### A sign on the side of a mountain Description automatically generated

# How to use this submission template

### Instructions

This template contains a full summary of the questions in the Options Report. You may wish to respond to one, many, or all of them.

For ease of navigation we have included the headings and options from the full Report.

You are welcome to use the template, or make a submission through other means.

We are interested in any views you have. If you are able to support your views with evidence, we are keen to see this too. This might include facts, figures, research, or examples.

For the purposes of your submission on this paper, you should include your name (or your organisation’s name) and your contact details.

You can make your submission by:

* Email to [dotnzreview@internetnz.net.nz](mailto:dotnzreview@internetnz.net.nz)
* Post to PO Box 11-881, Manners Street, Wellington 6142, New Zealand

Submissions are due by **Friday 14 August**.

### Participate online

We will be releasing bite-size content on InternetNZ’s social media channels and the InternetNZ website. And you will also be able to provide your feedback there.

The Panel will also be hosting webinars where you can come and discuss your thoughts on the Report. To find out more and register your interest, visit <https://internetnz.nz/nz-have-your-say>.

### Use of information

The information provided in submissions will be used to inform the Advisory Panel’s recommendations to InternetNZ on changes to the .nz policies. The Panel or InternetNZ may contact you directly to clarify anything in your submission.

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## 

### Your details

|  |  |
| --- | --- |
| Name | CERT NZ |
| Email address |  |
| Contact phone number |  |

I understand and agree that my submission will be made public on the InternetNZ website

I understand that my contact details will be redacted from the public version of this submission

I would like to speak to my submission with the Panel

## Guiding Principles

### Summary of proposed changes to the guiding principles for .nz

The Panel intends to recommend that the guiding principles for .nz be:

* .**nz should be secure, trusted and safe:** .nz infrastructure should be dependable and secure and .nz be a domain space people trust and feel safe using.
* **.nz should be open and accessible:** The .nz domain should be an inclusive space where everybody can observe, participate, innovate and enjoy online benefits.
* **.nz should be safe-guarded and operated for the benefit of New Zealanders:** The .nz domain space should be safe-guarded and operated for the benefit of New Zealanders, reflecting and being responsive to our diverse social, cultural and ethnic environment.
* **.nz should support te reo Māori and participation in .nz by Māori**: The .nz domain space should contribute to the protection and use of te reo Māori and facilitate participation in the .nz domain space by Māori.
* **.nz should enable New Zealand to grow and develop:** The .nz domain space should help people, businesses and organisations connect, create, innovate and grow.

The Panel intends to recommend that the .nz policies contain the following operational guidelines:

* **First come, first served:** A domain name will be registered on a ‘first come, first served’ basis if it is unregistered and available for registration.
* **Restrictions on use should be minimised**: The ccTLD manager should keep restrictions on the way domain names can be used to the minimum necessary to enable the .nz domain to be trusted and safe.
* **Structural separation:** Regulatory, registry, and registrar functions are structurally separated.
* **Clear chain of relationships:** Registrants have agreements with their registrar, and all registrars with the registry and with DNCL. Where appropriate the DNCL can intervene in these relationships consistent with this policy, the .nz policies and associated agreements and contracts.

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| --- | --- |
| 1. | Do you consider that the .nz guiding principles should be visionary, holistic, inclusive and instructive rather than operational?  Why / why not? What else should they be? |
|  | N/A |

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| 2. | Do you think the .nz policies should be rewritten and simplified? Why / why not? If yes, how? |
|  | N/A |

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| 3. | Do you think there should be a new ‘secure, trusted and safe’ principle? Why / why not? Do you have any comments on the proposed formulation of the new principle? |
|  | We agree that the infrastructure should be secure. We also agree that the .NZ user experience should also reflect this. New Zealanders should be able to use .NZ domains safely & securely. |
| 4. | What would be the main benefits and disadvantages of moving from a ‘no concern for use’ approach to a ‘secure, trusted and safe’ approach? |
|  | Quicker intervention can occur which would lead to a better user experience. It also minimises financial and data loss, as well as enhancing our overall digital economy. |

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| 5. | Do you think there should be a new ‘open and accessible’ principle? Why / why not? Do you have any comments on the proposed formulation of the new principle? |
|  | N/A |

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| 6. | Do you think there should be a new ‘New Zealand benefit’ principle? Why / why not? Do you have any comments on the proposed formulation of the new principle? |
|  | N/A |

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| 7. | Do you think there should be a new principle on te reo Māori and Māori participation in .nz? Why / why not? Do you have any comments on the proposed formulation of the new principle? |
|  | N/A |

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| 8. | Do you think there should be a new guiding principle on enabling New Zealand to grow and develop? Why / why not? Do you have any comments on the proposed formulation of the new principle? |
|  | N/A |

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| 9. | Do you think there should be two types of principles (guiding principles and operational guidelines) to help manage the .nz domain? Why / why not? |
|  | N/A |

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| 10. | Do you agree that the ‘rule of law’ principle should not be retained as an operational guideline? Why / why not? |
|  | N/A |

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| 11. | Do you think the ‘first come first served’ principle should be modified and retained as an operational guideline? Why / why not? |
|  | N/A |

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| 12. | Do you think the ‘first come first served’ principle should be modified and retained as an operational guideline? Why / why not? |
|  | N/A |

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| 13. | Do you agree that the ‘low barriers to entry’ principle should be removed? Why / why not? |
|  | N/A |

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| 14. | Do you agree that the ‘no concern for use’ principle should be modified and retained as an operational guideline? Why / why not? |
|  | We agree that it should be modified to enable cooperation with DNCL and trusted notifiers. I.E a set of rules to ensure copycat domains are identified (eg: C3RT.NZ vs CERT.NZ) |

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| 15. | Do you agree that the ‘structural separation’ principle should be retained as an operational guideline? Why / why not? |
|  | N/A |

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| 16. | Do you agree that the ‘clear chain of relationships’ principle should be retained as an operational guideline? Why / why not? |
|  | We agree that it should be retained as this establishes contractual relationships for DNCL to establish responsibilities. |

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| 17. | Should the Panel consider any other principles? |
|  | What is the most acceptable threshold test which would satisfy the DNC of the grounds for take down, short of a production order, warrant or similar? This should allow the DNC to agree, on balance, that the information supplied by CERT NZ is sufficient to take the domain down.    This mechanism should allow for takedown in hours as opposed to days. It will also safeguard the DNC against unilateral or arbitrary actions, while at the same time improving cyber resilience. |
| 18. | Is there anything else the Panel should bear in mind when making recommendations on the principles or operational guidelines for the .nz policies? |
|  | Any principle that improves the security of .NZ CERT NZ support. |

## Accessibility and openness of .nz domains

### The .nz policies are written only in English

* Option A: the current situation
* Option B: Make the policies available in te reo Māori as well as English
* Option C: Make the policies available in te reo Māori and take other accessibility measures like adding other languages over time according to how widely used they are

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| 19. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | CERT NZ is currently creating multiple Pacific language translation of our key resources and would be pleased to see our partners do the same. |
| 20. | Which option do you prefer? Why? |
|  | N/A |

### Lack of availability of characters other than English and te reo Māori alphabets in .nz domain names

* Option A: the current situation
* Option B: support additional characters as demand arises
* Option C: support all characters for most widely used New Zealand languages

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| 21. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | We agree with the assessment and prefer option A. |
| 22. | Which option do you prefer? Why? |
|  | Option A is preferable from a security perspective as it prevents homoglyph attacks. |

### No geographical limits on registrants

* Option A: The current situation
* Option B: Educate .nz users that .nz domain names can be held from anywhere around the world
* Option C: Impose a local presence requirement

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| 22. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | The current situation needs stronger controls as we regularly see .NZ domains registered overseas hosting phishing and malware. |
| 23. | Which option do you prefer? Why? |
|  | Option C is preferred. |

## Security and trust

### Domain and website content abuse

* Option A: The current situation
* Option B: ‘No concern for use’
* Option C: Suspension of a domain name on advice by a trusted notifier
* Option D: Implement an ‘acceptable use’ policy

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| 25. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Option C will work towards making .NZ safe and secure. |
| 26. | Which of these options do you prefer? Why? |
|  | Option C preferred.  Option D would also be acceptable. Right to due process could be addressed through a “challenge to” process and policy. |

### The interim emergency circumstances clause

* Option A: Allow the interim policy to lapse
* Option B: Make the interim policy permanent as it is currently phrased
* Option C: Modify the interim policy and make it permanent

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| 27. | Do you agree with our assessment of the options? Why / why not? |
|  | Yes (see below) |
| 28. | Which of these options do you prefer? Why? |
|  | Option C is preferred to ensure wording is appropriate through further discussion and feedback. |

### Domain name registration abuse

* Option A: Current situation
* Option B: Introduce data validation for all domain name registrations

#### Option C: Introduce data verification for high risk domain name registrations

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| 29. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes (see below) |
| 30. | Which of these options do you prefer? Why? |
|  | Option B is preferred.  Option C if high-risk domains could be adequately identified and separated.  On Option A – current situation is not sustainable given level of abuse happening in NZ environment. |

### Grace periods and domain tasting

* Option A: The current situation
* Option B: Removal of grace periods
* Option C: Adopt different policies towards new registration and renewal grace periods

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| 31. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes (see below) |
| 32. | Which option do you prefer? Why? |
|  | Option C is preferred.  Option A is beneficial to bad actors and therefore we are against. |

### Misleading, deceptive, and offensive domain names

* Option A: The current situation
* Option B: Introduce a ‘reserved and restricted names’ policy

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| 33. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes (see below) |
| 34. | Which of these options do you prefer? Why? |
|  | Option B is preferred with careful policy considerations to balance commercial and security interests. |

### Ensuring security best practice across the .nz domain name system

* Option A: The current situation: Registry has no levers to monitor or improve registrar security
* Option B: Require all registrars to adhere to minimum security standards
* Option C: Incentivise or mandate security features or practices

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| 35. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes (see below) |
| 36. | Which option do you prefer? Why? |
|  | Option B “should” be the minimum.  Option C is preferred. |

### Technology specific approach

* Option A: The current situation
* Option B: A ‘technology neutral’ approach to policy drafting replaces the current prescriptive approach

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| 37. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | N/A |
| 38. | Which of these options do you prefer? Why? |
|  | N/A |

## Conflicted domain names

### Self-conflicted names continue to be unresolved

* Option A: The current situation - the Registry continues to allow self
* Option B: Provide a deadline for the registrant to resolve the conflict themselves to avoid release of domain names.

### Other conflicted names continue to be unresolved

* Option A: The current situation
* Option B: Provide a deadline for all registrants to come to an agreement
* Option C: InternetNZ develops a criteria for prioritising registrants’ right to a .nz name

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| 39. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | N/A |
| 40. | Which of these options do you prefer? Why? |
|  | N/A |

## Enhancing privacy across the .nz domain name system

### Level of registrant data collected and stored

* Option A: The current situation
* Option B: Introduce different registrant profiles, requiring different levels of contact data to be collected for each.

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| 41. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | CERT NZ doesn’t have a preference on either option A or B. However, we would like to see accurate information gathered (email / Tel #) in relation to contact details and who to report to (when reporting phishing, malware etc). |
| 42. | Which of these options do you prefer? Why? |
|  | See above |

### Registrant data is made public by default

* Option A: Current situation
* Option B: The IRPO is opt out, i.e, individual registrants have the option activated by default
* Option C: All registrant contact details are withheld from query services for all individuals not in trade (no option to opt out or in)

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| 43. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes |
| 44. | Which option do you prefer? Why? |
|  | Option B, this promotes the safety of people interacting with commercial domain names. |
| 45. | Under the IRPO, which contact details do you think should be withheld from WHOIS? |
|  | N/A |

### Implementation of the IRPO and access to registrant information when required

* Option A: The current situation
* Option B: Streamline the process described in clause 22 of the *Operations and Procedures* policy and make it more user friendly for requests to access ‘Withheld Data’
* Option C: The creation of a form that allows people to communicate with a registrant without requiring the registrant’s email address

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| 46. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Yes, no further additions |
| 47. | Which option do you prefer? Why? |
|  | Option C is preferred. |

## The .nz domain space and Māori

### Engaging with Māori in the policy-making process

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| --- | --- |
| 48. | Do you agree that following the Panel’s work, InternetNZ should take reasonable steps to engage with Māori when amending the .nz policies? Why / why not? |
|  | N/A |

### Building strong capability within InternetNZ to engage with Māori

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| --- | --- |
| 49. | Do you agree InternetNZ should ensure it has adequate capability to facilitate engagement with Māori? Why / why not? |
|  | N/A |

### Engaging with Māori on the issues that the Panel has identified

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| --- | --- |
| 50. | Are there any other .nz-related issues affecting Māori that you think should be considered? |
|  | N/A |

## Opportunities to enhance .nz growth and improve market operation

## The current flat wholesale fee structure limits innovation

* Option A: Flat wholesale fee, no rebates or incentives (Current situation)
* Option B: Enable variable wholesale pricing to Registrars
* Option C: Allow Registry to offer rebates to the registrant via the wholesale fee

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| 51. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | N/A |
| 52. | Which of these options do you prefer? Why? |
|  | N/A |

## The scope of incentives to enhance market operation

* Option A: Do not incentivise registrars or registrants (the current situation)
* Option B: Allow registrar incentives to drive specific initiatives
* Option C: Require any incentive payment criteria to be designed to promote .nz policy goals

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| 53. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | N/A |
| 54. | Which of these options do you prefer? Why? |
|  | N/A |

### Empowering registrants could improve market performance

* Option A: Current situation
* Option B: InternetNZ works with registrars to establish a statement of registrant rights which the DNC monitors and registrars are accountable for by annual monitoring

#### Option C: DNCL publishes expanded objective market information to better inform registrant choice e.g. market share and renewal rates

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| --- | --- |
| 55. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | N/A |
| 56. | Which of these options do you prefer? Why? |
|  | N/A |

### Improving the regulation of Resellers could enhance market operation

* Option A: The current situation
* Option B: Establish a two-tier registrar system which incorporates resellers
* Option C: Reduce the $3,000+GST registrar establishment fee for existing resellers as part of the proposed two-tier registrar system

|  |  |
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| 57. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Two tier system will help build a better framework which will promote trust and security within the system. |
| 58. | Which of these options do you prefer? Why? |
|  | Option B |

## The Registry’s role in market activity

* Option A: No requirement on scope of registrar offering. Registry may not sell/market directly to customers (The current situation)
* Option B: The Registry defines minimum service/feature set all registrars must provide. The Registry may not sell/market directly to registrants. The Registry incentivises registrars to provide services it provides under agreed rules
* Option C: No requirement on scope of registrar offering. The Registry may sell/market directly to registrants under strict controls.

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| 59. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | We feel the question around whether the registrar’s should provide a minimum feature set should be discussed as a separate question as to whether the registry should market to registrants. |
| 60. | Which of these options do you prefer? Why? |
|  | Option B  We believe all registrars should provide the minimum feature set that includes the appropriate base line security features. (e.g. all registrars must support DNSSEC) |

### Improving Registrar monitoring may enhance market operation

* Option A: The current situation
* Option B: Establish a Registrar Service Level Agreement System to enhance market operation.

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| 61. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | Using option B, we would like to see Cyber security aspects as part of a registrars monitoring system. (e.g. tracking levels of domains used for abuse by registrars). |
| 62. | Which of these options do you prefer? Why? |
|  | Option B |

### Greater industry data collection and publication could improve growth opportunities

* Option A: The current situation
* Option B: The Registry collects and communicates market information including customer segments, activity/utilisation and product use for industry to better understand and develop the .nz market

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| 63. | Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned? |
|  | CERT NZ would be interested in any data that may capture insights into the security aspects of .NZ (malware & phishing campaigns) |
| 64. | Which of these options do you prefer? Why? |
|  | Option B |

### Second level (2LD) market opportunities

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| 65. | Do you agree with our assessment of the issue? Why / why not? |
|  | ? |
| 66. | Is there a role for additional second level domain names (moderated or not) within the .nz domain? If so, what domains in which area? |
|  | We would be interested in any further discussions around additional moderated 2LD for vulnerable market segments (e.g. banks, govt) Also there should be further discussion around current unmoderated 2LD’s (e.g. .school.nz) as the majority of the general public believe they are. |

## Other comments

|  |  |
| --- | --- |
| 67. | Any other comments you would like to make. |
|  | CERT NZ has answered questions that relate to security matters.  \*note there are two questions numbered 22.\* |