AGENDA

Council Meeting: **Friday 16 August 2024, 9:00am - 2:30pm**
Venue: **InternetNZ, Level 13, 18 Willis Street, Wellington.**

NOTE: all timings are estimates, the meeting will run according to the needs of the meeting as it progresses.

Section 1 – Meeting Preliminaries

8:45am	0.0	Arrival and coffee
9:00am	1.1	Council only (in committee)
9:20am	1.2	Council and Tumu Whakarae (CE) alone time (in committee)
9:30am	**-**	**Transition to open meeting**
9:35am	1.3	Karakia, apologies
		Whakamānawa (acknowledgement)
9:45am	1.4	Agenda review, Actions Register, Interests Register

Section 2 – Chief Executive's Report

9:50am	2.1	Chief Executive's Report

Section 3 – Strategic Priorities Discussion

10:00am	3.1	Strategic planning 2025
10:20am	3.2	Internet governance

Section 4 – Matters for Decision

10:40am	4.1	By-election
10:50am	4.2	.nz Rules Version 3
11:10am	**-**	**Break (20 mins)**

Section 5 – Matters for Discussion

11:30am	5.1	President's Report
	5.2	InternetNZ Quarterly Reporting ● 2024-2025 Q1 Quarterly Report
	5.3	Product Standing Report (confidential)
12:00pm	5.4	Report Back from Committees: 5.4.1 Audit and Risk Committee (Chair, Cr Rahman) 5.4.2 Governance Committee (Chair, Cr Hulse) 5.4.3 Komiti Whakauru Māori (Chair, Cr Biasiny-Tule) 5.4.4 .nz Advisory Committee (Chair, Cr Roy)
12:15pm	5.5	DNCL Quarterly Report
12:20pm	5.6	Enterprise Risk Management Update (Confidential)
12:30pm	**-**	**Lunch**

Section 6 – Consent Agenda

1:00pm	6.1	Health, Safety and Wellbeing Update
	6.2	Minutes of the meeting of 10 May 2024
	6.3	E-vote Ratification ● Evote 230520241 - THAT Council approve the Delegation of Authority to Chief Executive Policy. ● Evote 230520242 - THAT Council approve the Confidential document disclosure policy version 3.0. ● Evote 230520243 - THAT Council approve the Treasury and Investment Policy May 2024. ● Evote 210620241-2 - InternetNZ Annual year ended 31 March 2024 ● Evote 17072024 – Award Fellowship for 2024
1:15pm	6.4	Quarterly and Operational Reports 6.4.1 Group Financial Report 6.4.2 Membership Report

Section 7 – Other Matters

1:25pm	7.1	CONTINGENCY (for any overflow)
	7.2	2024-2025-Maramataka Council Calendar Draft
	7.3	Matters for communication – key messages
	7.4	General business

1:30pm	**-**	**Break to reset (5 mins)**

Section 8 – Matters for Deep dive

1:35pm	8.1	NGĀ PAE Ngā Pae Pathway for Growing our Te Tiriti Centric Vision 30Jul2024
2:25pm	8.2	Meeting review
2:30pm	8.3	Meeting close (karakia or waiata)

internetnz

Council Actions Register 2024

As at August 2024			
Action No#	**Action**	**Owner**	**Status**
AP25/23	Explore options for displaying changes to the risk register so that Council can see point-in-time snapshots or, potentially, changes over time in addition to the current most up-to-date version.	Catherine Fenwick	First Stage completed Feb 2024. Further development in test
AP29/23	CE to develop a framework showing what is INZ focus for Internet governance and what is not, including a guide for making decisions about the large grey area.	Vivien Maidaborn	August Council Meeting. Paper: Internet governance.
AP05/24	Audit & Risk Committee to propose a reserves motion for the capital fund to Council.	Cr Rahman	Complete
AP06/24	CE to bring a proposal for more public facing report on progress against SRR recommendations at the May Council meeting.	Vivien Maidaborn	Completion of 1 year update to complainants. Better opportunities for staff input to the SRR progress report. Agreeing the mechanism for sharing key messages with public.
AP07/24	CE to include clarity on the criteria to stand for Council in the Council Candidate Pack.	Vivien Maidaborn	Complete
AP08/24	CE to (a) amend the Confidential Document Disclosure policy as agreed	Vivien Maidaborn	Complete

5

	(b) circulate a revised draft to Council for approval, and (c) submit to Council for approval via e-vote.		
AP09/24	CE to request advice on an appropriate financial delegation limitation from the InternetNZ auditor.	Vivien Maidaborn	Complete
AP10/24	CE to (a) amend the CE Delegation Policy as agreed (b) circulate to Council for confirmation, and (c) submit to Council for approval via e-vote.	Vivien Maidaborn	Complete
AP11/24	CE to (a) amend the Treasury and Investment Policy noting feedback from Council (b) circulate to Council for confirmation, and (c) submit to Council for approval via e-vote.	Vivien Maidaborn	Complete

REGISTER OF INTERESTS
Item 1.4
August 2024
FOR INFORMATION

Council Register of Interest

Officers and Councillors are required to register any interests, commercial, political or organisational, which they believe may be relevant to the perception of their conduct as a Councillor or Officer. Officers and Councillors are, however, still required to declare a Conflict of Interest, or an Interest, and have that recorded in the Minutes.

Officers and Councillors receive the following annual honoraria:

President - $38,500
Vice President - $24,062
Councillor - $19,250*
Sub-Committee Chairs also receives additional 10% of their honoraria

Name: Stephen Judd
Position: President, InternetNZ
Term: AGM 2024 – AGM 2027
Declaration Date: 11 August 2023
Interests:
- Trustee of the Fight Against Conspiracy Theories Aotearoa Trust
- Holds a .nz domain name

Name: Anjum Rahman
Position: Vice President, InternetNZ
Term: AGM 2024 – AGM 2027
Declaration Date: 2 December 2022
Interests:
- Co-Lead, Inclusive Aotearoa Collective Tāhono
- Contractor to Shama, Ethnic Women's Trust
- Member, Christchurch Call Advisory Network
- Trustee, Trust Waikato (Waikato Community Trust)
- Vice Chair, Independent Advisory Committee of the Global Internet Forum to Counter Terrorism.
- Holds a .nz domain name.
- Receives additional honoraria for being Chair of InternetNZ Audit, Finance and Investment Committee.

Name: Richard Hulse

Position: Councillor, InternetNZ

Term: AGM 2021 – AGM 2024

Declaration Date: 2 December 2022

Interests:

- Holder of .nz domain name registrations
- Receives additional honoraria for being Chair of the InternetNZ Governance Committee.

Name: Kate Pearce

Position: Councillor, InternetNZ

Term: AGM 2023 - AGM 2026

Declaration Date: 11 August 2023

Interests:

- Employee of TradeMe
- Member of the New Zealand Labour Party
- Holder of .nz, .com, .org, .net domain registrations
- Member of NZ Internet Task Force

Name: Potaua Biasiny-Tule

Position: Councillor, InternetNZ

Term: AGM 2023 - AGM 2026

Declaration Date: 10 February 2023

Interests:

- Founder / Director of Digital Basecamp
- Trustee of Digital Natives Academy
- Co-Founder 4CompanyB (4CB) Digital Animation Studios Limited
- Board Member for Te Tatau o Te Arawa (partnership with Rotorua Lakes Council).
- Trustee of Te Takinga Marae Komiti
- Kaitiaki for numerous .co.nz and .iwi.nz whanau domains
- Receives additional honoraria for being Chair of the InternetNZ Te Komiti Whakauru Māori (Māori Engagement Committee).
- Te Papa Mati Hiko

Name: Jeff Montgomery

Position: Councillor, InternetNZ

Term: AGM 2022 – AGM 2025

Declaration Date: 31 March 2023

Interests:

- Holder 14 .nz domain names
- Past Employee of Service Delivery and Operations, Department of Internal Affairs
- Employee of the Pacific Community in a Ministry of Foreign Affairs and Trade funded role
- Statutory Officer - Registrar General of Births, Deaths and Marriages.
- Chair, Pacific Civil Registrars Network
- Owner and Director City Bed and Breakfast Ltd.
- Member of Netsafe
- Member of TohaToha

Name: Anthony Bow

Position: Councillor, InternetNZ

Term: AGM 2022 – AGM 2024

Declaration Date: 2 December 2022

Interests:

- Holder of .nz and .com domain names
- Director of Whai Rawa Fund Ltd
- Independent chair of Maungaharuru-Tangitū Ltd
- Deputy Chair and Board Member of the Medical Radiation Technologists Board.
- Chair and Director of Medical Sciences Secretariat Ltd
- Director and Shareholder of Waimana Capital Ltd
- Shareholder in private companies; Big Splash Ltd and Talent Propeller Ltd
- Member of the New Zealand Blood and Organ Service Board

Name: Whetū Fala

Position: Councillor, InternetNZ

Term: AGM 2022 – AGM 2024

Declaration Date: 10 February 2023

Interests:

- Board Member, Māori TV
- Board Member, Creative NZ
- Board Member, Te Paepae Ataata Aōtearoa NZ Film Heritage Trust
- Chair, Whanganui District Creative Communities Assessment Panel
- Founding Member, Ngā Aho Whakaari Māori Screen Aōtearoa
- Founding Member, Wellington Women in Film & TV
- Founding Member, Taki Rua Theatre Wellington
- Pou Arahi Tikanga, Playmarket Inc Wellington
- Company Director, Fala Media Taki Rua Film
- Shareholder Parininihi ki Waitotara Inc
- Morikau Nui Inc
- Atihau, Whanganui
- Wharanga Hakopa Kiwa Whanau Trust

Name: Alpana Roy

Position: Councillor, InternetNZ

Term: AGM 2022 – AGM 2025

Declaration Date: 2 December 2022

Interests:

- Employee of the University of Waikato.
- Member of the NSW Law Society.
- Member of InternetNZ.
- Admitted to practice law in NSW, and is on the Roll of Legal Practitioners for the High Court of Australia.
- Member of the Intellectual Property Society of Australia and New Zealand (IPSANZ).
- Member of the International Trademark Association (INTA).
- Member of the Copyright Society of Australia (CSA).
- Member of the Internet Society of Australia.
- Member of .au Domain Administration Ltd (auDA).
- Executive Member of the Asian Pacific Copyright Association.

- Committee Member of the Indigenous Knowledge Forum.
- Receives additional honoraria for being Chair of the InternetNZ .nz Policy Committee

The register was last updated on 13 May 2024.

CE Council Report August 2024

AUTHOR: Tumu Whakarae (CE), Vivien Maidaborn
FOR: Council
PURPOSE: Executive summary of meeting content from CE's perspective, noting key activity, strategic opportunities, risks and threats of interest to Council.
DATE WRITTEN: 6/08/2024

Introduction

Welcoming our new President and Vice President

Congratulations to Stephen Judd and Anjum Rahman on your election to President and Vice President respectively. Congratulations also to Richard on your reappointment to Council. I look forward to meeting together in the first Council meeting on the 16th August.

I also want to acknowledge the people who stood for Council across all the available roles and who were not successful this time. I know some people have asked why we did not use a countback method and appoint the next candidate on the election night or just after. The Constitution is silent on this method and does provide clear guidance on the approach to a by-election. In this case as well, because of some candidates standing for more than one role in the election, that may make a count back approach less fair.

Committees of Council, their Chairs and Members will not be agreed until the by-election is complete and all positions are full.

Important, Urgent, Urgent and Important

A new Council, continuing preparation for NetHui, international travel commitments, Constitutional Review and new clarity and thinking on Ngā Pae - pathway to developing our Te Tiriti o Waitangi Vision, as well as our usual operational work has made it critical this quarter to keep asking what is important, what is urgent and what is both. In this regard it is exciting to share that the DNSSEC Rollover was completed through all 4 support windows and is now in an improved but normal operational environment. .nz rules have run a 'conflicted domain names' consultation over the quarter with substantive engagement and are now moving to appoint an independent working group to progress outcomes based on feedback. Also in our meeting today we have Minor Changes to .nz rules

document which has also been consulted over this period. Finally we are celebrating publicly the partnership with DKL now as we enter the first phase of our relationship with them providing domain names services.

What is happening

Ngā Pae - pathway to developing our Te Tiriti o Waitangi Vision

Tumu Kaupapa Māori, Hinemaua Rikirangi has now been three months in the role. Listening to people internally and externally, Hinemaua has developed the paper Ngā Pae. The paper has been shared with Te Kahui Tumu, staff, and at DNCL strategy day so some first responses are available. Te Komiti Whakauru Māori have also met and discussed this approach to forming a vision for InternetNZ Group on Te Tiriti O Waitangi and our relationship and responsibilities to it. Tumu Kaupapa Māori and Tumu Whakarae through Te Komiti Whakauru Māori seek Council approval for the approach set out in the paper. I look forward to a deeper look at this paper at the Council meeting on 16th August.

Aligning InternetNZ Group Strategic Plans

After much timeline planning and deliberation in Te Kahui Tumu I am recommending in this meeting that the 2022-2025 Strategic Plan for InternetNZ Group 'Niho Taniwha', is extended by 1 year to 2026 for three main reasons:

New President and Vice President who will want to have a say about the approach and process of strategic planning.

In order to align a new strategy with the Constitutional Review outcomes.

So we can align different pieces of strategic work in similar timeframes, these include; InternetNZ Product Strategy which concludes in 2026, Ngā Pae proposed to be a 5 year piece of work initially, DNCL Strategy who are keen to extend the current strategy for 1 year.

Internet Governance - the third paper

This paper is the third in a series that have come to Council over the last year and completes the work exploring our approach to Internet governance. The question Council asked me to respond to in particular was *"how do we use our identity as a technical member of the multistakeholder community to prioritise what we are involved in and what we are not?"*

This paper separates out our approach to Internet governance and describes roles and responsibilities in the organisation, from work prioritisation. This happens through Annual Goals, Quarterly Focus and scrum team story mapping and is managed by Product Owners of each scrum team. The approach to prioritisation applies to all work in the organisation including policy, .nz rules, Internet governance, and the product strategy implementation.

Constitutional Review - update

The Co-design process has continued apace with additional on-line meetings scheduled this period. The size and complexity of the work is becoming more well understood and approaches to identifying proposed changes are being tested with the Co-design group. The timeline for the next phase is provided here:

High Level Timeline (2024):

- August - Development of The Minimum Viable Proposals, Draft of Objects & Tikanga. Continuing Co-design engagements

- **September** - Development of the Drafting Instructions and Engagements (testing of proposals with members)

- October - final Drafting Instructions endorsed by Co-design, TKT, Council, then drafting of Constitution; Development of Next Phase - Engagement with members before seeking ratification planning and implementation.

- **November** - Final Proposed Constitution

Heads Up on Decisions

By-election arrangements.

We are seeking Council ratification on decisions made to this point on the Returning Officer and budget.

.nz rules - minor changes

Thrilled to bring you these recommended .nz rule changes for decision. The .nz Advisory Committee has seen and recommended them to Council.

DNCL

There was a very successful Strategy Day with the DNCL Board, the Commissioner, key staff members and Stephen and Kate from Council. Having Council at the day was extremely beneficial. The team have completed a review of the Registrar authorisation process and developed new guidance, application form and a welcome pack to better support registrars through the process and an overview of key .nz Rules. The DNCL 1st Quarter report is included in the papers intended to keep you up to date with key metrics.

The Commissioner is reviewing the Dispute Resolution Services Policy (Schedule 2 of the .nz Rules) in order to modernise the process, provide claimants the choice to select either mediation or expert process (currently claimants need to go through informal mediation prior to the expert process) and to achieve the goal of contracting this work out to the New Zealand Dispute Resolution Centre. Proposed new .nz DRS rules will be open for public consultation shortly. The DNC has the ability to amend the Dispute Resolution Service rules and only InternetNZ can make broader changes to the .nz Rules.

Strategic planning 2025

ITEM NO: 3.1
AUTHOR: Vivien Maidaborn
FOR: Council
PURPOSE: Recommendation on approach to the next InternetNZ Strategic
                 Plan
DATE WRITTEN: 3 July 2024

	Alignment
Ipurangi Aotearoa Strategy 2022-2025	Considers development of the Strategy from 2025
Te Tiriti o Waitangi	In part, the recommendation is based on the need to align a multiyear strategy with the 5 year vision for centering Te Tiriti o Waitangi at Ipurangi Aotearoa
Associated document links	2022 - 2025 strategy Strategic Goals 2024-25 Product Strategy 2023 - 2026

Recommendation

1. THAT Council **approve** a strategic planning process that delivers a 1 year 'alignment' plan from 2025-2026.
2. THAT Council **note** the strategic planning day on 10 October 2024 in the Council Work programme.

The Challenge and the Opportunity

The Challenge

Usually at this time we would be developing a new three year strategy. For many reasons this just does not seem achievable in the time we have and taking into account that:-

A new strategy needs to be signed off by Council in March 2025 as the 2025-2026 budget will be based on it.

We have a new President and a new Vice President to oversee this strategy development work over a very short timeframe.

We will not have time nor capacity to involve members.

Ngā Pae -Pathway to developing our Tiriti-centric Vision is also just being introduced and will have specific goals and resourcing required to action it in a meaningful and timely way.

We have a Constitutional Review with significant consultation happening over the same period that seeks to center Te Tiriti o Waitangi, and this could create strategic opportunities we don't yet know.

We have a very full work programme in 2024 due to the first NetHui in 5 years, Constitutional Review and implementation of the InternetNZ Product Strategy which sees us bringing on board Dot Kiwi and potentially one further domain within this period.

The Opportunity

There are significant elements of the current 2022-2025 Strategy that remain valid and relevant.

By extending the time period for the current strategy by one year, i.e. 2022 - 2026 where the new strategy will go to the July 2026 AGM, we can align all the above aspects. This includes aligning the DNCL strategy and the .nz Product Strategy with the same strategy renewal cycle as the INZ Group.

We can complete the introduction of Ngā Pae to InternetNZ, including members, and build more concrete goals associated with Ngā Pae into the next strategy and budget.

We can consult with members and develop a 5 year strategy for 2026 - 2031 based on the new constitution, with more clarity on our vision for being Te Tiriti centered, and more knowledge of the government critical infrastructure environment.

Current Strategy remains largely valid and relevant

Link to current strategy.

The improvement in the last 2 years has been in linking the operational work programme to the strategy through the annual goals and quarterly focus areas. This will continue in 2025-26.

Already Agreed and Signposted for 2025/26 Annual Goals

Council has signed off a multi year Product Strategy that takes us to July 2026.

Council have also agreed the development of the Community Grants Fund which as a key strategic decision initiates a strategic work programme as well .

What is New and Needs to Appear in the 2025/26 Annual Goals

Discussions with TKT indicate that Domain Name abuse, security of the domain name space, and safety of people using the Internet are all changing rapidly in the current context. We will want to explore and consider how this sits in the 2025/26 Annual Goals and longer term strategy.

2025 - 2026 Strategic annual goals development process

The recommendation presented here is still a demanding work programme**.**

Key Dates

- 1 October 2024 - TKT Strategic annual goals planning day 1.
- 10 October 2024 - Council looks at first draft annual goals.
- 31 October 2024- TKT Strategic annual goals planning day 2.
- 31 October 2024 - TKT workshop with staff on draft strategic goals.
- November 2024 - Feedback from members through CEO Quarterly Meeting and end of year events on 2025/26 Strategic annual goals.
- December and January 2025 - Strategic annual goals shared with staff and members for feedback before the February 2025 Council meeting.
- March 2025 - 2025-26 Strategic Annual Goals presented to Council confirmed and budget approved.

COUNCIL MEETING - August 2024

Internet governance

ITEM NO: 3.2
AUTHOR: Jodi Anderson and Vivien Maidaborn
FOR: Council
PURPOSE: InternetNZ's Approach to Internet Governance
DATE WRITTEN: 29 July 2024

	Alignment
Ipurangi Aotearoa Strategy 2022-2025	An Internet for Everyone, An Internet that Benefits Everyone
Te Tiriti o Waitangi	Bringing Māori voice into the Internet governance environment - tino rangatiratanga
Associated document links	2022-05 - Council - Internet Governance Engagement.pdf 2.3 Internet Governance Council paper Dec 2023 - Google Docs.pdf

Recommendation

1. THAT Council **receive** the paper.

2. THAT Council discuss the approach proposed in this paper.

Introduction

This paper outlines for Council why and where InternetNZ and the Domain Name Commission (DNC) (together the InternetNZ Group) engages in "Internet governance". It is intended to support shared understanding of this concept and the work the Group undertakes within it.

This paper builds upon previous Council Internet governance papers, and will not repeat in detail the concepts and information provided in those. Please read those papers for background via the links provided above.

1

Internet governance is important to the InternetNZ Group, to Aotearoa, and to the world

We are discussing Internet governance, what it is and InternetNZ Group's role in it, because the Internet has grown to be critical to societies, economies and cultures. Governance is about the exercise and distribution of power. Who gets to be at the table and who gets to make decisions about the Internet will determine the type of Internet we get, how it evolves and how we all can use it.

The InternetNZ Group is committed to good global Internet governance, and multistakeholderism as the foundation of an Internet that benefits everyone in Aotearoa[1].

We are also interested in constantly assessing our participation: what do we engage in, and with what priority? This paper sets out these parameters.

What is Internet governance

Internet governance refers to how the Internet is managed, and to the processes and policies that impact how the Internet is used and developed.

Internet governance was defined[2] 20 years ago by states and other stakeholders as

> ...*the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.*

Internet governance includes more than the management of Internet naming and addressing. It includes the governance of how the Internet itself works (governance of the technical infrastructure OF the Internet) but also the governance of the Internet's relationship with every other aspect of our societies, economies and cultures (governance of Internet related public policy issues ON the Internet).

Internet governance has multistakeholder origins. The Internet evolved in a way that ensured that no single entity or stakeholder group was "in charge", including governments. Instead, through a decentralised but interconnected process, a diverse set of institutions and processes make decisions that affect how the Internet develops.

By 2005[3], this private, bottom-up, self regulatory, open and independent coordination was being referred to as the "multistakeholder" model of Internet governance. The

---

[1] Our Strategic Goal 4 states that "New Zealand's voice is heard and contributes to good global Internet governance".
[2] See para 34 of the [Tunis Agenda for the Information Society - WSIS](#)
[3] See [Tunis Agenda for the Information Society - WSIS](#)

2

successful growth of the Internet, and its success as an open and trusted platform for innovation and empowerment, is widely attributed to this decentralised, collaborative, self regulating, multistakeholder approach.

Multistakeholder Internet governance is currently understood to include governments, the private sector, civil society, the technical community and academia as the stakeholder groups who have roles and responsibilities for Internet governance. InternetNZ as the manager of the .nz ccTLD, and the DNC who InternetNZ appointed to provide oversight services, are part of the technical community.

Internet governance is a complex system. It covers a vast number of **issues**, involves numerous different **stakeholders** who are concerned about those issues, and implicates numerous **forums** and processes where discussions take place and/or decisions are made[4].

There have been a number of attempts to map the global Internet governance system. This is not easy because the system is complex and vast and changes constantly. One of the best attempts at mapping we have seen is this one: [Mapping internet public policy | Association for Progressive Communications](#)[5] - not because it is complete or correct, but because it illustrates this complexity and supports a visualisation of the choices an organisation has to make when engaging in this area. For example, take a look at Slide 26 for an attempt to map Internet issues, and Slide 35 for a number of Internet governance forums and processes overlaid on these issues.

Why does InternetNZ Group engage in Internet governance

We engage for the tangible benefit to us as an organisation because engaging in Internet governance forums enables us to do our work better by building competency and understanding of relevant issues, scanning for emerging threats or opportunities for .nz, and developing relationships with peers to exchange information and work collaboratively together to be more effective and impactful.

We engage to sustain the global multistakeholder system of Internet governance which requires those with standing to be present and participating, for it to remain functional and effective. As part of the Internet technical community, the InternetNZ Group is a member of the global multistakeholder community that has the privilege and responsibility to shape the evolution and use of the Internet to benefit everyone.

We engage to ensure the NZ voice is heard in Internet governance discussions and decision making because we consider the NZ voice is unique, valuable and important.

---

[4] See pages 4-6 of our [May 2022 Council Paper](#) for some of the key Internet governance forums and processes where INZ has engaged.
[5] Click on "slides"

3

We engage because the right and privilege of running .nz and making money from that brings with it the concomitant responsibility to engage with and support the global internet governance system that underpins the Internet that is foundational to our business and to the economic and cultural and social wellbeing of Aotearoa.

Further discussion of why InternetNZ engages in Internet governance can be found on pages 2-4 of our [May 2022 Council paper](#) and on pages 2-4 of our [Dec 2023 Council paper](#).

Where does InternetNZ Group engage in Internet Governance?

How does InternetNZ Group decide on which issues and in which forums to engage? At the highest level, we are guided by the InternetNZ Group strategy - this is where the Council can influence our approach. The Annual Goals and Quarterly Focus areas - set by Te Kahui Tumu - identify priorities and provide focus underneath the Strategy.

All our work is then prioritised through organisational wide Quarterly Planning that identifies dependencies between teams and across the Group. Each team independently puts forward a proposed work programme, but factors such as the capacity of the organisation as a whole decide what is added into the Quarterly Plan.

Given the vast and complex landscape of Internet governance, no organisation has the capacity to engage on everything. Take a look at Slide 45 of the [APC Map](#) as an illustration of how that organisation visualised the specific forums and issues it wished to engage in.

Within the InternetNZ Group, most of our teams engage in some aspect of Internet governance. Where and why each team engages relates to the Annual Goal they are seeking to advance.

We are increasing our **capacity** to engage across the board by moving from an approach where much of the International work is undertaken by senior executives (and in particular the Chief Executive), to an approach where we have and will continue to build a team of well resourced and supported specialists who will cover the international Internet governance forums and issues relevant to their specialities.

Our priorities are guided in part by **context**, including what issues and processes are creating risks or opportunities internationally or domestically, and which activities are indicated by our purpose and responsibilities (for example, the development of .nz Rules and the running of NetHui).

Our choices will also be guided in part by whether they overlap or **concur** with other work programmes within the organisation. We are moving from silos to integration by looking for where work programmes can be interconnected and can inform and resource each other. We will prioritise opportunities that add value to each other's work.

4

Below we set out a high level summary of each team's current focus in the Internet governance space.

.nz Operations

The .nz Operations team is responsible for the technical operation of the .nz registry and domain name system. Members of the team engage in a number of Internet governance communities, forums and events including those relating to or run by national, regional and global Network Operator Groups, the [Domain Name System Operations Analysis and Research Center (OARC)](#), the [Internet Engineering Task Force (IETF)](#), [ICANN](#) and the [Association of European National Top-Level Domain Registries (CENTR)](#).

This engagement supports the team to keep abreast of events and information relevant to its work, to share insights and best practices to build our own and others capacity, and to develop relationships and build a peer network. Decisions about attending in person at international events take into account factors including the geographical location (eg cost effectiveness) of the event, the responsibilities at the event (eg speaking or organising), and the relevance of the event to the critical BAU of the attendee.

This team's work contributes to and is guided by Strategic Goal 1: "A thriving .nz operation that is resilient and sustainable" and engagement in Internet governance spaces is crucial to enabling the team to continue to offer a well functioning and high trust domain name service to Aotearoa.

GM Customer and Product

InternetNZ's Tumuwhanake builds and maintains commercial and collaborative relationships that support and sustain the growth and resilience of our business and organisation. Our 2024-2026 Product Strategy targets growth in .nz, selling wholesale domain name services, and building INZ's reputation in the Pacific.

The Tumuwhanake attends international Internet governance meetings and industry forums for the purpose of relationship management with customers, suppliers and key ICANN/IANA staff, sharing and receiving information to identify commercial opportunities and threats, and collaborating with ccTLDs and gTLDs who are our only true peers to learn from and contribute to because InternetNZ is unique in Aotearoa.

Tumuwhanake's work contributes to and is guided by Goal 2: "Revenue growth year-on- year by ... increase[d] registrar engagement ... [and provision of] wholesale domain services to ... other registries". It is highly likely that the majority of growth in .nz will be sourced from foreign registrars, and wholesale domain name services is a predominantly international market. International engagement, and the development and maintenance of international relationships through engagement in international forums by the Tumuwhanake, is therefore mission critical.

5

Internet Governance Lead

The Internet Governance Lead engages on InternetNZ's behalf to defend and improve the multistakeholder Internet governance system that is foundational to an open, free, global, secure, resilient and interoperable Internet. This work is dictated by what is happening in the global system. For 2024/25 this work is focussed on the United Nations processes (Global Digital Compact (GDC); World Summit on the Information Society: 20-year review (WSIS+20)) that have the potential to threaten multistakeholder Internet governance and the Internet technical community's place in that system.

The Internet Governance Lead also engages in a number of Internet governance forums to sustain the multistakeholder system, maintain relationships with the international Internet community, and help shape the Internet's development for the benefit of InternetNZ Group and the broader New Zealand Internet community. This includes attendance at ICANN meetings and the annual Internet Governance Forum (IGF), and the maintenance of InternetNZ's relationship with the Internet Society (ISOC). These have been identified as the most important forums to attend and engage with regularly to achieve these objectives.

This work contributes to and is guided by Strategic Goal 4: "New Zealand's voice is heard and contributes to good global Internet governance".

Domain Name Commission

The DNC regulates the .nz market and ensures compliance with the .nz Rules by market participants. The DNC is required under the Operating Agreement and the .nz Rules to engage (in collaboration with InternetNZ) in appropriate and applicable international forums and events in the Internet governance system, for example at ICANN and the Asia Pacific Top Level Domain Association (APTLD).

Participating in these forums enables the DNC to establish and strengthen relevant relationships and exchange best practice with peers, understand current and emerging global issues and trends, and influence the future development of the industry and its technologies and rules.

The DNC's work contributes to and is guided by the InternetNZ Strategic Goal 6: "The role of the Domain Name Commission is valued by market participants". Engagement in international Internet governance forums supports the DNC to implement its Goal 3: "To ensure the DNC's systems and processes are fit for purpose and we understand the risk landscape across .nz" and continue to mature as an effective and efficient regulator that maintains the security, stability and resilience of .nz.

6

Domain Name Policy Lead

The Domain Name Lead is responsible for ensuring that the regulatory settings provided in the .nz Rules are modern and fit for purpose. The Rules program contributes to and is guided by Strategic Goal 1: "A thriving .nz operation that is resilient and sustainable".

The Domain Name Lead engages in international Internet governance forums and communities to keep abreast of research and developments in international best practice for domain name licensing; develop trusted relationships with international colleagues at other registry operators; and build our own and others' capacity (and shared resources) through information exchange and working groups.

Particular value is garnered from relationships with AuDA colleagues, participation in the Legal and Regulatory working group of CENTR, and attendance at and support of APTLD, so the Domain Name Lead prioritises engagement with these groups and forums.

Te Puni Whiria (community engagement team)

Te Puni Whiria's work contributes to and is guided by Strategic Goal 4: "New Zealand's voice is heard and contributes to good global Internet governance" which requires that InternetNZ's voice is informed by our Internet communities' perspectives so that we are able to present these insights into national, regional, and international forums and meetings.

The team's strength is the strong connection between community engagement, public policy and membership. This year we will produce a NetHui report on community positions which can be shared nationally and internationally including into relevant Internet governance forums.

The community engagement team holds InternetNZ's public policy function. A number of factors contribute to which public policy issues the team will focus on each year, including what issues are being focussed on by the New Zealand government, what issues are important internationally, and what issues are important to the New Zealand Internet community.

Te Puni Māori

Te Puni Māori's mahi contributes to and is guided by Goal 3: "Centering Te Tiriti o Waitangi in InternetNZ" and Goal 4: "New Zealand's voice is heard and contributes to good global Internet governance" which both require (among other things) te ao Māori perspectives to inform our mahi, including through engagement of Māori in our work.

Te Puni Māori's expertise in mātauranga Māori, in engagement and partnerships with Māori, iwi, hapū, government, private sector and Māori business, and in Māori cultural capability development, positions the team as a crucial asset to supporting the

7

overall Internet governance work programme in centring Te Tiriti o Waitangi. InternetNZ has a specific goal to advance the interests of Māori in domestic and international Internet governance forums and processes, and to engage with authenticity and respect with indigenous peoples in international spaces.

Council discussion

To support discussion of this paper, we have identified the following items that arise from the InternetNZ Group's approach to Internet governance that may be of interest for Council to discuss:

The international travel budget is not going to decrease, in fact it may increase. We want more people to be involved in the relevant Internet governance forums and processes that inform and relate to their work programmes, for all the reasons identified in this paper, but also because we want to avoid the 'single person risk' and support succession planning and diversity of people into our specialist spaces.

There will be things that don't get done, not because they are not important, but because we do not have capacity to do everything in the vast and complex landscape of Internet governance and so we must prioritise. As discussed in this paper, we will be looking to do the things that are required by the current Internet governance environment, and that add value within the context of Annual Goals and Quarterly Focus areas.

Council should consider the InternetNZ Governance role in Internet governance. What involvement do Council want, by whom, at international forums? And for what purpose?

There may be other issues you wish to discuss. We welcome Council's questions in response to this paper.

Vivien Maidaborn

Chief Executive

8

COUNCIL MEETING - AUGUST 2024

Council by-election

ITEM NO: 4.1
AUTHOR: Catherine Fenwick, Tumutaumatua | General Manager
                     Organisational Performance
FOR: Council
PURPOSE: Update on by-election planning
DATE WRITTEN: 26/07/2024

Recommendation

THAT the Council **ratify** the decisions to:

- Appoint Vivian Chandra as Returning Officer for the 2024 InternetNZ Council By-Election.
- Appoint Grant Thornton as Scrutineer for the 2024 InternetNZ Council By-Election.
- Endorse the timeframe for the By-election.
- Accept the cost estimates on the basis of budget overruns.

Executive summary

This note has been prepared to brief Council on key elements of the upcoming council by-elections, to fill the vacancies created by the election of Councillors Stephen Judd and Anjum Rahman to officer positions.

This by-election will appoint two new Elected Council Members for the balance of the terms vacated by President Judd and Vice President Rahman.

By-election

We have considered both the electoral system guidance document and the Constitution in determining the appropriate method for filling these vacancies.

The relevant section of the electoral system guidance (https://internetnz.nz/governance-and-reports/council/council-elections/internetnz-electoral-system-explanation) reads as follows:

> *If an elected council member or officer resigns or is removed during their term of office, InternetNZ may opt to fill the casual vacancy by holding a by-election.*

> *A council member or officer elected between regular elections to fill a casual vacancy will serve the remaining term of the resigned or removed candidate.*

This partially served term will not count toward any term limit should they be re-elected.

If a sitting or newly elected council member is elected to an officer position, they are deemed to have resigned as a council member, and this by-election process applies.

The Constitution is quite clear and the only method for resolving a vacancy in this scenario is through by-election. The relevant section of the Constitution is copied below, with emphasis added:

*6.9 Any vacancy arising among Elected Council Members or Officers shall be filled by the membership **voting through an electronic ballot conducted as soon as the Council determines is reasonably practical after the vacancy occurs**, provided that if the vacancy occurs during the period between the end of the Society's financial year and the Society's next Annual General Meeting, the Council can defer the election of the new Officer or Elected Council Member until that Annual General Meeting. The replacement shall serve the remainder of the elected term for that position. Any time served as an Officer for part of a term created by a vacancy does not count towards the term limit established for Officers in clause 7.4.*

By-election requirements

The Constitution is silent on specific provisions for a by-election. This contrasts with the specific timeframes outlined in the Constitution for a regular election, as these are set in accordance with the Annual General Meeting.

In the absence of specific provisions and timeframes in the Constitution, we have adopted a combination of the standard election process specified in the Constitution, with shortened timeframes like that of the last by-election (2021).

DATE	ACTION/TASK
31 May 2024	Voting Eligibility for new memberships closes
Monday 12 August	Nominations for Elected Council Member opens
Friday 23 August	Nominations for Elected Council Member closes
Tuesday 27 August	Online Election of Elected Council Member opens
Wednesday 4 September	Online Election of Elected Council Member closes
Thursday 5 September	Scrutineer to confirm election results
Friday 6 September	Announcement of election results (by email)
Week of the 9th of September	Induction of elected council member

October 10th &11th	Council Strategy Hui and Council meeting

These timeframes are tight - only two weeks for nominations and one week for voting, as opposed to five weeks for nominations and just over two weeks for voting in an ordinary election.

Operational considerations

A by-election also requires the following:

SUPPLIER	ACTION	COST
Fuzion	Generation of the vote file of eligible members	1.5-3 hours work at $150 per hour
Electionz	Conducting the election	$6000 (plus $500 for each additional candidate)
Grant Thornton	Scrutinising the election result	$3,000
Communications team	Website updating	Opportunity cost
Community team	Voting oversight, Returning officer support, supplier management.	Opportunity cost of further work on funding/sponsorship distribution, and membership engagement
Returning Officer	Communications, candidate management	$3,000
Development team	Validation of results	Opportunity cost
Organisation Services	Induction	Opportunity cost

These actual costs are not budgeted and will therefore result in budget overruns, and the opportunity costs are shared simply for expectation setting.

COUNCIL MEETING - August 2024

Version 3 of the .nz Rules

ITEM NO: 4.2
AUTHOR: Isobel Egerton, Domain Name Policy Lead
FOR: Council
PURPOSE: To seek approval of amendments to the .nz Rules
DATE WRITTEN: 24/07/2024

	Alignment
Ipurangi Aotearoa Strategy 2022-2025	.nz for all of Aotearoa. InternetNZ provides .nz as a public good. Aotearoa New Zealand has a high trust domain name service, and a well-functioning internet as critical infrastructure.
Te Tiriti o Waitangi	The Policy Development Policy requires that consideration is given as to whether any Māori interests are affected by rules changes, and a Māori engagement plan implemented if needed. It was determined that, as the amendments are minor, a standard engagement process would be used.
Associated document links	Proposed version 3 of the .nz Rules Summary of changes

Recommendation

THAT Council **approve** Version 3 of the .nz Rules be adopted and brought into force on 1 November 2024.

1

Purpose

- Inform Council of the outcome of the consultation on amendments to the .nz Rules.
- Propose that draft version 3 of the .nz Rules be adopted and brought into force on 1 November 2024.
- Outline next steps.

What are the .nz Rules?

The .nz Rules bind all participants in .nz and apply to all users of .nz domains, including Registrars and Domain Name Holders. They are comprised of Principles, Policies, Operational Rules and Procedures and Requirements.

InternetNZ is responsible for maintaining and developing the .nz Rules and the Rules are made in consultation with the local internet community. The Policy Development Process sets out the minimum requirements for changes to the .nz Rules.

A first principles review of .nz policy was undertaken by an independent panel in 2020, which led to a significant re-write resulting in the current .nz Rules that were brought into force on 1 November 2022. Minor updates were made effective from 1 March 2023 (known as version 2).

Members of the public and staff who regularly interpret and implement the Rules identify change requests from time to time and it is intended that regular improvements to the .nz Rules are made.

Consultation on the .nz Rules changes

Proposed changes were circulated to the InternetNZ staff internal Rules Group early this year, and later to the Domain Name Commission and the .nz Advisory Committee of Council. Following feedback, the proposed draft version 3 of the .nz Rules was released for public consultation on 30 April.

The engagement approach was a standard one reflecting the nature of the changes; being minor and/or technical. The channels used to notify the consultation were member email, and the dotNews, Registrar and Domain Name Commission newsletters. The submission period ended on 10 June.

One submission in support was received from the Domain Name Commissioner; two other parties asked clarifying questions about the changes; and an earlier submission from a member of the public regarding grammatical errors was taken into account in formulating the final proposed version 3 of the .nz Rules.

2

Recommendation to adopt

The .nz Advisory Committee considered the [final draft version 3](#) at its meeting on 17 July 2024 and this [Summary of changes](#).

There was a discussion on proposed clause 12.2.4 and, specifically, the level of belief/concern that the Domain Name Commission needed to hold before it could request information from a party subject to the .nz Rules. After discussion, it was determined that the proposed amended clause is satisfactory but could be reviewed again in the future if necessary.

The .nz Advisory Committee resolved to **recommend** to the InternetNZ Council that version 3 of the .nz Rules be adopted and brought into force on 1 November 2024.

Advice

The amendments are all considered minor in nature and consistent with the [principles](#) contained in the .nz Rules. The external engagement undertaken complies with the standards required by the [Policy Development Policy](#).

The Domain Name Policy Lead recommends the approval of these amendments and advises that there is no impediment to the introduction of these amended Rules as version 3 of the .nz Rules.

It is recommended that the new .nz Rules come into force on 1 November 2024. That date allows for change notifications to be made to all stakeholders following the 16 August Council meeting.

Next steps

A communications plan will be developed ensuring, to the extent practicably possible, all affected parties are notified in advance of the .nz Rules changes coming into effect. Consequential amendments to the InternetNZ and Domain Name Commission websites will be made.

Vivien Maidaborn

Tumu Whakarae | Chief Executive

3

.nz Rules

31 March 2023

[Amended to become version 3. For consultation ending 10 June 2024.]

Underlined is new.

~~Strikethrough~~ is deleted.

Draft amendments are at pages 8, 24, 31, 42, 44, 47, 50, 56-58.

Introduction

Context

InternetNZ holds the delegation for the .nz country code top level domain. It operates the regional registry for New Zealand (the .nz Register). The .nz Register is a single register, shared registry system that manages the registration of .nz domain names and associated data.

The guiding basis for the management of country code top level domains, including .nz, is set out in RFC 1591. Using RFC 1591, the Internet Corporation for Assigned Names and Numbers (ICANN), as the Internet Assigned Numbers Authority (IANA) Operator, is responsible for processes supporting global DNS related functions, including the delegation of country code top level domains.

Consistent with RFC 1591, there is no concept of 'ownership' involved in holding the delegation for .nz. InternetNZ serves at the pleasure of the local Internet community. It regards this role as one that must be done with the trust and on behalf of that community.

These .nz Rules have been made by InternetNZ in consultation with the local Internet community.

1

Table of Contents
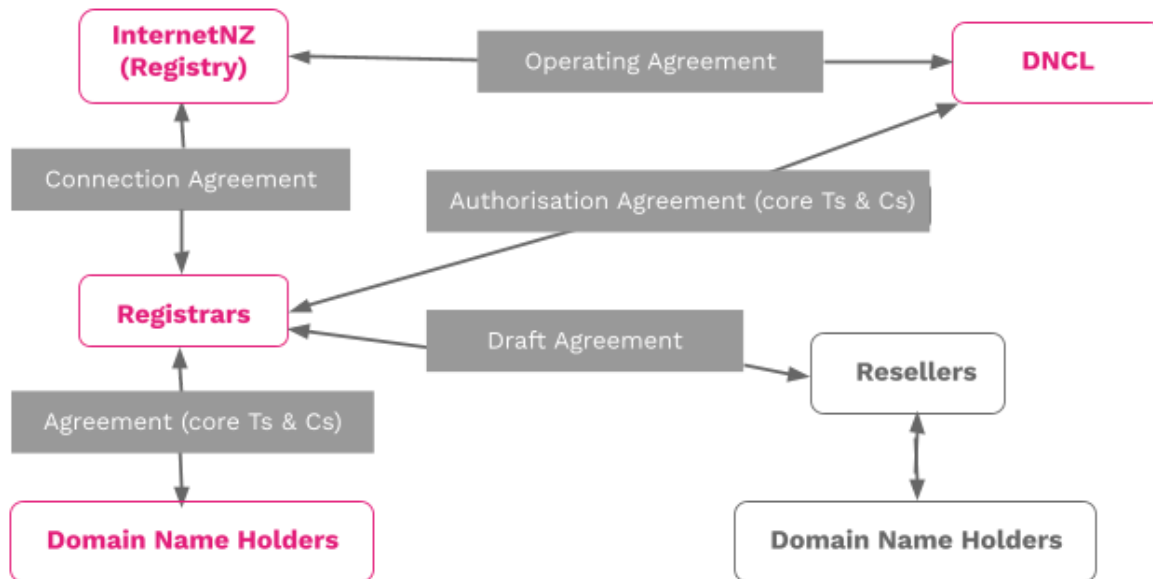
The main participants in .nz

Figure 1. visual flowchart of contractual agreements between parties as described below

InternetNZ

InternetNZ is responsible for:
a. the overall operation of .nz
b. the long-term strategy for .nz, which binds InternetNZ and DNCL
c. maintaining and developing these .nz Rules
d. the operation of the .nz Register and .nz Authoritative DNS consistent with agreed and publicly available service level commitments
e. billing relationships with Registrars
f. setting the monthly fee Domain Name Holders must pay for a .nz domain name, in consultation with DNCL
g. intellectual property rights in the .nz Register
h. being the lead representative in the Internet Governance system (e.g. ICANN, APTLD) in collaboration with DNCL
i. the development of products for .nz.

DNCL

The Domain Name Commission Limited (DNCL) is a subsidiary of InternetNZ. Through the DNCL Operating Agreement InternetNZ has appointed DNCL to manage .nz on behalf of InternetNZ. Ultimate responsibility for .nz remains with InternetNZ.

3

DNCL's role, responsibilities and obligations are detailed in clauses 8 (Roles, responsibilities and obligations) and clause 12 (Complaints and enforcement). DNCL acts independently of, and is not responsible to, InternetNZ for the performance of its functions and responsibilities.

DNCL also:
a. monitors and publicly reports on the markets that operate in .nz
b. reports to InternetNZ on its corporate performance, and on its responsibilities as set out in these .nz Rules and in the [DNCL Operating Agreement](#).

DNCL can only intervene in the relationship between Domain Name Holders and Registrars or between Registrars and InternetNZ in accordance with these .nz Rules and associated agreements and contracts.

Domain Name Commissioner

The Domain Name Commissioner (the Commissioner) is the most senior staff member in the Domain Name Commission. The Commissioner in undertaking compliance and dispute resolution functions acts independently of InternetNZ.

InternetNZ and DNCL

InternetNZ and DNCL are jointly responsible for:
a. developing a strategic view of .nz
b. maintaining the security, stability and resilience of .nz
c. publishing information about .nz
d. promoting .nz in the public interest.

InternetNZ holds DNCL to account for its performance of its responsibilities through:
a. InternetNZ's ownership interest in DNCL
b. the InternetNZ Chief Executive chairing DNCL's Board
c. the shared strategy and budget planning process.

Registrars

Registrars manage .nz domain names on behalf of Domain Name Holders by communicating with InternetNZ and managing information on the .nz Register. They are authorised to operate in .nz by DNCL.

Domain Name Holders

Domain Name Holders are persons InternetNZ has licensed to hold a .nz domain name. Domain Name Holders must choose a Registrar to manage their .nz domain name on their behalf.

4

Moderators

Moderators apply a Moderation Policy to determine who can be a Domain Name Holder of a .nz domain name in one of the Moderated Domains (see clause 9). For example, the Moderator appointed by the New Zealand Government determines who is able to use the Moderated Domain .govt.nz to register a third level domain name like education.govt.nz. Moderators also ensure that all .nz domain names in the Moderated Domain comply with the Moderation Policy.

Resellers

Resellers provide domain name registration services but are not a Registrar authorised under clause 11 (Authorisation of Registrars). They buy .nz domain names and manage domain name records for Domain Name Holders through an authorised Registrar (e.g., a person registering a .nz domain name on behalf of another person or an IT company that has been given direct access to a Registrar's services through an API). Resellers are often the intermediary between the end user (the Domain Name Holder) and the registrar and sometimes provide value-added services like website creation or hosting.

See clause 8 (Roles, responsibilities and obligations) for more details on the roles, responsibilities and obligations of the main participants in .nz.

5

How these .nz Rules are organised

This document brings together the rules that bind all participants in .nz (the part of the Internet whose domain names end in '.nz'). These rules apply to all users of .nz domains, including Registrars and Domain Name Holders. They are comprised of:

- Principles
- Policies
- Operational Rules
- Procedures and requirements.

.nz Principles

These set out the basis on which all activity related to the registration and use of .nz domain names should be judged. They will be the key factor in determining whether .nz is operating as the community intends. They will help InternetNZ consider what Policies, Operational Rules and Procedures & Requirements .nz should have, how they should operate and whether they should be modified.

Policies

These are based on the Principles and set out the course of action to be taken by InternetNZ and DNCL in determining what the Operational Rules and Procedures & Requirements should be. They will also guide InternetNZ and DNCL in performing their registry and regulator functions.

Operational Rules

These provide detailed rules about how .nz operates. They set out:

- how .nz domain names are registered, renewed, assigned and cancelled
- optional features that can be applied to .nz domain names
- the terms of .nz domain names and how they are renewed
- the obligations of participants in .nz
- how moderated .nz domains are operated
- how people can search the .nz register
- how entities are authorised to be registrars in .nz
- how the .nz Rules are enforced and how disputes between participants are investigated and managed.

6

Procedures and requirements

These detail the procedural requirements and minor or technical requirements of .nz or the domain name system.

Conflict

The differing parts of the .nz Rules should be read wherever possible so they are consistent. If this is not possible and there is an apparent inconsistency between:

- the Principles
- the Policies
- the Operational Rules
- the Procedures & Requirements

then the .nz Rules should be interpreted to give the Principles the highest priority, followed by the Policies, then the Operational Rules and lastly the Procedures & Requirements.

Modification

Changes to these .nz Rules can be made in accordance with the Policy Development Process in Schedule 1.

7

The .nz Rules

Interpretation

1. In these .nz Rules:

   Authorisation Agreement means the [.nz Registrar Authorisation Agreement](#) entered into between DNCL and each Registrar

   Auto-Renew Grace Period has the meaning specified in clause 7.3.5.

   Commissioner means the Domain Name Commissioner

   Compliance Lock means a lock put on a .nz domain name under clause 12.2.17

   Connection Agreement means the [.nz Connection Agreement](#) entered into between InternetNZ and each Registrar

   Dispute Resolution Service means the dispute resolution service specified in Schedule 2

   DNCL means Domain Name Commission Limited, a subsidiary of InternetNZ

   DNS means the domain name system, which helps Internet users find and identify IP addresses by translating complex IP addresses into more easily recognisable domain names

   DNS Operator means the person to whom a Domain Name Holder has delegated responsibility to operate their DNS under clause 2.2.10 of these .nz Rules

   DNSSEC means Domain Name System Security Extensions, the suite of specifications that provides cryptographic authentication of DNS data, authenticated denial of existence and DNS data integrity.

   Domain Name Holder means the person or lawfully constituted entity named on the .nz register and as identified in the 'Registrant Name' field as the result of a Query Search via the DNCL website domain lookup tool ~~named on the .nz Register as the 'Domain Name Holder Contact'~~ and includes a prospective Domain Name Holder if the context requires

   DS Record List means information the DNS protocol uses to ensure non-repudiation and integrity of a domain name query through implementation of DNSSEC

   Identifiable Individual means an individual who can be identified through relevant information, including but not limited to verifiable identification such as a passport or drivers licence

   International Domain Name (IDN) means a domain name that includes at least one non-ASCII character

   Moderator means a person responsible under the Moderation Policy for ensuring the Moderated Domain is run in accordance with the Moderation Policy

   Moderated Domain means a second level domain to which a Moderation Policy applies and includes '.cri.nz', '.govt.nz', '.health.nz', '.iwi.nz', '.mil.nz', '.parliament.nz'

   Moderation Policy means the policy governing the operation of a Moderated Domain

8

Name Server Data means data held by name servers

Name Server List means the names of the servers that will provide the authoritative DNS response to queries for a domain name

.nz Register means the database maintained by InternetNZ that is the sole, authoritative register of .nz domain names and associated data

Pending Release period (known internationally as the 'redemption period') has the meaning specified in clause 5.2

Privacy Option means the privacy option a Domain Name Holder has as provided under clause 6 (formally known as the Individual Registrant Privacy Option (IRPO)

Registered means a domain name that has been assigned to a Domain Name Holder in the .nz Register

Registration Grace Period (known internationally as the 'addPeriod') has the meaning specified in clause 7.3.3

Registrar means an entity authorised under clause 11 (Authorisation of Registrars) to access the .nz Register and manage .nz domain names on behalf of Domain Name Holders

Registry Lock service means the Registry Lock service provided under clause 6 to reduce the risk of unauthorised changes to a .nz domain name's registration

Renewal Grace Period (known internationally as the 'renewPeriod') has the meaning specified in clause 7.3.4

Reseller means any person working in any way through or with a Registrar's systems in registering or managing .nz domain names on behalf of a Domain Name Holder

Second Level Domain Name means a .nz domain name registered at the top level, like 'anyname.nz'

Third Level Domain Name means a .nz domain name registered in a Moderated Domain or an Unmoderated Second Level Domain, like 'anyname.org.nz'

Unmoderated Second Level Domain means: '.ac.nz', '.co.nz', '.geek.nz', '.gen.nz', '.kiwi.nz', '.maori.nz', '.net.nz', '.org.nz', or '.school.nz'

Working Day means a day other than a Saturday, Sunday or public holiday in Wellington

Zone Data means the list of all current .nz domain names, the domain name server which they are delegated to, and the DS records used to support DNSSEC.

2. In these .nz Rules, unless the context requires otherwise:
    (a) words importing one gender include the others
    (b) words importing the singular or plural number include the plural and singular number respectively
    (c) 'including' and similar expressions are not used as, nor are intended to be interpreted as, words of limitation
    (d) a person includes any individual, corporation, unincorporated association, government department or municipal authority.

9

Acronym glossary

DNCL   Domain Name Commission Limited

IANA   Internet Assigned Numbers Authority

ICANN   Internet Corporation for Assigned Names and Numbers

IDN   Internationalised Domain Names

DNS   Domain Name System

RFC   Request for Comment

APTLD   Asia Pacific Top Level Domain Name Association

API   Application Programming Interface

DNSSEC   Domain Name System Security Extensions

DS   Delegation of Signing

10

.nz Principles

The following principles guide the management of .nz:

- **.nz should be secure and trusted**: .nz infrastructure must be dependable and secure, and .nz be trusted

- **.nz should be open and accessible**: everybody should be able to observe, participate, innovate and enjoy the benefits of .nz

- **.nz should serve and benefit New Zealand and reflect and be responsive to our diverse social, cultural and ethnic environment**

- **.nz should support te reo Māori me ōna tikanga and participation in .nz by Māori**

  [Note: this draft principle is to be discussed and will form part of the Māori engagement plan.]

- **.nz should enable New Zealand to grow and develop:** it should help people, businesses and organisations connect, create, innovate and grow

The .nz Principles must be taken as a whole and any tensions between them carefully balanced. No principle is dominant over another.

11

1. General policies

1.1. .nz domain names can be registered:
- as a Second Level Domain Name at the top level (.nz)
- as a Third Level Domain Name in one of the Unmoderated Second Level Domains:
  - .ac.nz
  - .co.nz
  - .geek.nz
  - .gen.nz
  - .kiwi.nz
  - .maori.nz
  - .net.nz
  - .org.nz
  - .school.nz
- as a Third Level Domain Name in one of the Moderated Second Level Domains:
  - .cri.nz
  - .govt.nz
  - .health.nz
  - .iwi.nz
  - .mil.nz
  - .parliament.nz

1.2. No new second level domains will be created.

1.3. Responsibility for the registry, registrar and regulatory functions of .nz is held by separate entities:
   a. the registry function is performed by InternetNZ, which runs the .nz Register
   b. the regulatory function is performed by DNCL, a subsidiary of InternetNZ
   c. the registrar function is performed by various entities DNCL has authorised to operate as Registrars.

1.4. Each Domain Name Holder has an agreement with their Registrar. Each Registrar has an agreement with InternetNZ and with DNCL. DNCL can intervene in these relationships in accordance with these .nz Rules and associated agreements.

1.5. InternetNZ and DNCL will seek to minimise barriers to enter the .nz market as a Registrar. Entry requirements will be set no higher than necessary to ensure .nz is secure and trusted and to maintain a competitive and stable market for registrars.

1.6. The laws of New Zealand apply to these .nz Rules. The lawful instructions of the courts and the authorities made as part of due process will be complied with.

12

1.7. These .nz Rules can be amended in accordance with the Policy Development Process in Schedule 1.

2. Registration of a .nz domain name

2.1. Policies

2.1.1. Any available domain name can be registered on the .nz Register on a first come, first served basis in accordance with these .nz Rules.

2.1.2. InternetNZ is not concerned with the use of a .nz domain name.

2.1.3. A .nz domain name will be automatically renewed on the expiry of its term (subject to the Auto-Renew Grace Period) unless it is cancelled.

2.1.4. Macrons used in te reo Māori, an official language of New Zealand, can be used in .nz domain names.

2.2. Operational Rules

2.2.1. A person can apply to register a .nz domain name through a Registrar authorised under clause 11 (Authorisation of Registrars) if the person is an identifiable individual over the age of 18 or lawfully constituted entity.

2.2.2. DNCL may request a Domain Name Holder at anytime to provide any relevant information to verify their identity (Identity Verification), this includes but is not limited to:

    a. where a Domain Name Holder is an individual, a verified copy of the original passport, drivers licence or other government issued identification; or

    b. where the Domain Name Holder is a lawfully constituted entity, a certificate of incorporation or a copy of the constitution

The Domain Name Holder must provide the Identity Verification within the timeframe detailed in the request made by DNCL.

2.2.3. In making the application:
    a. the applicant warrants that:
        i. they are entitled to register the domain name as requested
        ii. registering the proposed .nz domain name would not infringe any other parties' rights
    b. the applicant agrees that:
        i. their registration will be governed by New Zealand law
        ii. they will comply with all of their obligations as set out in these .nz Rules, their contract with their Registrar and any other related agreements.

2.2.4. To register a domain name on behalf of an applicant, a Registrar must:

14

    a. ensure the applicant has agreed:
- i.   to the Registrar's terms and conditions
- ii.   to be bound by these .nz Rules; and
- iii.   that any non-compliance with the Registrar's terms and conditions or these .nz Rules could result in the applicant's domain name not being registered or being cancelled.

    b. give InternetNZ any information specified in clause 2.3.5

    c. pay the fee specified in clause 7.3.

2.2.5. All applications to register a domain name that comply with these .nz Rules must be registered in the order they are received.

Nature of a .nz domain name

2.2.6. On registration of a .nz domain name, the Domain Name Holder holds a licence from InternetNZ to use it as long as it remains registered. The Domain Name Holder does not own the .nz domain name.

Term of .nz domain name

2.2.7. A .nz domain name's term:
- a. begins on the date it is registered or renewed
- b. ends either:
  - i.   on the expiry of the term for which it has been registered or renewed
  - ii.   when it is cancelled under clause 5
- c. must not be less than the default term or more than the maximum term
- d. must be indicated in whole years.

> Example. A .nz domain name cannot be registered for 2.5 years. It must be registered for either 2 years or 3 years.

2.2.8. On or before the expiry of the term of a .nz domain name the Registrar must renew the registration for a new term or cancel the registration. If the Registrar does not renew or cancel the registration on the expiry date, InternetNZ will automatically renew the registration for the default period subject to the Auto-Renew Grace Period.

2.2.9. Each Registrar must ensure that at all times the term of a .nz domain name as specified on the .nz Register is aligned with the frequency on which the Registrar has agreed to bill the Domain Name Holder for the .nz domain name.

> Example. A Domain Name Holder agrees to pay a Registrar upfront to maintain the registration of a .nz domain name for 5 years. The Registrar cannot set up a one year term for that .nz domain name with InternetNZ. It must set the term of the .nz domain name InternetNZ to 5 years.

15

Delegation of DNS

2.2.10. A Domain Name Holder can operate their own DNS or choose who provides DNS services for their .nz domain name (**DNS Operator**).

2.3. Procedures and requirements

2.3.1. A list of Registrars authorised under clause 11 (Authorisation of Registrars) can be found on the DNCL website ([dnc.org.nz](dnc.org.nz)).

2.3.2. To be registered on the .nz Register, a domain name must:
   a. use only lowercase letters (a-z), digits (0-9) and the '-' hyphen
   b. comply with current Internet standards relating to domain names like [RFC 1035](RFC 1035), [RFC 2181](RFC 2181), [RFC 5890](RFC 5890) and [RFC 5891](RFC 5891), as amended or replaced from time to time.

2.3.3. To be registered on the .nz Register, a domain name must not:
   a. already be registered
   b. be longer than 63 characters
   c. begin or end with a hyphen
   d. use a hyphen as the third or fourth character unless it is an IDN (Internationalised Domain Name)
   e. end in any of the following suffixes and their IDN versions that might mislead or confuse:
      - '.[gov.nz](gov.nz)'
      - '.g[overnment.nz](government.nz)'
      - '.c[om.nz](om.nz)'
      - '.[edu.nz](edu.nz)'
      - '.[nic.nz](nic.nz)'

Internationalised .nz domain names

2.3.4. A .nz domain name can use vowel letters with a macron (ā, ē, ī, ō, ū) in addition to the characters specified in clause 2.3.2(a) but must comply with [RFC 5890](RFC 5890) and [RFC 5891](RFC 5891).

Information required to register a .nz domain name

2.3.5. The information a Registrar must give InternetNZ to register a domain name on behalf of an applicant is:
   a. the proposed domain name
   b. the Domain Name Holder's name and contact details
   c. the term of the domain name the Registrar has agreed with the Domain Name Holder
   d. the Administrative Contact Details
   e. the Technical Contact Details

16

      f.   Second and Third person contact point details
      g. whether the applicant has opted in to the Privacy Option
      h. the Name Server List (if applicable)
      i.   the DS record List (if applicable)

Confirmation of registration

2.3.6. If InternetNZ informs a Registrar that a domain name has been registered, the Registrar must inform the Domain Name Holder of the registration and give them information on:
      a. how to transfer or amend their .nz domain name
      b. the existence and role of DNCL.

Sub-domains

2.3.7. Sub-domains must comply with any current Internet standards relating to domain names, like [RFC 1591](#).

2.3.8. Other than clause 2.3.7, or where a complaint is made pursuant to clause 4 of Schedule 2 (Dispute Resolution Service), these .nz Rules do not apply to sub-domains.

Name Server Data

2.3.9. A Domain Name Holder does not have to provide Name Server Data to register a domain name.

2.3.10. If a Domain Name Holder chooses to provide Name Server Data in their application to register a .nz domain name, InternetNZ must:
      a. publish the Name Server Data in the .nz zone when delegation is requested
      b. ensure that the Name Server Data meets the minimum technical and operational criteria to ensure the security, stability and resilience of the DNS.

2.3.11. At any time InternetNZ and DNCL can:
      a. check that the Name Server Data meets the minimum technical and operational criteria
      b. remove Name Server Data from the .nz zone if the technical and operational criteria are not met.

Default term of a .nz domain name

2.3.12. The default term for a .nz domain name is 1 year.

2.3.13. The maximum term for a .nz domain name is 10 years.

17

3.   Changing the Domain Name Holder

3.1. Policies

3.1.1. Domain Name Holders can assign a .nz domain name to another person, subject to any applicable Moderation Policy.

3.2. Operational Rules

3.2.1. Every Registrar must:
   a. provide their Domain Name Holders with clear information on how they can assign their .nz domain name to another person
   b. process an assignment of a .nz domain name to another person if the Domain Name Holder directs them to do so.

3.2.2. Before processing an assignment of a .nz domain name to another person under clause 3.2.1(b), the Registrar must ensure:
   a. the existing Domain Name Holder has authorised the assignment
   b. the person receiving the .nz domain name agrees to:
      i.   the Registrar's terms and conditions
      ii.   these .nz Rules.

3.3. Procedures and requirements

3.3.1. Any assignment of a .nz domain name must be recorded on the .nz Register.

3.3.2. The Registrar must retain all documentation and correspondence relating to the assignment.

3.3.3. The Registrar must change the authorisation code as soon as practicable after a .nz domain name has been assigned to another person.

18

4. Changing the Registrar

4.1. Policies

4.1.1. .nz should be fair and competitive and offer real choice for Domain Name Holders.

4.1.2. A Domain Name Holder can transfer a .nz domain name to a new Registrar, subject to any applicable Moderation Policy.

4.1.3. A Registrar must not decline or delay a Domain Name Holder's request to transfer its domain name to another Registrar (by withholding the authorisation code or otherwise).

4.2. Operational Rules

4.2.1. A Domain Name Holder can transfer their .nz domain name to a new Registrar at any time other than during the Registration Grace Period.

4.2.2. A Domain Name Holder wanting to transfer their .nz domain name to a new Registrar must:
   a. find a Registrar willing to manage the .nz domain name
   b. enter into a written agreement with the new Registrar that contains their terms and conditions for managing .nz domain names.

4.2.3. If a Domain Name Holder and Registrar enter into a written agreement under clause 4.2.2(b) the new Registrar must promptly process the transfer using the process specified in clause 4.3.

4.2.4. If a Compliance Lock has been put on the .nz domain name for which the Registrar is to be changed under clause 12, the Domain Name Holder must request DNCL to manually process the application. There is no charge for processing the transfer.

4.2.5. The Domain Name Holder must not be charged for changing the Registrar by the existing Registrar or the new Registrar. The existing Registrar is not required to reimburse the Domain Name Holder for the remaining term of the .nz domain name.

4.2.6. Each Registrar must publish on their website information about how their Domain Name Holders can transfer their .nz domain name to a new Registrar.

Bulk transfers

4.2.7. If a Registrar needs to transfer several .nz domain names to another Registrar at the same time (for example, if a Registrar's business is sold to another Registrar or their authorisation is removed), DNCL can approve a bulk transfer.

19

4.2.8. DNCL may, in its sole discretion, offer to carry out a bulk transfer, especially where it is in the interest of Domain Name Holders that DNCL carry out the bulk transfer.

4.2.9. Before DNCL approves or carries out a bulk transfer, the existing Registrar must satisfy DNCL that each affected Domain Name Holder has:
   a. been notified about the proposed transfer in accordance with clause 4.3.6
   b. entered into a written agreement with the new Registrar to manage their .nz domain name.

4.3.   Procedures and requirements

4.3.1. If a Domain Name Holder has requested a transfer of their .nz domain name to a new Registrar under clause 4.2.2:
   a. the Domain Name Holder shall provide the authorisation code to the new Registrar
   b. the new Registrar must provide the authorisation code to InternetNZ and must direct InternetNZ to process the transfer by updating the .nz Register to record the transfer
   c. the existing Registrar and the new Registrar will be notified that the transfer has been recorded
   d. the new Registrar must direct InternetNZ to change any of the fields in the .nz Register relating to the .nz domain name that need updating as a result of the transfer.

Authorisation code for .nz domain names

4.3.2. InternetNZ, DNCL or a Registrar can generate a new authorisation code at any time and the authorisation code will expire after 30 days.

4.3.3. A Registrar must pass on an authorisation code to the Domain Name Holder of the identified .nz domain name whenever a new authorisation code is generated and it is requested by the Domain Name Holder.

4.3.4. DNCL can generate a new authorisation code and provide this to the Domain Name Holder if the Registrar fails to do so.

4.3.5. As soon as practicable after a .nz domain name has been transferred the authorisation code will be reset.

Bulk transfers

4.3.6. A notice under clause 4.2.9(a) must:
   a. be given at least 30 days before the proposed bulk transfer is implemented
   b. specify:

20

52

 i. the date the .nz domain names are being transferred to the new Registrar

 ii. why the transfer is being made

 iii. who the new Registrar will be

 iv. how any Domain Name Holder wanting to transfer their .nz domain name to a different Registrar can do so under clause 4.

21

5.   Cancelling a .nz domain name

5.1.   Policies

5.1.1.   A Domain Name Holder can cancel their .nz domain name.

5.1.2.   A Registrar can cancel a .nz domain name if the Domain Name Holder does not meet their obligations to the Registrar.

5.1.3.   A Domain Name Holder whose .nz domain name has been cancelled should be given a reasonable opportunity to reinstate the registration.

5.1.4.   A .nz domain name that has been cancelled and not reinstated will become available for registration in accordance with these .nz Rules.

5.2.   Operational rules

5.2.1.   A Registrar can cancel the registration of a .nz domain name under its management if ~~either~~:
   a.   the Domain Name Holder directs the Registrar to cancel it;
   b.   the Registrar has given the Domain Name Holder 14 days' notice of their failure to pay the cost of maintaining the registration; or
   c.   the Domain Name Holder has breached the agreement with their Registrar and the agreement enables the Registrar to cancel the .nz domain name as a result of the breach.

5.2.2.   A .nz domain name whose registration has been cancelled (**Cancelled Domain Name**) is not available for registration until 90 days have passed since its cancellation (the **Pending Release Period**).

5.2.3.   At any time before the Pending Release Period has ended:
   a.   the Registrar can reinstate the Cancelled Domain Name for the Domain Name Holder
   b.   the Domain Name Holder can transfer the Cancelled Domain Name to a new Registrar under clause 4 and request that Registrar to reinstate it for them.

5.2.4.   The Registrar of a Cancelled Domain Name must not attempt to assign it to a third party or hold itself out as having special access to the Cancelled Domain Name.

5.2.5.   On the expiry of the Pending Release Period:
   a.   InternetNZ must remove the Cancelled Domain Name from the .nz Register
   b.   the Cancelled Domain Name can be registered in accordance with these .nz Rules.

22

5.3. Procedures and requirements

5.3.1. If the registration of a .nz domain name is cancelled during the Registration Grace Period, InternetNZ must:

    a. remove it from the .nz Register

    b. record the registration and cancellation for audit purposes.

5.3.2. A Cancelled Domain Name will not be included in the zone file pushed to the DNS.

23

6. Optional features of .nz domain names

6.1. Policies

6.1.1. Domain Name Holders who are individuals not engaged in trade to any significant extent will be able to choose a Privacy Option that limits the information released in relation to a specific .nz domain name under clause 10 (Information Management).

6.1.2. InternetNZ will enable Registrars to provide greater security to Domain Name Holders with:
   a. the Registry Lock service, which enables Domain Name Holders to lock a .nz domain name to reduce the risk of unauthorised changes to it on the .nz Register
   b. DNSSEC, which enables the public to authenticate the DNS records of a .nz domain name.

6.1.3. InternetNZ will not directly offer, or require Registrars to offer, to Domain Name Holders the Registry Lock service, DNSSEC or any other optional features of a .nz domain name.

6.1.4. InternetNZ can, in consultation with DNCL, offer other services from time to time as long as they do not contravene the .nz Rules.

6.2. Operational rules

Privacy Option

6.2.1. A Privacy Option is available to a Domain Name Holder if the Domain Name Holder:
   a. is an individual (rather than an entity)
   b. does not intend to use the .nz domain name to any significant extent in 'trade' as that term is defined in [section 2](#) of the Fair Trading Act 1986.

6.2.2. Each Registrar must help its Domain Name Holders to understand:
   a. whether the Privacy Option is available to them
   b. how the Privacy Option works
   c. that they can opt in or out of it at any time.

6.2.3. If an applicant seeking to register a domain name on the .nz Register or a Domain Name Holder at any other time tells their Registrar that they want to opt in to the privacy option, the Registrar must direct InternetNZ to apply the Privacy Option in relation to the .nz domain name if the applicant or Domain Name Holder meets the eligibility criteria in clause 6.2.1.

24

6.2.4. If a Registrar directs InternetNZ to apply the privacy option, all personally identifiable information of the Domain Name Holder and any secondary contacts will be withheld and the only contact information that will be displayed in the results returned from a Query Search made under clause 10.2.1 is the Domain Name Holder's and any secondary contacts' name and country information.

6.2.5. A Registrar must direct InternetNZ to remove the Privacy Option if either:
   a. the Domain Name Holder tells the Registrar that they no longer want to opt in to the privacy option
   b. the Commissioner informs the Registrar it has determined that the Domain Name Holder does not meet the criteria in clause 6.2.1.

6.2.6. The Commissioner must notify the Domain Name Holder before informing the Registrar of its determination under clause 6.2.5(b).

Registry Lock

6.2.7. A Registrar that has subscribed for the wholesale Registry Lock service from InternetNZ (**Subscribed Registrar**) can direct InternetNZ to apply the Registry Lock service to a .nz domain name if:
   a. it has entered into a contract with the relevant Domain Name Holder to provide the Registry Lock service
   b. the direction to InternetNZ is consistent with the terms of that contract
   c. InternetNZ has contacted the Domain Name Holder, in the manner specified in clause 6.3.2, to verify:
      i.   the identity of the Domain Name Holder
      ii. that the Domain Name Holder wants the Registry Lock service to be applied to their .nz domain name.

6.2.8. If a Subscribed Registrar directs InternetNZ to apply the Registry Lock service to a .nz domain name, the attributes of the .nz Register fields specified in clause 6.3.1 (**Lockable Fields**) cannot be changed unless both:
   a. the Domain Name Holder has authorised InternetNZ to unlock the .nz domain name
   b. InternetNZ has contacted the Domain Name Holder, in the manner specified in clause 6.3.2, to verify their identity.

6.2.9. InternetNZ must cancel the Registry Lock service if either:
   a. the Domain Name Holder has authorised InternetNZ to cancel the .nz domain name and InternetNZ has contacted the Domain Name Holder, in the manner specified in clause 6.3.2, to verify their identity
   b. the .nz domain name is cancelled.

25

6.2.10. InternetNZ and Domain Name Holders can communicate with each other, in the manner specified in clause 6.3.2, for the reasons specified in clauses 6.2.7-6.2.9 or for any purpose necessary to ensure the effective operation of the Registry Lock service.

6.2.11. If a Domain Name Holder cannot authorise the Registry Lock service to be unlocked or cancelled under clauses 6.2.8 and 6.2.9 (for example, if the Domain Name Holder is unable to verify their identity to InternetNZ), DNCL can direct InternetNZ to unlock or cancel the Registry Lock service at the Domain Name Holder's request.

6.2.12. The Registry Lock service does not affect the operation of the Compliance Lock imposed by DNCL under clause 12.

DNSSEC

6.2.13. A Registrar wanting to offer domain name system security extensions (**DNSSEC**) to its Domain Name Holders must submit DS records to InternetNZ.

6.3. Procedures and requirements

Registry lock

6.3.1. The Lockable Fields as referred to in clause 6.2.8 are:
   a. any Domain Name Holder, Registrar, administrative or technical contact details
   b. the DNS records or any DNSSEC records held on the .nz Register
   c. any transfer of the Registrar of record
   d. the delegation setting of the .nz domain name (whether it is in the zone or not)
   e. the privacy settings of the .nz domain name (whatever privacy status is in force is maintained)
   f. such other fields as are determined by the Registry Lock service terms and conditions from time to time consistent with a Registry Lock service.

6.3.2. InternetNZ will verify the matters set out in clauses 6.2.7-6.2.9, or communicate with Domain Name Holders under clause 6.2.10, through the following two methods for each verification:
   a. oral communication with the Domain Name Holder in real time
   b. a multifactor security protocol established by InternetNZ and the Domain Name Holder for communications between them.

DNSSEC

6.3.3. In respect of DNSSEC signed .nz domain names, the Registrar and the Domain Name Holder (or their DNS Operator) are responsible for:
   a. generating and managing their cryptographic keys
   b. generating the DS record
   c. determining how often they perform key rollovers.

26

6.3.4. If a Domain Name Holder directs their Registrar to remove the DS records associated with the .nz domain name, the Registrar must do so as soon as practicable.

7. Registrar billing

7.1. Policies

7.1.1. Registrars will pay a fixed wholesale fee to maintain the registration of each .nz domain name.

7.1.2. The wholesale fee will be set by InternetNZ in consultation with DNCL and reviewed regularly. InternetNZ will advise Registrars of any changes. It will be set at a level that ensures .nz remains a world class registry and to promote public good works in accordance with the objects specified in InternetNZ's Constitution.

7.1.3. The fixed wholesale fee will be the same for all .nz domain names.

7.1.4. InternetNZ can charge Registrars, in consultation with DNCL, for any optional .nz services InternetNZ has developed.

7.2. Operational rules

7.2.1. InternetNZ will charge Registrars a fee for each .nz domain name they manage as specified in clause 7.3.

7.2.2. No charge will apply for a .nz domain name that is cancelled during its Registration Grace Period, Renewal Grace Period or the Auto-Renew Grace Period.

7.2.3. InternetNZ does not issue refunds. If a Registrar requests an adjustment to take into account charges incurred by a Registrar, this will be considered on a case by case basis.

Charges during the Pending Release period

7.2.4. A cancelled .nz domain name that becomes due for renewal during the Pending Release Period will not be renewed and will not incur a charge.

7.2.5. If a cancelled .nz domain name is reinstated during the Pending Release Period, InternetNZ can charge the Registrar for it retrospectively as if it had not been cancelled.

Charges while .nz domain name locked

27

7.2.6. InternetNZ must not charge for a .nz domain name on which DNCL has put a Compliance Lock under clause 12.

7.2.7. If a Compliance Lock is removed, InternetNZ must charge for the .nz domain name retrospectively as if the Compliance Lock had never been put on it.

7.3. Procedures and requirements

7.3.1. The fixed wholesale fee for each .nz domain name (referred to in clause 7.1) is $18.00 (excluding GST) per year.

7.3.2. InternetNZ will invoice each Registrar on a monthly basis for the aggregate amount due for the .nz domain names it manages as specified in the Connection Agreement.

7.3.3. The Registration Grace Period is a period beginning when a .nz domain name is registered and ending 5 days after the registration.

7.3.4. The Renewal Grace Period is a period beginning only when a .nz domain name is renewed by the Registrar and ending 5 days after the renewal. The Renewal Grace Period does not apply when the term of .nz domain name has been extended as part of a transfer from one Registrar to another.

7.3.5. The Auto-Renew Grace Period is the period beginning when a .nz domain name is automatically renewed by InternetNZ and ending 45 days after the renewal date.

28

8. Roles, responsibilities and obligations

8.1. Policies

8.1.1. There will be an agreement between each Registrar and each of InternetNZ and DNCL.

8.1.2. Each Registrar must have an agreement with each of their Domain Name Holders. The agreement must contain the .nz Registrant Agreement Core Terms and Conditions.

8.1.3. InternetNZ, DNCL, Registrars, Resellers, Moderators and Domain Name Holders must:
   a. behave ethically and honestly
   b. exercise a degree of skill, diligence, prudence and foresight which would reasonably and ordinarily be expected from a skilled and experienced person engaged in New Zealand in the same type of activity, under the same or similar circumstances
   c. comply with the laws of New Zealand and any binding instruction from a court or authority made as part of due process.

8.1.4. InternetNZ, DNCL, Registrars, Resellers and Moderators that hold personal information related to a .nz domain name must comply with these .nz Rules and the Privacy Act 2020 as if they were an agency as defined in that Act.

8.2. Operational Rules

Domain Name Holder obligations

8.2.1. A Domain Name Holder's obligations and responsibilities are set out in their contract with the Registrar and these .nz Rules (which are incorporated by reference into the Domain Name Holder's contract with the Registrar).

8.2.2. Each Domain Name Holder must:
   a. use a Registrar (either directly or through a Reseller) to register a domain name, update the registration or to change the Domain Name Holder details
   b. comply with all of the obligations as listed in their contract with their Registrar
   c. ensure all information they give to their Registrar is accurate and complete
   d. keep the Registrar informed of:
      i. changes to the Domain Name Holder's registration information
      ii. information required to be kept up to date in the contract between the Domain Name Holder and the Registrar
   e. ensure the domain name and their use of it does not infringe any intellectual property rights
   f. ensure their Registrar's services or the .nz domain name are not used for an unlawful purpose
   g. comply with any order of a Court or Tribunal having jurisdiction over their .nz domain name

29

h. ensure everyone the Domain Name Holder is responsible for, or uses their .nz domain name, complies with the obligations of Domain Name Holders under these .nz Rules

i. make any complaints about the Registrar within seven years from the date the events giving rise to the complaint occurred

j. pay all registration fees when they become due.

Registrar obligations

8.2.3. A Registrar's obligations and responsibilities are set out in the Authorisation Agreement, the Connection Agreement, the .nz Registrant Agreement Core Terms and Conditions and these .nz Rules (which are incorporated by reference into each of those agreements).

8.2.4. A Registrar must:

a. maintain the integrity of the .nz Register

b. behave ethically and honestly according to established standards and procedures

c. promote Domain Name Holders' confidence by maintaining fair and open competition

d. ensure that no agreement it enters into with a Domain Name Holder is inconsistent with the .nz Registrant Agreement Core Terms and Conditions

e. maintain on the .nz Register the details specified in clause 2.3 about each .nz domain name under its management

f. maintain relationships with its customers, including addressing any issues relating to the management of the .nz domain name in a timely manner

g. maintain a secure interface and systems for Domain Name Holders, their information and its interaction with them to ensure that all information is protected from unauthorised access

h. inform DNCL of any security matters concerning Domain Name Holders and their information

i. be responsible for the actions of any Resellers they manage a .nz domain name on behalf of

j. ensure that anybody using the Registrar's systems (including any Reseller) operates in a manner consistent with these .nz Rules

k. seek to resolve a complaint made by a Domain Name Holder under clause 8.2.2(i) as soon as practicable

l. inform InternetNZ of any security breach or issue that may undermine the connection between the Registrar and the .nz Register

m. ensure that any order of a Court or Tribunal having jurisdiction over a .nz domain name under its management is complied with.

8.2.5. A Registrar must not:

a. collude with other Registrars when setting pricing structures

30

    b.   undertake any action that prevents the registration of a domain name that is entitled to be registered under these .nz Rules

    c.   register or update a .nz domain name it manages on behalf of a Domain Name Holder, or change Domain Name Holder details, unless the Domain Name Holder has directed it to do so

    d.   amend a .nz domain name (any error like how the .nz domain name is spelled must be corrected by cancelling the .nz domain name and registering a new one)

    e.   send any notice that is, or may reasonably be considered to be, a renewal notice to a Domain Name Holder unless the Registrar appears in the .nz Register as the Registrar for the .nz domain name.

8.2.6. A Registrar or Reseller must not ~~can~~ register or update a domain to be registered in its own name~~without a direction from a Domain Name Holder~~ ~~If~~ unless the Registrar or Reseller intends to use the domain name itself.~~A registrar does not intend to use a domain name itself if it intends to~~ A Registrar must not enter into a lease, licence or any other arrangement with a third party ~~for whose benefit the domain name would be managed~~ resulting in the Registrar or Reseller registering a domain name in that Registrar or Reseller's own name but held for the benefit of that third party.

8.2.7. A Registrar can choose whether to accept a particular Domain Name Holder as a customer at its discretion.

8.2.8. When collecting information from a current or prospective Domain Name Holder, each Registrar must comply with the Privacy Act 2020 as if it were an agency as defined in that Act.

InternetNZ obligations

8.2.9. InternetNZ's obligations and responsibilities towards Registrars are detailed in the Connection Agreement and these .nz Rules (which are incorporated by reference into the Connection Agreement). The responsibilities set out in the Connection Agreement and these .nz Rules are the minimum standard of behaviour required of InternetNZ.

8.2.10. InternetNZ must:

    a.   maintain details of current technical transactions, how they operate and what the obligations are on Registrars

    b.   advise DNCL and any affected Registrar in a timely manner of any security issues that may impact the integrity of the .nz Register or the security, stability or resilience of the DNS

    c.   maintain a query service for the .nz Register and monitor its use to ensure:

       i.   the integrity of the data

       ii.   that the .nz Register is not being misused

    d.   comply with any agreement that may be in place from time to time specifying service commitments.

31

8.2.11. InternetNZ must not:
- a. create a new second level domain
- b. communicate with a Domain Name Holder unless:
  - i. it is permitted by these .nz Rules
  - ii. it has obtained the relevant Registrar's approval before going directly to the Domain Name Holder
- c. interfere in the commercial relationship between a Domain Name Holder and their Registrar, other than as specified in these .nz Rules
- d. update the Register data unless:
  - i. a Registrar has requested the update
  - ii. DNCL has directed it to do so
  - iii. required to do so by law.

8.2.12. InternetNZ can validate any information sent to the Registry to ensure the security, stability and resilience of .nz. Details of the validation checks undertaken will be documented and be made available to Registrars.

8.2.13. If there is a risk to the integrity of the .nz Register or the security, stability or resilience of the DNS, InternetNZ can suspend the Query Search without notice.

8.2.14. If InternetNZ suspends the Query Search under clause 8.2.13, it must notify DNCL and all Registrars it has taken this action and of any subsequent actions it takes.

DNCL obligations

8.2.15. DNCL's obligations and responsibilities are detailed in the Authorisation Agreement and these .nz Rules (which are incorporated by reference into the Authorisation Agreement). The responsibilities set out in the Authorisation Agreement are the minimum standard of behaviour that DNCL expects to meet in its day-to-day relationships with the Registry and the Registrars.

8.2.16. DNCL must:
- a. enforce these .nz Rules
- b. endeavour to ensure an open, competitive and fair market
- c. recognise, promote, and protect the rights of Domain Name Holders
- d. operate in a transparent, ethical manner, honouring principles of good faith and fairness
- e. authorise Registrars and, if appropriate, remove a Registrar's authorisation
- f. offer a training seminar to a Registrar when it becomes authorised
- g. offer training courses as required if any significant changes to how .nz is run are made.

8.2.17. DNCL must not:

32

a. become directly involved in a dispute between other persons participating in .nz except as provided for in these .nz Rules
b. as far as practicable, instruct InternetNZ to make a change to the .nz Register without notifying the affected Registrar of the nature of the change and the reason for it
c. recommend any Registrar to a Domain Name Holder
d. become involved in a dispute relating to money owing between a Registrar and a Domain Name Holder except as set out in clause 12 (Complaints and enforcement)
e. interfere in the commercial relationship between a Domain Name Holder and their Registrar, other than as specified in these .nz Rules
f. engage with a Domain Name Holder directly without first notifying their Registrar.

8.3. Procedures and requirements

Registrar obligations

8.3.1. A Registrar must maintain the information on the following fields:
a. the Name Server List
b. the name of Domain Name Holder
c. the contact details of Domain Name Holder
d. the second and third point of contact person
e. the administrative contact details
f. the technical contact details
g. the country information
h. the billing term
i. the DS record list.

8.3.2. When collecting personal information directly from a Domain Name Holder (or authorised person), each Registrar must comply with its obligations under the Privacy Act 2020, including:
a. only collecting personal information that is necessary for the Registrar to carry out its function
b. notifying the Domain Name Holder:
   i. what personal information is required
   ii. why the personal information is required
   iii. how the personal information will be collected and stored
   Iv. what happens if the required personal information is not provided

c. ensuring that the personal information is collected in a fair and legal manner
d. taking reasonable steps to protect a Domain Name Holder's personal information against loss or unauthorised access, use, disclosure, or other misuse

33

e.   ensuring that the Domain Name Holder has access to their personal information (or information in relation to an entity they are acting on behalf) that they have provided, unless there are sufficient grounds for refusal under the Privacy Act 2020

f.   ensuring that the personal information is accurate, up to date, complete, relevant and not misleading before using or disclosing it

g.   making provisions for a Domain Name Holder to request for incorrect personal information about them to be corrected

h.   ensuring that the personal information is not stored for longer than it is required for the purpose it is lawfully being used for

i.   ensuring that the personal information is used only for the purpose it has been collected for, unless otherwise authorised by the Domain Name Holder

j.   ensuring that personal information is only disclosed to a third party that is outside New Zealand, if they:

      i.   are subject to the Privacy Act 2020 because they carry out their business in New Zealand; or

      ii.   are subject to privacy laws that are comparable to the Privacy Act 2020; or

      iii.   agree to adequately protect the information

k.   ensuring that if any unique identifiers are issued that reasonable steps are taken to protect them from being misused.

9.   Moderated Domains

9.1. Policies

9.1.1. Each Moderator must maintain a policy for their Moderated Domain.

9.1.2. A Moderated Domain can only be used by Domain Name Holders meeting the criteria specified in the relevant Moderation Policy.

9.2. Operational rules

9.2.1. Each Moderator must:
    a. maintain a Moderation Policy
    b. provide DNCL with an up-to-date copy of the Moderation Policy
    c. ensure the Moderated Domain is run in accordance with the Moderation Policy.

9.2.2. Moderators can designate the Registrars that are permitted to register and manage .nz domain names in the Moderated Domain. A Registrar must not register or manage a .nz domain name in a Moderated Domain unless it has been permitted to do so by the Moderator.

34

9.2.3. Each Moderator must notify DNCL each time they designate a new Registrar to register .nz domain names in the Moderated Domain.

Amendments to Moderation Policy

9.2.4. A Moderator can propose amendments to the Moderation Policy by submitting them to DNCL, as specified in clause 9.3.2.

9.2.5. The Commissioner can approve the amendments if satisfied that:
   a. the proposed amendments are not contrary to New Zealand law
   b. any Domain Name Holders holding a .nz domain name in the Moderated Domain have had an opportunity to comment on the proposed amendments as notified in accordance with clause 9.3.

9.2.6. If the Commissioner agrees to the amendments, DNCL must inform the Moderator that the amendments have been approved.

Cancelation and disputes

9.2.7. The Moderator can notify DNCL if the Moderator considers that a .nz domain name does not comply with the Moderation Policy.

9.2.8. DNCL can:
   a. direct InternetNZ to cancel the registration of a .nz domain name if DNCL determines (whether or not following a notification under clause 9.2.7) it does not comply with the Moderation Policy (even if initially approved by the Moderator)
   b. remove a Moderator if the Moderator is in breach of the Moderation Policy, the .nz Rules or the Moderator's agreement with DNCL.

9.2.9. Before cancelling a .nz domain name under clause 9.2.7 or 9.2.8(a), either the Moderator or DNCL (as the case may be) must give notice to the Domain Name Holder of the proposed cancellation in accordance with clause 9.3.

9.2.10. Any complaint about the Moderation Policy from any Domain Name Holder using a Moderated Domain must be referred to DNCL for resolution in consultation with the Moderator.

9.3. Procedures and requirements

9.3.1. DNCL must make publicly available a copy of the Moderation Policy provided to it under clause 9.2.1(b) or as amended under clause 9.2.5.

Amendments to Moderation Policy

35

9.3.2. A Moderator wanting to amend the Moderation Policy must submit the proposed amendments to the Commissioner in writing.

9.3.3. If the Commissioner receives proposed amendments to a Moderation Policy, it must:
   a. notify the Domain Name Holders holding a .nz domain name in the Moderated Domain of the proposed amendments and invite feedback on them
   b. give the actual or potential users 20 working days to comment on the proposed amendments
   c. inform the Moderator in writing within 10 working days after the date by which comments must be made whether it has any objection to them.

9.3.4. The Commissioner is not required to comply with the periods of time specified in clause 9.3.3(b) and (c) if there are special circumstances making it desirable for the amendment to be made more quickly.

Cancellation

9.3.5. If either a Moderator or DNCL wants to cancel a .nz domain name under clause 9.2.7 or 9.2.8(a), they must:
   a. inform the Domain Name Holder of their intention to cancel the .nz domain name at least five working days before it is cancelled
   b. consider any comments the Domain Name Holder makes about the proposed cancellation.

10.   Information management

10.1. Policies

10.1.1. InternetNZ and DNCL will collect, hold and use information from Registrars and Domain Name Holders (or their agent) to:
   a. assist it to manage .nz efficiently and to ensure the security, stability and resilience of the DNS
   b. to provide any of the additional features detailed in clause 6 (Optional features of .nz domain names)
   c. enhance the availability of information on the Internet in New Zealand in accordance with these .nz Rules.

10.1.2. All persons bound by these .nz Rules must take reasonable steps to:
   a. ensure the integrity, validity and accuracy of the .nz Register
   b. protect the data in the .nz Register from unauthorised or abusive use, including unauthorised automated access and bulk harvesting

36

      c. protect any personal information associated with the registration of a .nz domain name against loss or unauthorised access, use, disclosure, or other misuse.

10.1.3. DNCL and InternetNZ will facilitate access to information on the .nz Register as specified in clause 10.2 and 10.3.

10.2. Operational rules

Query Search

10.2.1. Any person can search for a domain name on the .nz Register using the Query Search function. (**Query Search**).

10.2.2. If a person searches for a domain name using the Query Search function, DNCL or InternetNZ must:
    a. inform the person that the domain name is available for registration on the .nz Register if the domain name is not already registered or prohibited from registration
    b. provide the details specified in clause 10.3 if the domain name is registered and the Domain Name Holder has not opted in to the Privacy Option
    c. provide only the name of the Domain Name Holder, second and third contact names and country details if the domain name is registered and the Domain Name Holder has opted in to the privacy option.

Unauthorised use of Query Search

10.2.3. If InternetNZ or DNCL detects that the Query Search has been used in contravention of [terms of use](#) published on the DNCL webpage:
    a. InternetNZ or DNCL can:
        i. remove or limit any person's access to the Query Search on a temporary or permanent basis
        ii. in an emergency or exceptional circumstances, suspend the Query Search function
    b. DNCL can sanction a Registrar under any applicable agreements or .nz Rule.

Release of Withheld Data

10.2.4. Any person can request the information withheld from a Query Search (**Withheld Data**) by applying in the manner specified in clause 10.3.

10.2.5. DNCL must make a preliminary decision on to whether to disclose the Withheld Data after considering:
    a. the Privacy Act 2020, including the privacy principles (in particular Principle 11) and section 202 of that Act

37

      b. the past actions of the requestor, including:
          i. any misuse of Withheld Data
          ii. any breaches of the .nz Rules.

10.2.6. As soon as practicable after DNCL has made a preliminary decision on the request, DNCL must:
    a. tell the Domain Name Holder:
        i. their Withheld Data has been requested
        ii. the requestor's name and email address
        iii. the reasons for the request
    b. tell the requestor and the Domain Name Holder:
        i. whether DNCL's preliminary decision is to release or withhold all or part the Withheld Data
        ii. the reasons for the preliminary decision.

10.2.7. After notifying the requestor and the Domain Name Holder of the preliminary decision under clause 10.2.6(b), DNCL must:
    a. give the requestor and the Domain Name Holder 10 Working Days to comment on the request and DNCL's preliminary decision
    b. consider any comments they make
    c. decide whether all or part the Withheld Data will be released to the requestor
    d. inform the requestor and the Domain Name Holder of the final decision, together with DNCL's written reasons for the decision.

10.2.8. In making a decision under clause 10.2.7(c), DNCL can:
    a. decline the request if satisfied that disclosure is not required under the Privacy Act or otherwise authorised or required by law
    b. release all or part the Withheld Data in a way that differs from the request if DNCL considers it would better protect privacy (for example, by granting access to Withheld Data to the requestor's lawyer for the purpose of serving documents only)
    c. impose any conditions on the release of the information DNCL considers appropriate (for example, imposing a condition that the Withheld Data not be shared more widely than specified recipients).

10.2.9. If DNCL has reason to consider that providing the Domain Name Holder with an opportunity to comment on DNCL's preliminary decision would prejudice the purpose for which the Withheld Data has been requested, DNCL can immediately make a final decision to release all or part of the Withheld Data after considering the matters specified in clause 10.2.5.

10.2.10. If DNCL makes a decision under clause 10.2.9, DNCL:
    a. is not required to:
        i. give the Domain Name Holder an opportunity to comment on the request

38

      ii.   inform the Domain Name Holder of its decision or the reasons for it

    b. must inform the requestor of the final decision, together with DNCL's written reasons for the decision

    c. must inform the Domain Name Holder of the disclosure, and the reasons for it, when DNCL no longer considers the notification would prejudice the purpose for which the Withheld Data was requested.

Disclosure where court order or requirement of law

10.2.11. DNCL must release Withheld Data it is legally required to do so by court of competent jurisdiction or any other order with the force of law.

10.2.12. DNCL can release Withheld Data under clause 10.2.11 without consulting the Domain Name Holder but must notify the Domain Name Holder as soon as practicable after the disclosure, unless the notification would prejudice the purpose for which the Withheld Data is sought.

Entities with automatic access

10.2.13. DNCL can enter into a memorandum of understanding (**MOU**) granting direct access to Withheld Data to entities having as a primary purpose maintaining the integrity of the Internet (**Approved Entity**) if DNCL considers ~~it~~ that the entity has a legitimate need for access to Withheld Data.

10.2.14. DNCL must ensure an entity has procedures in place to protect the Withheld Data to the satisfaction of DNCL before entering into a MOU with it and monitor the Withheld Data that is accessed under the MOU.

10.2.15. DNCL can release Withheld Data to an Approved Entity without the Domain Name Holder being consulted before the Withheld Data is accessed.

10.2.16. As soon as practicable after an Approved Entity accesses any Withheld Data, DNCL must notify the Domain Name Holder that the Withheld Data has been accessed, unless DNCL reasonably considers that disclosure would prejudice the purpose for which the Withheld Data was accessed.

Entities with streamlined access

10.2.17. DNCL can enter into an MOU with certain entities granting streamlined access to Withheld Data (**Streamlined Access**) if DNCL considers ~~it~~ that the entity has a legitimate need for access to Withheld Data.

10.2.18. If DNCL receives a request for Withheld Data from an entity with Streamlined Access that satisfies the criteria for disclosure as set out in its MOU, DNCL can direct InternetNZ to release the Withheld Data.

39

10.2.19. InternetNZ can release Withheld Data to an entity with Streamlined Access without the Domain Name Holder being consulted before the Withheld Data is accessed if directed to do so by DNCL under clause 10.2.18.

10.2.20. As soon as practicable after InternetNZ releases any Withheld Data to an entity with Streamlined Access ~~accesses:~~
   a. InternetNZ must notify DNCL that the Withheld Data has been accessed
   b. DNCL must notify the Domain Name Holder that the Withheld Data has been accessed, unless DNCL reasonably considers that disclosure would prejudice the purpose for which the Withheld Data was accessed.

Termination of MOU with Approved Entity or entity with Streamlined Access

10.2.21. DNCL can:
   a. monitor the use of Withheld Data by an Approved Entity or an entity with Streamlined Access to ensure that its MOU is being complied with
   b. terminate the MOU of an Approved Entity or an entity with Streamlined Access if it does not comply with the terms of the MOU.

Reporting

10.2.22. DNCL must publish all MOUs it has entered into with an Approved Entity or an entity with Streamlined Access on its website and regularly review it.

10.2.23. DNCL must publish on its website regular reports providing information about any requests for Withheld Data and whether they were approved or declined, unless the release would be prejudicial to the maintenance of the law.

10.2.24. DNCL shall publish an annual transparency report providing various statistical data that is of interest to the Registrar and that supports their role and responsibilities. This report shall be prepared and shared in accordance with the requirements under the Privacy Act 2020 where relevant.

Contacting Domain Name Holder with Withheld Data

10.2.25. ~~If a~~ A requestor who would like to contact a Domain Name Holder who has Withheld Data may use DNCL's online message delivery form to send a message to the Domain Name Holder.

Domain Name Holder Search

10.2.26. A member of the public can request from DNCL a list of .nz domain names held by a Domain Name Holder as specified in clause 10.3.9 (**Domain Name Holder Search**) if they are:
   a. a Domain Name Holder seeking information about their own .nz domain name

40

    b. a party or potential party to a Dispute Resolution Service ~~Compliant~~ <mark>Complaint</mark> (as defined in the Dispute Resolution Service Policy).

10.2.27. On receiving a Domain Name Holder Search request, DNCL can:
    a. seek further information from the applicant
    b. approve or decline the request.

10.2.28. DNCL can record Domain Name Holder Search requests and take previous requests into account when deciding whether to approve the Domain Name Holder Search request.

10.2.29. If DNCL considers, on reasonable grounds, that ~~a Domain Name Holder~~ <mark>any person</mark> has misused the information arising from a Domain Name Holder Search request, it can ban ~~the Domain Name Holder~~ <mark>that person</mark> from making another request for any period DNCL considers appropriate.

Zone Data

10.2.30. Having regard to the .nz Principles, DNCL and InternetNZ can use Zone Data to ensure the efficient management and operation of .nz and for developing new services.

10.2.31. Any person can apply to DNCL for access to .nz Zone Data in the manner specified in clause 10.3.10 to 10.3.11.

10.2.32. On receiving an application for access to Zone Data, DNCL can, after consulting with InternetNZ:
    a. seek further information from the applicant
    b. approve the application if satisfied, having regard to the .nz Principles, that there is a sufficient public good justification to release the Zone Data that outweighs any adverse effect on any Domain Name Holder's privacy
    c. decline the application.

10.2.33. DNCL must not release .nz Zone Data to third parties not directly involved in the management of InternetNZ or .nz unless DNCL considers, having regard to the .nz Principles and the information specified in clause 10.3, there is a sufficient public good justification to release the Zone Data.

10.2.34. DNCL may impose conditions on its approval of an application under clause 10.2.32(b), including requiring the applicant to enter into an agreement with DNCL as to the terms of release. For example, the agreement could:
    a. reflect the information provided in the application
    b. confirm that the applicant agrees to be bound by the .nz Rules
    c. require deletion of the Zone Data after use or after a prescribed time
    d. include sanctions in the event of a breach of the agreement
    e. include any other conditions that DNCL considers appropriate.

41

10.3. Procedures and requirements

10.3.1. InternetNZ or DNCL will make the following details available in response to a Query Search unless the Privacy Option has been chosen:

    a. Domain Name

    b. Registration status

    c. Date registered

    d. Date first created (if applicable)

    e. Date registered/billed until

    f. Date last modified

    g. Include in DNS

    h. Registrar contact details

    i. Domain Name Holder Contact Details (or Registrant Contact Details, as the case may be.)

    j. Second and Third person contact point details

    k. Administrative Contact Details

    l. Technical Contact Details

    m. Country information

    n. Name Servers

    o. Domain Signed

    p. DS records (if applicable)

    q. Date cancelled (if applicable).

10.3.2. The Query Search function does not facilitate wildcard searches.

Application for Withheld Data

10.3.3. A person requesting a Domain Name Holder's Withheld Data (the **Requestor**) must use the PRI1 application form (**Application Form**).

10.3.4. The Requestor must declare that:

    a. they attempted to contact the Domain Name Holder by email no less than 10 Working Days before requesting the Withheld Data from DNCL and the Domain Name Holder has either:

        i. not responded

        ii. refused to provide the Withheld Data

    b. they will only use the Withheld Data for the purposes for which it is sought

    c. the Withheld Data will not be used, disclosed, published or disseminated for any other purpose.

10.3.5. If the Requestor cannot make the declaration in clause 10.3.4(a), the Commissioner can consider the request if the Commissioner considers, on the basis of information the Requestor has provided, either:

42

    a. it is not practicable or reasonable for the 10 working day time limit to apply because the matter is so urgent

    b. attempting to contact the Domain Name Holder would be likely to prejudice the purpose for which the Withheld Data has been requested.

10.3.6. A person requesting Withheld Data under clause 10.2.4 must:

    a. say why they are requesting the Withheld Data

    b. provide any supporting documentation DNCL requires when processing the request within:

        i. 10 Working Days==; or==

        ii. another period agreed between DNCL and the person requesting the Withheld Data.

10.3.7. DNCL will acknowledge receipt of a request for Withheld Data by email and will endeavour to process Requests as soon as is practicable.

10.3.8. If the requestor fails to provide the supporting documentation required under clause 10.3.6), DNCL can treat the failure as a withdrawal of the request.

Domain Name Holder Information search

10.3.9. A member of the public can request Domain Name Holder information from DNCL using:

    a. Form WHO1 for information about the Domain Name Holder's own .nz domain name

    b. Form WHO2 for information to support a complaint under the Dispute Resolution Service

    c. Form WHO3 for pre-registration for Domain Name Holder info service searches to support a complaint pursuant to the Dispute Resolution Service.

Applications for Zone Data

10.3.10. An application for Zone Data under clause 10.2.29 must be made on form ZTP1.

10.3.11. Information required in support of the application includes the following:

    a. the purpose the applicant will be using the information

    b. the reason the applicant needs to obtain the information from the Zone Data

    c. how often the applicant wishes to receive the Zone Data and the time for which the Zone Data will be required (i.e. a single file, up to a specified date or indefinitely)

    d. what information will be made public

    e. how long after receipt of the Zone Data the information from it will be publicly released

    f. the "public good==" ==purpose the information will be put to

    g. whether the applicant intends to retain the information and, if so, why

43

h. the measures that are in place to protect Domain Name Holders' privacy

i. details of any confidentiality agreements in place with its staff or contractors.

11. Authorisation of Registrars

11.1. Policies

11.1.1. Anybody wanting to register a .nz domain name must choose a Registrar to register and manage it on their behalf.

11.1.2. Nobody can act as a Registrar or hold themselves out as a Registrar unless they have been authorised by DNCL.

11.2. Operational rules

Authorising Registrars

11.2.1. An incorporated body can apply to become a Registrar in the manner specified in clause 11.3.

11.2.2. If DNCL approves the application, DNCL must:
   a. notify the applicant that their application has been successful
   b. do anything else required under clause 11.3.

11.2.3. If DNCL declines the application, it must provide the applicant with reasons.

11.2.4. On receipt of the notification in clause 11.2.2(a), the applicant becomes a Registrar with:
   a. authorisation to:
      i. manage .nz domain names on behalf of Domain Name Holders
      ii. direct InternetNZ on behalf of Domain Name Holders to make changes to the .nz Register
   b. all the other rights and obligations set out in these .nz Rules.

Removing authorisation

11.2.5. The Commissioner can remove a Registrar's authorisation if the Registrar:
   a. has not connected to ~~InternetNZ~~ the .nz register by the time specified in clause 11.3
   b. is in breach of either:
      i. their Authorisation Agreement
      ii. any of these .nz Rules

   and fails to remedy that breach in accordance with their Authorisation Agreement or these .nz Rules.

44

11.2.6. DNCL must remove a Registrar's authorisation if:
   a. it receives a request from a Registrar to have its authorisation removed and two months have passed since the request was made
   b. the Commissioner cancels the Authorisation Agreement
   c. the Registrar or InternetNZ cancels the Connection Agreement
   d. the Registrar purports to transfer its authorisation status to another party.

Effect of removal of authorisation

11.2.7. If a Registrar's authorisation is removed, it must:
   a. immediately stop acting as a Registrar other than to continue to serve its Domain Name Holders until they have been transferred to a new Registrar
   b. immediately stop holding itself out as a Registrar
   c. continue to do everything necessary to safeguard the rights of its Domain Name Holders
   d. work in good faith with Domain Name Holders, DNCL, other Registrars and any other person necessary to transfer each .nz domain name under its management to one or more other Registrars.

11.2.8. The removal of a Registrar's authorisation does not affect any of its rights or responsibilities that are intended to continue or come into force after authorisation is removed.

Transfer of .nz domain names on Removal of Authorisation

11.2.9. If a Registrar's authorisation is removed under clause 11.2.6(a) on the request of the Registrar, the Registrar must transfer the .nz domain names under its management to one or more other Registrars in accordance with clause 4.2.7.

11.2.10. If a Registrar's authorisation is removed other than under clause 11.2.6(a), DNCL must:
   a. set a date by which all .nz domain names must be transferred to a new Registrar (the **Deadline**)
   b. send a notice to each affected Domain Name Holder in the manner specified in clause 11.3.

11.2.11. Clause 11.2.10 does not apply if the Registrar makes other arrangements to transfer the affected .nz domain names before the Registrar's authorisation is removed.

11.2.12. DNCL can, at its sole discretion, assist the Registrar to transfer affected .nz domain names by:
   a. extending the Deadline
   b. otherwise assisting any affected Domain Name Holders to transfer the affected .nz domain names to a new Registrar.

45

Effect of cancellation on renewals

11.2.13.   The Registrar must not charge the Domain Name Holder for a .nz domain name that is due to be renewed during the period starting on the date DNCL contacts the Domain Name Holders and ending on the Deadline date.

Cancellation if Registrar not changed

11.2.14.   After the Deadline has passed, DNCL must direct InternetNZ to cancel any .nz domain names whose Registrar has not been changed by the end of their term.

11.3.   Procedures and requirements

11.3.1.   A person can apply to become a Registrar under clause 11.2.1 by:
   a.   submitting a completed *Application for Authorisation as a Registrar form* ("Form AOR1")
   b.   paying DNCL a fee of $3,000 plus GST.

11.3.2.   DNCL will acknowledge that it has received an application by email. This usually happens within two working days of their receipt. Most applications are processed within a month of their receipt.

11.3.3.   If DNCL approves the application, DNCL:
   a.   will inform the applicant that the application has been successful
   b.   can enter into the Authorisation Agreement with the applicant.

Removing authorisation

11.3.4.   The period after which DNCL can remove a Registrar's authorisation under clause 11.2.5(a) is 6 months after the date they become a Registrar.

11.3.5.   The notification in clause 11.2.10 to each affected Domain Name Holder must contain:
   a statement informing them of the removal of Registrar's authorisation
   a statement informing them that they must transfer each affected .nz domain name to a new Registrar
   information identifying each .nz domain name held by the Domain Name Holder that must be transferred and the authorisation code for each
   the Deadline by which they must be transferred set under clause 11.2.10
   the names and contact information of all other Registrars on the DNCL website ([dnc.org.nz](dnc.org.nz)).

46

12.   Complaints and enforcement

12.1.   Policies

12.1.1.   The registry, registrar, and regulatory functions of .nz will be structurally separated. DNCL will perform the regulatory function, under a delegation from InternetNZ.

12.1.2.   The regulatory environment must be operated and enforced in a fair and transparent manner.

12.1.3.   DNCL will be responsible for:
   a.   monitoring and enforcing compliance with these .nz Rules
   b.   monitoring and enforcing the Authorisation Agreement and Connection Agreement in consultation with InternetNZ
   c.   providing dispute resolution services for Domain Name Holders (see Schedule 2 (Dispute Resolution Service)).

12.2.   Operational rules

Investigation of enquiries between Domain Name Holder and Registrar

12.2.1.   If the Registrar and Domain Name Holder are unable to resolve the Domain Name Holders enquiry or complaint made under clause 8.2.2(i), either party can refer the unresolved enquiry or complaint to DNCL.

12.2.2.   DNCL can assist with the resolution of an unresolved enquiry or complaint, either on the referral of either party or on its own initiative.

12.2.3.   After investigating an unresolved enquiry or complaint, DNCL can do anything it considers appropriate in the circumstances, including:
   a.   taking no action
   b.   working with the parties to resolve the dispute
   c.   taking an action or imposing a measure under clause 12.2.8 if DNCL determines that there has been a breach of a .nz Rule or associated agreements or contracts.

12.2.4.   If DNCL determines that a party has ~~not complied with and/or~~ breached or likely breached a .nz Rule or associated agreement or contracts, it may request (in its sole discretion and acting reasonably) any relevant party to provide information in relation to the non-compliance and/or breach or any information substantiating compliance. Any relevant party must respond to such a request within the timeframe detailed in the request by DNCL.

47

12.2.5. DNCL will abide by the principles of natural justice when investigating complaints and disputes and when making determinations and imposing sanctions.

12.2.6. Other than in an emergency or exceptional circumstances to which clause 12.2.16(c) applies, DNCL cannot consider complaints relating to:
   a. illegal or malicious use of a .nz domain name (for example spam or phishing)
   b. objectionable or offensive website content
   c. potential breaches of legislation.

Enforcement of .nz Rules

Monitoring compliance with .nz Rules

12.2.7. DNCL can monitor compliance with these .nz Rules by any means DNCL considers appropriate, including by doing checks and audits of the business systems and processes of Registrars and Resellers.

Penalties for breach of .nz Rules

12.2.8. If DNCL determines that there has been a breach of these .nz Rules or associated agreements or contracts, DNCL can take any action or impose any measure it considers appropriate to remedy the breach or encourage greater compliance.

12.2.9. Any action DNCL takes or measure it imposes under clause 12.2.8:
   a. is made at DNCL's discretion
   b. can be temporary or permanent.

12.2.10. DNCL must:
   a. adhere to the principles of natural justice when determining whether to impose a sanction and what the sanction should be
   b. reasonably consider that anything it does under clause 12.2.8 is proportionate to the breach, having regard to the .nz Principles, all the circumstances of the breach when it occurred and the consequences of the breach.

General actions

12.2.11. Examples of the actions DNCL can take under clause 12.2.8 include:
   a. directing InternetNZ to correct any details in the Register
   b. directing InternetNZ to transfer a .nz domain name to a new Registrar
   c. directing InternetNZ to cancel a .nz domain name
   d. any other action DNCL considers appropriate in the circumstances.

48

Actions in relation to Registrars

12.2.12. Examples of the sorts of actions DNCL can take under clause 12.2.8 in relation to a Registrar include:
   a. suspending some or all of the Registrar's functions, entitlements or rights
   b. directing the Registrar to undertake or to reverse a transaction
   c. directing the Registrar to take or not to take any action in connection with a .nz domain name, or information or money connected with a .nz domain name
   d. directing the Registrar to publish a statement on its website
   e. directing the Registrar to pay money to any party that DNCL has determined has suffered loss as a result of a breach
   f. removing the Registrar's authorisation
   g. any other action DNCL considers appropriate in the circumstances.

12.2.13. DNCL can take an action against a Registrar under clause 12.2.8 regardless of whether the breach was committed by the Registrar or a Reseller or other person using the Registrar's systems.

12.2.14. DNCL can take steps or create initiatives intended to ensure that Registrars do not unduly benefit from, or be prejudiced by, their size or by the nature of their operation including geographical location inside or outside New Zealand.

Actions in relation to Domain Name Holders

12.2.15. DNCL must not suspend or cancel a .nz domain name under clause 12.2.8 unless DNCL determines that:
   a. the Register data for that .nz domain name is incorrect and DNCL has made more than one attempt to contact the Domain Name Holder
   b. the warranty the Domain Name Holder gave in clause 2.2.3 was misleading or incorrect or the Domain Name Holder has failed to comply with its obligations under these .nz Rules
   c. the Domain Name Holder obtained the .nz domain name by fraud or deception
   d. cancelling the .nz domain name is necessary to preserve the integrity of the .nz Register or the security, stability or resilience of the DNS.

12.2.16. The Commissioner can change the Registrar of a .nz domain name, or suspend, assign, cancel or impose a Compliance Lock on it, if:
   a. not doing so would be contrary to the terms of an order from a court or tribunal of competent jurisdiction or otherwise unlawful
   b. necessary to preserve the security, stability or resilience of the DNS
   c. there is an emergency or exceptional circumstances (for example, terrorist attack, cyber security attack, pandemic, or other force majeure event) and the Commissioner reasonably considers:

49

       i.   the use of the .nz domain name is causing, or may cause, irreparable harm to any person or to the operation or reputation of the .nz domain space

      ii.   the action would mitigate or minimise the harm and be proportionate to it.

12.2.17. ==The Commissioner can impose a Compliance Lock when a .nz domain name has been sanctioned~~.~~ or to preserve the position of a Party using the Dispute Resolution Service or during an investigation.== A locked .nz domain name cannot be amended in any way by the Registrar (including being transferred, cancelled or released).

12.2.18. DNCL will not attempt to recover money owed to the Registrar or any third party in relation to any enforcement action it takes. Neither DNCL nor the Commissioner shall be liable for any direct or indirect loss or damage suffered by a Domain Name Holder or any third party, arising out of any act or omission in connection with the exercise in good faith of the powers provided for in clauses 12.2.8 and 12.2.16.

12.2.19. Any action taken by the Commissioner under clause 12.2.16 can be made public, including the nature of the incident being dealt with and the timeframe for which the temporary approach is anticipated. Use of this power can also be included in the Commission's transparency reporting.

Effect of Compliance Lock

12.2.20. If a Compliance Lock is put on a .nz domain name:
    a. a Registrar must not seek to amend its registration in any way (including trying to assign, transfer, cancel or ==~~made~~ make== available for registration)
    b. no amendment on the .nz Register can be processed.

Enforcement against Resellers

12.2.21. If the Commissioner determines that a Registrar does not offer registrar services to the public or any section of the public (however selected), all users of the Registrar's services must be treated as Resellers under these .nz Rules. For the purpose of this clause, "public" includes government departments, offices or agencies.

12.2.22. If a Registrar identifies or is notified by DNCL that a Reseller has breached of these .nz Rules, the Registrar must promptly inform the Reseller:
    a. how the Reseller has breached these .nz Rules
    b. what the Reseller must do to remedy the breach
    c. when the Reseller must take action by (the **Deadline**)
    d. the penalties the Registrar will impose or steps the Registrar will take if action is not taken within the timeframe.

12.2.23. The Deadline must take into account:

50

a. the gravity of the breach and its consequences on Domain Name Holders
b. the urgency with which the breach needs to be remedied
c. the time within which the Reseller can ~~practicability~~ practicably remedy the breach.

12.2.24. If the Reseller does not remedy the breach by the Deadline, the Registrar must:
a. advise the Commissioner that the breach has not been remedied
b. seek the Commissioner's approval to impose one or more of the penalties or steps specified in clause 12.2.22(d).

12.2.25. The steps a Registrar can take under clause 12.2.22(d) include transferring the direct responsibility for managing .nz domain names involved from the Reseller to Registrar.

12.2.26. The Commissioner can approve the transfer of direct responsibility for managing the affected .nz domain names from the Reseller to the Registrar if the Registrar can demonstrate to the satisfaction of the Commissioner:
a. the Reseller's breach has negatively affected Domain Name Holders
b. the Registrar has informed the Reseller of the matters specified in clause 12.2.22
c. the Deadline is fair taking into account the factors in clause 12.2.23(a) and (b)
d. the Registrar has an agreement with the Reseller that specifies that direct management of .nz domain names can transfer to the Registrar if the Reseller breaches these .nz Rules.

12.2.27. Despite clause 12.2.26(d), the Commissioner can direct a Reseller to transfer direct responsibility for the management of the affected .nz domain names in the absence of an agreement between the Registrar and the Reseller if the Commissioner:
a. has taken steps to assist the Reseller to become compliant
b. has followed due process in any investigation that could lead to their names being transferred to the Registrar
c. considers there are exceptional circumstances that make the transfer desirable.

12.3. Procedures and requirements

12.3.1. The Registrar must consult DNCL before sending the notice in clause 12.2.22.

51

Schedules

Schedule 1 - Policy Development Process

Schedule 2 - Dispute Resolution Service

[No changes yet]

Schedule 3 - Conflicted Name Process

[No changes yet]

52

Schedule 1 – Policy Development Process

This Schedule sets out the processes that InternetNZ must follow when creating or amending .nz policies.

1. Starting a policy process

1.1.   InternetNZ can start a policy process on its own initiative or following a request under clause 1.3.

1.2.   In deciding whether to start a policy process, InternetNZ will take into account the .nz Principles, operational needs and the impact not starting a policy process would have on the parties involved in .nz.

1.3.   Anybody can contact InternetNZ or DNCL to request:

    a.   an amendment to the .nz Rules

    b.   that a part or parts of the .nz Rules be reviewed.

1.4.   On receiving a request under clause 1.3, InternetNZ must:

    a.   publish the request on the InternetNZ website as soon as reasonably practicable

    b.   decide whether to begin a policy process in response to the request.

2. Policy process

2.1.   If InternetNZ decides to begin a policy process, it can adopt any process it considers appropriate, as long as it complies with clauses 3 and 4.

3. Minimum engagement requirements

3.1.   If the policy process involves a proposed amendment to any part of the .nz Rules other than the Procedures and Requirements, InternetNZ must ensure that it consults with anybody affected by the proposed change before making final policy decisions.

3.2.   If the policy process involves a proposed amendment to the Procedures and Requirements, InternetNZ must notify the public at least 20 working days before the changes come into effect.

3.3.   InternetNZ can determine the appropriate scope and process for consultation under clause 3.1 having regard to the nature and circumstances of the policy or amendments being developed.

53

3.4.   InternetNZ must publish any submissions it receives on the InternetNZ website along with any consultation papers.

3.5.   The validity of any amendment made to the .nz Rules will not be affected by any perceived or actual flaw in a consultation process.

4.   Engagement with Māori

4.1.   InternetNZ must inform itself about whether any Māori interests would be affected by any proposed change to the policies.

4.2.   If Māori interests would be affected, InternetNZ must determine what level of engagement with Māori is appropriate, having regard to the nature and strength of those interests, balanced against other relevant interests.

4.3.   Depending on the nature and strength of the interests involved, the engagement may involve engaging with Māori as part of the consultation in clause 3 or an additional or parallel engagement process.

[Note: this section is to be discussed and will form part of the Māori engagement plan.]

5.   Publication of process and decisions

5.1.   InternetNZ must make all consultation papers issued and submissions received available on its website.

5.2.   InternetNZ must publish the final policy decisions as soon as reasonably practicable after they have been made.

6.   Interim Policy

6.1.   InternetNZ can urgently amend .nz Rules without following clauses 3 and 4 if InternetNZ determines that circumstances require the amendment immediately to preserve the integrity of the .nz Register or the security, stability or resilience of the DNS (for example, security related issues).

6.2.   An amendment made under clause 6.1 must:

a.   be identified as an interim policy

b.   be reviewed in accordance with this policy as soon as practicable.

6.3.   An interim policy still in effect after six months must be reviewed by the InternetNZ Council, unless otherwise agreed by the Council.

54

Schedule 2 - Dispute Resolution Service

Please refer to
https://internetnz.nz/nz-domains/nz-policies/dispute-resolution-service-policy/

55

Schedule 3 - Conflicted Name Process

[Note: This will be revised during the next tranche of policy changes]

~~Please refer to clauses 9 & 10 in~~
~~https://internetnz.nz/nz-domains/nz-policies/operations-and-procedures/~~

1. Registration of Domain Names at the Second Level

1.1. In order to avoid confusion the names 'gov', 'government', 'com', 'edu', and 'nic' cannot be registered at the second level.

1.2. An Equivalent Name was a name at the second level which matched the name registered at the third level (for example, anyname.nz was the Equivalent Name for anyname.co.nz); a Conflicted Name is a name which appears at the third level in more than one second level meeting the criteria in clause 1.1.

1.3. Registrants who were either a councillor of InternetNZ or a director of DNCL or a director of NZRS Limited or a staff member or contractor of any of those three entities, or were from 1 September 2011 to 30 May 2012, qualified for the Conflicted Name process only if the Registrant has a Conflicted Name as at 1 September 2011, that at 1pm 30 September 2014 was registered and whose registration has been continuous.

1.4. The reason there is a different date for eligibility for the Registrants defined in 1.3 is to ensure there is no conflict of interest. 1 September 2011 pre-dates any discussion about a possible change to the .nz registration structure.

2. Conflicted Name Process

2.1. Registrants holding a domain name that meets the following criteria can use the Conflicted Name process:

    2.1.1. a name registered as at 9.00am 30 May 2012; and

    2.1.2. that at 1pm 30 September 2014 was registered and whose registration has been continuous; and

    2.1.3. is not subject to clause 1.3; and

    2.1.4. the name is conflicted,

    2.1.5. by following the process outlined in clause 2.1 to 2.9.

    2.1.6. For example, as at the time given, 'anyname.co.nz' is not the only domain name for the term 'anyname'; 'anyname.org.nz' is also registered. The

56

names 'anyname.co.nz' and any other 'anyname' registration are conflicted, and Registrants must follow the Conflicted Name process described in clauses 2.1 to 2.9.

2.2.   Where there is a Conflicted Name, each Registrant of the Conflicted Name must indicate by 18 October 2017 via a nominated DNCL website that they either:

   2.2.1.   would like the opportunity to register the Equivalent Name for possible registration as a .nz domain name at the second level; or

   2.2.2.   do not want to register the Equivalent Name for possible registration as a .nz domain name at the second level, and do not want any other party to register the Equivalent Name as a .nz domain name at the second level; or

   2.2.3.   do not want to register the Equivalent Name for possible registration as a .nz domain name at the second level, and do not object to another Registrant registering the Equivalent Name as a .nz domain name at the second level.

2.3.   If a Registrant of a Conflicted Name did not indicate a preference by 18 October 2017 (clause 2.2) then that Conflicted Name ceased to be a Conflicted Name and has no involvement in the Conflicted Name process.

2.4.   Where all Registrants in the Conflicted Name process for the Equivalent Name have indicated the preference of 'do not want and do not object to another', as specified in clause 2.2.3, then DNCL will deem the conflict resolved, and the Equivalent Name released for registration on a first come, first served basis at a time determined by DNCL.

2.5.   A Registrant of a Conflicted Name may register the Equivalent Name once the conflict is resolved. DNCL will advise the Registrant of the opportunity to register the Equivalent Name. The Registrant will have 2 months from the date of advice to register the Equivalent Name at the second level.

2.6.   Where the Registrants of a Conflicted Name have come to an agreement, the Registrants will advise DNCL of the agreement via a nominated DNCL website. DNCL will advise the agreed Registrant of the opportunity to register the Equivalent Name.

2.7.   Proof of the consent of the other Registrants may be required as part of the application for registration. Consent will be recorded through a nominated DNCL website. DNCL may make such an inquiry as it thinks necessary to verify that consent has been given to the Registrant by the other Registrants of the Conflicted Name.

2.8.   DNCL may decline the Equivalent Name at the second level if the DNCL is satisfied that the consent of any of the Registrants with the Conflicted Name:

57

2.8.1.   has been obtained through a breach of any law; or

2.8.2.   is inconsistent with any DNCL policy.

2.9.   It is the responsibility of the Registrant with a Conflicted Name seeking registration at the second level to obtain the consent of the other Registrants with the Conflicted Name. DNCL will offer advice and information to the Registrant if required and may also offer the use of a facilitator to assist in the process.

2.10.   The Conflicted Names Process is intended for conflicted parties. Where DNCL can demonstrate that the same entity is the Registrant of each of the domain names in the Conflicted Names process DNCL will contact the Registrant to direct them to resolve the conflict within a time specified by DNCL. Failure to resolve the conflict once notified by DNCL may result in DNCL deeming the conflict resolved and the Equivalent Name released for registration on a first come, first served basis.

2.11.   For clarification purposes, if a name has been identified as a Conflicted Name and more than one Registrant of the Conflicted Name has expressed an interest in registering the Equivalent Name, then the Registrants of the Conflicted Name are not required to resolve the conflict. The Conflicted Name may remain unavailable for general registration indefinitely unless clause 2.10 applies.

2.12.   The Conflicted Names process will be regularly reviewed in line with normal .nz policy development and review processes.

58

Overview of proposed changes

Section	Clause	Reason for amendment	Text
Interpretation	1 - "Domain Name Holder".	The .nz Register and DNC query search tool refers to 'registrant' and the definition refers to 'domain name holder'. Definition of 'domain name holder' in rules proposed to be updated to match current practice.	Domain Name Holder means the person <u>or lawfully constituted entity named on the .nz Register and identified in the 'Registrant Name' field as the result of a Query Search via the DNCL website domain lookup tool</u> ~~named on the .nz Register as the 'Domain Name Holder Contact'~~ and includes a prospective Domain Name Holder if the context requires
Operational Rules - Optional features of .nz domain names - Privacy Option	Clause 6.2.3	The DNC are observing a large number of domain names with the Privacy Option in place and where the eligibility criteria has not been met. Rules updated that the Privacy Option is only available to those who meet the criteria.	If an applicant seeking to register a domain name on the .nz Register or a Domain Name Holder at any other time tells their Registrar that they want to opt in to the <u>P</u>rivacy <u>O</u>ption, the Registrar must direct InternetNZ to apply the Privacy Option in relation to the .nz domain name <u>if the applicant or Domain Name Holder meets the eligibility criteria in clause 6.2.1.</u>

1

Operational Rules - Domain Name Holder Obligations	Clause 8.2.6	A Registrar or Reseller can not register domain names in their own name unless using the domain name themselves. The requirement for a direction from a domain name holder is already in clause 8.2.5.c. Rules updated to make the drafting more clear. Duplication removed.	A Registrar or Reseller must not ~~can~~ register or update a domain to be registered in its own name ~~without a direction from a Domain Name Holder If~~ unless the Registrar or Reseller intends to use the domain name itself.~~A registrar does not intend to use a domain name itself if it intends to~~ A Registrar must not enter into a lease, licence or any other arrangement with a third party ~~for whose benefit the domain name would be managed~~ resulting in the Registrar or Reseller registering a domain name in that Registrar or Reseller's own name but held for the benefit of that third party.
Operational Rules - Domain Name Holder Search	Clause 10.2.29	Clause 10.2.26 allows a member of the public to make Domain Name Holder Search requests,as well as Domain Name Holders. As currently worded, a ban can only be applied to Domain Name Holders who misuse the information but member of the public should also be subject to a potential ban.	If DNCL considers, on reasonable grounds, that ~~a Domain Name Holder~~ any person has misused the information arising from a Domain Name Holder Search request, it can ban ~~the Domain Name Holder~~ that person from making another request for any period DNCL considers appropriate.
Procedures and requirements -	Clause 10.3.1(i)	The details shown under the current query search offered by DNC	InternetNZ or DNCL will make the following details available....

2

Information Management		provides 'Registrant Contact Details' but this is not reflected in the rules. Rules updated to match current operational practice.	i. Domain Name Holder Contact Details <u>(or Registrant Contact Details, as the case may be).</u>
Operational Rules - Removing authorisation	Clause 11.2.5	The clause refers to connecting to InternetNZ when it should say the .nz Register Rules updated to remove typo.	The Commissioner can remove a Registrar's authorisation if the Registrar: a. Has not connected to ~~InternetNZ~~ <u>the .nz Register</u> ….
Operational rules - Investigation of enquiries between the Domain Name Holder and Registrar	Clause 12.2.4	The clause refers to seeking information after having determined a breach has happened. It should allow collection for the purpose of investigation. Rules updated to be more effective.	If DNCL determines that a party has ~~not complied with and/or~~ breached <u>or likely breached</u> a .nz Rule or associated agreement or contracts, it may request [information etc].
Operational rules - Enforcement - actions in relation to domain name holders	Clause 12.2.17	The clause does not allow for compliance locking during an investigation. This is needed, for example, to stop a domain name expiring and being released to the market during an investigation. Rules updated to be more effective.	The Commissioner can impose a Compliance Lock when a .nz domain name has been sanctioned~~.~~ <u>or to preserve the position of a Party using the Dispute Resolution Service or during an investigation</u>. A locked .nz domain name cannot be amended in any way by the Registrar (including being transferred, cancelled or released).

3

	Schedule 3	Content that makes up schedule 3 is currently a cross reference to a retired policy. Rules updated to be more accessible.	Clause 9 and 10 of the retired operations and procedures policy to be copied into .nz rules as schedule 3 and the clauses consequently re-numbered.
	Clause 5.2.1, 10.2.13, 10.2.17, 10.2.20, 10.2.25, 10.2.26(b), 10.3.6(b)(i), 10.3.11(f), 12.2.20(a), 12.2.23(c).	Minor grammar changes	

*Capitals are used to refer to terms that are defined.

4

internetnz

COUNCIL - August 2024

President Report

AUTHOR: Stephen Judd, President

PURPOSE: To provide a report back to Council on the President's activities during August 2024

Introduction

In the short time since our election I have been meeting and in calls with our CE, our senior staff, councillors and members. Kia ora and thank you to everyone who has been striving to make me well-informed and ready to roll. To the extent I am not, the fault is mine.

I congratulate Anjum Rahman on her election to vice-president and Richard Hulse on his successful re-election. Welcome back! I am looking forward to working closely with Anjum and with you all.

Comment

This year I am committed to further advancing our ring-fencing of funds for community philanthropy work, getting our constitution successfully renewed and adopted, continuing our work to become Te Tiriti-centred, and staying engaged with all our stakeholders.

In discussions with members before and after our election, it has been striking how issues that councillors would consider well in hand are still on members' minds. While we know that respondents to our survey revealed a strikingly high level of commitment to reading council papers, we have to remember that respondents were just that. It seems likely that the large number of members who did not respond are far less in touch than we might hope.

As councillors, we have a responsibility to engage directly with members, consistent with our roles as governors but also as representatives. I will be encouraging council to be present and active in this way during my term. Nethui is our first major opportunity to do this but we should seek more.

Beyond that, many have expressed concern that we are "inward-focussed". Good governance necessarily means looking inward and outward, but we must be *seen* to look outward. In assessing our agenda I will always be aiming to prioritise our external stakeholders and our wider internet community.

Governance

Induction of president and vice-president

- President's induction (briefings from CE and TKT; training in corporate systems)
- Initial fortnightly call between CE, President and Vice President
- Check in with councillors
- Introduction with staff

Council meeting for August

- review of agenda
- preparation
- pre-meeting "pop-up" session with available councillors

By-election

- Review of paper to come to council for approval

We are constitutionally required to have a by-election to fill our now-vacant council positions. I hope we will see new councillors who improve our collective balance and range. I urge councillors and members at large to carefully consider the composition of our current council and to nominate people who will bring different outlooks and missing skills. Because of our constitutional arrangements continuity is near-assured. We should not be scared to renew and refresh.

Committees

It is usual to review our committees and their terms of reference after an election. This election created vacancies and so we can expect two new councillors after the by-election. It makes sense to me to delay this activity until the by-election so we can take proper advantage of the skills and experience new councillors will bring.

DNCL

As a member of council but after election as president, I was able to participate in a strategy day for DNCL along with councillor Kate Pearce. The day traversed a range of areas from speeding up and boosting our ability to proactively detect rule violations in registration, benchmarking against peer organisations in other tlds, relationships with registrars, and integrating the wider group's Te Tiriti-centric ambitions into DNC.

The day showed how DNC is actively seeking to become more effective, but also was a useful deep dive into DNC's world for me. It also highlighted the depth of Kate's knowledge and acumen.

QUARTERLY REPORTING

REPORT ON Q1 2024/25

Introduction from Tumu Whakarae

Kia ora,

April, May and June in InternetNZ's annual calendar are hard work months after the set up and planning that takes up so much of the 4th Quarter each year. The report below provides a strong overview of the range of areas we are in action right across the organisation. The balance between internal and external focus has also substantially changed with community engagement on NetHui 2024, consultation with members on .nz rules and on Internet Governance as well as preparation for the Council election. NZNOG 2024 saw a return of InternetNZ staff in bigger numbers including presentations and this engagement with the technical community will continue. Supporting APNIC 58 conference here in Te Whanganui a Tara has also meant we have been working with colleagues across Australia and the Pacific. Connection points with Government also continue to grow and deepen with advice being sought from MFAT on GDC processes and policy advice given in very tight timeframes.

The InternetNZ staff team have been focussed and committed to our agreed work programme over this Quarter and I acknowledge the breadth and quality of the work being done.

Vivien Maidaborn
Tumu Whakarae | Chief Executive
InternetNZ | Ipurangi Aotearoa

Rei kura: treasured teeth - **The focus of our action and mahi**

Our plan for 2024-2025 includes seven key strategic goals. The status of our work is summarised below:

Goals and Value	Progress
Goal 1 - A **thriving .nz** operation that is **resilient** and **sustainable**	
InternetNZ provides .nz as a public good. Aotearoa New Zealand has a high trust domain name service, and a well-functioning internet as critical infrastructure. A thriving .nz provides funding to invest back into our communities so we support an internet that benefits all. InternetNZ will increasingly be able to measure the impact its operation has on the climate.	The DNSSEC return to operations work which took place over 4 maintenance windows in late July and early August concluded the KSK (Key Signing Key) rollover that was started and halted in the May 2023 DNSSEC incident. This results in a new key material for the backup DNSSEC chain being generated and transitioned into use. With the Conclusion of this new validated process we will now start work on the delayed ZSK (Zone Signing Key) rollover on the backup chain, then transition the active signing system to backup, promoting backup to active and perform the same process again on the formally active chain to roll the old keys in that chain. The .nz rules review program for 2024-2025 has been published. A consultation on minor amendments to the .nz rules took place in May and June; and proposed new .nz Rules have been prepared for submission to the InternetNZ Council. A pulse check on the management of conflicted domain names commenced with the first tranche of the conflicted names survey, and other targeted engagements, being undertaken in June.

Goals and Value	Progress			
Service availability				
		April	**May**	**June**
	DNS	100%	100%	100%
	Registry (EPP)	100%	100%	100%
	Registry (Portal)	100%	100%	100%
	WHOIS (Port 43)	100%	100%	100%

Goal 2 - **Revenue growth** year-on-year by:

- Increase registrar engagement to support competitive market
- Provide wholesale domain name services to two other registries

A focus on business growth through new services and stimulated growth will support InternetNZ's strategy and goals. Understanding the drivers of our business model and public impact funding enables InternetNZ's business model to be resilient and better able to respond to future changes.	This has been a busy quarter for implementing a range of initiatives as a result of the 2024-2026 Product Strategy. To support our target of 15,000 new .nz registrations that are attributable to campaigns, a series of small experimental campaigns have been commissioned and are being tested. In parallel to these experimental campaigns, our capability to undertake scaled campaigns is being developed. This new capability is foundational to being able to deliver on this particular target. In addition, we started our registrar engagement programme this quarter, which will become an ongoing activity moving forward. The Registry Lock (Lite) add-on feature for .nz domains has entered the design and testing phase. Billing processes required to support the feature are in development and are also being tested. There continues to be evidence of market demand for this feature and we remain on track to launch this feature in the current financial year.

Goals and Value	Progress
	Our careful new venture into a broader application of providing wholesale domain name services is well underway. We are in advanced negotiations with multiple TLDs for us to provide a variety of wholesale domain name services on a commercial basis. This will create new revenue streams, distinct from .nz derived revenue. It is expected that these new revenue streams will be realised in the next quarter.
Revenue Growth - Domains	

	Apr 23	Apr 24	May 23	May 24	Jun 23	Jun 24
Creates	7,521	8,101	9,793	8,449	8,404	7,535
Renews	49,840	51,289	54,214	53,743	51,656	50,184
Cancels	10,358	9949	10,558	10,873	10,299	10,065
Uncancels	2,369	2136	3,062	2,272	2,372	2,181
DUM*	756,558	747,217	758,078	747,010	758,495	746,566

Domains Under Management

Goal 3 - Centering Te Tiriti o Waitangi in InternetNZ	
InternetNZ strengthens Te Tiriti o Waitangi within our own internet community and internet governance. InternetNZ's journey to being a Te Tiriti o Waitangi centric organisation is visible to our kaimahi, partners and internet communities.	InternetNZ successfully recruited the new Tumu Kaupapa Māori completing the Te Kāhui Tumu leadership and restructure of Te Puni Māori. Several wānanga were achieved by Te Puni Māori resetting the puni's function, role, goals and strategic objectives. Draft planning was initiated during this quarter to develop InternetNZ's Te Tiriti o Waitangi centric vision and strategy.

Goals and Value	Progress
Te Ao Māori perspectives increasingly inform our mahi. The comprehensive Te Tiriti Plan provides focus and definition of what Te Tiriti centred means for INZ Group in any particular year.	InternetNZ also attended the National Maōri Business conference, Te Ao Matihiko Awards as well as engaged other key Māori stakeholders in our Internet Communities to build our relationship portfolios and hāpori Māori.

Goal 4 - **New Zealand's voice is heard** and contributes to **good global internet governance**

A clear NZ perspective and narrative on internet governance policy supports an open, free, secure and interoperable Internet because it's critical to Aotearoa's economic growth and social and cultural wellbeing. InternetNZ advocates for a single, global Internet and its multistakeholder governance. We work to model, defend and improve this model of internet governance. InternetNZ participates in forums and processes to help shape an internet that benefits all the people of Aotearoa. NZ's voice is informed by our internet communities' perspectives. We are able to present their perspectives and our insights into national, regional, and international forums and meetings.	Internet Governance An Internet governance paper that articulates a cohesive Internet governance work programme across InternetNZ is on the August Council agenda. InternetNZ has continued to work with auDA, CIRA and Nominet to develop and launch a Technical Community Coalition for Multistakeholderism (TCCM). TCCM aims to raise the global Internet technical community's collective voice to defend multi-stakeholderism in the ongoing United Nations' dialogues about the future of Internet governance: Collaborating for multistakeholder Internet governance » InternetNZ This quarter, the focus has been on the Global Digital Compact which is being negotiated by United Nations Member States in New York. The TCCM has developed joint positions and statements to feed directly into this process. InternetNZ also provided direct input to the New Zealand government on the draft Internet governance related provisions as well as other policy provisions of the Global Digital Compact throughout this quarter, to support and inform negotiators. InternetNZ has engaged in a number of international Internet governance forums during the quarter to support the multi-stakeholder system, maintain relationships with the international Internet community, and help shape the Internet's

Goals and Value	Progress
	development for the benefit of Aotearoa. This includes (in person and virtual) attendance at NETmundial+10, the WSIS+20 Forum High Level Event, and ICANN80. We engaged in the ICANN ccNSO policy process by voting to support the adoption of a new policy that paves the way for non-Latin script country code Top Level Domains and their variants to become available for domain name registration. This is an important step towards an Internet that is accessible to everyone notwithstanding their cultural and linguistic background. We have continued our host country support of APNIC58 to deliver their Wellington conference in early September, including programme development, youth programmes, and supporting welcome and visa processes. We are also supporting PAC IGF Fellowships through funding, and invites have been sent to local Pacific MPs and MFAT inviting them to attend. We have begun discussions with MFAT on how they might strengthen their support for PAC IGF as part of their digital programme, and development and capability building in the Pacific. Strengthening advocacy We continue to strengthen our government connections including meetings with MFAT, Privacy Commissioner's Office, and MBIE. We continue to advocate our perspectives on the Internet and Internet-based technologies through op-eds from the Chief Executive, which are increasingly being picked up by local media. And our Internet Insights report stats continue to be used in media stories and more recently in a Cabinet paper. NetHui 2024 NetHui 2024 programme development and ticket registrations went live on 18 July. The programme sessions were developed through community submissions and a community panel. A Health and Safety plan has been drafted, we are undertaking a security risk assessment on site with the venue, and many staff have completed the personal safety and conflict management training. Keynote speakers have been

Goals and Value	Progress
	invited. Venue logistics are underway, and the networking event design has commenced.

Goal 5 - **Revitalised InternetNZ** through

- modernising our constitution
- refreshing our brand/identity
- Centering Te Tiriti

Modernise the InternetNZ Constitution to reflect the legal requirements and being a Te Tiriti centric organisation	In Q1 2024, a key focus was on establishing the codesign group and instigating the writing process. The focus in Q1 has been on setting the scene and supporting the codesign group to contextualise the information required to undertake its remit. That is, to make proposals on the constitutional arrangements of our governance and membership, and guide setting the objects of the organisation. They have met 4 times so far, with the most recent engagement focused on what proposals will be put forward for testing through the engagement programme anticipated in Q2. We delivered 5 online workshops for staff (1), council (1) and members (3) to engage specifically on the objects of the organisation. Community engagement through this period has been lighter given the focus on the codesign group, however, we continue to engage iwi, hapū and community organisations on the constitution and have a focused targeted engagement plan in place for Q2. The writing group got underway with ensuring robust information was available regarding our legal obligations, with an assessment of where most of the work will be required in terms of writing.
InternetNZ and our environment has changed since 2019. We need a refreshed brand that represents us as a Te Tiriti - centric organisation.	<u>Membership engagement</u> The annual membership renewal process took place, members that did not renew by 31 March 2024 held 'grace member' status until 30 June 2024. We sent out four

Goals and Value	Progress
	renewal emails encouraging members to renew their membership. We have had 18 new members join InternetNZ in the last quarter. Members were invited to participate in following engagements: • Annual membership survey. • Opportunity to make a submission to the NetHui programme. • Quarterly CE and members online hui. • Three constitutional review workshops on the Objects of InternetNZ. • An invitation to engage with our International Policy Lead on the future of Internet governance. As well as the above, nominations for Council opened in June and preparation for the InternetNZ AGM took place. In Q2, the insights gathered in the annual membership survey will be used to improve the membership engagement plan. A new quarterly email will be sent to members from the Chief Executive, updating members on what's been happening in the national and international Internet community and also at InternetNZ. Work will commence on establishing the members' moderated mailing list. Planning for the by-election created by vacancies from the recent elections is well underway. The Annual Report 2024 was developed over the last quarter and was published on the InternetNZ website in July prior to the AGM. The report included progress updates on centering Te Tiriti and the Systemic Racism Review actions.
Goal 6 – The **role** of the Domain Name Commission is **valued by market participants**	
Registrars understand their obligations and implement best practices.	[Link to DNC Q1 Report](#)

Goals and Value	Progress
Registrars are responsive to Domain Name Holder requests. Domain Name Holders are aware they can contact the Domain Name Commission with complaints and enquiries.	
Goal 7 - **Partnership and collaboration** with diverse communities for an internet that benefits all of Aotearoa	
As a membership organisation InternetNZ continues to provide a number of avenues for membership to engage on accountability, strategy, public policy and key projects. InternetNZ builds strong reciprocal partnerships and relationships that support engagement with Māori communities and the internet community. We ensure we have sustainable funding models into the future. Our internet governance role is supported through community partnerships and grants, relationships and collaborations. We demonstrate InternetNZ's public good role through the sharing of insights, research, and case studies of impact.	<u>% of funding to Māori partners</u> We are on track to increase the overall percentage of funding to Māori partners and organisations again this year. Currently, 14.86% of funding distributed so far this year has gone to Māori organisations or individuals. Over the coming months we are working with Taiki e! to pilot a place-based incubator-style grant round in Te Tairāwhiti. And we are also in the process of working through funding commitments for this year particularly with Māori partners. We continue to strengthen relationships that support engagement with Māori communities and the internet community. <u>Implementing the Membership Engagement Plan</u> A project plan is in development for upgrading the members' platform on Civi, and implementation will commence later this year. <u>DPMC funding</u> Our contract with the Department of Prime Minister and Cabinet to administer the 'One-off fund to build resilience against disinformation' is almost complete. We are on track to finish the final supplementary reporting by the end of August. The primary report was published in June.

Goals and Value	Progress
	We began the new Broadband Map product strategy implementation this quarter. Clarifying roles and responsibilities within the team, defining customer experience of the Broadband Map data providers and users, establishing the data providers engagement program, auditing the processes, updating documentation and preparing for the data pipelines improvement work.

internetnz

COUNCIL MEETING - August 2024

Audit and Risk Committee

AUTHOR: Anjum Rahman
FOR: Audit and Risk Committee Report back to Council
REPORT: June 2024 to July 2024

Report back to Council

The Audit and Risk Committee held their meeting on 21 June 2024.

The following Agenda items were discussed:

- The Committee approved the final accounts, so that the audit could be completed. Subsequently, all reports and paperwork was signed and audited accounts delivered on time for the AGM.

- The Committee met separately with the auditor on 1 July, due to the unavailability of the auditor. While there were no issues of concern, there was a good discussion on the Statement of Service Performance, with the following suggestions coming through:
    - Making sure that our strategy (which is reported on in the SSP) ties back to our charitable objects in our constitution. This is particularly important if the charitable objects change significantly during the constitutional review process, which would mean a major change to what we report in the SSP.
    - Making sure that the internal Monitoring, Evaluation and Learning systems also tie into the SSP, so that all of it is cohesive and consistent.
    - The auditor suggested that the SSP targets should be presented alongside the budget every year so that Council can be monitoring performance against those targets throughout the year. So maybe we can have a discussion about what that might look like.

- The Committee discussed the possibility of a forensic audit, but thought it was better to make a decision on this once the new Council is in place.

- The revised Treasury and Investment policy was approved and an implementation plan was put to the meeting, with a key date being the turn

over of term deposits in July/August. At this and other milestones, the economic climate will be considered as a review option.

- There was discussion on the policy for reviewing the investment advisor. As there is no current policy for review,the Committee requested that one be developed.

- The Committee discussed the Insurance Review Plan, noting that review needs to be completed by January 2025. Some discussion on what was needed for cyber insurance was discussed, and feedback from AUDA was shared. AUDA self-insure for outages through their reserves.

- There was a paper detailing the potential risks related to the upcoming projects. This, along with risks related to operational capacity, outcomes of the upcoming elections were discussed by the Committee.

Recommendations from the Audit and Risk Committee to Council:

- No recommendations.

Recommendation

THAT Council **receive** the report back from the Audit and Risk Committee.

internetnz

COUNCIL MEETING - August 2024

Te Komiti Whakauru Māori

AUTHOR: Potaua Biasiny-Tule
FOR: Te Komiti Whakauru Māori Report back to Ipurangi Aotearoa Council
DATE: 08 Here-turi-kōkā 2024

Chairs Report

E te Komiti ataahua, tēnā tatou.

Ka nui te mihi ki a koe, Hinemaua - nau mai haere mai ki te whānau whānui o Ipurangi Aotearoa

Kia ora e te whānau

Well it has been a busy few months since we last met together and I would like to first acknowledge Hinemaua who recently joined Ipurangi Aotearoa as well as congratulate Whetu on her amazing premiere of Taki Rua Theatre: Breaking Barriers and the love expressed on the night at the Embassy Theatre. He mihi aroha ki a korua.

I would also like to acknowledge our outgoing Tumuaki, Joy and extend our heartfelt thanks for her contribution to Ipurangi Aotearoa, and to welcome our new President Stephen, Vice-President Anjum and a welcome back to Richard.

Constitutional Co-Design Kaupapa

With recent updates to the Charities Act, the Board and the CE endorsed a process to take a refreshed view of our Constitution, which has meant greater engagement with members and a purposeful inclusion of Te Tiriti o Waitangi and aspects of diversity, inclusion & rangatahi participation. This process has been ably led by Ta'ase and Te Puni Māori, with a clear timeline, a set of legal expectations and then a series of open-ended questions to have members think about the future of the internet. I have enjoyed listening to the experiences of the members in the workshops, and appreciate the difficult task it must be for the writing team but can sense a

122

change in attitudes as we all reflect and share what we want to see and where we want Ipurangi Aotearoa to be. I will continue to update as we progress.

Māori Membership

During one of the Co-Design workshops, it was mentioned that after an informal look at the names of at least 282 members of Ipurangi Aotearoa, that 39 could be Māori. I was pleasantly surprised to hear that Māori membership is being addressed and wonder if we might be able to also look at their findings to see how we can enhance existing member experiences, as well as think about how we might be able to target future membership campaigns & potential recruitment drives.

Requests to Speak

It has been a rather busy time, with lots of calls for speakers around Māori IT & IP, Māori data governance and creating digital capacity, especially with our whanau who have suffered from the recent job cuts. In addition, there have been a series of reports released that may be relevant to our mahi, namely:

Carwyn Jones Primer on Te Tiriti o Waitangi
https://www.metuauru.co.nz/wp-content/uploads/2024/07/CJones_Primer-on-Treaty-principles.pdf

Te Kāhui Raraunga Māori Data Governance Model
https://www.kahuiraraunga.io/_files/ugd/b8e45c_803c03ffe532414183afcd8b9ced10dc.pdf

The AI Blueprint for Aotearoa 2024
https://aiforum.org.nz/wp-content/uploads/2024/07/AI-Blueprint-for-Aotearoa-2024.pdf

Māori Data Lens: AWS Well-Architected Framework
https://docs.aws.amazon.com/pdfs/wellarchitected/latest/maori-data-lens/maori-data-lens.pdf#maori-lens

Māori IT Awards

Held in July, the Māori IT Awards Night was a showcase of Maori talent all across ngā motu and highlighted the vibrant internet leadership that does the mahi, in their rohe, for their people. Though I wasn't able to attend I heard we were well represented and an amazing night was had by all. Our thanks to Te Hāpori Matihiko for their efforts.

NetHui

With Nethui fast approaching, I would like to ask if Te Komiti will be presenting during the event?

And with that, tenei te mihi e te whānau.

Na Potaua

Native Creative Hui, organised by Nga Toki Whakarurururanga to discuss issues around Māori IP and Free Trade Agreements, July 19th, Tāmaki Mākaurau

16 July 2024

The President
InternetNZ

 Via email president@internetnz.net.nz

Dear Sir or Madam

Quarter One Report: 1 April 2024 – 30 June 2024.

This report is for the three months 1 April 2024 – 30 June 2024 (Q1). It includes the Domain Name Commission Ltd (DNC) quarterly Profit and Loss Statement and a summary of some of the key activities the DNC have focused on.

Financials

At the end of June we had a net profit of $$31,079.08 against a budgeted net profit of $23,721.00.

Total Operating costs for June were $110,472.08 against the budgeted amount of $117,829.00. The savings of $7,356.92 is derived from less spend across IT services,, moderator fees and a general reduction in office and administrative expenses.

The profit and loss statement is attached at the end of this report.

Summary of DNC's performance of functions under the Operating Agreement:

Dispute Resolution Service.

The table below shows the number of new .nz domain name disputes that were submitted during Q1. It also provides a comparison with the number of Mediations and Expert Decisions issued over the previous four quarters.

1

	Q1 '23	Q2 '23	Q3 '23	Q4 '24	Q1 '24
DRS Complaints Filed	17	20	17	6	10
Mediations commenced	3	4	3	0	1
Mediation - Settlement	1	2	0	0	0
Mediation - No settlement	2	2	3	0	1
Expert Decisions Issued	7	6	7	3	0
Suspended due to court proceedings	0	0	0	0	3

Note: Mediations are the total number of mediations that have commenced that month. The reporting on Mediation Settlement/ No settlement relates to mediations that have concluded that month (potentially started the month prior). Expert Determinations are reported in the table when the decision is issued to the parties.

The number of disputes submitted during the quarter increased compared to the previous quarter, but there was an overall decrease against the same reporting period last year (during which the Online Dispute Resolution Service Pilot was being run).

Interestingly, three of the disputes submitted during Q1 were suspended as court proceedings were filed by one of the parties. Dispute Resolution Service policy requires DNC to suspended the dispute process when notified about legal proceedings[1]. This brings the current total number of suspended disputes to five[2], all of which are before the courts for issues with a wider scope than just the domain name dispute.

Only one mediation commenced during the quarter as a response was received. For the remaining 6 disputes, there was only one other instance of a response being submitted, however this did not proceed to mediation as one party (complainant) did not want to engage in mediation. This is similar to last quarter where there were no responses submitted to disputes that were commenced.

Customer Services/ Enquiry Management.

The DNC receives enquiries via multiple channels, as set out in the following graph, which provides comparisons over the last four quarters.

---

[1] Dispute Resolution Service, clause B19.1.
https://dnc.org.nz/about/compliance-and-enforcement/nz-policies/schedule-2-dispute-resolution-service/
[2] Two of these were suspended in previous financial years.

2

The graph shows a decrease across enquiries via email and phone, both from previous quarters, but also from the same period in the previous financial year.

Interestingly, there was an increase with the use of our chatbot. We saw an increase in the total number of conversations and the total number of answers provided by the Chatbot to enquiries as well.
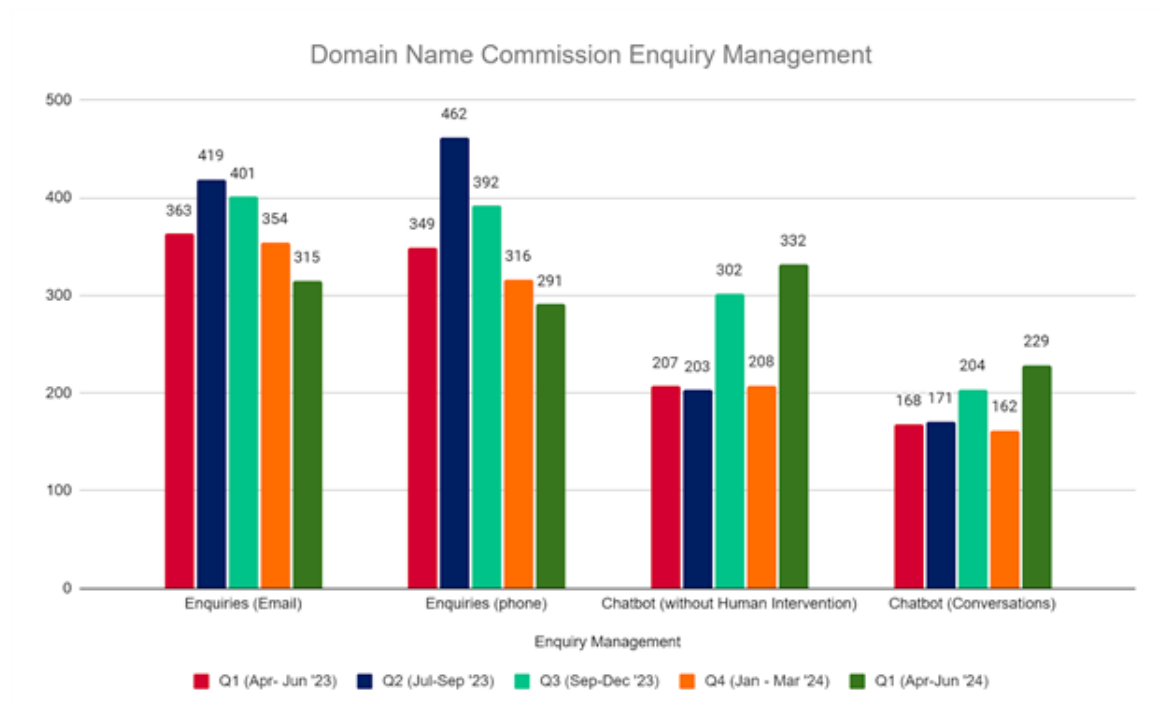
The DNC will develop the chatbot's reporting capability to better understand the themes or questions being asked.

Breakdown of type of enquiries received

The top ten types of enquiries closed (242 tickets) over Q1 and the percentage change from last quarter are set out in the table below:

Alleged Malicious .nz Reports (Data Validation)	34%	Decreased (4%)
Redemption Period	10%	Increased (5%)
Dispute Resolution Service	8%	Decreased (3%)
Conflicted Name	7%	Increased (1%)

3

Registration of Domain Names	7%	Stayed the same
Update Registration Request	5%	Decreased (4%)
Outside DNC Remit Enquiries	5%	Decreased (3%)
.nz Privacy Option	5%	Increased (2%)
Other	4%	Decreased (9%)
Authorisation Code	2%	Decreased (2%)

The DNC prioritises the redemption period enquiries (where the domain name registration has expired), as this directly affects domain name holders' ability to use their domain names for websites and/or email addresses. Given the increase in these enquiries, the DNC will reach out to registrars to recommend a review on the approach to managing these quickly.

The dip in alleged malicious .nz reports (data validation) is largely due to fewer bulk referrals from various agencies such as Police and CERT.

It is promising to see the overall percentage of Authorisation Code enquiries decrease following the outreach work DNC did with the registrars in previous quarters.

Compliance Activities - Registrars

The DNC works with registrars to resolve issues that are raised by domain name holders or other related parties (Outbound to Registrars). We also receive enquiries from registrars regarding the .nz Rules or processes the DNC administers (Inbound from Registrars). The Outbound category relates to proactive communication by the DNC to registrars for various purposes.

The following graph shows the number of enquiries by channel and compares across the current quarter and the past four quarters.

4

Compliance Activities Registrars
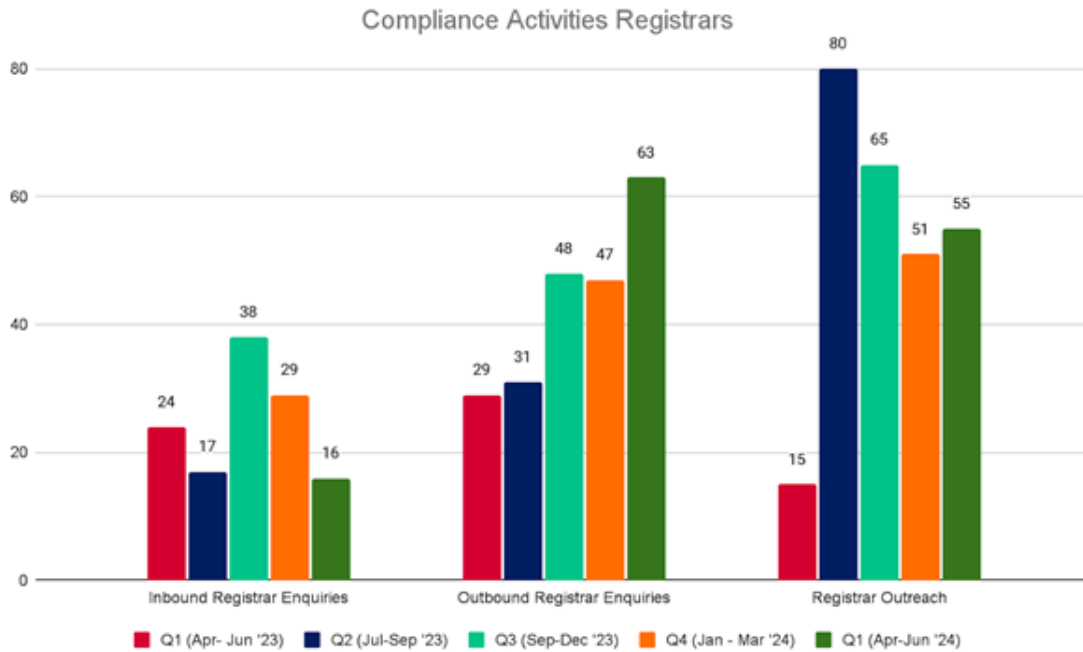
Q1, saw a decrease in the number of Inbound Registrar enquiries compared to the previous quarter and the same reporting period in the previous year.

DNC had an increase in Outbound Registrar enquiries from the previous quarter, as well as an increase in the same period in the previous year. This increase is due to a change in the DNC's process which now requires registrars to assist their domain name holders to update their registration information where it has been identified as not current or accurate as part of the DNC's DVSD process (as opposed to the DNC doing this work).

The increase in Registrar Outreach is due to the DNC now notifying registrars of .nz domain names that have been validated (as well as suspended) through the DVSD process. Some validated domain names may still be suspicious, so registrars can then decide whether to investigate any potential breach of their terms and conditions.

Compliance Activities: Domain Name Holder Data Validation

The graph below shows the classification of alleged abuse by type of harm. The three classifications are content, infrastructure, and registration:

5

.nz abuse per quarter (Types of Abuse)
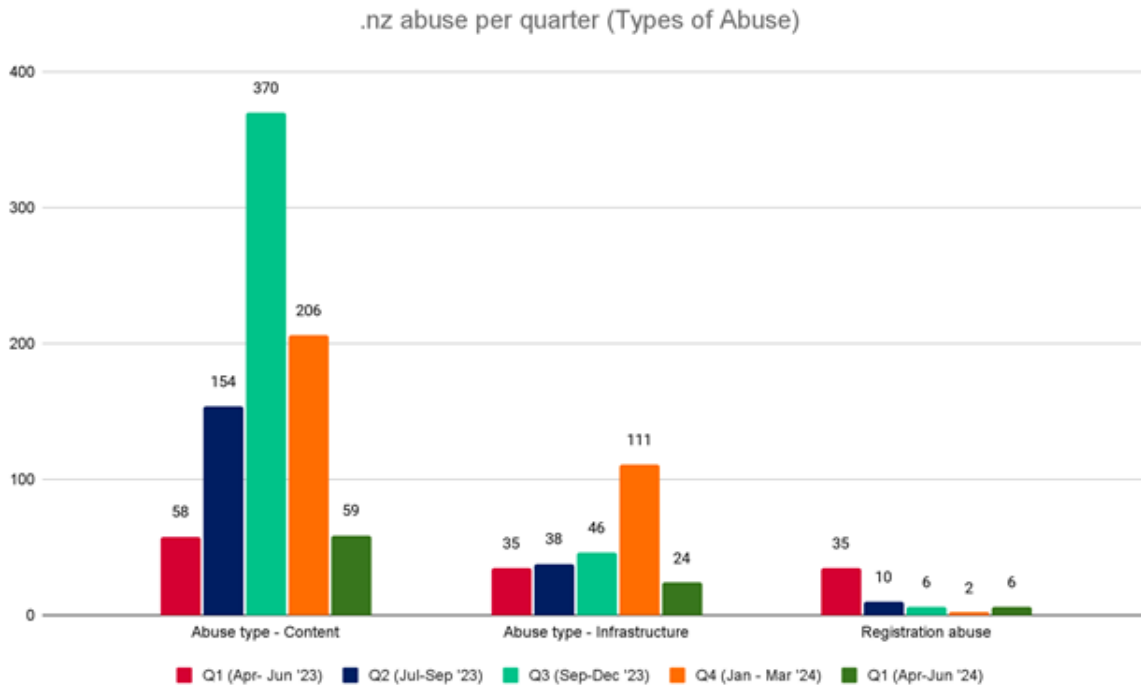
Note: .nz domain names reported can include multiple abuse types. The above graph displays the primary abuse type alleged.

In Q1 we saw a decrease from the same quarter last year and previous quarters across all abuse types, except for a slight increase in registration abuse (only compared to the previous quarter). Three of the six registration abuse tickets were alleged to be a false or nonexistent company. All three were validated as the domain name holders updated their registration information once reminded of the .nz Rule requirements.

In Q1, 67% of closed tickets were suspended, a slight increase from 64% in Q4.

6

Registrar Authorisations

|	Open from FY 23/24	April	May	June
Applications under assessment start of period	2	0	0	0
Enquiries for Application	0	1	1	1
Application Received and under assessment	0	2	0	0
Application Approved (authorised)	0	0	1	0
Application Declined	0	0	0	1

The two applications received in April are being assessed against the new authorisation requirements and the DNC is waiting on further information to be provided in order to complete the assessments..

.nz Market Commentary:

The below graph[34] shows the registrars grouped by domain names under management (DUM). It is interesting to note that sixty-one registrars have less than 10,000 DUMs (9.85% of total DUM) and at the other end of the spectrum, eight registrars have between 20,001 and 200,000 DUM (73% of total DUM). While we have a large number of registrars for the size of the .nz market, with eight responsible for 73% total DUM, the DNC is mindful of not only ensuring a competitive market but also the potential risk should one of the eight registrars experience an outage or system failure. This information will inform the development of the DNC's monitoring and compliance framework.

---

[3] Includes the DUM of both the Domain Name Commission and Internetnz who operate as registrars.
[4] It does not include any registrars that have recently been authorised, but not yet connected to the production environment of the .nz registry.

7

.nz registrar domain names under management (tranches)
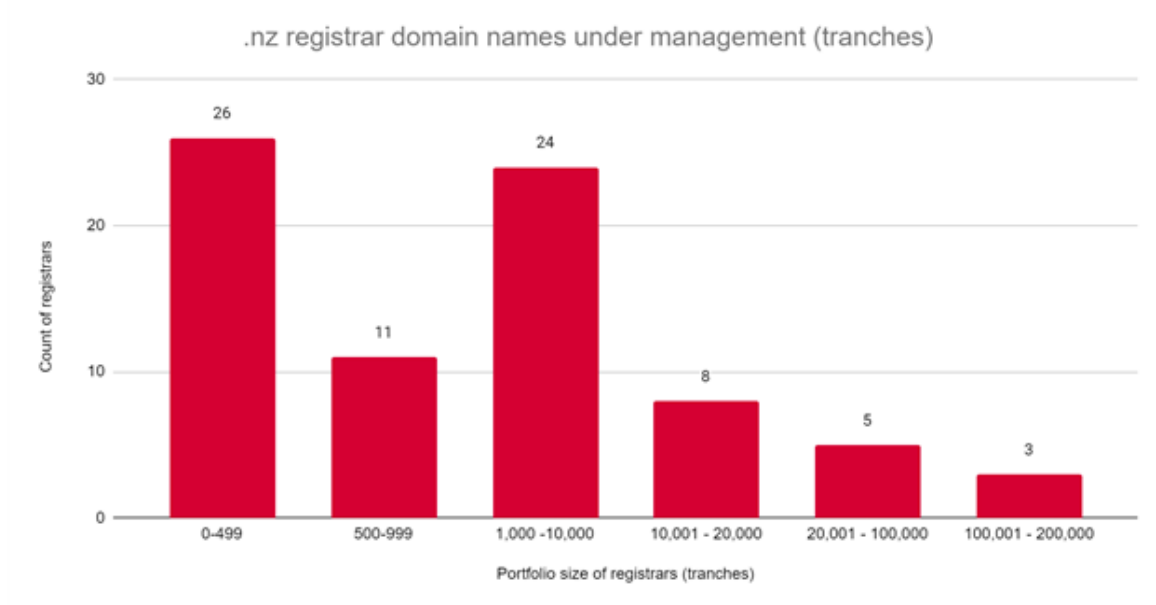
Other Activities

The Operations Manager attended virtually the Contracted Parties Summit 6-9 May 2024. Insights have been provided back to the DNC team.

The Annual Report, Statement of Service Performance and Audit at 31 March 2024 were completed without exceptions.

The new .iwi.nz Moderator was on-boarded by the DNC with a full day workshop and induction completed.

The DNC provided a submission supporting InternetNZ's proposed .nz Rule changes consulted on in Q1.

Yours sincerely

Vivien Maidaborn

Chair, Domain Name Commission

8

internetnz

Council Meeting - August 2024

Health, Safety and Wellbeing Report

ITEM NO: 6.1
AUTHOR: Vivien Maidaborn, Tumu Whakarae
FOR: Council
PURPOSE: To provide Council with a retrospective update on health, safety
                  and wellbeing (HSW) for the InternetNZ Group for the period of
                  14 June to 6 August 2024.
DATE WRITTEN: 06/08/2024

Recommendation

That Council **receive** the Health, Safety and Wellbeing Report.

Incidents

This report is prepared for InternetNZ Group and all information is based on workers within the group (INZ and DNCL) and activities of the Group HSW Committee.

Period	Number of Near Misses reported/or identified	Number of Incidents reported/or identified	First Aid Incidents/ Accidents reported/or identified
14 Jun 2024 - 6 Aug 2024	0	1	0
19 Apr 2024 - 13 Jun 2024	0	0	0
13 Mar 2024 - 18 Apr 2024	1	0	0
24 Jan 2024 - 12 Mar 2024	0	0	0
23 Nov 2023 - 23 Jan 2024	0	1	0
12 Sep 2023 - 22 Nov 2023	1	4	0
29 July 2023 - 11 Sep 2023	0	0	0
4 May 2023 - 28 July 2023	0	2	0

Summary

Since the last report, no near miss or accident has been reported nor identified. There has been one incident reported and investigated.

For your information, we have attached (Appendix One) which is an outline of the way HSW is managed at InternetNZ Group.

Current areas of potential risk

1. Working in the disinformation space brings heightened attention to the work we undertake. This potentially puts a focus on some of our kaimahi and council members. We have processes in place to support individuals and are managing risks as they arise utilising the skills of our community, security and HSW team. We have commenced training for all staff on Personal Safety and Conflict Management.
2. Nethui as an event brings with it specific HSW risks. We have taken time to identify potential risks and have removed or mitigated those. We will continue to do this on the run up to and during the event.
3. The lifts in the Wellington office are old and are due to be replaced at the end of 2024. We are working with the building manager to ensure ongoing maintenance and a safe transition to the new lifts.

2

Appendix One - For Information Only

Outline of HS&W Management at InternetNZ

InternetNZ takes its responsibility to provide a safe and healthy work environment seriously. We take a proactive approach to continuous improvement whilst addressing issues as they arise. We have a variety of mechanisms in place to ensure this is as effective as possible.

Engagement - we have a HSW committee made up of kaimahi and managers from across the organisation. Most of these individuals are trained as H & S representatives. We work closely with the PCBU's (person conducting a business or undertaking) who share our responsibilities - for example the building managers for our Auckland and Wellington offices and the managers of the data centres. As an organisation we regularly update and train kaimahi on a range of HSW elements - for example proactive ways to manage wellbeing.

Processes - we have well developed processes in place to ensure we record incidents and hazards - we use the hard matrix below to measure these. We identify ways to remove hazards where possible and deliver mitigations where we cannot remove. We set all kaimahi up to work safely whether based in the office or at home and we maintain safe equipment through regular review. We have processes in place to investigate concerns raised as they arise, this may happen through managers or the HSW committee or in the example the Bullying, Harassment and Discrimination processes, we have an external reporting process. We regularly train and remind kaimahi of processes - such as developing videos for fire evacuation and earthquake processes.

Policies - we have developed policies for HS&W to outline our obligations and our approach to HS&W across the organisation. These relate to areas such as general HS&W, Bullying, harassment and discrimination as well as emergency preparedness.

Resources / benefits - we provide life, income protection and health insurance to kaimahi to support their wellbeing and peace of mind. We have EAP so kaimahi have access to support as needed. We also have managers for all staff, flexible working options and continually review our approach to work to ensure a safe and positive work environment.

3

HAZARD MATRIX

To determine "Risk" of hazards or potential hazards on site or in the workplace: What is the likelihood of something happening and multiply by the potential consequences.

			Consequences				
Physical injury/ work-related stress			• First Aid or minor injuries • Individual work-related stress	• Medical treatment injury • 5+ people work-related stress	• Lost time injury • Notifiable event injury • Long-term disability • Lost time work-related stress	• Multiple serious injuries • Single Fatality • Long-term disability • 5+ people lost time work-related stress	• Multiple fatalities • 20+ people lost time work-related stress
Environmental			• No impact or effect	• Impact contained to workplace with simple clean-up process	• Impact contained to workplace • Specialist clean-up required	• Significant local environmental impact or effect to outside workplace as well • Specialist clean-up required	• Environmental impact and effect large scale and of national significance • Long-term damage over long periods of time. On-going
Damage or process disruption			• Damage or Process disruption. • No impact on customer	• Damage or Process disruption with minor customer impact (e.g. minor delay to one or 2 services)	• Damage to critical process • Moderate delays to services	• Loss of key processes • Structural damage to facilities • Major delays to one or more services	• Workplace shut down for a period of time • Machinery or equipment needs to be replaced
			1	**2**	**3**	**4**	**5**
Likelihood	Almost Certain	**5**	Medium	Medium	High	High	High
	High Likley	**4**	Medium-Low	Medium	High	High	High
	Possible	**3**	Medium-Low	Medium	Medium	Medium	High
	Unlikely	**2**	Low	Low	Medium	Medium	Medium
	Highly Unlikely	**1**	Low	Low	Medium-Low	Medium-Low	Medium

Work related Stress as defined in the Managing stress Policy Statement

4

COUNCIL MEETING MINUTES

Status:

[Draft to be ratified]

Date:

10 May 2024 / 9:00am

Present:

Joy Liddicoat (President), Brenda Wallace (Vice President),
Richard Hulse, Kate Pearce, Anthony Bow, Whetu Fala, Anjum Rahman, Alpana Roy and Stephen Judd.

In attendance:

InternetNZ: Vivien Maidaborn (Tumu Whakarae),Michael Elwood-Smith (Pou Ārahi | Council Secretary) and Te Kahui Tumu members, Catherine Fenwick, Hinemaua Rikirangi, and Rose Jamieson.

Member: Karaitiana Taiuru (9:45am to 12:10pm)

Apologies:

Jeff Montgomery, Potaua Biasiny-Tule

Meeting opened:

9:30am

Section 1 - Meeting Preliminaries

1.1   Council only (in committee)

1.2   Council and CE alone time (in committee)

1.3   Karakia, apologies, interests register

Joy led the Council in karakia.

Apologies Cr Montgomery, Cr Biasiny-Tule

The following updates were made to the Interests Register:

Anjum Rahman: Change 'Co-Chair' to 'Member' for the Christchurch Call Advisory Network.

Brenda Wallace: Add .nz Domain name registrant 'including some conflicted domains'

1.4   Agenda review, Actions Register

The President reviewed the action list and noted the work undertaken to progress and complete the actions.

- AP25/23 Explore options for displaying changes to the risk register so that Council can see point-in-time snapshots | First stage complete. Further development by August 2024.
- AP29/23 Framework for INZ Internet governance focus | August Council meeting.
- AP03/24 Decision for re-appointment of Appointed Council members | Complete.
- AP04/24 The President to send a letter of thanks to the Waitangi Treaty Grounds committee | Complete.
- AP05/24 Audit & Risk Committee to propose a reserves motion for the capital fund to Council | In progress, seeking Council input.
- AP06/24 Proposal for more public facing report on progress against SRR recommendations | August Council meeting.

1.5   Whakawhanaungatanga

Council welcomed Hinemaua Rikirangi, recently joined InternetNZ as Tumu Kaupapa Māori.

Section 2 - Chief Executive's Report

2.1	Chief Executive's Report
	Vivien introduced a CE Report, providing an overview of the period since the last Council meeting and an executive summary of the papers, key activity, strategic opportunities and the risks and threats of interest to Council.
	Vivien reflected on the layers of the sector and organisation, and how the CE is guided by the strategy and budget documents in deciding focus for the organisation.

Section 3 - Strategic Priorities Discussion

3.1	**2024 Elections & AGM**
	Council reviewed the 2024 Elections & AGM plan and Council Candidate Pack, and offered comments for staff to consider for inclusion and clarity within documents.
	Council discussed three options for the delivery of the election and AGM, and on balance agreed that holding the elections and AGM online provides the greatest opportunity for including as many people as possible.
	The President and Vice President plan to be in Wellington to chair the online AGM and welcome Councillors to join them.
	Council requested clarity on the criteria to stand for Council to be included in the Council Candidate Pack:
	That InternetNZ will conduct a pre-check call with the candidate and share nominations with the Returning Officer, who will check that they meet the criteria to stand, before confirming the candidate for election.
	Council thank Vivian Chandra for accepting the role of Returning Officer.
	RN22/24 That Council **approve** nominations for elected Council members to open on 30 May 2024 and close on 1 July 2024.
	RN23/24 That Council **approve** an online election for elected Council members to open on 8 July 2024 and close on 24 July 2024.
	RN24/24 That Council **approve** the appointment of Vivian Chandra as the Returning Officer for the 2024 InternetNZ Council Elections.
	RN25/24 That Council **approve** the appointment of Grant Thornton as Scrutineer for the 2024 InternetNZ Council Elections.
	RN26/24 That Council **approve** candidate Campaigning Guidelines as amended.
	RN27/24 That Council **approve** the AGM to be held in an online format on 25 July 2024.
	RN28/24 That Council **note** the AGM will be taking a panel approach this year with the President, CE, Vice-President, Chairs of Committees on the panel.
	(Cr Fala / Cr Rahman) **CARRIED**
	AP07/24 CE to include clarity on the criteria to stand for Council in the Council Candidate Pack.

3.2   **Community Funding & Hapori Māori Funding**

Rose introduced a paper summarising community funding in 2023/24; noting the increase in funding via partnerships to 'by Māori, for Māori' organisations, in support of work already happening in the community.

Vivien noted the partnership with Tāiki E! in Tairāwhiti is an example of collaboration with other funders in support of a local community initiative to achieve their vision, effectively amplifying our public impact.

Council discussed the confidential Report to DPMC, outlining the process of devolving financial support to community groups working to curb the spread of mis/disinformation and developing domestic resilience to it.

Council noted the new learnings gained as a funder; in particular the value of connection within communities, the emphasis within the funding process on due diligence, and the importance of upholding privacy, safety and security of people and organisations undertaking this work.

RN29/24 That Council **receive** the 2023/24 Community Funding & Hapori Māori Funding Update report.

RN30/24 That Council **note** the update on the mis/disinformation funding distributed in 2023/24.

(President Liddicoat / Cr Judd)
CARRIED

3.3   **DNSSEC progress update**

Vivien introduced a paper providing an update to the remedial work on the DNSSEC systems as a result of the DNSSEC incident of May 2023 and the External Incident Report recommendations. Vivien noted that work is underway to improve the security of the whole system, and to undertake detailed DNSSEC key rollover testing prior to rolling the keys.

Josh Simpson responded to questions from Council. Software has been sourced that analyses and visualises DNSSEC rollover operations as they progress through the phases of key lifecycle. Council were impressed that the incident was re-created in a staging environment, helping the team fully understand the problem, and giving confidence to Council that the incident will not happen again.

Council noted how InternetNZ is sharing information with the local and international technical community, and their positive response to transparency of the report, the internal analysis and further communications.

Council thanked Josh and the team for the report and their work.

	RN31/24 That Council **receive** the report noting the updated project phases and timelines.
	(President Liddicoat / Cr Judd) **CARRIED**
3.4	**Domain Name Commissioner** Barbara Pearse, Domain Name Commissioner, outlined for Council the Domain Name strategic goals and progress towards the goals, and the plan to develop a new 3 year strategy for 2025/27. Council thanked Barbara for the proactive work of the Domain Name Commission, and were pleased to see Wi Pere Mita appointed as Director. Barbara's speaking notes are now included in the Council meeting papers.

Section 4 - Matters for Decision

4.1	**Confidential Document Disclosure Policy** Catherine introduced the Confidential Document Disclosure Policy, as reviewed by the Governance Committee, for approval by Council. The revised policy seeks to continue InternetNZ's policy of transparency and openness while ensuring that sensitive information is protected, compliance with legal and regulatory requirements is maintained, and the integrity and confidentiality of certain information is preserved. Council discussed some amendments to improve the policy: • Add that Council, members, subsidiary Board members and stakeholders may submit to the Council documents intended to be confidential. • Add that the President may also approve any Confidential item. • Add to the reasons for confidentiality the protection of 'privacy and security' of people. **RN32/24** That Council **receive** the "Confidential document disclosure policy version 3.0". (Cr Roy / Cr Hulse) **CARRIED** **AP08/24** CE to (a) amend the Confidential Document Disclosure policy as agreed (b) circulate a revised draft to Council for approval, and (c) submit to Council for approval via e-vote.

4.2	**CE Delegation Policy**

The CE Delegation Policy details the authority delegated by Council to the Chief Executive and should be read in conjunction with the Governance Charter and Policies (December 2021).

The revised policy covers a gap in the delegation authority for Contract and Agreements, adding a financial delegation limit of $500,000 and 5 years. This limit enables the CE to continue to operate and reduces a current risk to InternetNZ.

Council discussed what an appropriate financial delegation limit for InternetNZ might be and requested advice from the auditor.

In relation to the Policy and Governance Charter, Council requested clarification on:

- Agreements that commit the organisation but are not limited financially.
- Deeds of lease.
- Contract renewals and extensions.

RN33/24 That Council **receive** the Delegation of Authority to Chief Executive Policy.

(Cr Roy / Cr Hulse)
CARRIED

AP09/24 CE to request advice on an appropriate financial delegation limitation from the InternetNZ auditor.

AP10/24 CE to
(a) amend the CE Delegation Policy as agreed
(b) circulate to Council for confirmation, and
(c) submit to Council for approval via e-vote.

4.3	**Treasury and Investment Policy Review**

Catherine introduced the Treasury and Investment Policy review, intended to update and replace several prior policies and to support the Council March 2024 decision to manage the public impact fund.

Cr Rahman, Audit and Risk Committee Chair, thanked staff and the committee for their detailed work on preparing the policy

Cr Rahman sought feedback from Council on several questions to improve and amend the policy, including::

- 'Appropriate investment horizon' to be replaced with 'a long term investment horizon (at least 20 years).'
- To not restrict PIE's as the only type of investment product.
- The investment form 'Alternative Assets' to include a caveat 'to be consistent with the principles identified and brought to Council for approval'.

145

	- To rename the 'long-term fund' to something distinctive such as the 'InternetNZ Community Philanthropy Fund'. - Strategic asset allocation to be reviewed annually, and the policy itself reviewed at least every two years. - There was not an agreement that active management returns a premium over time. **RN34/24** That Council **receive** the draft Treasury and investment Policy and provide comments. (Cr Roy / Cr Hulse) **CARRIED** **AP11/24** CE to (a) amend the Treasury and Investment Policy noting feedback from Council (b) circulate to Council for confirmation, and (c) submit to Council for approval via e-vote.

Section 5 - Matters for Discussion

5.1	**President's Report** The President particularly thanked Cr Fala and Cr Bow for accepting their reappointment as Appointed Councillors, noting their valuable contribution to Council. **RN35/24** That council **receive** the President's report. (Cr Hulse / Cr Pearce) **CARRIED**
5.2	**InternetNZ Quarterly Reporting** Vivien introduced the Q4 2023/24 Quarterly Report noting significant progress on strategic goals. Looking forwards, Vivien noted that the pillars of the next three year strategy have been put in play from the work over the 2024 year; - Product strategy - Community philanthropy fund - Te Tiriti centric strategy Council noted reduction in Domains Under Management (DUMs) over the past year, and this can be partially attributed to economic downturn, and that new domains are proportional to new companies. Vivien further noted the importance of marketing to raise awareness and value of the .nz domain particularly versus platform apps.

	RN36/24 That council **receive** the InternetNZ Quarterly report.
	(Cr Hulse / Cr Pearce)
	CARRIED
5.3	**Product Standing Report (confidential)**
	RN37/24 That council **receive** the Product Standing Report.
	(Cr Hulse / Cr Pearce)
	CARRIED
5.4	**Report Back from Committees**
	The President noted the work of the committees and thanked the Chairs of the committees.
	RN38/24 That council **receive** the report back from committees.
	(Cr Hulse / Cr Pearce)
	CARRIED
5.5	**DNCL Quarterly Report**
	Vivien introduced the Domain Name Commission quarterly report.
	Council thanked Vivien for a clear report.
	Cr Fala noted the work on kaupapa Māori framework for algorithms underway at Victoria University and the potential for Ipurangi Aotearoa to connect into this work.
	RN39/24 That council **receive** the DNCL Quarterly report.
	(Cr Hulse / Cr Pearce)
	CARRIED
5.6	**Enterprise Risk Management Update (Confidential)**
	Council discussed new and emerging enterprise level risks.
	RN40/24 That council **receive** the Enterprise Risk Management report.
	(Cr Hulse / Cr Pearce)
	CARRIED

Section 6 - Consent Agenda

6.1	**Health, Safety and Wellbeing Update** **RN41/24** That Council **receive** the Health, Safety and Wellbeing Report. (Cr Hulse / Cr Pearce) **CARRIED**
6.2	**Minutes of the meeting 22 March 2024** **RN42/24** That Council **approve** the minutes of 22 March 2024. (Cr Hulse / Cr Pearce) **CARRIED**
6.3	**E-vote Ratification** EVOTE 20032024 - Reappointment of Appointed Councillors for InternetNZ • That Whetu Fala and Anthony Bow each be reappointed as appointed Councillors of InternetNZ for a period of two years. EVOTE 23042024 - Audit Letter of Engagement | Required Enquiries (TCWG) • That the Audit Engagement Letter for the year ended 31 March 2023 (attached) is accepted and approved for signing by the A&R Chair. • That the Required Enquiries from TCWG (attached) is accepted and approved for signing by the A&R Chair. **RN43/24** That Council **ratify** the e-votes. (Cr Hulse / Cr Pearce) **CARRIED**
6.4	**Quarterly and Operational Reports**
6.4.1	**Group Financial Report** Council commented on the budget underspend in Te Puni Māori. Vivien assured Council that the importance of this work remains a priority, noting two reasons for the underspend; 1. The extended period of time to successfully recruit Tumu Kaupapa Māori. 2. Te Puni Māori budget included constitution co-design and consultation, however these funds have been spent from the Constitution Review budget.

Vivien further noted that funds have been allocated to Te Puni Māori for consultation, discussion, hui and work to engage with Māori in the 2024/25 year.

6.4.2   **Membership Update**

Vivien noted that now regular engagement activities are in progress with members, the next focus is to create member to member and deeper conversational formats around multi stakeholder processes. Nethui is a great opportunity to talk with our community about this.

Vivien further noted the challenge of balancing the two paradigms of "how to be a great incorporated society engaging with members" and "multi stakeholder processes".

RN44/24 That council **receive** the Group Financial and Membership update reports.

(Cr Bow / Cr Wallace)

CARRIED

Section 7 - Other matters

7.1	**CONTINGENCY (for any overflow)**
7.2	**Matters for communication – key messages**
7.3	**General business**
7.4	**Meeting review**
7.5	**Meeting close (karakia or waiata)** President Liddicoat led Council in a closing karakia.

E-Vote Ratification

Recommendation

THAT Council **ratify** the e-votes.

There have been five e-votes conducted since the last Council Meeting:

Evote:	Motion:	For:	Against:	Abstain:
230520241	THAT Council approve the Delegation of Authority to Chief Executive Policy.	Cr Montgomery Cr Hulse Cr Fala Cr Roy President Liddicoat Cr Biasiny-Tule Cr Judd Cr Bow Cr Pearce Cr Rahman Vice President Wallace		
230520242	THAT Council approve the Confidential document disclosure policy version 3.0.	Cr Montgomery Cr Fala Cr Hulse Cr Roy President Liddicoat Cr Biasiny-Tule Cr Judd Cr Bow Cr Pearce Cr Rahman Vice President Wallace		

230520243	THAT Council approve the Treasury and Investment Policy May 2024.	Cr Montgomery Cr Roy Cr Fala President Liddicoat Cr Biasiny-Tule Cr Judd Cr Bow Cr Pearce Cr Rahman Cr Hulse Vice President Wallace		
210620241-2	THAT the Audit and Risk Committee recommends to Council that it receive and approve the InternetNZ Annual Financial Statement, Service Performance Report and the representation letter for the year ended 31 March 2024 (attached).	Vice President Wallace Cr Fala Cr Hulse President Liddicoat Cr Montgomery Cr Rahman Cr Roy Cr Bow Cr Pearce		
17072024	That Chris Streatfield is awarded Fellowship of InternetNZ at the AGM on 25 July 2024	President Liddicoat Cr Rahman Cr Hulse Cr Fala Cr Roy Vice President Wallace Cr Biasiny-Tule Cr Montgomery Cr Pearce Cr Bow Cr Judd		

Group financial statements

to the quarter ended 30 June 2024

Table of Contents

Introduction

Welcome to the first financial report for 2024/25. The decision in March by Council to ring fence $11m from INZ retained earnings to create a new funding model that will assist in sustaining future funding has led to some changes to the quarterly reporting.

We have prepared the financials into two separate areas

1. Operational - Income Statement and Balance sheet
2. Funding Model - Income statement and Balance sheet.

The purpose of this is to show the position of both areas clearly and to also give the Council a full view of the financial position of InternetNZ group.

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

INZ Group Consolidated Income Statement - Operational

	Notes	Internet New Zealand Group Consolidated Income Statement Year to date (YTD) 30 June 2024							
		Group YTD	Group Budget	+/- $	+/- %	Parent YTD	Parent Budget	+/- $	+/- %
Income - Operating									
Registry Fees		3,324,289	3,331,352	(7,063)	0%	3,324,289	3,331,352	(7,063)	0%
Broadband Map		10,700	10,749	(49)	0%	10,700	10,749	(49)	0%
Sundry Income	1 (a)	56,413	62,589	(6,177)	-10%	124,384	125,561	(1,177)	-1%
Total Operating Income		**3,391,402**	**3,404,690**	**(13,289)**	**0%**	**3,459,373**	**3,467,662**	**(8,289)**	**0%**
Income - Investments									
Interest		**1,486**	**475**	**1,011**	**213%**	**1,070**	**60**	**1,010**	**1683%**
Total Investment Income		**1,486**	**475**	**1,011**	**213%**	**1,070**	**60**	**1,010**	**1683%**
Less Direct Expenses									
Domain Name Commission Fee	2 (a)	-	-	-	-	412,500	412,500	0	0%
.nz Costs		504,348	538,902	34,554	6%	504,348	538,902	34,554	6%
Other		20,006	21,120	1,114	5%	20,006	21,120	1,114	5%
Total Direct Expenses		**524,353**	**560,022**	**35,669**	**6%**	**936,853**	**972,522**	**35,669**	**4%**
Less Other Expenses									
Audit		-	-	-	-	-	-	-	-
Amortisation & Depreciation		86,434	87,357	923	1%	70,041	70,845	804	1%
Registrar Engagement		2,294	2,435	141	6%	-	-	-	-
Communications		15,604	14,809	(795)	-5%	-	-	-	-
Community Engagement		120,853	130,977	10,124	8%	120,853	130,977	10,124	8%
Domain Name Commission		19,887	25,643	5,756	22%	-	-	-	-
Employment		1,681,849	1,702,971	21,122	1%	1,511,508	1,536,697	25,189	2%
Governance		48,812	64,502	15,690	24%	42,535	53,765	11,230	21%
International		84,180	85,537	1,357	2%	81,035	82,537	1,502	2%
Legal		5,593	32,450	26,857	83%	5,593	12,450	6,857	55%
Operational		429,628	504,373	74,745	15%	418,738	489,483	70,745	14%
Projects		0	0	0	0%	-	-	-	-
Security		1,900	1,950	50	3%	1,900	1,950	50	3%
Total Expenses		**2,497,034**	**2,653,004**	**155,970**	**6%**	**2,252,203**	**2,378,704**	**126,501**	**5%**
Net Operating Profit (Loss) Before Tax		**371,501**	**192,139**	**179,361**	**93%**	**271,387**	**116,496**	**154,891**	**133%**
Net Operating Profit (Loss) Before Tax		**$371,501**	**$192,139**	**$179,361**	**93%**	**$271,387**	**$116,496**	**$154,891**	**133%**

Notes:

The income and expenditure lines for the individual entities
Do not add to the Group totals due to the following intra-group entries being
eliminated.
1 (a) GSE paid by DNCL ($77,972) to INZ
2 (a) The DNCL fee paid by INZ ($412,500) to DNCL.

Reference:

Details on the DNCL results are available in the Quarterly DNCL report to Council
dated 16th July 2024.

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in
dollars.

INZ Group Consolidated Income Statement – Operational - By Function

	Notes	Group YTD	Group Budget	+/- $	+/- %	Parent YTD	Parent Budget	+/- $	+/- %
Internet New Zealand Group Consolidated Income Statement Year to date (YTD) 30 June 2024									
Income - Operating									
Registry Fees		3,324,289	3,331,352	(7,063)	0%	3,324,289	3,331,352	(7,063)	0%
Broadband Map		10,700	10,749	(49)	0%	10,700	10,749	(49)	0%
Sundry Income	1 (a)	56,413	62,589	(6,177)	-10%	124,384	125,561	(1,177)	-1%
Total Operating Income		**3,391,402**	**3,404,690**	**(13,289)**	**0%**	**3,459,373**	**3,467,662**	**(8,289)**	**0%**
Income - Investments									
Interest		1,486	475	1,011	213%	1,070	60	1,010	1683%
Total Investment Income		**1,486**	**475**	**1,011**	**213%**	**1,070**	**60**	**1,010**	**1683%**
Less Direct Expenses									
Domain Name Commission Fee	2 (a)	-	-	-	-	412,500	412,500	0	0%
.nz Costs		504,348	538,902	34,554	6%	504,348	538,902	34,554	6%
Other		20,006	21,120	1,114	5%	20,006	21,120	1,114	5%
Total Direct Expenses		**524,353**	**560,022**	**35,669**	**6%**	**936,853**	**972,522**	**35,669**	**4%**
Less Other Expenses									
Audit		-	-	-	-	-	-	-	-
Amortisation & Depreciation		86,434	87,357	923	1%	70,041	70,845	804	1%
Registrar Engagement		2,294	2,435	141	6%	-	-	-	-
Communications		15,604	14,809	(795)	-5%	-	-	-	-
Community Engagement		120,853	130,977	10,124	8%	120,853	130,977	10,124	8%
Domain Name Commission		19,887	25,643	5,756	22%	-	-	-	-
Employment		1,681,849	1,702,971	21,122	1%	1,511,508	1,536,697	25,189	2%
Governance		48,812	64,502	15,690	24%	42,535	53,765	11,230	21%
International		84,180	85,537	1,357	2%	81,035	82,537	1,502	2%
Legal		5,593	32,450	26,857	83%	5,593	12,450	6,857	55%
Operational		429,628	504,373	74,745	15%	418,738	489,483	70,745	14%
Projects		0	0	0	0%	-	-	-	-
Security		1,900	1,950	50	3%	1,900	1,950	50	3%
Total Expenses		**2,497,034**	**2,653,004**	**155,970**	**6%**	**2,252,203**	**2,378,704**	**126,501**	**5%**
Net Operating Profit (Loss) Before Tax		**371,501**	**192,139**	**179,361**	**93%**	**271,387**	**116,496**	**154,891**	**133%**
Net Operating Profit (Loss) Before Tax		**$371,501**	**$192,139**	**$179,361**	**93%**	**$271,387**	**$116,496**	**$154,891**	**133%**

Notes:
The income and expenditure lines for the individual entities
Do not add to the Group totals due to the following intra-group entries being eliminated.
1 (a) GSE paid by DNCL ($77,972) to INZ
2 (a) The DNCL fee paid by INZ ($412,500) to DNCL.

Funding
3 (a) Te Puni Whiria - Funding is now reported separately below

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

INZ Consolidated Movements in Equity – Operational

Internet New Zealand Group Statement of Movements in Equity Year to date (YTD) 30 June 2024			
	GROUP	**INZ**	**DNCL**
Equity at start of period			
Opening Retaned Earnings	931,375	545,528	385,847
Shares Subscribed	-	-	580,000
	931,375	545,528	965,847
Net Profit (Loss) After Tax	371,501	271,387	100,114
Equity at end of period	**$1,302,876**	**$816,915**	**$1,065,960**

Notes:

4 (a) A decision was made at the March Council Meeting (**RN16/24**) to ring fence $11m from INZ retained earnings to sustain a new funding model that will assist in sustaining future funding.

It was also decided to report funding separately from INZ Operational activities. Funding reports are on page 8 of this report.

Due to this decision the INZ Operating Retained Earnings reduced by $10,974,161, being the amount now reported under the funding retained earnings. INZ Operating retained earnings opening balance reduced to $545,529.

This change is also reflected in the Balance Sheet on the following page, which excludes the managed funds and approx.

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

INZ Consolidated Balance Sheet – Operational

Internet New Zealand Group
Balance Sheet
As at 30 June 2024

	Notes	GROUP	INZ	DNCL
Current Assets				
Cash and Cash Equivalents		7,901,282	6,959,541	941,740
Managed Funds		-	-	-
Other Current Assets		1,792,571	1,703,416	89,155
Total Current Assets		9,693,853	8,662,957	1,030,896
Non-current Assets				
Property, Equipment & Software		2,919,495	2,548,675	370,821
less: Accumulated Depreciation		(1,196,077)	(968,672)	(227,405)
Intangible Assets		4,052,482	4,052,482	-
less: Amortisation		(1,314,742)	(1,314,742)	-
Investments		-	-	-
Shares and Loans	5 (a)	-	580,000	-
Total Assets		14,155,011	13,560,700	1,174,312
Less Liabilities:				
Deferred Income		11,615,441	11,615,441	-
Trade and Other Payables		1,236,695	1,128,343	108,351
Total Liabilities		12,852,136	12,743,784	108,351
Net Assets		**$1,302,876**	**$816,915**	**$1,065,960**
Represented By:				
Current Year Earnings		371,501	271,387	100,114
Retained Earnings	4 (a)	931,375	545,528	385,847
Share Capital	5 (a)	-	-	580,000
Total Equity		**$1,302,876**	**$816,915**	**$1,065,960**

Notes:
The following items have been removed upon consolidation.

5 (a) Share in DNCL wholly owned by InternetNZ.
Share subscription with respect to shares issued to InternetNZ by DNCL

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

Outlined below is a summary of each function.

Te Puni Whakawhanake Rawa/ Customer and Product

- Running of the .nz registry and Broadband Map services.
- Data insights and analytics
- IT infrastructure and product technology

Te Puni Whiria/Public Impact

- Public policy, internet governance, including international
- Community Engagement, including membership, Communications – External and brand and Events Management

Te Puni Māori

- Māori sector partnership and relationships
- Rautaki Māori
- Māori cultural intelligence and cultural capability

Te Puni Raupa/Organisation Performance

- Governance, Strategy, planning, and performance.
- Security, compliance (including legal) and Privacy.
- HR and Finance, Technology Strategy, and Internal IT

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

Summary reporting by functional areas of expenditure - Operational

INZ Group Revenue Analysis to the Period ending 30 June 2024

Consolidated Revenue	Actual	Budget	Variance	% of Total Sales
Registry Fees	3,324,289	3,331,352	(7,063)	98.0%
BBM	10,700	10,749	(49)	0.3%
Sundry - Membership	603	421	182	0.0%
Sundry - Misc.	57,297	62,645	(5,349)	1.7%
Total Operating Revenue	**3,392,889**	**3,405,167**	**(12,278)**	**100%**

- The accounts report Total Operating revenue of $3.4M for the quarter, down by $54k from the same period last year.

INZ Group Expenditure Analysis by Function to the Period ending 30 June 2024

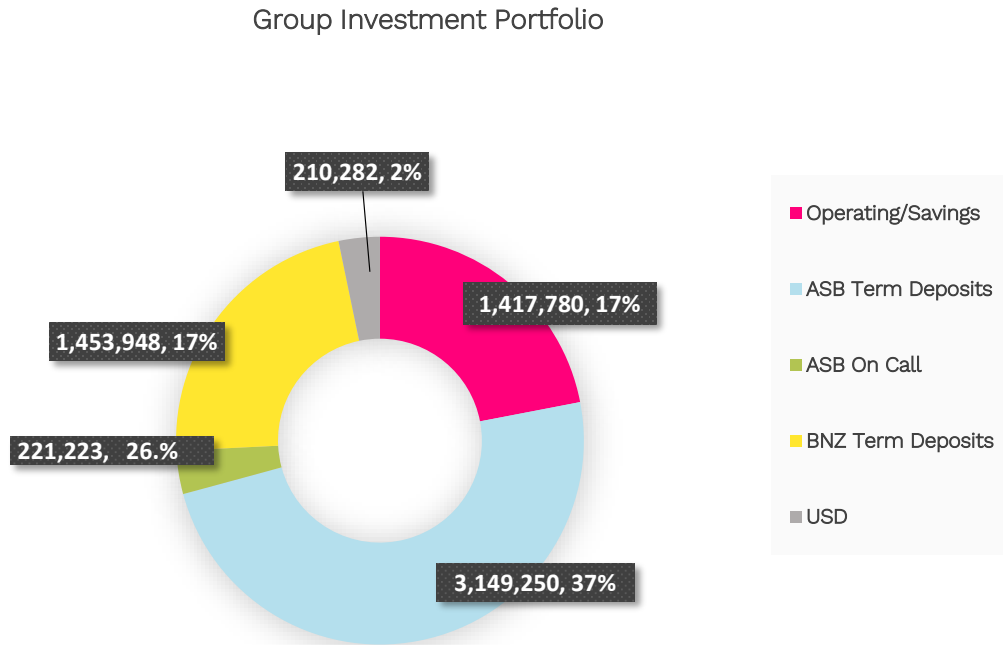| Consolidated Expenditure by Function	Actual	Budget	Variance	% of Total Expenditure
Domain Name Commission 1 (a)	244,831	274,300	29,469	8.1%
Te Puni Whakawhanake Rawa/Cust & Prod	1,235,053	1,338,563	103,510	40.9%
Te Puni Whiria/Public Impact	585,484	611,504	26,020	19.4%
Te Puni Maori	123,097	134,550	11,453	4.1%
Te Puni Raupa/Organisational Performance	832,922	854,111	21,189	27.6%
Total Operating Expenditure	**3,021,386**	**3,213,028**	**191,642**	**100.0%**

Notes:
DNCL expenditure excludes
1 (a) GSE paid by DNCL ($77,972) to INZ

Underspend variances are attributable to several factors, including recruitment delays, actual underspends (that will be reallocated to future work) and budget phasing.

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

INZ Group Investments as of 30 June 2024 (Operational)

The chart below shows the percentage spread of INZ Operating funds invested **($6,452,484)** across all institutions as of 30 June 2024.

Group Investment Portfolio

Legend:
- Operating/Savings
- ASB Term Deposits
- ASB On Call
- BNZ Term Deposits
- USD

Chart data labels:
- 210,282, 2%
- 1,417,780, 17%
- 1,453,948, 17%
- 221,223, 26.%
- 3,149,250, 37%

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

Introduction to the New Funding Model

InternetNZ's strategy is experiencing two core tensions: maximising our public impact investments and/or investment in business growth.

The Council noted that public impact work is a core part of InternetNZ's values and value proposition. However, funds available for public impact are limited by available income.

The Budget presented at the March Council Meeting was a three-year roadmap that balances short-term social impact and business needs with a long-term vision for how InternetNZ achieves a robust and sound domain name operation and also continues to invest in the Internet community of Aotearoa NZ. The longer-term funding roadmap supported a sustained effort in business-led growth as the preferred approach to financial sustainability.

To ensure funding for public impact, a fund was proposed to be created initially from the balance sheet and grown over time. Interest generated from the fund will support public impact grants and strategic partnerships.

Council approved.
- Setting the size of the initial fund contribution at $11M,
- Setting public impact funding for 2024/25 at $1M.

 Council further noted the importance of formally reserving the funds and that the Audit & Risk Committee plans to include a provision for this in the Treasury and Investment Policy, which will be brought to Council.

Ring-fencing the funds within the Balance Sheet was introduced to formally reserve the Funds. The following reporting provides transparency of the ring-fenced funding.

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

Funding Reporting

INZ Funding Income Statement

Internet New Zealand
Funding Income Statement
Year to date (YTD) 30 June 2024

	Group	Group	+/-	+/-
Funding Investment Income	**YTD**	**Budget**	**$**	**%**
Interest Received	66,744	80,251	(13,507)	(0)
Fair Value Gains/(Losses) on Managed Funds	(2,014)	84,847	(86,861)	-102%
Total Investment Income	**64,730**	**165,098**	**(100,368)**	**-61%**
Funding Rounds	141,622	150,000	8,378	6%
Strategic Partners	110,000	125,000	15,000	12%
Total Expenses	**251,622**	**275,000**	**23,378**	**9%**
Net Funding Profit (Loss)	**($186,892)**	**($109,902)**	**($76,990)**	**70%**

INZ Funding Movements in Equity

Internet New Zealand
Statement of Movements in Equity – Funding
Year to date (YTD) 30 June 2024

	2024	2023
Equity at start of period		
Opening Retaned Earnings	10,974,161	10,974,161
	10,974,161	10,974,161
Net Profit (Loss) After Tax	(186,892)	
Equity at end of period	**$10,787,270**	**$10,974,161**

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.
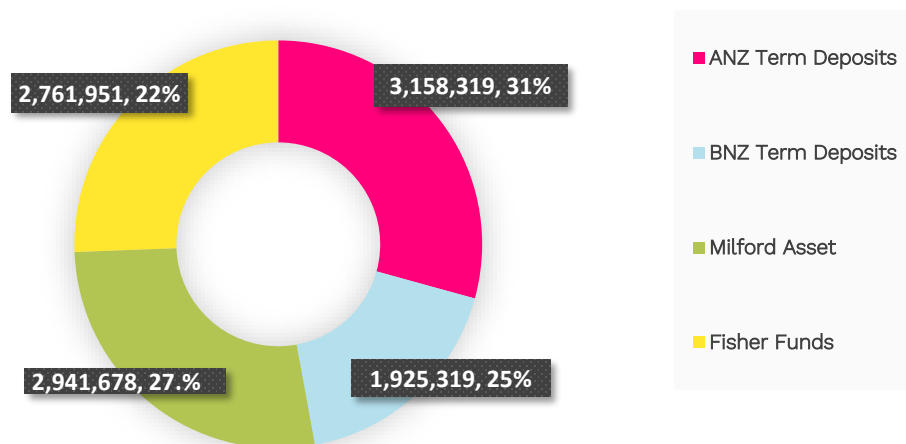
INZ Funding Balance Sheet

Internet New Zealand Funding Balance Sheet As at 30 June 2024	INZ
Current Assets	
Cash and Cash Equivalents	5,083,639
Managed Funds	5,703,630
Total Current Assets	10,787,269
Non-current Assets	
Investments	-
Total Assets	10,787,269
Less Liabilities:	
Trade and Other Payables	-
Total Liabilities	0
Net Assets	**$10,787,269**
Represented By:	
Current Year Earnings	(186,892)
Retained Earnings	10,974,161
Total Equity	**$10,787,269**

INZ Funding Investments as of 30 June 2024

The chart below shows the percentage spread of funds invested (**$10,787,269.**) across all institutions as of 30 June 2024.

Funding Investment Portfolio

- ANZ Term Deposits — 3,158,319, 31%
- BNZ Term Deposits — 1,925,319, 25%
- Milford Asset — 2,941,678, 27.%
- Fisher Funds — 2,761,951, 22%

Due to rounding of cents, numbers presented throughout this report may not add up precisely to the totals provided in dollars.

COUNCIL MEETING - August 2024

Membership Report

ITEM NO: 6.4.2
AUTHOR: Vivien Maidaborn, Tumu Whakarae
FOR: Council
PURPOSE: Progress and work for membership of InternetNZ
DATE WRITTEN: 01/08/2024

Recommendation

THAT Council **note** the new members.

Executive Summary

Current membership (at 1 August 2024)

	30 Jun 2023	30 Sept 2023	31 Dec 2023	31 Mar 2024	30 Jun 2024	1 Aug 2024
Fellows	35	38	38	38	38	**39**
Individual	297	307	309	321	265	**282**
Individual Plus	11	9	9	9	9	**7**
Small organisation	22	16	15	15	16	**17**
Large organisation	2	1	1	1	0	**0**
Total Membership	367	370	371	384	327	**345**

30 June 2024 marked the grace period, 57 members chose not to renew their membership (in 2023 this number was 53). This trend is similar to other years and often we have people renew again at a later date.

Items to Note

Activities to support membership engagement

Since the last report in May 2024, we have:

- Asked for input from members on the NetHui 2024 programme.
- Held three online workshops as part of the constitutional review project on the Objects of InternetNZ.
- Hosted an online CE, and members meet up in June 2024.
- Conducted the annual Council elections.
- Hosted the Meet the Candidates Event for the 2024 annual Council elections.
- Held a successful Annual General Meeting for 2024.
- Sent members the annual membership survey and reported back to members at the AGM.

![internetnz logo]

COUNCIL MEETING - August 2024

2024-2025 Maramataka | Council Calendar Draft

ITEM NO: 7.2
AUTHOR: Michael Elwood-Smith, Pou Ārahi / Projects & Engagement Coordinator
FOR: Council
PURPOSE: Key dates for Council in 2024-2025
DATE WRITTEN: 8/08/2024

Recommendations

THAT Council **approve** Council meeting dates for 2024-2025

Purpose

To agree Council meeting dates for the remainder of 2024 and the 2025 calendar year.

Further details of the Council work plan and Committee meeting dates will be brought to the October Council meeting, following the election of new Council members.

Month	Council Meeting Dates	Pre Council Meeting Days	Main Items for Council	Committees	External/Int'l
August 2024 Hereturikōkā	Thursday 15th Friday 16th			26th Governance Committee	15th - 21st Aug Koroneihana
September 2024 Mahuru			• Induction of new Council Members • Council committees appointments	18th Audit and Risk Committee	14th - 21st Te Wiki o Te Reo Māori
October 2024 Whiringa-ā-nuku	Thursday 10th Friday 11th	• 10th Mihi Whakatau for new Council • 10th COUNCIL STRATEGIC RETREAT	• Skills and Diversity Matrix confirmation.	23rd .nz Advisory Committee TBC CE Review	3rd & 4th NetHui
November 2024 Whiringa-ā-rangi				4th Governance Committee 13th TKWM 20th Audit and Risk Committee	ICANN81: 9-14 November TBD 6th DNCL Board
December 2024 Hakihea	Thursday 5th Friday 6th	• 5th Training INZ Council tbc	• First pitch for 2025/2026 key projects		

Month	Council Meeting Dates	Pre Council Meeting Days	Main Items for Council	Committees	External/Int'l
January 2025 Kohitātea					25th Ratana
February 2025 Hutānguru	Friday 14th		• 2026 key goals, projects and high level budget		6th Waitangi Day 11th DNCL Board

March 2025 Poutūterangi	Friday 21st		• 2026 Plan • 2026 Budget • Te Tiriti Centric - Progress Review		
April 2025 Paengawhāwhā					
May 2025 Haratua	Friday 9th		• Skills and Diversity Survey • Confirm the Council .nz Strategy Day		
June 2025 Pipiri					20th Matariki Te Ao Matihiko Awards
July 2025 Hōngongoi			• InternetNZ Annual General Meeting : 25th July TBC		
August 2025 Hereturikōkā	Thursday 7th Friday 8th	• 8th Mihi Whakatau for new Council and whakawhanaungatanga	• Induction of new Council Members • Council committees appointments		15th - 21st Koroneihana
September 2025 Mahuru					Te Wiki o Te Reo Māori
October 2025 Whiringa-ā-nuku	Thursday 9th Friday 10th	• COUNCIL STRATEGIC RETREAT 9th	• Skills and Diversity Matrix confirmation.		
November 2025 Whiringa-ā-rangi					
December 2025 Hakihea	Thursday 4th Friday 5th	• 4th Training INZ Council tbc	• First pitch for 2026/2027 key projects		

internetnz

COUNCIL MEETING - AUGUST 2024

NGĀ PAE

ITEM NO:	8.1
AUTHOR:	Hinemaua Rikirangi, Tumu Kaupapa Māori, Te Puni Māori
FOR:	Council
PURPOSE:	Outline Pathway to Developing our Tiriti-centric Vision
DATE WRITTEN:	05/08/2024

	Alignment
Ipurangi Aotearoa Strategy 2022-2025	This paper connects our Rei Kura which has Te Tiriti at the centre of our strategy.
Te Tiriti o Waitangi	Centering Te Tiriti o Waitangi as core to our work programme and distributed throughout the organisation.
Associated document links	[Ngā Pae Pathway for Growing our Te Tiriti Centric Vision 30Jul2024](#)

Recommendations

1. THAT Council **approve** Ngā Pae proposal.
2. THAT Council **note** Te Kōmiti Whakauru Māori leadership commitment, oversight and endorsement of Ngā Pae.

Te Take | Purpose

The purpose of this paper is to provide a high-level outline to Council of Ngā Pae the proposed pathway for developing InternetNZ | Ipurangi Aotearoa Tiriti vision, for your consideration and comment.

The more fulsome outline of Ngā Pae is provided also in Council Board packs for your information.

Kōrerotahi | Engagement

Recent initial discussions and kōrero has been held with Te Kāhui Tumu, Te Kōmiti Whakauru Māori, Ipurangi Aotearoa staff, DNC Board and is now being presented to Council for consideration.

In general, feedback and response to date has been very positive and motivating as each group is contemplating what this pathway development might mean for their work.

The DNC Board has indicated its support and are keen to be actively involved also offering their Te Tiriti o Waitangi expertise as applicable.

Te Kōmiti Whakauru Māori fully endorse the proposal and have indicated their leadership commitment to Ngā Pae, providing governance oversight and helping to guide Ngā Pae pathway forward and how we might do that.

A next planning hui is to be held with Te Kōmiti Whakauru Māori to design the steps for developing our shared Tiriti Vision.

Whakarāpopoto | Summary

Ngā Pae is a high-level framework and plan for how Ipurangi Aotearoa Group intends to go about developing its long-term Tiriti vision and bring expression and understanding to the organisation's Te Tiriti o Waitangi centric identity.

Ngā Pae is framed on the premise of sustainable cultural change and organisational development, which fundamentally requires successive years that build upon each other, called forward by an articulate, meaningful longer-term vision.

For Ipurangi Aotearoa Group, it is proposed the time horizon is set over five years to enable foundations to be put in place, to review, learn and adjust as we go and measure performance. Ipurangi Aotearoa Group is relatively small, is less complicated in structure and therefore can be more agile and responsive to achieving shifts.

Within the five years, annual milestone's can be intentionally planned, which take positive steps towards achieving the vision, centering Te Tiriti across the way we do business, for our: *Strategy, People, Policies, and Work Processes.*

Pae Tata: Embedding Te Tiriti o Waitangi, 5-year horizon

In 2020 Ipurangi Aotearoa Council set the strategic direction for Ipurangi Aotearoa as a Tiriti centric organisation. Priorities were set to incorporate Te Tiriti thinking within the organisation's strategic objectives and are expressed within the organisation annual goals and work programme. This includes building Māori cultural capability and competency for kaimahi, understanding about Te Tiriti o

Waitangi, partnerships and engagement with Māori, and Council's imperative to focus on more equitable access to community funding by Māori.

Building upon the initial steps taken, Ipurangi Aotearoa Group is at the stage of bringing separate initiatives together under one longer-term Tiriti vision and to develop a strategic view of the direction of travel over the next five years.

Sustainable Development Approach

A key success factor in organisation development and achieving cultural change is taking kaimahi on a journey encouraging confidence through learning, doing, trialling, and applying te Tiriti considerations across our operations. This approach will be supported by a multi-year Māori cultural capability plan, aligned professional development processes, people leaders, leadership advice and guidance from Te Puni Māori, and Te Kāhui Tumu.

Ngā Pae e Toru

The overarching framework of five years is presented as three interconnected phases (Pae) where continuous learning and development, capability building, and improvement is set to occur: *Pae Kākano* sets strategic foundations; *Pae Tipu* Integrate, Embed, Monitor; *Pae Whai Hua* Embedding, Maturing, Leading. Refer also to Appendix A. diagram.

Within each of these Pae, specific actions will be implemented through annual goals and programme deliverables.

Next Steps, Foundational Work

The next significant step proposed for Ipurangi Aotearoa is to develop a shared Tiriti centric vision and expression of what this means to Ipurangi Aotearoa. It is suggested that this work progresses in 2024. This will enable Tiriti guidance to coherently flow into Strategies and the way we think about applying Te Tiriti in daily practice, connecting our organisation strategies, goals and deliverables.

A number of other important Tiriti centring foundational initiatives are underway. Such as, the review and co-design of the Constitution and review programme of organisational policies. Rethinking our approach to more strategic, meaningful enduring relationships with Māori enabling Māori to lead and achieve their aspirations, and together, achieving greater community impact. This approach also supports focus and prioritisation of organisation efforts, and considerations for guiding future community funding investment decisions.

Another significant focus for our foundational work, is to progress how we may take progressive steps to enable Māori voices and decision-making in internet governance, including exploring opportunities in international fora raising also the visibility of indigenous voices. Uniquely, Ipurangi Aotearoa through its Tiriti centring commitment is positioned to influence greater inclusiveness in the internet

community, and be a leading supporter or potential catalyst in international internet spaces.

Critical Success Factors

Critical success factors enabling the organisation to travel along the pathway of Tiriti development are ownership, leadership, and buy-in from across the Ipurangi Aotearoa Group, ensuring parties in governance and operations can see themselves in Ngā Pae and how their work contributes to the Ipurangi Aotearoa Tiriti vision.

The following are identified as being critical determinants for Ngā Pae:

● Support by Ipurangi Aotearoa Council, Te Komiti Whakauru Māori through Ipurangi Aotearoa strategies, annual goals and policy positions
● Ipurangi Aotearoa Membership support for Te Tiriti centring, through Ipurangi Aotearoa Council
● Support and buy-in by DNC Board
● Owned and driven by Te Kāhui Tumu
● Led and guided by Te Puni Māori
● Resource and funding
● Buy-in from staff

Engagement on these critical factors are underway, including funding considerations to enable the commencement of our Tiriti vision and Ngā Pae work in this current financial year.

Whakamutunga | End.

Appendix A.

Te Tiriti centric Development Across Strategy, Policies, Processes, People

The line graph depicts development over five years across the three horizons, illustrating how they overlap and transition from one phase to the next. It provides a visual representation of how development activities develop from foundational setups to full integration (embedding) of Tiriti considerations and leadership over a five-year period across Strategy, Policies, Work Processes, and People.
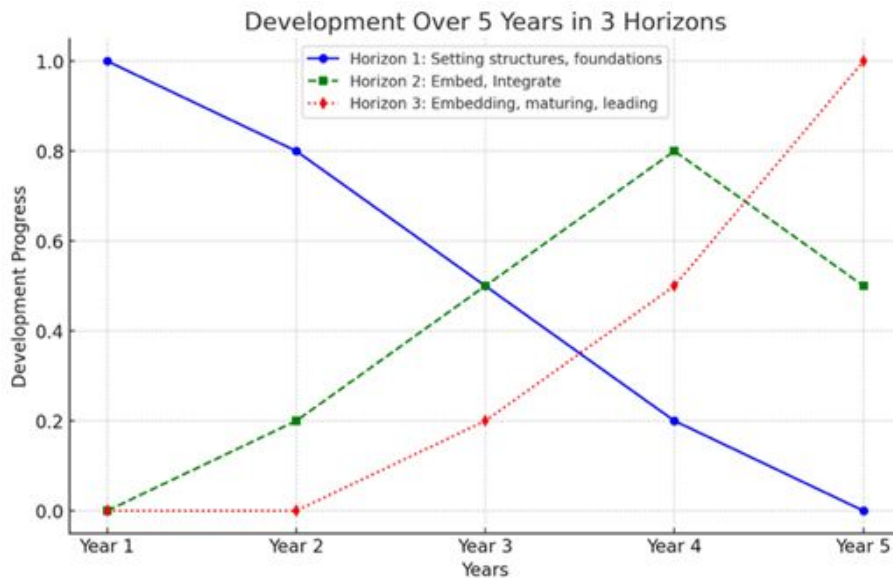
Explanation

Pae Kākano - Horizon 1: Setting structures, foundations (Blue line) This phase focuses on the strategy, vision, initial systems, frameworks, policies and foundations necessary for future development. Progress is high in year 1 as foundational activities are at their peak, then gradually decreases as the groundwork is laid.

Pae Tipu—Horizon 2: Embed, Integrate, Monitor (Green line) This phase involves embedding and integrating Te Tiriti perspectives and applications into the organisation's operations. Progress starts low in year 1, increases as foundational systems, vision, and values are completed, peaks around Year 3-4, then tapers off as integration and embedding of Te Tiriti become stable and familiar, and people and systems capability increase.

Pae Whai Hua—Horizon 3: Embedding, maturing, leading, performing (Red line) This phase focuses on maturing the integrated work processes. Progress is visible, the application of Te Tiriti is consistent, coherent, and connected, Māori's cultural capability and confidence are notable, and leadership of Te Tiriti work is occurring across the organisation.

30 July 2024

Ngā Pae

Pathway for Growing our Tiriti Centric Vision

1

internetnz

Introduction
Ngā Pae

2

- Ngā Pae is the direction of travel for how we develop our Tiriti centric vision over the next 5-years

- Premised on *sustainable systems change* across organisation structures to enable Tiriti centering, consistently and coherently occur

- A process of *cultural shift*, requires us to think, behave and do differently

- Development over successive years, inter-connect build upon each other

Pae ~ Horizons

Background
Key Drivers

InternetNZ | Ipurangi Aotearoa operates the .nz domain space. We ensure all domain names ending with .nz are available for people and businesses in Aotearoa to function and thrive online.

InternetNZ | Ipurangi Aotearoa positions itself as a Tiriti centric organisation recognising the constitutional foundation and centrality of Te Tiriti o Waitangi in Aotearoa. Historically our institutional settings have not enabled Māori to be a part of decision-making about the internet. In 2022, Council set a clear direction to address systemic racism within InternetNZ | Ipurangi Aotearoa.

We place
te Tiriti at the centre of how we work as a guiding beacon to fulfilling our purpose as an organisation of Aotearoa, guardian of .nz on behalf of Aotearoa

We believe
everyone in Aotearoa, be empowered to make the most of the digital world in a way that *works for them*

We work
to enable all people of Aotearoa to access and *effectively use* the internet to *equitably participate* in *and benefit* from our society, democracy and economy; Including Māori whom we recognise as *tangata whenua*. Also, partner to Te Tiriti o Waitangi

We focus
on addressing *digital equity* and *inclusion* through access and accessibility

3

Our Approach
Learning by doing

- Trialing, doing, learning and evolving, making adjustments as we go

- Focus development across *Strategy, People, Policies, Work Processes*

- Ngā Pae, view over 5 years – three horizons

  Pae 1 Setting structures, building foundations, Tiriti Vision, Values

  Pae 2 Integrate, Tiriti perspectives, adjust, monitor, adapt

  Pae 3 Embedding, maturing, leadership of Te Tiriti across Ipurangi Aotearoa

We know what it is, we see it, we can describe it

Bringing structures into alignment with our Tiriti vision

4

Pae Tata
Where are we at

- 2022 Council set InternetNZ | Ipurangi Aotearoa Tiriti centric direction

- Te Tiriti expressed in strategic objectives, annual work programme

- Implementation of Māori cultural capability initiatives, Te Tiriti o Waitangi learning

- Council focus, equitable access by Māori to community funding

- Addressing recommendations to address systemic racism toward Māori, co-designing the constitution with Māori

What's next

Bring separate initiatives and plan of development together under a longer-term Tiriti vision

Ngā Pae – the direction of travel, understanding what it means to be Tiriti centric

5

Ngā Pae
Development Horizons

internetnz

Set over three horizons

- 1. Pae kākano
  Set Structures, Strategy, Vision, Values *foundations*

- 2. Pae Tipu
  Integrate, Embed, Adjust, Monitor *developing*

- 3. Pae Whai Hua
  Embedding, maturing, leading, *performing*

7

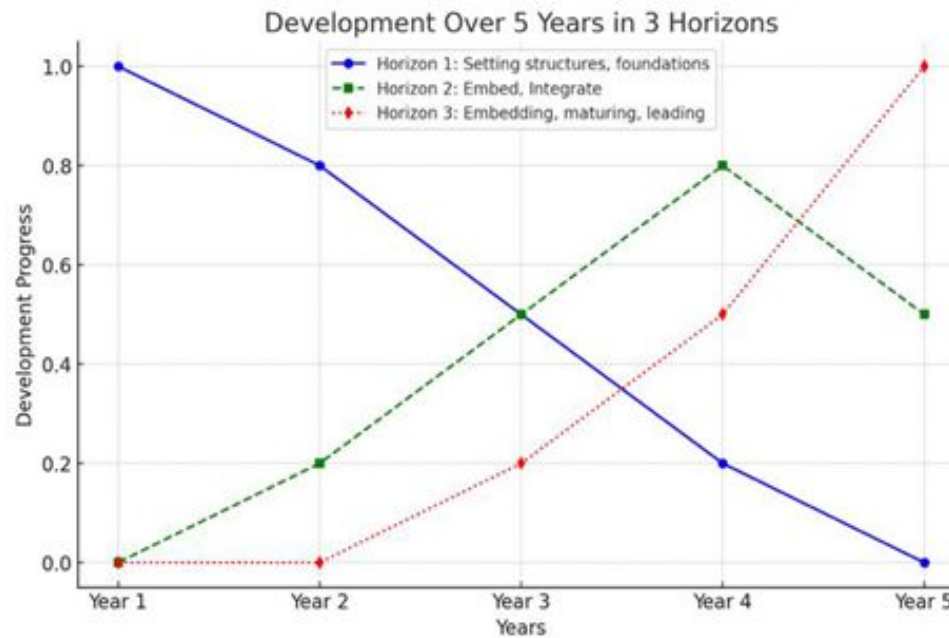# Development Over 5-years, in three horizons

Ngā Pae

1. Pae kākano
Set Structures,
  Strategy, Vision,
  Values *foundations*

2. Pae Tipu
Integrate, Embed,
  Adjust, Monitor
  developing

3. Pae Whai Hua
Embedding, maturing,
  leading, *performing*

Development Over 5 Years in 3 Horizons

8

Implementation | Focus Actions
Pae Kākano Year 1: Set strategic Foundations

1. Develop shared long-term Tiriti vision

2. Centre Tiriti in Ipurangi Aotearoa Strategy 2025-2028

3. Co-design Ipurangi Aotearoa constitution with Māori

4. Develop organisation values, foundation for how we embed Tiriti

5. Create Ipurangi Aotearoa Whakapapa story

6. Create Tiriti framing for policy review, begin update of policies

7. Re-affirm Te Puni Māori leadership role, Kaitiaki for kaupapa Māori

8. Focus on enduring partnerships with hapori Māori, pakihi Māori, refine management model

9. Māori cultural capability initiatives for Kaimahi, planned and underway

10. Gather and utilise research and insights, what Māori are saying, priorities

9

Te Tiriti cohesion – weaving Te ao Māori, Tiriti across existing and future

Implementation | Focus Actions
Pae Tipu Year 2-3: Integrate, Embed, Adjust, Monitor

1. Refine strategic objectives, utilise insights, research - adjust the roadmap

2. Develop success measures, monitoring, review

3. Launch initiatives aimed at strengthening, integrating Tiriti capabilities

4. Continue focus on Māori decision-making in internet governance

5. Establish Tiriti roopu of champions from across Puni

6. Optimise processes from Pae Kākano, integrate Tiriti centring withing organisational workflows

7. Create a multi-year cultural capability plan, reflecting needs to support Te Tiriti integration efforts

8. Create, test, Māori cultural competency framework aligned to Tiriti vision

9. Continue update, review of Policies and work processes, centring Tiriti

10. Continue focus on meaningful, enduring partnerships with Māori, refine relationship management

10

Integrating Te Tiriti, Continuous improvements

Implementation | Focus Actions
Pae Whai Hua 4-5: Embedding, Maturing, Leading

1. Deliver on Strategic objectives, implementing initiatives, evaluating outcomes and performance

2. Evolve strategy, to focus on Tiriti organisation leadership and continuous improvement, identifying new opportunities for innovation and competitive advantage

3. Continue implementation, multi-year Māori cultural capability plan, invest in advancing learning programmes

4. Continue implementation of Māori cultural competency framework

5. Fine tune policies, work processes centring Te Tiriti, to achieve optimal performance

6. Develop advanced Tiriti application tools to ensure processes are capable of supporting Tiriti implementation and where the organisation is at

11

What Māori tell us, will be a measure of success and performance

Interim Measures of Success
A guide for Pae Tata

- Our Tiriti vision and what that means is published on our Website

- We are trusted and have credibility amongst Māori

- Māori see themselves as having a valued place in the activities of Ipurangi Aotearoa

- .nz contributes value to the performance of the Māori economy, the aspirations and wellbeing of iwi, hapū, whānau as led by iwi, hapū, whānau, hapori Māori

- Ipurangi Aotearoa constitution is Tiriti centred, co-designed with Māori, adopted by Members

12

What Māori tell us, will be a measure of success and performance

Critical Success Factors

- Te Kōmiti Whakauru Māori, Council support, DNCL support

- Ongoing Members support (through Council)

  Expressed within organisation annual work programme

- Owned and driven by Te Kāhui Tumu

- Led and guided by Te Puni Māori

- Kaimahi engagement and buy-in

- Resource and funding

13

Implementing our Tiriti Vision is all our responsibility

Pae Tawhiti
Beyond 5-years horizon

- Expressing, growing our Tiriti centric identity is and ongoing journey of maturity

- Our Tiriti vision is enduring and steers a futuristic pathway well beyond five years

- Throughout Ngā Pae, and at five years, we review, evaluate and utilise insights to set next phase of strategic Tiriti priorities. Consider environmental factors at that time

E Whai Ake Nei, What's Next?

July to August 2024: Presentation & wānanga with Te Kāhui Tumu, Kaimahi, Te Kōmiti Whakauru Māori, DNCL, Council

Te Tiriti journey is an ongoing process of learning and maturity

14

Kua raranga tahi tātou he whāriki ipurangi, whāriki Tiriti mō āpōpō

15

Together we weave the mat, in terms of the Internet, and Te Tiriti for future generations

Tēnā koutou katoa

15