

Your details

Name	Lee Miller (Voyager Internet / 1 st Domains)
Email address	
Contact phone number	

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

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

I would like to speak to my submission with the Panel

1.	<p>Do you consider that the .nz guiding principles should be visionary, holistic, inclusive and instructive rather than operational? Why / why not? What else should they be?</p>
	<p>Yes. Changing to a guiding set of principles such as those proposed will foster innovative approaches and flexible solutions to any challenges and changes the space may face in the future.</p>
2.	<p>Do you think the .nz policies should be rewritten and simplified? Why / why not? If yes, how?</p>
	<p>Yes. The policies should be combined into a single indexed document and be reviewed to minimise and simplify the language used. However I don't consider the existing policies to be full of unnecessary jargon, and although terms such as Register, Registrar, Registrant, UDAI/EPP Code etc may sound technical to new domain holders, they are industry specific terms used world-wide and we should not invent new terms for the sake of simplicity.</p>

3.	Do you think there should be a new 'secure, trusted and safe' principle? Why / why not? Do you have any comments on the proposed formulation of the new principle?
	Yes. The focus on security, safety, and trust in the technology and online space has progressed since the original policies were written. We now operate in a completely different climate, one where the public has a higher expectation that tighter security standards, encryption, online identity-verification and other technologies are available and embraced to enhance the online trust environment.
4.	What would be the main benefits and disadvantages of moving from a 'no concern for use' approach to a 'secure, trusted and safe' approach?
	<p>Protecting the integrity of the .nz space with a proactive approach would become a priority in everything from policy to operations.</p> <p>There will likely be an increased level of overhead from monitoring and acting on any breaches.</p>
5.	Do you think there should be a new 'open and accessible' principle? Why / why not? Do you have any comments on the proposed formulation of the new principle?
	Yes. This is an important guiding principle to have, in conjunction with 'secure, trusted and safe' given that some approaches to improve trust and safety could directly reduce accessibility to the space by introducing restrictions and complexity.
6.	Do you think there should be a new 'New Zealand benefit' principle? Why / why not? Do you have any comments on the proposed formulation of the new principle?

	No. I believe the aim of this principle would be covered by the 'open and accessible' principle. In some ways it could even contradict being open and accessible, as it may be interpreted as being 'nationalistic' resulting in a restricted for NZ use only, which I do not support.
7.	Do you think there should be a new principle on te reo Māori and Māori participation in .nz? Why / why not? Do you have any comments on the proposed formulation of the new principle?
	Yes.
8.	Do you think there should be a new guiding principle on enabling New Zealand to grow and develop? Why / why not? Do you have any comments on the proposed formulation of the new principle?
	It sounds nice, but I'm just not sure how that can be achieved through providing domain names. The services that are built on top of the domain names help New Zealand grow and develop. The domain name is an enabler. It may be possible to deliver to this principle with supplementary services where InternetNZ is in a unique position to offer other services that draw on it's expertise and data for the benefit of New Zealand.
9.	Do you think there should be two types of principles (guiding principles and operational guidelines) to help manage the .nz domain? Why / why not?
	Yes. Makes sense to split these out. However, the new guiding principles should not change, but Operational guidelines could be regularly reviewed and altered to accommodate the changing environment.
10.	Do you agree that the 'rule of law' principle should not be retained as an operational guideline? Why / why not?

	Agree. It is a given that NZ law applies.
11.	Do you think the 'first come first served' principle should be modified and retained as an operational guideline? Why / why not?
	Yes, retain it and the modified wording would allow introduction of a reserved / prohibited name list if required.
12.	Do you think the 'registrants' rights come first principle should be modified and retained as an operational guideline? Why / why not?
	Agree with the proposal for this to be removed. It would be covered throughout the Operational guidelines.
13.	Do you agree that the 'low barriers to entry' principle should be removed? Why / why not?
	Agree this could be removed now. It could contradict moves to introduce industry minimum security standards / features / platform practices.
14.	Do you agree that the 'no concern for use' principle should be modified and retained as an operational guideline? Why / why not?
	Yes. The new wording would allow DNCL to be more responsive in responding to illegal activity, whilst not becoming overbearing in its power.
15.	Do you agree that the 'structural separation' principle should be retained as an operational guideline? Why / why not?

	Yes. It is important to maintain the structural separation between regulatory, registry and registrar functions. We have observed healthy challenge and testing of these functions in the past and it is important to retain independence.
16.	Do you agree that the 'clear chain of relationships' principle should be retained as an operational guideline? Why / why not?
	Yes, retain it.

Accessibility and openness of .nz domains

The .nz policies are written only in English

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

19.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Support Option B. Because it is the right thing to do and follows the openness and commitment to Māori principle. I don't agree however that the current .nz policies are highly technical and having them written in English only could be an impediment to registration of a .nz. To support this theory, I would be interested to see research to determine how many new Registrants review .nz policy before deciding to purchase a .nz domain name. The Registrar website and service offering is likely to have more influence on registering a .nz.

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

- Option A: the current situation
- Option B: support additional characters as demand arises

- Option C: support all characters for most widely used New Zealand languages

21.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes, agree.
22.	Which option do you prefer? Why?
	Option B. We should observe other ccTLDs (like .com.au) as they introduce IDNs in their Registry before undertaking work to introduce new characters to .nz. This will allow us to estimate demand and adopt a proven and tested approach to dealing with any security issues. 1 st Domains does not currently support IDNs and we have received very limited requests over the years to register them. Hence why we should adopt a 'wait and see' approach before advancing IDNs further in .nz beyond what is already supported.

No geographical limits on registrants

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

22.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Agree with the assessment of options but an additional option could be explored, and that is to retain the current situation, but offer an extra level of local verification or certification to participating individuals / organisations. This could be in the form of a centrally operated (InternetNZ) .nz trust seal that could be displayed on websites, linking back to an authoritative website that can provide verification.

Without getting into specifics, additional information could be collected via the Registrar such as NZBN, verified contact details, RealMe identity verification, drivers' licenses etc and processed via API. A centrally operated website would allow internet users to enter a website address and verify its status, and the website operation to display a dynamic .nz trust seal on their website providing an additional level of trust for .nz.

23. Which option do you prefer? Why?

Option A, but with an opt-in local verification option as I have proposed.

I do not support imposing a local presence requirement. In my view, this would add complexity, cost and increase barriers of entry to .nz. Registrants have choice, and with unrestricted gTLDs now numbering in their hundreds, adding additional hurdles to gain a .nz domain name would reduce their appeal. We have also operated an open ccTLD for quite some time, so retrospectively imposing a local presence would be challenging to implement.

The reality is that people determined to deceive, and act fraudulently will find ways to bypass any checks. Any additional measures may just add extra governance without adding any real value or protections.

Provided that DNCL has adequate monitoring and powers to regulate unacceptable use, .nz can still maintain its reputation as a safe ccTLD whilst staying open.

Security and trust

Domain and website content abuse

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

25.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	<p>Yes. The DNCL appears today to be taking a more proactive stance on domain and website usage but can only take down sites where registration data is also not valid. Policy should be extended so that they can act based on inappropriate usage, but this should have well defined parameters.</p> <p>Another option to address malware and phishing sites could be that InternetNZ takes a more proactive role in maintaining clean websites in the .nz space. It could form a partnership with organisations such as Google, to use their Google Safe Browsing data across all of .nz. There could be an automatic notification mechanism via the Registrar to notify a .nz Registrant when unsafe websites have been detected. This sort of zone quality aspect is not unlike the current DNS zone scans the Registry already performs.</p> <p>As a controlling body, InternetNZ is able to look at ways to leverage their data and to partner with other organisations that hold complimentary data on .nz to innovate in this space.</p>
26.	Which of these options do you prefer? Why?
	<p>A combination of option C and D. It will likely become necessary to outline some parameters of what acceptable use is in order to act on advice from these trusted organisations.</p> <p>Where there may be a grey area is when it comes to compromised websites, where malware or phishing content has been placed on a legitimate website. Hence there needs to be a robust mechanism for advising, suspending and reactivating domain names where a Registrant has become a victim of cybercrime.</p>

The interim emergency circumstances clause

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

27.	Do you agree with our assessment of the options? Why / why not?
	Yes.
28.	Which of these options do you prefer? Why?
	Option C. I believe as a regulator of the .nz space, DNCL should have these powers to act under exceptional circumstances.

Domain name registration abuse

- Option A: Current situation
- Option B: Introduce data validation for all domain name registrations
- Option C: Introduce data verification for high risk domain name registrations

29.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	<p>Yes. Another option like Option C would be to review high-risk domain names after they have been registered, rather than pre-determining them. Otherwise, in scenario C you are assuming without evidence that there is potential for abuse and preventing registrations.</p> <p>I understand that the Registry has been experimenting with machine learning to review characteristics of domains and even website content to flag domains as potential for abuse. It has discovered fraudulent online shops operating with fake details etc. and referred these to DNCL for verification.</p>

	This centralises verification and enables collection of data to further improve the process and reduces reliance on Registrars who may not be well equipped to perform these types of ongoing checks.
30.	Which of these options do you prefer? Why?
	<p>Option A. Any attempt to verify or validate contact information is going to increase costs and be difficult to implement across all Registrars. Take for instance, verifying that a physical address exists. Voyager has experience in this area, as it operates an internet service provider and frequently deals with address information for delivery of internet to homes and businesses. There can be many inconsistencies with address data provided by various organisations, especially businesses.</p> <p>I support attempts to make the data received more consistent in its format, and therefore, more easily verifiable by DNCL. Perhaps InternetNZ could provide APIs/Tools to be used to verify collected data at time of entry to provide real time response to the customer.</p>

Grace periods and domain tasting

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

31.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes.

32.	Which option do you prefer? Why?
	<p>Option A. I would like to see evidence of abuse before the current situation was materially changed. To my knowledge, .nz doesn't have an issue with domain tasting. I am not aware of any Registrars that allow registration and cancellation of a domain name during the grace period as a productised service. I acknowledge that this has been an issue with some Registrars in the gTLD space, however.</p> <p>Voyager has a policy of non-refundable transactions, however, in practice where a Registrant has made a typo, or renewed the incorrect domain name and it is within the 5 day grace period, we will usually accommodate a request to resolve the situation and reverse the transaction.</p> <p>We don't see this option being abused or used unnecessarily and it provides a mechanism for us to rectify issues and provide a better customer experience for .nz over gTLDs that we offer. As we are a reseller for gTLDs, we cannot offer the same flexibility to refund customers who opt for gTLD names.</p>

Misleading, deceptive, and offensive domain names

- Option A: The current situation
- Option B: Introduce a 'reserved and restricted names' policy

33.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Agree.
34.	Which of these options do you prefer? Why?

Option A. Without evidence to suggest there is a problem, the status quo should be maintained. Again, doing this would be presuming to know that certain words are intended for abuse. An example would be covid19 related domains. Some overseas Registrars took a pre-emptive stance to block domain names with the word covid. DNCL took a monitored approach and reportedly didn't suspend a single domain name related to covid19, however, there were hundreds of domain names registered using this word that were for the greater good.

Ensuring security best practice across the .nz domain name system

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

35.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes.
36.	Which option do you prefer? Why?
	<p>Option B, with some of Option C. There should be a mandated minimum set of security standards prescribed by InternetNZ and adopted by Registrars.</p> <p>Where there are additional security features beyond the minimum as part of the service offering, such as DNSSEC, Registrars could be incentivised to implement and adopt.</p>

Technology specific approach

- Option A: The current situation

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

37.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Agreed.
38.	Which of these options do you prefer? Why?
	Option A. Any technologies would likely be referenced under the Operational guidelines which by their very nature should be specific and would be expected to be reviewed and re-written more frequently anyway. Domain name technology is not changing at any great pace.

Conflicted domain names

Self-conflicted names continue to be unresolved

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

Other conflicted names continue to be unresolved

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

39.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes.
40.	Which of these options do you prefer? Why?
	<p>Option B for self-conflicted names. Easy and straight forward approach which I have advocated for previously.</p> <p>Option C for other conflicted names, with priority going to the registrant that has held the third level name for the longest. I do not support that .co.nz has priority or a more legitimate claim. This would seem unfair to me.</p>

Enhancing privacy across the .nz domain name system

Level of registrant data collected and stored

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

41.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes.

42.	Which of these options do you prefer? Why?
	<p>Option A because it likely fits closer with the industry standard for domain name registration. As we move to a new Registry system with EPP we need to ensure we don't deviate away from existing best practice and start spinning our own home-grown solutions. I am keen for us to adopt existing practices rather than re-invent as this presents challenges to implementation down the line.</p>

Registrant data is made public by default

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

43.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	<p>Yes, but another option could be added and that is like Option A but mandated that the IRPO is offered during the registration process so that all new Registrants are informed at time of Registration what their options are. The Registry could be updated to include the IRPO selection value on new creates to enforce this.</p>
44.	Which option do you prefer? Why?
	<p>Option C, because given the option to choose I cannot see why any individual would want their personal details including email address made publicly available.</p> <p>If Option C was an option, there would need to be a mechanism made available to contact the domain contacts. A proxy form could be used for this whereby you enter</p>

	the domain name of the Registrant/Tech/Admin you wish to contact and it relays the email to the contact.
45.	Under the IRPO, which contact details do you think should be withheld from WHOIS?
	Given that the admin and tech is usually a duplicate of the Registrant information (most Registrants use buttons we make available to pre-fill these contacts with the same information during the registration process to make it faster), I would hide all of the contacts from the WHOIS if the domain name is for an individual. If you only hide Registrant info, then there is a high chance that personal registrant details will be inadvertently publicly disclosed.

Implementation of the IRPO and access to registrant information when required

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

46.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes
47.	Which option do you prefer? Why?

Option C, as per previous suggestion. This was a suggestion put forward when IRPO was originally implemented. It would need to be considered if registrant details were hidden by default given the volume of domains this would affect.

The .nz domain space and Māori

Engaging with Māori in the policy-making process

48.	Do you agree that following the Panel's work, InternetNZ should take reasonable steps to engage with Māori when amending the .nz policies? Why / why not?
	Yes. There needs to be more engagement with Maori particularly around IDNs and advocating their use and uptake within New Zealand.

Building strong capability within InternetNZ to engage with Māori

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

Engaging with Māori on the issues that the Panel has identified

50.	Are there any other .nz-related issues affecting Māori that you think should be considered?
	No.

Opportunities to enhance .nz growth and improve market operation

The current flat wholesale fee structure limits innovation

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

51.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes.
52.	Which of these options do you prefer? Why?
	Option B. This option would offer the most flexibility and it would encourage innovation and participation in joint programs between Registry and Registrar.

The scope of incentives to enhance market operation

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

53.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes

54.	Which of these options do you prefer? Why?
	Option B or C. Most of Option B would be covered under Option C, the guiding principles, such as growing NZ, openness etc. It provides good alignment to the types of specific initiatives that have been proposed.

Empowering registrants could improve market performance

- Option A: Current situation
- Option B: InternetNZ works with registrars to establish a statement of registrant rights which the DNC monitors and registrars are accountable for by annual monitoring
- Option C: DNCL publishes expanded objective market information to better inform registrant choice eg. market share and renewal rates

55.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	<p>This is an interesting area and comes down to education in the market. A domain name is typically a gateway to another service, such as a web presence or email address. How do you get Registrants more engaged in the domain name market? The panel has referenced the Broadband and Power market, but to continue with this analogy broadband and power is like web hosting and email, the domain name would be similar to the power lines or the fibre connection that enables the service.</p> <p>I do support moves to hold Registrars to a certain level of service and understood that was already the role of DNCL. If there are recurring complaints or frequent delayed or non-response to Registrant requests by certain Registrars then these should be addressed through the provisions of the Registrar agreement., perhaps introducing an Service Level Agreement for Registrars.</p>
56.	Which of these options do you prefer? Why?

Option A or Option B.

I don't support publishing expanded market information such as market share, pricing, renewal rates as this information could be taken out of context without having a full understanding of the Registrar's business, service offerings and customer demographics.

Take for instance renewal rates. A large Registrar such as 1st Domains is likely to have a lower renewal rate, than a small boutique Registrar that offers a niche service to schools as an example. 1st Domains is likely to have many more domain speculators as clients but that isn't an indication that we provide a lower level of service. Likewise, another Registrar may offer lower priced domain names, but online support only. Or another may bundle a domain name as part of a wider service offering. I just don't think similarities can easily be drawn against other industries like power and broadband.

Improving the regulation of Resellers could enhance market operation

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

57.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	<p>Yes. I think this area still requires some further thought into why resellers would choose to identify as a reseller and what's in it for them to do so. What controls or incentives would be put in place to convert and be regulated under a reseller agreement. It would be worth having some dialogue with auDA around their reseller process to understand what works and what doesn't. It is optional in their space to get a Reseller ID that tags the domain names you manage on behalf of Registrants. https://www.auda.org.au/industry-information/resellers/</p>
58.	Which of these options do you prefer? Why?

A modified version of Option C. Similar to the auDA approach, there could be designated Tier 1 Registrars that you can officially resell through. There would be an official reseller agreement in place between the Tier 1 Registrar and the Reseller, and the Tier 1 Registrar is responsible for the conduct of the Reseller. The Tier 1 Registrar operates a platform that meets .nz minimum standards and has been approved by InternetNZ. There is standardised preferential pricing offered to official resellers via the Tier 1 Registrar. If the reseller later wished to become a Registrar, they could potentially have any establishment fee reduced or waived given their acceptable and competent operating history as a reseller.

The benefit of this model is that it would reduce the burden on InternetNZ for oversight and compliance of many small operators. It would also ensure that resellers are using platforms that meet any minimum set standards and best practices that are mandated by the Registry.

The Registry's role in market activity

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

59.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes. The Registry needs a mechanism to deliver service and feature improvements to the market.
60.	Which of these options do you prefer? Why?

Option B. I have no problem with certain features/services being mandated under a minimum feature set to grow capability within the .nz space. However, the customer relationship should remain with registrar/registrant to avoid conflict of interest arising and confusing lines of communication. I do not support the Registry being able to sell/market directly to Registrants.

Improving Registrar monitoring may enhance market operation

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

61.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes, seems an SLA is lacking and could be a useful tool to assist with the fair operation of .nz.
62.	Which of these options do you prefer? Why?
	Option B. A fair set of guidelines and minimum service standards would ensure .nz remains a high-quality offering and is a fair playing field among Registrars. This would be particularly important if a 2-tier system is introduced for resellers.

Greater industry data collection and publication could improve growth opportunities

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

63.	Do you agree with our assessment of the options? Why / why not? Are there viable options that we have not mentioned?
	Yes, although I think a lot of this information is already publicly made available and shared within the industry. Again, it comes down to how much interest there is outside of our industry for this information.
64.	Which of these options do you prefer? Why?
	Option B, but excluding market share information and specific commercial data on Registrar operations.

Second level (2LD) market opportunities

65.	Do you agree with our assessment of the issue? Why / why not?
	I think 2LDs have probably had their time and any moderated domain names would be low in volume. It would be likely that InternetNZ would need to facilitate the registration of any new moderated domain names e.g operate a close Registrar for the purpose of registering moderated domain names.