

We are grateful for the opportunity to comment on the amendments proposed to the object clause of the Memorandum of Association of Nominet via this consultation procedure.

You have presented the members with 4 options

- No change (option 1)
- Little change (option 2)
- Radical and major changes (option 4)
- Slightly less radical changes (option 3)

At the EGM we were advised that the then proposed amendments were not being presented as a 'shopping list' or 'Chinese menu' from which we could select options but as a single specific proposal to be adopted or rejected. In the absence of any indication to the contrary, we assume this consultation follows the same approach.

Having considered the matter, the only option we would vote for is Option 1 – NO change. While we are not adverse to change we feel that none of the other three options presented are totally acceptable. Our reasons are set out below.

We welcome the opportunity afforded by the consultation process and would be happy discuss specific objections if so required.

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For GBNames.net

Factors influencing our decision:

a) Both options 3 and 4 incorporate extensive revisions providing authority to undertake non-core activities.

We were advised at the EGM that these clauses were standard and normal for commercial companies.

We do not doubt that these clauses would be normal for commercial companies or the sincerity of the Board in requesting these changes. However, we do not see the relevance of such extensive clauses for a 'not for profit company' in general or for Nominet in particular. Of particular concern is the drafting of clauses that would enable the Board to diversify into numerous separate trading activities/businesses totally unrelated to Nominet's core activities without further consultation.

b) We are not convinced that ENUM is an appropriate activity for Nominet to be involved with. Were Nominet to be a 'not for profit company' seeking to enhance the 'spirit of the UK Internet', then perhaps our attitude would be different.

However, Nominet appears to be proposing to become a more and more commercial 'not for profit company' seeking to monopolise Internet activity. In the circumstances it appears more appropriate that a separate entity should be responsible for ENUM rather than a single entity with a monopoly in both areas.

c) We note that many other respondents appear to have adopted a 'shopping list' approach in selecting options on the assumption that their caveats or amendments will be incorporated into the option proposed by the Board.

We do not believe this approach is correct although we agree with most of the reservations expressed in other responses and have further reservations ourselves.