

To: Chair, ICANN Board

From: Chair, GNSO Council

Cc: ICANN Secretary

Dear Vint,

On the 15 August 2005, the GNSO Council agreed to request the Board to consider a bylaw change to improve transparency with respect to approving contract changes.

On the 27 September 2005, the ICANN Deputy General Counsel provided a proposal for wording for consideration by the GNSO Council, as follows:

"Notice and Comment on GTLD Agreement Approvals:

With respect to any proposed GTLD registry or registrar agreement that includes material contractual provisions that substantially differ from other past ICANN agreements, ICANN will notify the GNSO Council and post the proposed agreement with a public comment forum on the ICANN website at least twenty-one days (and if practical, longer) prior to any final approval of the agreement."

On the 16 November 2006, the GNSO Council agreed to the following alternative text for consideration by the ICANN Board:

Notice and comment on gTLD agreement approvals

"With respect to any proposed agreement relating to generic top-level domains that includes provisions that would have an effect materially different from other past or current ICANN agreements or practices, including but not limited to gTLD registry and registrar agreements, ICANN will notify the GNSO Council and post the proposed agreement for public comment on the ICANN website at least twenty-one days (and if practical, longer) prior to any final approval of the agreement."

Please forward this advice to the full ICANN Board.

Regards,
Bruce Tonkin
Chair, GNSO Council