ld registrars to provide a link.

## 11. Acting CEO's report

### 1. Operational Issues

Acting CEO is working to finalised all issues relating to resignation of CEO.

### 2. Contracts

#### 1. MIT

We have received latest iteration of the proposed contract from MIT. Contract has been reviewed by Acting CEO and Baker & McKenzie. Contract will be sent to NOIE and ACCC comment, then presented to Board for consideration.

Noted that the contract is to be signed by the Chair.

#### 2. Asn

Contract based on .connect.com contract. It has been signed and is on its way back to Acting CEO.

Action item: GW and DT to review the contract.

### 3. Gov.au

Revised contract has been sent to OGO.

Action: Acting CEO to prepare a summary of the contracts. One line per contract with relevant information such as Period/Payment terms/What happens at the end of the period

Action item: NOIE and ACCC to receive contracts signed and proposed.

Signed contracts to be put on the web:

### 4. Edu.au

No Progress

### 5. CSIRO

Jonathan Potter has been overseas for a month. He returns this week and Acting CEO will meet him next Tuesday 9th.

## 12. Aunic

Action item: Acting CEO to issue the tender.

## 13. ABN as Domain Name eligibility

Discussion about the ABN as evidence of eligibility for a Domain Name. Motion: Proposed DT Seconded GW auDA has decided that an ABN is an acceptable criteria for compliance to current eligibility in .net.au and .com.au. Carried.

Action Item: Acting CEO to write to .net.au and .com.au to state that an ABN is an acceptable criteria under existing policy; asking them to advise on an implementation date. Write to other delegates and advise them of the outcome.

## 14. Advisory Panels

### 1. Name Policy Panel

Proposed Constituents - send specific invitations to:

Consumers ACA  
Business TradeGate ECA, ACCI  
Registrars All Registrars/Delegates/Administrators  
IP IP Australia, IT&PA, Australian Digital Alliance, Law Council of Australia

Call for participation to members, DNS list

Call for participation to include comment that competition panel will exist

Noted that the specific invitations will ask the organisation to nominate an individual, but will not at this stage guaranteed that organisations participation in the panel.

Terms of reference

Action Item: Acting CEO to replace the existing date driven schedule with elapsed time guidelines and post on the web site.

### 2. Competition Panel

Proposed Constituents - as for the Name Policy Panel, plus NOIE and ACCC:

Action item for acting CEO to develop TOR for approval at next board meeting.

## 15. Other business

Acting CEO outlined his understanding of the ACCC's view. That:

they expected auDA to put in place the policies and infrastructure necessary to enable competition  
then they expect all registrars to then use that infrastructure.

16. Next meeting / Meeting closed

Meeting closed at: 17:05

Next meeting 5 June at Melbourne IT.

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# Board Minutes - 7 April 2000

Public Version  
Meeting of the .au Domain Administration Board

7 April 2000 - 1.00pm  
Melbourne IT. Level 2, 120 King Street. Melbourne VIC 3000

Present:  
David Keegel - Secretary, Kim Davies, Kevin Dinn, Kim Heitman, Mark Hughes, Chris Chaundy, Erica Roberts, David Thompson, Iain Morrison

Teleconference:  
Michael Malone - Chair

Observers:  
Tom Dale, Paul Walsh and Jo Lim

Apologies:  
Greg Watson

- 
1. Proposed Mark Hughes seconded Erica Roberts that David Thompson be chair for today's meetings.
  2. Confirmation of Minutes

Moved David Keegel, seconded Chris Chaundy that minutes as modified be accepted. Carried unanimously.

### 3. Corporate governance issues

The operations of auDA are different from those of a normal business in some key areas:

auDA is charged with implementing industry self regulation, and the scope of its work directly affects domain name users (Demand) and domain name suppliers (Supply)

the constitution of auDA is specifically designed to ensure that representatives from both the Supply and Demand side are elected to the auDA board.

The auDA board, specifically elected to represent both supply and demand, has the responsibility of reconciling the requirements of these two possibly conflicting areas. To ensure auDA can carry out its task of achieving consensus, the following proposals are made:

Appointment of independent directors and chair to the board of auDA, independent meaning not an auDA supplier, registry operator, or registrar.

Procedure for the auDA board to wherever possible to debate policy only, not specific implementation

Level of independence between auDA board members and their organisations

Candidates for significant roles including Advisory Panel chairs to have the support of all board members

Action Item: Identify and approach candidates who we would be willing to appoint as independent directors, who have the skills appropriate to being a chair/vice chair and who would be willing to serve as chair/vice chair.

Note: Michael Malone has tendered his resignation effective from the next board meeting.

Motion to accept the resignation effective from next board meeting. Moved Kevin Dinn, Seconded Erica Roberts. Carried.

#### 1. Independent directors

Motion that auDA directors and NOIE are invited to nominate potential board directors. Kim Heitman, Michael Malone and Iain Morrison to constitute board sub-committee to provide tentative ranking. NOIE to review the list, auDA Board to confirm preferred candidates. Sub-committee to approach the preferred candidates.

Schedule one week for directors / NOIE to provide names to sub-committee.

Proposed Kim Heitman, Seconded Kim Davis. Carried.

#### 2. Separation of policy and implementation

As an operating procedure, the auDA board should focus on policy issues;

implementation should be the responsibility of the auDA executive. This will remove many of the corporate governance/conflict of interest issues, as policy will rarely affect only one board member, and will avoid many of the specifics. Board members with an appropriate declaration of conflict of interest, may still discuss general policy that affects several board members.

General discussion about the role of the board vs auDA executive. Noted that board's role is policy direction, financial management

### 3. Independence between auda board members and their organisations

auDA members are elected to represent auDA members, not to represent their companies / employers. For entities who are suppliers to auDA and have a principal/employee on the auDA board, it is a clear conflict of interest for the auDA board members to be the contact with the auDA executive on implementation issues unless the entity has no other suitable employee who can be the contact for implementation issues.

Discussion about conflict of interest for board members who are elected to represent members, but may be employees of key stakeholders.

### 4. Full auDA board support for key roles

The auDA board is charged with delivering consensus. For key roles, including Panel Chairs, if a candidate cannot be supported by all the auDA board, then it may be impossible to deliver consensus. Therefore candidates for significant key roles should have unanimous support of the auDA board.

MH covered these points. Tom Dale also spoke to them. Michael said he was willing to resign if an independent (non Registry/Registrar/Delegate) chair was required.

Action Item: MH to write to ER that the draft invoice was merely a discussion draft, even though it was signed.

Kevin Dinn raised the issue of being able to make issues public.

Action item for acting CEO on what it is appropriate for directors to pass back to their sponsoring communities.

### 4. Treasurer's Report

Treasurer's report was tabled.

Tom Dale said that NOIE would provide resources to auDA in cash and staff. NOIE staff will report to NOIE and auDA and be involved in the Name and Competition Advisory Panels. Noted that NOIE funding to be provided on the conditions that:

- progress on name policy and competition panel
- substantial progress on corporate governance
- independent chair and directors

expansion of auDA membership base.

Those conditions would be set out in a letter from the minister. Minister will review the transfer of .au delegation to August.

Discussion about obtaining Industry sponsorship for auDA work

Action item - acting CEO to review the budget.

## 5. Membership report

One application has been received during the month for a new membership. The application is from Burnie City Council for a Demand Class membership.

Motion to accept new member. Proposed David Keegel, seconded David Thompson Seconded. Carried.

## 6. Publicity report

### 1. Incoming - reponses to enquiries

We have received and responded to approximately 650 email requests in the month of March.

### 2. Outgoing

Article has been sent to Tradegate ECA members - circulation is approximately 1000.

### 3. Auda web site

The FAQ at <http://www.auda.org.au/faq.html> has been revised several times during the month to include new issues and correct/provide more information on other issues.

David Thompson noted that ABC radio national was interested in doing radio interview on auDA and ICANN.

## 7. Acting CEO's report

### 1. Contracts

General discussion on contract negotiations.

### 2. Aunic

Tender ready to go out.

ER suggested that the board review the option of an existing registry such as MIT or Connect run the registries for .gov.au, .edu.au.

Acting CEO to copy the Tender documentation to the Aunic sub-committee.

## 8. Advisory Panel Procedures

Version 2.3 of the Advisory Panel Procedures, including comments received during the final round of public consultation, is proposed for acceptance by the board:

Proposed to accept Advisory Panels Vn 2.3 unless in the next week any director objects. Proposed David Keegel, seconded Chris Chaundy. Carried

## 9. Name Policy Panel

To initiate the auDA Advisory Panel No. 1, "Review of Policies in .au Second Level Domains", requires:

- Terms of Reference
- Operational Guidelines
- Draft Letter to Nominated Participants
- Draft Call for Participants

### Operations

Operational processes will include:

- Scheduled meetings - likely to include teleconference facilities between Sydney and Melbourne
- Email list server
- Web archive of comments/submissions to the panel

### Panel initiation

Initiating the panel will include:

- Call for participants via
  - National newspapers
  - Member lists
  - Other lists

- Letters to specific nominated organisations

Use of ABN to satisfy Domain Name eligibility requirement for .net.au and .com.au.

Extensive discussion over who is eligible for .com.au and .net.au domain names.

Action item - Iain Morrison to draft a resolution re ABN.

## 10. Competition Panel

Discussion about Competition Policy panel and chair. General discussion, comments that developing a brief for the Chair would be appropriate to ensure

appropriate input and support.

Action Detailed terms of reference for the Competition panel, including input from ACCC, etc. from CEO.

#### 11. Domain Database Value Added Services

In the last month we have received about 10 queries from entities interested in downloading the database. The draft contract should be finalised by Baker McKenzie today.

#### 12. Other business

David Thompson gave an update of ICANN meeting. Noted that ICANN was working with similar sorts of issues as auDA. Significant issues are:

- Intellectual Property
- Creation of new gTLDs

Noted that the major group against new gTLDs are the IP groups.

Meeting Closed at 17:30

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# Board Minutes - 3 March 2000

Public Version  
Meeting of the .au Domain Administration Board

3 March 2000 - 1.00pm  
connect.com.au Pty Ltd. Level 9, 114 Albert Road. South Melbourne VIC 3205

Present:  
Greg Watson (Acting Chair), David Keegel (Secretary), Mark Hughes (Treasurer),  
Chris Chaundy, Kim Heitman, David Thompson, Kim Davies  
Erica Roberts, Iain Morrison

Teleconference:  
Michael Malone and Kevin Dinn

Observers:  
Brenton Thomas (NOIE)

Apologies:  
Nil

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1. Confirmation of Minutes  
Motion that the minutes of the previous meeting on Monday 7th February 2000 are  
a true and accurate reflection of the meeting. Passed.

## 2. Action items

Item 11, Business and Strategic Planning sub-committee has not happened. See action item 1 below.

Item 12 Information privacy and protection paper to be put on web site has not happened. See action item 2 below.

1. Business and Strategic Planning sub-committee (Chair, Vice Chair, actingCEO, DT, IM) to review and report on the best mechanism for auDA to develop a business and strategic plan. Option of a half day meeting before the next board meeting for this purpose. David Thompson to co-ordinate the Business Planning session.

2. KD Information Privacy and Protection paper be put on the auDA web site

3. Acting CEO Report on the implications of GST for auDA.

4. Acting CEO Provide a revised list of action items

5. Treasurer Report on the short term cash flow over the next few months.

6. Treasurer Issue invoices for amounts owing from Registrars including .net.au

7. Acting CEO Obtain legal opinion on whether individuals who are employees of companies who qualify for supply class are entitled to apply for Supply Class. Opinion to cover

The issue of 'cascading' membership qualifications

Do employees in such a position have an option of Supply or Demand, or must they be one or the other?

What do we do with existing members who meet this criteria?

8. KD List of EOI Respondents to be published on the auDA web site.

9. ER to notify MH of contact at MIT that GW and MH will talk to re their requirements for Aunic. GW and MH to arrange a phone conference with MIT contact to discuss their requirements.

10. Acting CEO to prepare revised business plan and operation plan and circulate to board by cob Friday 10 March. Operation plan to include list of all agreements/contracts.

11. Acting CEO to report to the board on Policy Panel timeline, operational processes, and budget

12. Panel Chair and acting CEO to develop the TOR and operational processes.

13. Acting CEO to proceed with more detailed business case for domain names VAS

14. Acting CEO to document issue on possible membership classes and the mechanisms necessary to support all .au domain name holders being members of auDA

15. Acting CEO to follow up for Directors & Officers insurance

16. Acting CEO to send update message to members

## 3. Treasurer's report

Treasurer's report was tabled.

## 4. Membership Officer

Discussion of membership class eligibility for individuals who are employees of entities who qualify for Supply Class. See action item 6.

Motion to accept Scott Evans as a demand class member. Moved David Thompson, seconded David Keegel. Passed.

#### 5. Publicity officer's report

We are continuing to receive up to a couple of hundred queries a week to register@auDA, plus occasional queries to xxxxxxxx@xxxx.xxx.xx. MH is replying to non-technical queries, DK is replying to technical queries.

#### 6. Chairs report

#### 7. acting ceo's report

Acting CEO has had meetings with several significant stakeholders

##### 7.1 NOIE

Discussions with NOIE covering a wide range of issues.

##### 7.2 OGO

OGO identified several areas where they are not happy with the service provided by Aunic. Acting CEO confirmed to OGO that auDA would fix those problems as part of the transfer of Aunic to auDA.

##### 7.3 MIT

Identified with MIT that it was likely that there were issues other than contract wording that MIT believed needed to be resolved. Acting CEO proposed that the process from here was:

Acting CEO would work with MIT's nominated person (ER) to identify the full list of MIT issues.

Acting CEO would then bring these issues to auDA board for review.

Acting CEO to also identify the full list of auDA issues that need to be resolved in exchange with MIT.

##### 7.4 GW - Aunic Transfer

Met with GW to discuss Aunic Transfer

13 respondents to the statement of interest were received, who will all be invited to tender.

General discussion about transfer of Aunic to auDA. Issues included the addition of a Q&A session for tenderers as part of the process. The tender is a hosting contract, it is not intended as project management or software development.

Discussion about evaluation process and use of independent evaluation.

Motion that the selection criteria include that respondents must identify all conflicts of interest and how they would resolve such conflicts; for example operational independence, equality of access, etc. Moved David Thompson, Seconded Iain Morrison. Passed.

Motion that a third party evaluate the responses and provide a report to the subcommittee who will provide a report to the board. Moved Iain Morrison, seconded David Thompson. Passed

Noted that auDA would update registrars such as OGO and MIT on general Aunic capabilities, etc, 24x7service, security, etc. See Action item 9.

## 7.5 Business Plan and OperationalPlan

Acting CEO to prepare revised business plan and operation plan and circulate to board by cob Friday 10March. Operation plan to include list of all agreements. See action item 10.

## 8. Contracts in Negotiation

Brief discussion about Registrars and contracts not already mentioned under section 7 - acting CEO's report. Comment that acting CEO would follow up with other minor 2lds including:

- .csiro.au
- .id.au
- .info.au
- .conf.au
- .telememo.au
- .otc.au

See action item 6

## 9. Policy panel

Discussion on issues of privacy,etc. Should auDA allow responses which are confidential and not made public, as well as responses which are made public but not attributed.

Action Item: acting CEO to report to the board on timeline, operational processes, and budget. See action item11.

## 10. Competition panel

General discussion on the Competition Panel TOR. Agreed that Stage 1 must address what competition models are available, and options to maximise competition and minimise monopoly. Theend of Stage 1 is a report back to the board on options available. Agreed that models must address registry definitions and functions.

Action Item: Panel chair and acting CEO to develop the TOR and operational processes.

#### 11. Value added services

Acting CEO proposed to establish service to enable other entities to provide value added services based on .au domain names database. Discussion on level of information that would be provided. Agreed that only domain names would be provided at this stage.

Action item: acting CEO to proceed with more detailed business case. See action item 13

#### 12. Competition model

Discussion about whether work should be done before the panel, or whether this task the responsibility of the Competition Panel

Motion that a primary objective of auDA is to introduce sustainable competition into the .au namespace. Moved David Thompson, seconded Greg Watson. Passed.

#### 13. Independent Directors

Discussion on appointment of independent directors to auDA board, and the issue of an auDA chair who would be neither a Registry, Registrar, or Delegate.

Action on all board members to nominate suitable candidates for independent directors.

#### 14. Expansion of auDA membership

Discussion of expansion of auDA member base - options to automatically include all .au domain name holders as members auDA.

Action item: Acting CEO to document issue on possible membership classes and the mechanisms necessary to support all .au domain name holders as members of auDA. See Action Item 14.

#### 15. JOR's Resignation

General action item for CEO to ensure that all board members are kept up to date with contracts and information. Discussion of mechanisms to ensure distribution of information, and the option of a password protected part of the auDA web site.

Motion that Mark Hughes be appointed acting CEO for six months or until appointment of a permanent CEO on a remuneration of \$90,000 with details to be confirmed at the next board meeting.. Moved Erica, seconded David Thompson. Passed.

Move the Joseph's letter not be made available, nor the contents. Moved ?

Seconded ? Passed.

Other actions items - see Action Items

Action item - ceo to follow up for Directors & Officers insurance

Action item - either ceo or chair to send messages to members

Action item - ceo to write statement to members.

View expressed that acting ceo was different from ceo, therefore there it is OK under the constitution.

#### 16. Acting ceo status

General discussion on acting CEO status, and constitutional issues. It was noted that the constitution was not clear on the issue, and that various interpretations could be made. Comment made that an acting CEO was different from a CEO, and therefore this may be allowable under the constitution.

#### 17. Next meeting

Melbourne 7th April

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# Board Minutes - 7 February 2000

Public Version  
Meeting of the .au Domain Administration Board

7 February 2000 - 01.00pm  
Melbourne IT. Level 2, 120 King Street. Melbourne VIC 3000

Present:  
Greg Watson - Acting Chair, David Keegel - Secretary, Mark Hughes - Treasurer, Chris Chaundy, David Thompson, Kim Davies, Erica Roberts (Dr.) Kevin Dinn

Teleconference:  
Kim Heitman and Michael Malone

Observers:  
Joseph O'Reilly - Chief Executive Officer and Brenton Thomas - NOIE

Apologies:  
David Thompson - directed proxy to Greg Watson

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## 1. Confirmation of Previous Minutes

Kim Davies moved, Greg Watson seconded that -

The minutes of the previous meeting held on 10 January 2000 are a true and

accurate reflection of the meeting.

Kim Davies moved, Greg Watson seconded that -

The summary of record of the previous meeting held on 10 January 2000 be approved for distribution.

## 2. Continuous Disclosure

Kevin Dinn raised the issue of directors being required to disclose any shares in companies within or under auDA's decision making jurisdiction.

Kevin Dinn moved, Mark Hughes seconded that -

The CEO obtain legal advice on the appropriate degree of disclosure for directors with shares in companies associated with auDA.

Carried

## 3. Reports

### (a) Chairs Report

The Chair indicated that he had an opportunity to meet with Senator Richard Alston in Perth and that the Minister had raised a variety of issues regarding the Australian Domain Name Space.

### (b) Chief Executive Report

Joseph O'Reilly spoke to his report.

### (c) Treasurer's Report

Mark Hughes indicated that we had received two new requests for, membership,

- Anderson Legal
- South Coast Computer Professional Centre

Mark Hughes moved, David Keegel seconded -

That both requests for membership be approved.

Carried

### (c) Publicity Officer's Report

AUNIC Inquiries.

## 5. AUNIC

Greg Watson spoke to the process for

Tender documents

Selection Criteria

Email to board at the same time

MM, GW, DK, DT, MH, JO will form a tender panel for AUNIC Hosting tender.

Expressions of Interest have already been requested (and closed on 4 February).

The predicted "go live" date for the new AUNIC Hosting is 10th April 2000.

## 6. Policy Development

Panels Policy

Version 2.2 of the Policy Development Panels Policy was circulated. The CEO suggested that a number of amendments needed to be made for consistency.

Kevin Dinn moved and David Keegel seconded that -

That the PDPP Version 2.2 be circulated with suggested amendments by the CEO and approved out of session.

7. Dr. Roberts raised a series of questions about what the key task AUNIC were.

Critical functions/Collision control/approval

## 9. Domain Name Policy Development Panel

The CEO spoke to a report entitled 'Establishment of Name Allocation Policy Development Panel Process'.

Directors discussed the appropriateness of the Terms of Reference and agreed to Terms of Reference i. and ii without any additional comments and that a preamble outlining the context for the establishment of the panel would need to be developed.

The CEO then spoke to the issue of the panel Chair, membership and the development of the work plan which he proposed should come back to the Board at the next meeting.

Erica Roberts moved and Greg Watson seconded that -

Derek Whitehead be appointed Chair of the Name Allocation Policy Development Panel.

Carried

## 10. Competition Policy Panel

Greg Watson moved, David Keegel seconded -

That George Michaelson be appointed Chair of the Competition Policy Panel.

Carried

Erica Roberts spoke against the motion.

## 11. Business Strategic Planning

The CEO indicated that a variety of directors had had discussions with him about the need for auDA to begin a strategic planning process.

### ACTION ITEM

That the Chair, Deputy Chair, David Thompson, CEO, Iain Morrison constitute a Business and Strategic Planning subcommittee and prepare a report for the Board's consideration on preparing a business and strategic plan for auDA.

Directors agreed in principle to an all day meeting scheduled for 3rd April 2000 some of which would be devoted to a facilitated strategic planning workshop.

## 12. Information Privacy & Protection

### ACTION ITEM

The Information privacy and Protection paper be put on the auDA web site and that the paper be circulated to key stakeholders for consultation.

### Other Business

#### Bank Account Signatories

Mark Hughes moved, Michael Malone seconded that -

Mark Hughes, David Thompson, Michael Malone, Joseph O'Reilly be signatories to the auDA bank account.

Carried

#### Financial Delegations

Mark Hughes moved, Kim Davies seconded that -

The CEO and Treasurer be approved to initiate payments via the on-line banking system to a value of not more than \$5,000 in the normal course of business.

Carried

#### auDA and the GST

ACTION ITEM

That the CEO report on the implications of the GST for auDA.

A decision was made not to increase membership fees due to the GST.

Letters were received from connect.com.au:

Confirming sponsorship of web hosting and secondary DNS for auda.org.au  
Delegation of net.au authority from Chris Chaundy to connect.com.au for the duration of the Interim Period in the auDA/connect.com.au agreement.

Next Meeting

The next meeting will beheld on Friday, March 3, 2000, Melbourne.

Meeting closed at 5:41pm.

new foundation logo



**auDA Foundation**

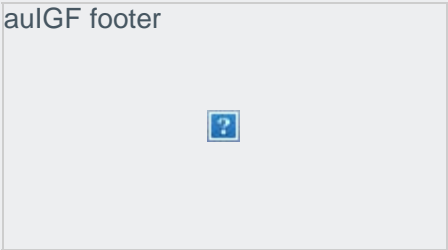
Established in 2005, the auDA Foundation makes annual grants to promote and encourage education and research initiatives that will enhance the utility of the Internet for the benefit of the Australian community

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## ANZIAs

The ANZIAs are an annual event celebrating the achievements of organisations, businesses and individuals that have made significant contributions to the development and use of the Internet in Australia and New Zealand.



## auIGF

The Australian Internet Governance Forum (auIGF) brings together businesses, organisations and individuals to help shape the future of the Internet.

### About auDA

- Our Organisation
- Our Services
- Membership
- Community Programs

### Help Centre

- Domain Name Owners
- Website Beginners
- For Registrars & Resellers
- Complaints & Disputes
- Registrant Transfers

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- Panels and Committees
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6

# Board Minutes - 10 January 2000

Public Version  
Meeting of the .au Domain Administration Board

10 January 2000 - 01.00pm  
au Domain Administration Limited. Level 7, 50 Queen Street. Melbourne VIC 3000

Present:  
Michael Malone (Chair), Greg Watson (Deputy Chair), David Keegel (Secretary), Mark Hughes (Treasurer), Chris Chaundy, Kim Heitman, David Thompson, Kim Davies, Erica Roberts, Iain Morrison, Joseph O'Reilly (CEO)

Observers:  
Annabelle Herd (Minister Alston's Office), Brenton Thomas (NOIE), Nikki Vajrabukka (NOIE)

Apologies:  
Kevin Dinn

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## Confirmation of Minutes

The minutes of the previous meeting held on Monday 6 December 1999 are a true and accurate reflection of that meeting. Carried

\* Michael Malone moved, David Thompson seconded

- The summary of record of the previous meeting held on Monday 6 December 1999 be approved for distribution. Carried

\* Michael Malone moved, David Thompson seconded that

- The minutes of the September 1999 meeting held prior to the Annual General Meeting be circulated to the board out of session and subsequently approved for distribution Vote Pending

ACTION ITEM: David Keegel to circulate the minutes of the September 1999 meeting with the above motion attached and conduct a vote out of session.

Welcome

The Chair welcomed auDA's newly appointed Chief Executive Officer Joseph O'Reilly. The Chair also invited directors to introduce themselves.

The CEO responded with thanks and indicated his enthusiasm in undertaking his new responsibilities and how much he looked forward to working with directors in realising auDA's objectives.

Continuous Disclosure

No items of continuous disclosure were raised.

Reports

a) Chair's Report

The Chair indicated that there were two major areas of activity in which he was involved since the last meeting. These were finalising the appointment of auDA's CEO and work on the transition of AUNIC to auDA.

The Chair updated the board on auDA taking responsibility for responding to all inquiries to AUNIC. He thanked directors Mark Hughes and David Keegel for undertaking this work. He also indicated that he and Greg Watson had been involved in the formulation of software and the development of specifications for auDA to use when auDA assumes full responsibility for AUNIC.

The Chair also indicated that he, the Deputy Chair, Greg Watson and the CEO, Joseph O'Reilly met with representatives of the National Office of the Information Economy including the Office's CEO, Dr Paul Twomey. At the meeting the Chair provided NOIE with an update on auDA's progress.

Dr Twomey used the opportunity to outline some of NOIE's views. Chief among these was a desire for auDA to facilitate the introduction of competition in the allocation of domain names as a matter of priority. He indicated however that a centralised registry functioning as a monopoly was necessary to deliver consumer protection, resolve intellectual property disputes and secure a capacity for the indirect taxation of e-commerce.

The edu.au name space was also discussed at the meeting. Brenton Thomas spoke to this issue during the Chair's report. auDA's CEO will be participating in meetings of NOIE and DETYA regarding this matter.

#### b) Treasurer's Report

The Treasurer spoke to the financial report that he tabled. He indicated to directors that auDA would be able to meet expected liabilities in the next few months. David Thompson indicated that more work was required on an operational budget including work plan and income and expenditure projections for the remainder of the calendar year.

**ACTION ITEM:** David Thompson and CEO to prepare an Operational Budget with Work Plan and projections for income and expenditure for the 2000 Calendar year for consideration at the next board meeting.

#### c) Membership Report

A number of enquiries had been received but no new memberships were ready for Board consideration.

#### d) Publicity Officer's Report

The Publicity Officer spoke to his handling of inquiries regarding AUNIC. A variety of modifications to the AUNIC site and the inquiry handling process were also discussed. A number of issues were canvassed regarding the continued functioning of AUNIC including its current operation, its delegation to auDA, how that transition would take place and the design and delivery of its new system.

**ACTION ITEM:** The CEO prepare a report on the transition of AUNIC to auDA.

The announcement by Melbourne IT, including correspondence from Dr Erica Roberts (Manager Corporate Relations - Melbourne IT) addressed to the Chair of auDA regarding its decision to decouple from AUNIC was also discussed.

A discussion on the implications of the decoupling followed.

As a result of the discussion the board concluded that Melbourne IT would be directed to continue operating within the current AUNIC based system.

\* Mark Hughes moved, Kim Heitman seconded that

- The Chair write to Melbourne IT informing them that decoupling from AUNIC will not be allowed. Carried

Dr Roberts and Professor Morrison returned to the meeting.

Professor Morrison asked permission from the Chair to bring the Information Privacy & Protection item forward so that he could speak to that item prior to leaving.

## Information Privacy & Protection

Professor Morrison spoke about the development of the Information Privacy & Protection paper that he had developed for auDA. It was agreed that the paper with any amendments or suggestions made by directors be put on the web site and that comments on the draft document be invited. Noted Professor Morrison left the meeting.

## Interim Agreement with Melbourne IT

Dr Roberts provided an overview on Melbourne IT's negotiations with auDA.

Mr Watson asked Dr Roberts to leave the room.

Dr Roberts left the meeting.

A discussion on the progress of the negotiations followed. Mr Watson indicated that responsibility for continuing the negotiations should be transferred to the CEO.

\* Greg Watson moved and Michael Malone seconded that

- Responsibility for negotiating a license/registry agreement with Melbourne IT be delegated to the CEO. Carried

## Chief Executive Officer

The Chair reiterated his welcome to Joseph O'Reilly as CEO. The Chair indicated that there were a variety of things the newly appointed CEO needed to do including conduct meetings with a range of key stakeholders, progress and finalise as many license/registry agreements as possible and undertake core business and strategic planning activities.

The Chair asked the Treasurer to liaise with the CEO about practical financial matters.

CEO to investigate office space. CEO to draft a media release on appointment of CEO.

## Policy Development Panels

A brief report on the development of policy for the establishment and functioning of Policy Development Panels was provided by David Keegel.

It was agreed that the final report on the establishment and functioning of Policy Development Panels be presented at the next board meeting.

It was proposed that the deadline for comments on this matter be extended.

\* Mark Hughes moved, Kim Davies seconded that

- The deadline for comments on the functioning of Policy Development Panels be extended by 14 days from the original closing date. Carried

It was agreed that two panels were needed as a matter of urgency including a Name Allocation Panel and an Introduction of Competition Panel.

The CEO was asked to provide a report to the next meeting of the Board recommending the Terms of Reference, Composition and Chair for two such panels.

#### Business Plan

The development of the Business Plan was addressed earlier in the meeting at item iv.b) in the action arising out of the Treasurer's Report. David Thompson and the CEO's development of an operational budget, projections and work plan will constitute auDA's business plan.

#### ICANN March 2000 Meeting in Cairo

The Chair stressed the import of auDA's participation in appropriate international forums including ICANN and indicated Dr Twommey's of NOIE was keen for auDA's CEO to be at the March meeting. Assistance in funding auDA's travel expenses to Cairo was raised with Dr Twommey and auDA will write to NOIE seeking assistance with travel expenses.

**ACTION ITEM:** The CEO will write to NOIE to request financial assistance to facilitate auDA's participation in the ICANN March meeting in Cairo, Egypt.

#### Next Meeting

The next meeting of the auDA Board will be held on Monday 7 February at 1.00 pm in Melbourne.

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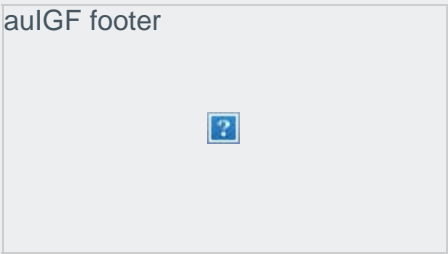
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