

# .nz Memorandum of Understanding with NZ Government

Jay Daley, ICANN Helsinki 2016

# Structure of .nz ccTLD

Jay

Jordan

Debbie



- .nz registry
- .nz marketing and channel management
- Broad technical research
- Business development

- .nz Designated manager
- Voice for the Internet and all users
- Internet policy
- Community funding
- Events

- Sets .nz policy
- Authorises registrars
- Regulates market
- Handles complaints
- Manages disputes

# New MoU

## MEMORANDUM OF UNDERSTANDING Management of the .nz Country Code Top Level Domain

- Between InternetNZ and gov't department
- Entered into voluntarily
- 18 months of discussions/negotiations
- Three CEs for .nz ~ GAC rep for NZ gov't
- Signed in May 2016

# Tackles 3 important risks

- Impact of disagreeing with Gov't on Internet policy
  - Regulated pricing for monopoly infrastructure
  - Surveillance/interception laws
- Claims that .nz profits are a “public tax”
  - Calls for gov't to redistribute .nz profits
  - ”Why does InternetNZ get to decide?”
- No authoritative document to point to
  - Assumptions that something this important must be government controlled
  - Regular threat from newcomers misunderstanding

# MoU tackles this

- Role of government defined  
And thereby limited
- Recognition/definition of InternetNZ role  
Difficult for third parties to challenge
- Public obligations for InternetNZ  
Keeping us honest ~ in community interests
- Defined process for resolving concerns  
Follows RFC1591 principles
- Pinned to external documents  
RFC1591, Framework of Interpretations, GAC principles, our own TLD principles
- Excludes funding and intellectual property

# Role of NZ Government

## Responsible for ensuring

- Stability of Internet
  - .nz is reliable and responsive
  - .nz is run consistent with RFC1591
  - .nz supports interests of users
- 
- So yes - Government is now committed to ensuring that we follow RFC1591!

# Recognition of InternetNZ role

- Designated manager
- Appointed by local Internet community through a proper process
- Will make a surplus from .nz and will use it to further its objects  
*Which may include disagreeing with government*
- Decides and implements the .nz market structure and regulates the market
- Develops and sets all .nz policy ~ benefit and meet needs of local community

# Existing practices become obligations

**“... commits to high standards of public transparency and commits to continuing ...”**

- Publish annual report in public and in timely fashion
- Hold governance meetings in public and publish minutes in timely fashion
- Provide public reports on how surplus from .nz is spent
- Engage in broad community consultation on any changes to the “objects” or .nz policy



# One new obligation

“... regularly testing views of the broad community ...”

- To ensure InternetNZ is **demonstrably** in touch with Internet users
- To increase community understanding of its own views
- To identify their key issues of concern
- Publicly report back on views expressed

# Process for resolving concerns

**“... in principle available on an equal basis to any significantly interested party.”**

- Stage 1 – Open dialogue  
“Please explain”  
Notify and give time to resolve
- Stage 2 – Initiate community conversation  
Must be multi-stakeholder, open and inclusive
- Stage 3 – Is there community consensus?  
Management of .nz inconsistent with RFC1591  
Better, local, RFC1591 compliant manager exists
- Stage 4 – Transfer of designated manager  
Which InternetNZ would support and assist

# Thanks

**Debbie Monahan <dnc@dnc.org.nz>**

**Jordan Carter <jordan@internetnz.net.nz>**

**Jay Daley <jay@nzrs.net.nz>**