

30 October 2020

By email

Dear Ned

I refer to your letter dated 31 August 2020 in which you made a complaint to .au Domain Administration Limited (**auDA**) that the conduct of an officer of auDA, in relation to the domain [REDACTED], was misleading and deceptive (**complaint**).

I have earlier replied in regard to the use of materials provided for purposes of the matters before the Administrative Appeals Tribunal.

I have now reviewed the complaint under the auDA Code of Conduct. This included discussions with the officer in question, senior auDA personnel and auDA's Chair.

I have found no breach of the Code of Conduct.

I found that the officer was acting in good faith and discharging their responsibility to assist government agencies, in this case the [REDACTED], which was the decision maker in relation to the reserved name [REDACTED].

The officer did not knowingly make misleading or untrue statements.

Specifically, the officer passed on to the [REDACTED] information **provided by a trusted third party that they believed to be true.**

The [REDACTED] was in a position to assess and verify this information and, as the primary decision maker, to decide whether or not to use the information. The officer was entitled to assume that this would happen.

As a result of this review, I have emphasised with staff the need for fact checking in regard to material provided in external communications.

As the name is on the Reserved Names List, any submissions for its use as a domain name must be made to the [REDACTED]. auDA has no role until the Department has approved such use.

Yours sincerely,



Rosemary Sinclair AM
CEO
.au Domain Administration