.nz Memorandum of Understanding with NZ Government

Jay Daley, ICANN Helsinki 2016
Structure of .nz ccTLD

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

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

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

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