

POLICY ADVISORY BOARD REPORT
PORTLAND HOUSE, LONDON, SW1E 5RS
8 March 2006
MEETING 43

Those present:

Denesh Bhabuta	Elected Member
Andy Clarey	Appointed Member - DTI
James Conaghan	Elected Member
James Cronin	Elected member
Susan Daley	Appointed Member - CBI
Gordon Dick	Appointed Member - Nominet Board
Earl of Erroll	Appointed Member - All Parliamentary Internet Group (APIG)
David Evans	Appointed Member - Office of the Information Commissioner
Clive Feather	Elected Member (co-opted)
Jason Johns	Elected Member
Alex Kells	Elected Member
Sebastien Lahtinen	Elected Member (Chair)
Mark Lewis	Appointed Member - Companies House
Hazel Pegg	Elected Member
Eric Ramage	Appointed Member – ITMA
Francesca Woodhouse	Appointed Member – Federation of Small Businesses

From Nominet by invitation of the PAB:

Lesley Cowley, Chief Executive
Emily Taylor, Director of Legal and Policy
Farisha Constable, solicitor and PAB Secretariat

1. Welcome and apologies

Apologies were received from Tom Adams, Alex Bligh and Jonathan Zittrain.

2. Approval of the January meeting report

The PAB unanimously approved the report of the previous meeting.

Emily Taylor gave an update on the PAB elections. 11 candidates have been nominated ranging from candidates seeking to represent individuals to those seeking to represent large businesses. There are five seats on the PAB to be filled this year. Voting papers will be issued later this month.

3. net.uk Working Group

The Chair updated the group on the number of responses the consultation has received. The consultation period ends on 19 March 2006.

4. IDN Working Group Report

Clive Feather gave a presentation on the IDN Working Group paper. A number of points were raised and discussed including:

- IDN practice in other Registries and seeking input on their IDN experience.
- International standards.
- The problem of typo squatting, phishing and fraud.
- Implementation of IDN; support, costs and DRS.
- Issues with names differing only in the diacritical marks used.

- The policy considerations of IDN.

The PAB were generally content with the Working Group's report and the policy proposals contained in the summary section. However, there was some disagreement as to whether different registrants should be allowed to register names which are different but, when stripped of diacriticals, become the same.

A request was made that some background information on IDN and the practice of other Registries also be considered before developing final policy in this area.

Jay Daley, Director of IT would be asked to consider the technical proposals the IDN paper raises.

Resolution

The PAB resolved that Nominet should introduce IDN as soon as possible with reasonable support following an Executive response and further discussion at PAB level.

5. Industry Standards consultation

The Chair of the Industry Standards consultation Working Group summarised the Working Group response. A number of issues raised in the paper were discussed including:

- A desire for registrars to provide all relevant information on charges and services to customers before they enter an agreement.
- Accuracy of data and an obligation on registrars to take reasonable steps to verify registrant information.
- The practicality of requiring written instructions when a registrar registers a domain in their own name or name of a third party.
- How registrars can fulfil their obligation to make registrants aware of Nominet's terms and conditions.
- Enforcement of a registrar agreement and what role Nominet may be able to play i.e. providing mediation services for simple breach of contract issues.
- Desirability of naming and shaming those who do not comply with the registrar agreement.
- Having a gold standard.

Resolution

The PAB resolved to submit the paper from the Industry Standards Committee as the PAB response to the Nominet Industry Standards Consultation.

6. ltd.uk and plc.uk

Emily Taylor explained that the ltd.uk and plc.uk rules had mistakenly been drafted in a way which excluded companies in Northern Ireland to register ltd.uk and plc.uk and that there was a typographical error in the rules for me.uk.

Clive asked that the Executive check that no company entitled to register under the old rules would not be entitled under the new ones.

Resolution

The PAB resolves that the rules for the *.ltd.uk* and *.plc.uk* Second Level Domains should be changed to permit registration by all bodies entitled by law to use *limited* or *public limited company* (as applicable) in their corporate name (including those entitled to use the abbreviations and/or Welsh equivalents) and recorded as such by the registrar of companies.

The PAB resolves to recommend that the typographic error in section 4.4.2 of the current Rules be corrected.

The PAB resolves to recommend that the consultation period on these changes should run for one month only.

7. Information Commissioners Office Good Practice Notes

David Evans explained that the Information Commissioner's Office would be producing notes to help the public on issues of data protection. The Information Commissioner's Office are seeking comments or suggestions on what are the most pressing data protection questions facing the industry and its customers at present. Feedback on this issue is welcome over the next few months from both PAB members and anyone else able to provide information on this topic.

8. Governance review and strategy

Lesley Cowley outlined the issues that the PAB would need to consider following the Boards governance review. They were;

- The distinction between what is a policy matter and what is an operational issue.
- Introducing a list of matters reserved for the PAB.
- Reinstating the PAB work programme.
- How to make the policy development process quicker than the current average of 10 months.
- A need to clarify the status of consultations.
- How to elect a PAB Chair and complete the handover process.
- The title of the PAB

It was agreed that the Executive will produce a set of proposals for the PAB to consider at the next meeting.

9. Nominet EGM and Memorandum & Articles

Clive Feather asked the PAB for their views on the Nominet EGM to be held on the 16th March 2006 stating that he believed that, since this was possibly the largest change to Nominet policy since it was founded, the PAB should at least be discussing it. A lively discussion ensued during which some PAB members expressed their disappointment that the proposals had been put to the vote in their current form without further consultation with the wider membership. A few PAB members raised concerns regarding the content of the Q&A posted on the Nominet website and agreed to take their concerns to the management as members after the PAB meeting. A majority of the PAB members present believed that the PAB meeting was not the appropriate place to formally discuss the EGM, which was an issue for the membership and not for the PAB and no formal resolution was proposed.

10. Matters arising from nom-steer and pab suggest

Emily Taylor reminded the PAB that care should be taken when responding to questions or comments as a member of the PAB as they reflect on the PAB as a whole and Nominet.

Sebastien Lahtinen also reiterated the importance of clearly stating when a comment is made in the capacity of a PAB member and when it is made in the capacity of an individual. Signing emails 'Nominet PAB' could create confusion when making a comment in their capacity as an individual.

11. Urgent Business

Sebastien informed the meeting that he intends to stand down as Chair at the May meeting. He also noted that this would be the final PAB meeting for Denesh Bhabuta, James Cronin and Mark Lewis. The leaving members were thanked for their work and contribution to the PAB.

12. Date of Next Meeting

The next meeting will be held on Wednesday 10 May 2006.