

The PAB, purpose and definition

PAB Charter

Nominet's Policy Advisory Board is the primary vehicle for receiving feedback and suggestions from the Membership and other stakeholders, processing them and referring agreed policy proposals to the Nominet Council of Management (CoM).

Formed from a combination of persons elected by Nominet's Steering Committee, appointed from Nominet's CoM and other invited stake holder representatives it operates as an independent think tank to consolidate and distil views and proposals, through a process of consultation, in order that it may make Policy recommendations to the Council of Management regarding Nominet issues.

PAB Definition

What was the rationale behind the formation of the PAB?

The PAB was created by the Council of Management as a vehicle for conducting consultation with the Nominet Stake Holder community. The PAB makes policy recommendations to the Council of Management and draws its impetus from requests made by the Council of Management and the stakeholders.

In 1996, there were 100 Nominet members who represented the UK Internet Community. It was a relatively easy task to take soundings from this community and devise appropriate policies. The UK Internet Community has now grown to include 2,700 members of Nominet, as well as 3 million plus domain name registrants. This is now a much broader community of interest than Nominet has previously served and the PAB provides a gateway to channel and manage communication with that community.

This document should be read in conjunction with the PAB Rules.

What is the PAB there to do?

The PAB is a think-tank, a committee that gives advice or undertakes research to determine views on policy issues.

Whilst it is the preferred mechanism, the PAB is not Nominet's sole mechanism for consultation with the UK Internet Community. For example, policy issues may arise, such as the Dispute Resolution Service review, which require wider public consultation in addition to seeking the views of the PAB.

The PAB is also just one channel of communication between the membership and Nominet. Other methods include contacting the Managing Director directly, lobbying a CoM member and contacting a member of staff. The PAB exists to supplement existing methods of consultation and to provide a forum for debate and consolidation of ideas.

Finally, because the PAB is Nominet's consultative body, it exists to consider Nominet's Policy issues and not those of the wider industry. In developing Nominet's policy it will take account of the needs of its wider stakeholder group.

What is the PAB focus?

The PAB has a number of specific mandates upon which it concentrates, namely: issues surrounding Rules for domain names, pricing, changes of governance, interaction with other stakeholder groups and other issues that the CoM refers to the PAB. That said, PAB members therefore have a relatively free hand as to the types of issues that they can raise at meetings. (If it affects any of the stakeholders, it counts!)

It is important to understand that the PAB's role is to make policy recommendations to the CoM, rather than specifying how an objective might be achieved. For example it might suggest that Nominet should maintain a Dispute Resolution Service with objectives X, Y and Z, but it would be for the Executive to develop and the CoM to approve the precise details as to how such a service might operate.

PAB Composition

The PAB is formed from a range of persons that include:

- Those elected by members of Nominet's Steering Committee.
- Two Members of the CoM.
- Representatives of wider stakeholder groups (e.g. Government, Business, Consumers).

Legal specialists, members of Nominet staff and other experts may be invited to attend, advise and join in discussions but not vote at PAB meetings.

What is the role of PAB Members?

It is intended that PAB members should be proactive in identifying issues within their communities to bring to meetings, as well as reacting to issues that were raised amongst the broader community.

PAB members act as individuals who consider and weigh up the interests of stakeholder from their constituency, in addition, PAB members bring the experience of wearing many hats to meetings.

Elected PAB members are elected in a personal capacity, and their views may thus diverge from those of their employer. Further, a PAB member's constituency (in the case of an elected member, his electorate, and in the case of an appointed member, the appointed organization and its stakeholder community) may have within it various diverse views.

It is also clear that the appointed members are not there to act only in the interest of the particular organization or group they represent; for example, a representative of a government department will not necessarily be representing an official view.

Thus a PAB member's role is to bring to the meeting an informed perspective as to what the various and different views of their constituency forward to the meeting are, as well as to debate and discuss these in the context of other views brought forward by other PAB members.

Formation of the PAB

The PAB shall consist of:

- 8 members, elected biennially, by the Nominet Steering Committee.
- Up to 8 invited representatives from the wider stakeholder community.
- Two representatives appointed by the CoM.

In the event that an elected member becomes appointed to the CoM they shall resign their position as an elected member of the PAB (but they may subsequently hold an appointed position).

Election of Steering Committee Representatives

The PAB Chair will call for nominations for the election of member representatives to the PAB at the start of January. Voting shall commence in February and the ballot shall close in the first week of March. Elections shall be conducted on the basis of one member one vote.

Nominations should be made formally to the Nominet Company Secretary by a proposer. Following the nomination, the candidate should submit a written election statement (250 word limit).

Proposers and Seconders must all be members of Nominet UK although it is not necessary for a candidate to be a member.

New PAB members shall take up their position officially upon the announcement of election results so that they may familiarise themselves with the workings of the PAB and current issues prior to the April meeting.

Appointed representatives

The PAB draws great strength from the input of representatives from appointed organisations. These are representatives of interested stakeholder bodies, such as Trademark Attorneys, Government, Consumer representatives and Business lobby groups. As the member-elected and CoM representatives are typically from within the "Internet Industry" it is important that the appointed representatives are drawn from outside of the "Internet Industry".

It is important that the choice of appointed organisations be kept fresh and relevant to ensure that the PAB does not become inflexible. The PAB will therefore, in December of each year, review the appointed organisations and either decide to re-invite the current appointed organisations to continue, or it may invite alternative/additional organisations to participate for an additional term (of one year).

It is also important to note that the PAB's invitation is made to an organisation, which will then send a delegate. Whilst it is desirable for the delegate to be consistent, if the pressures of time, distance and business dictate that representative's absence the PAB would welcome an alternative delegate.

Council of Management representatives

CoM members on the PAB are there primarily to enhance the flow of communication between the CoM and PAB, particularly with a view to communicating the views of the PAB to the CoM.

CoM members are appointed to the PAB by the CoM on an annual basis, unless otherwise necessary (e.g. as a result of retiring from the CoM).

Nominet Executive attendance

It is helpful for Nominet staff to be present at the meeting in a secretarial and advisory capacity, as follows:

- Nominet shall provide a secretariat for the PAB that has a dual secretarial and legal/process role. The secretariat shall be responsible for:
 - Ensuring the smooth day-to-day administrative support of the PAB.
 - Production of the PAB Meeting Report & publishing of the PAB papers.
 - Collation of feedback to PAB consultation exercises.
 - Advising the Chair on correct process and procedure for PAB operation.
- At the invitation of the Chair, in conjunction with the Managing Director, appropriate Nominet staff may be invited to support the discussion about a particular issue that has been tabled.

At the invitation of the Chair, at least one of the Executive Directors should attend meetings, with the purpose of informing discussions and ensuring the Executive understands the reasoning for PAB recommendations. (*N.B: The Managing Director is an Executive Director*)

PAB approach to work

In general the PAB shall meet on the morning of the first Wednesday of every second month, from April. Exact meeting dates may be selected in consultation with PAB members.

Meeting location

The primary location of PAB meetings shall be by agreement of the PAB, but, where possible, the PAB should hold some of its meetings in Oxford at Nominet's offices.

Meetings in Oxford should be combined with PAB members spending a portion of the day meeting with staff and looking further at the workings of Nominet to ensure PAB members remain up to date in their understanding.

Pre/post PAB Meeting interaction

The PAB shall publish an annual report of its activities prior to the call for the election of new PAB members.

Where possible, a NOM-ANNOUNCE will be issued to members two weeks after a meeting with a report of the meeting and approximately two weeks before a meeting, with the publication of the agenda.

Decision making process

As an advisory board the PAB will typically consider an issue and make a recommendation to the CoM as to their preferred way forward. In considering an issue the PAB will take submissions either in person, in writing as a structured paper or from a subcommittee meeting report. Where it is not possible to fully consider an issue within a PAB meeting, the Chair will usually request further consideration is done through a subcommittee.

The PAB will then make its recommendation either by way of vote or "nemine contradicente", by unanimous agreement.

Agenda

Each agenda shall include at least the following items:

- 1) Adoption of the report of previous meeting
- 2) A report from the CoM on progress with previous recommendations as well as news and updates on current events and progress.
- 3) Recent issues arising that are of concern to member stakeholders.
- 4) Urgent Business that could not be prepared as an individual agenda item when the agenda was set. (Specifically, this shall not to be used as a method of A.O.B. as it is important to ensure that all issues are consulted upon properly.)

The agenda, along with papers supporting the agenda, should be published on Nominet's public web site two weeks in advance of the meetings and members shall be informed and invited to respond to the agenda items with comments and feedback.

It is recommended that papers tabled should published publicly where there is no legitimate reason not to do so, however it is specifically noted that where there are issues of data protection or legal implications or particular sensitivities then these are considered legitimate reasons not to publish publicly.

It should be made clear that the publication of the agenda is final and not an invitation for additional items and that the deadline for submissions for the agenda should be made clear in advance. Nominet should also make sure it publishes the information regarding how to get items onto the PAB agenda.

The agenda should note the origin of agenda items (for example pab-suggest, PAB member, Executive, CoM).

Proxies

PAB meetings are typically very fluid and wide ranging and therefore a discussion may iterate a number of times before reaching a conclusion. As a result, it is difficult to know the structure and direction of a debate before hand. Thus, the PAB does not permit the use of a directed proxy when a member of the PAB is unable to attend the meeting in person.

However, members of the PAB are able to submit comments during the consultation process, as are all interested stakeholders, which will be taken into consideration as part of PAB discussions.

Quorums

In order to achieve a quorum, there shall be at least 7 members at a meeting.

The PAB may only make recommendations if the meeting (at the time of the recommendation) is quorate. Though the PAB may deliberate whilst it is not quorate, no recommendation shall be made unless subsequently ratified by a quorate PAB.

Conflicts of Interest

It is important that when making a recommendation the PAB is aware of all potential conflicts of interests and that those are recorded in the meeting report. In the event of a potential conflict of interest the individual concerned should declare the potential conflict either to the meeting, or if more appropriate, in private to the Chair. In addition, should any member of the PAB believe that there is an undeclared potential conflict of interest, they should bring the potential conflict to the attention of the meeting, or, if appropriate, in private to the Chair.

Press Communication

Items of PAB work generate occasional press interest and PAB members discuss issues with the press. Whilst wide dispersion of PAB issues is welcomed it is desirable for PAB members to refer press enquiries to Nominet UK's Communications Department so as to ensure consistency PAB reporting.

PAB members should also take care to give the impression that their opinion is not necessarily the opinion of Nominet UK or the PAB and they should always refer journalists to the PAB Meeting Reports & Papers for the official PAB view.