
From: Rick Shera
Sent: Monday, 18 September 2017 3:51 p.m.
To: Robyn Ward
Cc: Jamie Baddeley
Subject: Submission on InternetNZ Revised Restructure Proposal

Thanks for the further opportunity to submit on the (revised) restructuring proposal.

I am broadly in favour of the revised approach.

Although, I continue to feel that the council could be reduced to 9 members with, say, 2-3 appointed by an independent appointment panel to add any necessary skillsets. While diversity is important, INZ is not a huge enterprise and it now has a larger executive team, that is committed to diversity and inclusion in all aspects of INZ's operations (Nethui being the shining example). Diversity at a governance level is important but IMHO it is diversity and inclusion in the outputs of the INZ operational teams that truly delivers to INZ's objects.

However, my main reason for submitting at this stage is that I would prefer the .nz policy function to remain with DNCL. The risks of inefficiency, miscommunication, conflict or the other issues that, in part, gave rise to this review, as between INZ and its subsidiaries, have now been removed with the collapse of NZRS into INZ and the DNCL board structure proposed with, particularly, the INZ CEO as chair of DNCL.

But, it seems to me that it would be more efficient for the people who maintain the regulatory function to also be responsible for the policy for .nz. After all, they are the ones enforcing the policy. Each aspect informs the other and while it is possible for that to be accomplished by groups working together, it is clearly simpler where the same people are handling both aspects. Simpler also for staff to have one reporting line for all .nz matters.

Conversely, there must be room for overlap and potential confusion where you have two legal responsibilities for different aspects of .nz. Those interacting with .nz nationally and internationally also may be a little confused by this. Also, when sending people to ICANN/APNIC etc, it would be better to be able to send people who are across all .nz functions (which may mean only one person needs to go) rather than a regulatory person and a policy/operational function needing to be represented, which may mean that by default INZ ends up having to send multiple people when it might not otherwise have needed to.

I also think it would be difficult to find an appropriate independent director for DNCL if all it is doing is regulating. That function really carries little governance input at all and would not be a particularly satisfying role for an external director.

INZ would of course retain its veto powers on things like .nz wholesale name fees but, as noted above, the board structure of DNCL will make that veto almost unnecessary anyway.

Finally, as I've noted before, I would prefer the council of INZ to be primarily focussed on public policy issues. The minutiae of .nz policy is a distraction and something that requires domain name system expertise. There seems little point to me in having to continually educate all councillors on this and have all of them involved in approving the decisions of an advisory group. Better to have the advisory group report to DNCL, so consolidating the expertise in all aspects of .nz in that company.

As I say above, overall I'm in favour of the revised proposals. If they were adopted as is, I would support them. However, I do think that a slight adjustment to keep DNCL responsible for all .nz matters would be better and, if it were me, I'd cull the council even further.

Thanks to council and all involved in listening to the issues raised and bringing these revised proposals forward.

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Regards

Rick Shera

*****NOTE*****

Views expressed are those of Rick Shera personally and not anyone else.