

Select Committee considers Copyright

David Farrar, Jordan Carter and Rick Shera appeared before Parliament's Commerce Select Committee, speaking in support of InternetNZ's submission on the Copyright (New Technologies and Performers' Rights) Amendment Bill, which was lodged earlier in March.

The Bill attempts to update copyright law to reflect changes in technology since the Act was passed in 1994, while preserving the existing balance between users and owners of copyright works. InternetNZ's analysis is that the Bill fails to achieve these aims, shifting the goalposts towards copyright owners.

In submitting on the Bill, InternetNZ advocated for some simple principles to guide the reforms. Implementing technology neutrality while retaining the current balance between users and authors is key; writing workable law that gives the public rights they can use is another key principle. Responses to breaches of copyright must be balanced, not heavy handed, and Internet Service Providers should be treated as conduits and not parties in disputes about the use of content over their networks.

In line with these principles, the Society suggested improvements to the proposed ISP liability regime, including the adoption of a notice-notice system for ISPs to deal with allegedly infringing material on their servers. Improvements were suggested to the format shifting and time shifting permitted acts. The society also argued against special legal protection of technological protection measures, and proposed improvements if the Committee insisted on keeping the regime in place.

The hearing went reasonably well. InternetNZ's comments were preceded by those of the Recording Industry Association, and so we were able to rebut some of their points. Members of Parliament on the Committee are still learning about the many facets of copyright legislation and will face a difficult job in reconciling the opposing interests at play here.

InternetNZ will continue to lobby in favour of its submission (available at <http://www.internetnz.net.nz/pubs/submissions/>) as the Committee continues its work.



Jordan Carter appointed Deputy

Jordan Carter has been appointed Deputy Executive Director of InternetNZ. Jordan has been with InternetNZ for four years including working in the DNC office. Prior to that he was an InternetNZ councillor.

Operational Separation views sought

InternetNZ will be filing a submission on operational separation following the release of a consultation document from the Minister of Communications entitled "Development of requirements for the operational separation of Telecom".

Following the process set out in the Telecommunications Act, the document presents draft proposals "on how best to separate Telecom NZ into at least three separate business units".

The document is available on the MED website at www.med.govt.nz/telecommunications/operational-separation and views are being sought with a deadline of 5pm on Friday 27th April.

The approximate timetable for the separation plan is:

- April - Consultation paper released for public comment
- June - Minister's Determination released
- July - Telecom provides draft separation plan
- August - Public consultation on draft separation plan
- September - Separation plan accepted

If Telecom's draft separation plan is not approved by the Minister there could be further delay. Implementation of important aspects is expected to be within three years, through to five years for all aspects.

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InternetNZ reduces wholesale domain name fee

InternetNZ is reducing by 14% the wholesale domain name fee charged to authorised .nz registrars by .nz Registry Services. The wholesale domain name fee will reduce to \$1.50 ex GST per domain name per month, down from \$1.75 per domain name per month.

The new wholesale fee will apply from 1 July 2007. The decision to reduce the fee is the outcome of a joint recommendation from the .nz Oversight Committee (NZOC) and NZRS to the InternetNZ Council. The aim is to encourage the continuation of a healthy growth rate in the registration of new domain names although there is no obligation on registrars to pass on any savings they make in a reduction of the wholesale fee.

The reduction is the second drop since NZRS took over running the .nz domain name register in October 2002.

events

Convergence Oceania
May 8, Wellington
wirelessforum.co.nz/events

APTLD Dubai
June 3-4, Dubai, UAE
aptld.org

PACNOG 3
June 16-22, Rarotonga, Cook Islands
pacnog.org

ICANN Puerto Rico
June 25-29, San Juan, Puerto Rico
icann.org/meetings/sanjuan

Building KAREN Communities for Collaboration
July 2-5, Wellington
karen.net.nz

PacINET 2007
August 15-24, Honiara, Solomon Islands
picisoc.org

Please let us know of any other events to include in future newsletters.

ICANN regions

In recent months ICANN has commenced a review into the ICANN regions breakdown. Under ICANN bylaws a review is required every three years and this review is overdue. A survey of ICANN ccTLD managers indicated that a majority are happy with the status quo but acknowledge that some changes may be useful in some circumstances.

Within the Asia/Pacific region where .nz is allocated there are nine ccTLDs located geographically within the region but that have for political or other reasons been reallocated to ICANN's North America or Europe regions, e.g. American Samoa, Guam, and French Polynesia.

For these smaller territories participation is usually alongside its geographical regional neighbours, yet choosing representation for governance positions within ICANN is forced to be in regions where there is little knowledge of the candidates.

A suggestion at ICANN Portugal was that perhaps governments could have their own regional split according to political affiliations, but may wish to leave the ccTLD managers to choose their separate regions based on pragmatic geographical considerations.

InternetNZ/ICANN exchange of letters

InternetNZ representatives at ICANN Portugal commenced discussion with ICANN staff regarding the possibility of an exchange of letters.

Until recently ICANN had sought contracts with ccTLD managers to formalise relationships with ICANN. However ICANN has a more relaxed option of an 'exchange of letters' with ccTLD managers. Many ccTLD managers have already exchanged letters.

A list of the ICANN letters, of which the UK one is of particular note, is available at: www.icann.org/ccTLDs/agreements.html

Members will continue to be advised of progress regarding the formalisation of our relationship with ICANN. InternetNZ will also commence discussion with the New Zealand Government on potentially formalising that relationship also in due course.



Don Hollander, Dave Baker, Debbie Monahan at ICANN Portugal

Peering at peering

InternetNZ has initiated a team of external experts headed by independent IT consultant and ex-Telecom CIO Dr Murray Milner to look at issues of peering and local interconnection.

This team has begun consultation with industry stakeholders including telecommunications firms, ISPs, content providers, and government agencies.

The aim is to facilitate discussion and industry approaches and solutions to peering and interconnection issues.

The issue of peering was firmly put back on the agenda by the Minister of Communications at the New Zealand Foo Camp meeting earlier this year.

Telecom has recently proposed a form of local interconnection that would provide for local exchange of internet traffic using peered bi-lateral links at 29 geographic locations.

InternetNZ Council News

On the 16th of March Council held its first meeting of 2007. New Councillor Judith Speight was welcomed to her first meeting and Philip Greene, InternetNZ and Victoria University's cyber law fellow, took the opportunity to attend to meet Council.

The group covered usual business and then was joined by John Truesdale from the National Library who gave an informational presentation on the People's Network.

Most notable of the meeting was the decision to reduce the wholesale domain name fee to \$1.50 per domain name per month, down from \$1.75 per domain name per month.

Members are reminded that they are welcome to attend Council meetings and that minutes are published on the InternetNZ website.



Philip Greene, Colin Jackson and John Truesdale at the March 2007 InternetNZ Council meeting

InternetNZ goes Dutch

InternetNZ Deputy Executive Director Jordan Carter took part in a joint Australia/New Zealand trade mission to the Netherlands in March.

The purpose of the trip was to look at the business models local authorities and others are using, in Amsterdam and other Dutch cities, to roll out fibre to the home infrastructure.

"The Netherlands has decided that they need optical fibre available to all households to allow the development of next generation services. Whether it is telemedicine options, home security monitoring, making public concerts and events accessible from the home, or giving citizens the chance to share their own digital content with each other," says Carter.

With a growing understanding that fibre is the highest quality infrastructure available for Internet services, local authorities in the Netherlands have worked with private investors to roll out fibre to the home.

Due to European Union rules that largely prohibit investment in competing networks by government agencies, the general approach by local governments has been to coordinate and encourage investment rather than directly provide finance.

Typical business models involve local housing companies, private equity investors and banks with a tradition of infrastructure investment. These lay fibre to the premises over which the typical service configuration, at present, is a triple-play offering (TV, phone and Internet) with a connection speed of 100 megabits per second, symmetrical. The cost in the examples studied was around €60 per month.

New Zealand local governments can use the models of demand aggregation and investment encouragement that are being developed in the Netherlands to build viable infrastructure plans for fibre here.

In the next few months InternetNZ will be working with local government and other interested parties to help spread the word, and working with central government to determine how the inevitable gaps, that a local authority-based approach will cause, can be covered.

"New Zealand needs fibre. The good news is that we can get it. We just have to decide we are going to do it, and get on with it," says Carter.

KAREN pushes differences

On July 2-5 REANNZ are running a forum about KAREN, the Kiwi Advanced Research and Education Network, entitled "Building KAREN Communities for Collaboration".

It is targeted at researchers, scientists and academics but is open to anyone with an interest in Advanced Networking.

REANNZ says the forum will demonstrate what KAREN enables that is different to what you can do today, ideas around how to build up eResearch capability, and case studies from New Zealand and international researchers, industry and academics.

The venue is The University of Auckland and further details are available at www.karen.net.nz.

from the DNC

Domain name increase

In February the number of active .nz domain names increased from 264,711 to 268,744, a net increase of 4,033.

NZOC Meeting

A meeting of NZOC was held on Thursday 1st of March. Minutes of this meeting are at http://www.dnc.org.nz/content/Minutes_1_March_07.pdf.

Internationalised Domain Names were discussed at the NZOC meeting.

Internationalised Domain Names

NZOC considered the responses received after a call for Expressions of Interest for membership of a Working Group to look at issues around the introduction of IDN in the .nz domain name space.

The Working Group will comprise Richard Currey (NZOC Deputy Chair and Convenor of the Working Group), Dave Moskovitz, Nick Wallingford, Sam Vilain and Karaitiana Taiuru. It is anticipated that the group will hold an initial meeting around June 2007.

InternetNZ partners NetSafe

InternetNZ has formed a strategic partnership with NetSafe (The Internet Safety Group), expanding further its historical support for the organisation. InternetNZ has previously provided sponsorship and grants for specific NetSafe educational projects. For the next three years InternetNZ will provide funding of \$100,000 per year as part of the partnership agreement.

This strategic partnership is an important investment in the future of the Internet in New Zealand. New Zealanders benefit substantially from NetSafe's direct services to children and adult consumers and businesses, its involvement with educational and government organisations and community groups, and its global thought-leadership.

NetSafe is an independent non-profit organisation with members from the Ministry of Education, New Zealand Police, the Judiciary, Department of Internal Affairs, community organisations, businesses, parents and students.

Survey positive

In March InternetNZ surveyed members regarding its member communications. This was done through the members-discuss list and attracted 27 responses. It was good to see a wide variety of responses geographically and from people who have been members for some time through to those who have joined in the past year.

Various aspects of communications were rated, and the results showed members valued most of the communications types used. Combining good and very good scores and excluding "not applicable" the results were:

- members-discuss list - 59% found it good or very good value
- members-announce list - 70%
- news digest - 81%
- the browser - 63%
- .nz newsletter - 55%
- dnc.org.nz - 67%
- media releases - 85%
- media coverage - 85%
- council reports - 55%
- annual report - 90%
- internetnz.net.nz - 38%
- stopspam.org.nz - 40%
- member consultations - 81%

InternetNZ was also rated on its professionalism, achievements, branding and influence. Combined good and very good scores were:

- professionalism - 89% found it good or very good
- achievements - 85%
- branding - 52%
- influence - 75%

Of the eight identified groups of activities that InternetNZ undertakes, and the 24 subjects identified that it covers, there was a fairly even spread of interest with higher interest in issues that were topical at the time of the survey. The result indicates the current mix of activity of the organisation is very much in line with members' interests.