

The Nominet UK Council of Management (CoM) met on 15th October 2002.

REVISED CONTRACTS

Replacement registration Terms & Conditions and a replacement Tag Holders' Agreement were approved. These are required as a result of the changes to the WHOIS service and the alteration of the tag change procedures.

Earlier this year, at the request of the PAB, Nominet sought a QCs advice on whether its current practice of seeking a tag holders consent before changing tags (and in some cases preventing a tag change at a tag holders request) could be extended to registrant transfers and cancellations. Members will recall that Nominet's current tag change procedure evolved out of a concern that Nominet should avoid liability for inducement to breach third party contracts.

Nominet was advised that the practice of ISPs preventing tag changes in certain circumstances is likely to be in breach of competition law. Nominet wishes to do nothing to support the risk of a breach of competition law, and encourages its members to take advice on the legality of such clauses.

Both the changes to the WHOIS service and the tag change procedure have been described previously on nom-announce, and further details of the tag change procedure are to be found below. The changes have been subject to extensive consultation and were approved by the PAB.

Registrants and Tag Holders will shortly be put formally on notice of the changes to the Terms & Conditions and Tag Holder Agreement.

PUBLIC AFFAIRS BRIEF

In keeping with its policy of obtaining the best value for and the most appropriate use of the financial resources from registration fees, the board regularly reviews and requests re-tendering of our externally provided services. It was agreed to carry out a review and re-tendering of the public affairs brief. Nominet's unique position in the internet industry in the UK means that it has to liaise frequently with and attempt to influence government. Specifically, Members of Parliament, government officials and others involved in the legislative processes need to be informed of how Nominet is organized and operates and how the domain name system works globally. This needs to be done in Westminster, Brussels and the devolved governments in the UK. Nominet has prepared a shortlist of agencies that will be approached to present their responses to our brief. A selection will be made for the beginning of 2003.

TRANSFER AND TAG CHANGES

As already announced, the board agreed to levy charges for tag changes requested by registrants directly to Nominet, and for registrant

transfers. Please note Nominet will not charge tag holders who make tag changes via the automaton in the usual way. The executive presented their report on costings of these operations and with this in mind the board approved the following prices based on a cost-recovery model:

- Tag changes 15 (+VAT)
- Registrants transfer 30 (+VAT)

Both will be reviewed after 6 months and in the light of actual experience and numbers requested. It was also agreed that any outstanding fees will be recovered from the registrant at the full registrant rate.

It is planned that the new mechanisms will be available and the charges levied before the end of the year subject to the completion of necessary system development. Members will be notified of the launch date once agreed.

CERTIFICATES

When Nominet first introduced certificates, it was to fulfil certain key objectives. The board has initiated a major review of these objectives to determine, after 5 years, if they are still important and whether they should stay the same, be changed or removed. The role of the certificate and reply forms will be reviewed. The board asked the executive to prepare an initial report by the end of 2002.

AUDIT COMMITTEE

Terms of reference were agreed for the new Audit Committee. The first tasks of the committee would be to review the audited report and accounts when available, management's response to the audit findings and to consider the appointment/re-appointment of the auditors.

PAB

The CoM welcomed the PAB recommendations regarding renewals and noted that the Executive response to them would be considered at the next meeting. The PAB recommendations regarding the PRSS were also welcomed and it was noted that these would be considered further at the next meeting of the PAB.

OPERATIONAL REPORTS

There were 2,717 active members as at 1st October 2002. During September 33 new members were added and 23 members resigned. There were 3,332 active tag holders, with 580 having been withdrawn and 155 suspended. There were 58,865 new registrations during September 36 were direct registrations and there were 89,064 renewals invoiced. As part of the Terms and Conditions Project, contact has now been made with 2,366 tag holders and a total of 15 tags remain suspended (following at least three contacts with the tag holder).