

## Government defers S92a

In February, the Government deferred the commencement of Section 92A of the Copyright Act until March 27 and announced that it will be suspended if no agreement between industry and rights holders is reached.

For several months, InternetNZ has been lobbying for the repeal or deferral of Section 92A, which relates to cutting off people's Internet accounts if they are alleged to be repeat copyright infringers.

InternetNZ Executive Director Keith Davidson says New Zealanders can breathe a sigh of relief that their Internet access is no longer under threat due to unproven allegations of copyright infringement. "Section 92A still needs to be fully repealed. It is disproportionate and unfit for purpose. But the deferral is a good start."

The highly visible #blackout campaign and march on Parliament organised by the Creative Freedom Foundation and its supporters in February served to bring the copyright issue into mainstream debates.

#blackout involved the blacking out of Internet photos and websites. It quickly grew legs, spreading internationally across social networking groups including Twitter, Facebook and MySpace, and through exposure in high profile publications such as The Guardian and music magazine NME.

February also saw the release for public consultation of the TCF's Draft ISP Copyright Code, which aims to enable ISPs to meet the requirements of Section 92A by providing a policy for termination of accounts of repeat infringers.

Developed by a TCF Working Party, the Code has been produced in good faith and Copyright rights holders have been consulted along the way, but issues remain:

"Notwithstanding the best efforts of the Working Party to protect consumers and businesses, issues with the wording of Section 92A mean that confidentiality of an ISP's customer details, and unhindered access to the Internet for families and businesses, are under threat," says Davidson.

In addition, the Code consultation includes an alternative Counter Notice procedure whereby users will be required to respond to the rights holder if they disagree and the Rights Holder will adjudicate on the validity of that dispute.

Davidson says "We understand the rights holders concerns but allowing rights holders to take on the role of judge and jury is not an appropriate solution. It is already outrageous that the Government is requiring ISPs to be judge, jury and executioner."

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*Copyright protesters march on Parliament.  
Photos: Mauricio Freitas*

## InternetNZ looks forward to fibre future

In February, InternetNZ responded to the announcement by Communications and Information Technology Minister Steven Joyce that the Broadband Investment Fund initiated by Labour had been cancelled and funding for the Digital Development Council and Forum withdrawn.

Executive Director Keith Davidson says the focus is now clearly on Ultra Fast Broadband roll-out.

“We look forward to working with Government directly to ensure that their Ultra Fast Broadband to the Premises rollout achieves the Government’s goals as quickly as possible and provides the best value for money.”

The five principles originally set out by John Key will be crucial to the success of the \$1.5 billion spend, says Davidson. These include having no undue advantage to existing providers, open access architecture, avoidance of duplication, accessibility to all, and a focus on public private partnerships.

The InternetNZ-commissioned Network Strategies report “Broadband Strategy Options for New Zealand” provides a proposal involving using utilities such as energy lines companies to assist in a cost-effective rollout.

InternetNZ believes this report provides a useful starting point for the Government’s broadband infrastructure planning.

The Government does not have to adopt a one size fits all approach: serious consideration needs to be given to regionally based developments, working with existing telco and other network providers, to drive down rollout costs and to provide the solutions that work best for any given region.

Davidson says that while InternetNZ accepts the decision has been made in respect to canceling the previous Government’s Broadband Investment Fund, it is clear that there is significant demand in the regions to get Ultra Fast Broadband quickly.

“A huge amount of assessment and planning work was undertaken around the country. This huge push for Ultra Fast Broadband should be tapped into within the Government’s new plans,” says Davidson.

“The Government should consider whether the framework and planning from the BIF could be revised to provide a way to help with broadband rollout outside the 75 per cent of the country covered by the \$1.5bn pledge.”

## APTLD meets in Manila

Over 50 representatives from 18 Asia Pacific ccTLDs (Country Code Top Level Domains) gathered in Manila, Philippines in February for a meeting of APTLD (the Asia Pacific Top Level Domain Association).

InternetNZ undertakes Secretariat duties for APTLD and was represented in Manila by Domain Name Commissioner Debbie Monahan, Executive Director Keith Davidson and Deputy Executive Director Jordan Carter.

The meeting saw a range of ccTLD technical and policy issues discussed, including cyber security, IDNs (Internationalized Domain Names) and IPv6.

Ram Mohan from .info registry operator Afilias kicked things off with a keynote presentation on Phishing and Botnet activity in the Asia Pacific region.

He noted that ccTLDs are an increasing focus for cybercrime. Botnets are demonstrating sustained activity, which makes DNS diversity even more important.

.hk’s security framework, DNS Security and the steps that .cn is taking to address the phishing risk were also covered off.

IDNs were another focus for discussion, with updates given on the IDN fast track process underway in Japan, Thailand, Taiwan and Singapore.

Davidson chaired the meeting and spoke briefly on the .nz Honeypot project. He also gave a joint presentation with Debbie Monahan, outlining the function of the .nz registration system and the role of the Domain Name Commission in managing the .nz policy framework.

Electronic copies of the meeting papers and PowerPoint versions of presentations are available on the APTLD website at:

<http://aptld.org/manila2009/>



*APTLD meeting attendees*

# Telco report of little value

InternetNZ has found little to commend about the incumbent telcos' recent report "Getting the Most from High Speed Broadband in New Zealand: Investing in Productivity Growth" but is not surprised telcos are fighting the Government's fibre rollout plan.

The document, while dated December last year, was not released to the public until February. InternetNZ Executive Director Keith Davidson says its key pitfall is the lack of vision in re-iterating tired arguments about whether New Zealand needs fibre or not.

Both National and Labour, in pre-election pledges, elevated the debate from "whether or not we need fibre to the home" to "how do we get fibre to the home", and it seems this report is seeking to take a backward step to the expectations of New Zealanders and the Government.

This report also fails to take into account the information – including detailed costing information – provided in the December release of the InternetNZ-commissioned "Broadband Strategy Options for New Zealand" report from consultancy Network Strategies.

"It is predictable that incumbent operators would put the interests of their shareholders first in the debate about fibre. Their vested interests should be front of mind when policymakers are considering this report," says Davidson.

"The independent Network Strategies report shows that incumbent telcos, particularly Telecom, are under threat from power utilities, which can roll out a fibre-to-the-home network for \$2 billion less than the telcos, and at a public cost close to the \$1.5 billion that the National Government campaigned on," says Davidson.

The report talks about supporting the Government but in effect attacks the Government's position. John Key stated in campaigning that "National's fibre-to-the-home goals are an essential part of our vision for a step change in New Zealand.

"We believe that ultra high-speed broadband, as afforded by fibre-to-the-home, can deliver dividends for New Zealanders in all walks of life," he says.

InternetNZ agrees with Government's vision and does not accept that existing bandwidth is sufficient.

"The Government has fully understood that you cannot be talking about productivity without talking about unconstrained broadband," says Davidson.

"A fibre rollout is clearly a nation-building exercise, and as such requires significant investment by the Government. The incumbents need to focus on how they can work with Government to help deliver on the vision, rather than trying to stand in the way."

More information on the Network Strategies Report is available on the InternetNZ website, with a PDF copy of Stage Two of the report able to be downloaded at the following link:

<http://bit.ly/yNkdA>

## events

### Digital Media Summit

11 - 12 March, Auckland  
conferenz.co.nz

### INZ Council Meeting

20 March  
internetnz.net.nz

### Web09

17 - 18 April, Auckland  
web09.org

### IPv6 for Business

20 - 21 April, Auckland  
27 - 28 April, Wellington  
conferenz.co.nz

### National Infrastructure Summit

27 - 28 April, Wellington  
conferenz.co.nz

### TUANZ Telco Day

12 May, Wellington  
tuanz.org.nz

### GOVIS 2009

20 - 22 May, Wellington  
govis.org.nz

### PacNOG

14 - 20 June, Tahiti  
pacnog.org

### INZ Council Meeting

19 June  
internetnz.net.nz

### ICANN

21 - 26 June, Sydney  
icann.org

### Telcon 10

23 - 24 June, Auckland  
conferenz.co.nz

### INZ Council Meeting

21 August  
internetnz.net.nz

### APNIC28

24 - 28 August, Beijing  
apnic.net

## InternetNZ files NGN submission

In February, InternetNZ filed a submission in response to the Commerce Commission's discussion paper on Next Generation Networks (NGN).

The Society's 13-page submission covers off a range of technical issues including interconnection & open access, QoS degradation, and the benefits and constraints of PON (Passive Optical Networking).

Also discussed are coverage and bandwidth, as well as high-level principles underpinning NGN and cost models.

A PDF version of the submission is available on the InternetNZ website at: [www.internetnz.net.nz/issues/submissions/submissions-2009](http://www.internetnz.net.nz/issues/submissions/submissions-2009)

from the DNC

## Registrars Advisory Group election results

The election period for the new Registrar Advisory Group (RAG) has closed, with three new members elected.

The new members are Peter Mott, Andrew Scott and Richard Clark.

They will join the other three existing members of the group (Lee Miller, Glen Eustace and Brett Wright).

A small biography of each member is available on the DNC website at:

[http://dnc.org.nz/content/feb\\_09\\_newsletter.pdf](http://dnc.org.nz/content/feb_09_newsletter.pdf)

The DNC thanks all those who took part in the voting and nomination process. The election made use of InternetNZ's software which is based on a preferential voting system. InternetNZ uses this system to elect Council members.

## Statistics

In January, the number of active .nz domain names increased from 348,769 to 349,802, a net increase of 1033.

There were 4700 new .co registrations, 292 new .net registrations, 289 new .org registrations, 10 new .ac registrations and 13 new .geek registrations.

## ComCom holds NGN conference

The Commerce Commission held its "Broadband at a crossroads" conference in Auckland on 26-27 February. The event was designed to explore issues of regulation that may arise in respect to Next Generation Networks and covered areas such as the form NGN networks may take through to IP interconnection issues.

On Day 1 discussion moved heavily onto the proposed fibre rollout with Minister of ICT Steven Joyce reconfirming fibre rollout plans that would deliver 100mbit/s symmetrical without contention to 75% of the country over 10 years. Joyce said drivers include geographic isolation, school connectivity, boosting productivity including in hospitals and in medical research, taking pressure off roads and better IT support for SMEs.

Kip Meek, chair of the UK's Broadband Stakeholder Group (BSG), outlined its role as an overarching industry/user/stakeholder group with some government funding and led to a panel discussion with Ralph Chivers from the TCF, Reg Hammond from the MED, Ernie Newman from TUANZ and Jordan Carter from InternetNZ.

The panel discussed the definition of NGN, whether wireless is getting enough attention, whether the focus should be on the service definition not infrastructure type, need if any for regulation, open access, and if New Zealand needs a BSG.

In the afternoon one highlight was a futuristic view of networks by Karen CEO and InternetNZ Councillor Donald Clark, positing that point-to-point optical networks and "network-as-a-service" are the future, evidenced by a change to hybrid IP/point-to-point in advanced educational and research networks. This is due to the lower capex of point-to-point optical.

WorldxChange CTO Paul Clarkin took a controversial position later in the day against the fibre network rollout, saying as the "only telco doing full next-gen services via FTTH" that they have the credibility to know best and that fibre access is not necessary for quad/tripple play services.

Day 2 kicked off with an International link to Dr Jos Huigen, Director of Regulatory and European Affairs for Netherlands telco KPN. While their environment is different in respect to having a cable competitor, their experience offering wholesale at different levels and benefiting from reduced costs by sharing was interesting and appears relevant.

Later in the day Benoit Felton, Senior Analyst for Yankee Group, pushed the need for fibre to replace copper saying there is no commercial choice in the matter. "If we don't have them in 15 years we will be in big trouble. "

He said take-up is the key to new network profitability and pointed to two different examples of how to spend public money to ensure a competitive environment - 92 Dept in France and Swisscom. "You only get one chance to lay out the infrastructure and the implications of choices are considerable."