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auDA

Jo Lim, Chief Operations and Policy Officer, auDA

jo.lim@auda.org.au

ACCAN thanks auDA for the opportunity to contribute to its draft recommendations on the allocation and use of domain names in the .au domain space. The Australian Communications Consumer Action Network (ACCAN) is Australia's peak body for consumer representation in communications. We represent residential consumers and small businesses including not-for profit organisations in so far as they are consumers.

Should .au be opened up to direct registrations? If yes, should there be any policy rules, and if so what rules?

ACCAN remains opposed to .au being opened up to direct registrations.

The Draft Recommendation Paper indicates that 63% of responses to the initial consultation were in favour of direct registrations; however 27% of these only gave qualified support. Therefore, the actual level of unqualified support is only 36%. ACCAN is concerned that the public consultation outcomes suggest a less than favourable level of support for direct registration, yet the Panel continues toward its implementation.

ACCAN is also concerned that a large majority of the businesses and individuals who are affected by this drastic change to the .au environment may not be aware of the swift progression of the issue. To address this concern the momentum of this consultation should be slowed until there is an adequate period for time poor small businesses to be adequately informed and provide feedback into this process.

Additional Comments

1. Superiority of shorter names

ACCAN believes that the broad public awareness of .com.au is considered more memorable than a shorter domain name. Any change threatens the highly regarded current system that works well and provides stability in this environment.

ACCAN approached a sample group of small businesses for responses to the Issues Paper. They indicated that they do not believe that shorter names are superior in the Australian environment. The following response demonstrates the reliance that these business have on the current environment and the investment they have made to secure appropriate domain names;

- "As a general rule, in my industry you should aim to have a .com.au if you are a local, bricks and mortar business. Otherwise it should always be .com, it's what internet users have come to expect and are likely to remember (unless you have a very smart domain name)."

2. Wider choice and appeal to registrants, especially individuals

ACCAN does not see evidence of a demand for additional options for domain names or a demand for direct registrations. Defensive registrations would create an artificial demand and would risk devaluing the investments already made by Australian domain name holders. Individuals currently have the option of .id.au but it is underutilised and an education program could be implemented to increase awareness of the existence of this option.

3. Adding value for everyone

Several respondents¹ to the Issues Paper suggested that they believed the only organisations set to benefit from the introduction of direct registration are those that are involved in the sale and distribution of the new domain names. This has not been addressed by the Panel nor has any evidence been presented from either the .uk or .nz implementation that shows an increase in demand from the market or any benefits, as it is too premature to evaluate the impact of the change in these markets. The impact of a switch to direct registrations should be carefully evaluated, and an evidence based approach taken to determine the costs and benefits before auDA progresses this matter further.

4. Implementation Issues

Recognition of existing registrants

ACCAN supports the recognition of existing registrants in the form of a first right of refusal. We are concerned with the 'no hierarchy of rights' principle as small business and not for profits will likely be beaten to the .au name by corporates who have access to more resources to secure whatever domain name they want.

Education and Awareness

Whilst the Paper acknowledges the need for a widespread education and awareness campaign, ACCAN is concerned with the lack of specific details of what this would involve, and which organisation is to take responsibility. Additionally, this requires a suitable strategy for small businesses as they are difficult to engage with given their lack of resources to commit to issues that are not seen as core business.

5. Summary position on individual recommendations

DRAFT RECOMMENDATION 1A

ACCAN does not support that .au should be opened up to direct registrations

DRAFT RECOMMENDATION 1B

If .au is opened up to direct registrations, the same policy rules which currently apply to the existing 2LDs should also apply.

¹ Submissions to auDA Issues Paper, April 2015: Clarke, Roger; Jones, Nathan; Selby John; Utting, David

DRAFT RECOMMENDATION 2A

The eligibility and allocation criteria for open 2LDs should be retained in their current form subject to Draft Recommendations 3B and 3C. However, ACCAN is very concerned with the application of the 'no hierarchy of rights' principle during implementation. Small business and not for profits will be vulnerable and likely be beaten to the .au name by corporates who have access to more resources to secure whatever domain name they desire. In the current environment they can use .org, .net to define themselves from the .com corporations.

DRAFT RECOMMENDATION 2B

ACCAN supports that the fixed 2 year licence period be changed to a variable 1-5 year period, however ACCAN believe that consideration be given to a one off licence which would be desirable for needs such as conferences and campaigns.

DRAFT RECOMMENDATION 3A

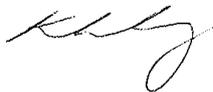
ACCAN supports the retention of the Reserved List Policy in its current form.

DRAFT RECOMMENDATION 3B

ACCAN supports the retention of the Prohibition on Misspellings Policy.

Thank you for considering our views on these important issues. Once again ACCAN would like to thank auDA for the opportunity to contribute to the discussion.

Sincerely,



Kelly Lindsay
ACCAN Small Business and Consumer Engagement Officer