

MINUTES OF THE SECOND MEETING OF THE TASKFORCE ON DUE DILIGENCE ON THE TRANSITION OF THE KENYA NETWORK INFORMATION CENTER (KENIC) HELD ON 1ST NOVEMBER 2013, 07:30AM, AT THE COMMUNICATIONS COMMISSION OF KENYA (CCK) OFFICES

Present

1.	Michael Katundu	CCK/Information Technology (IT)	Chair
2.	Fiona Asonga	Telecommunications Service Providers Association of Kenya (TESPOK)	
3.	Barry Macharia	TESPOK	
4.	Rose Maghas	Domain Registrars Association of Kenya (DRAKE)	
5.	Wycliffe Onduu	Technical Director/DRAKE	
6.	Emma Otieno	CCK/Director General's Office (DG's Office)	
7.	Chrispine Ogongo	CCK/Licensing, Compliance and Standards (LCS)	
8.	Joseph Nzano	CCK/IT	
9.	Vincent Ngundi	CCK/IT	Secretary

Michuki Mwangi (TESPOK) and Robin Busolo (CCK/Legal Affairs) were absent with apologies.

Agenda

1. Presentation of reports by the taskforce sub-committees
2. Way forward
3. A.O.B.

MIN. 01/01/11/2013: PRESENTATION OF REPORTS BY THE TASKFORCE SUB-COMMITTEES

The Chair called the meeting to order and requested the chairpersons of the two sub-committees (Fiona Asonga and Rose Maghas) to present their reports. The reports are **annexed**.

Following deliberations on the reports, members agreed on the following:

- i. That any licence fees levied should be in line with the current market structure;
- ii. That a sub-committee of the taskforce reviews the requirements of the CCK vendor licence with a view of developing a similar licence for Dot KE ccTLD Registrars;
- iii. That licence for the new KENIC be issued to a *Kenyan* company limited by guarantee;
- iv. That a guarantor **MUST** be an association of institutions and not an individual;
- v. That guarantors must provide the following in order to be considered:
 - a. A clear governance structure that is operational,
 - b. Certificate of Incorporation,
 - c. Company PIN,
 - d. Most current company returns,
 - e. Minutes of its last Annual General Meeting (AGM),
 - f. A current list of its membership;
- vi. That the Memorandum and Articles of Association (MEMAT) for the new KENIC would be signed by the following organizations:
 - a. The ICT Authority (ICTA)
 - b. TESPOK
 - c. DRAKE
 - d. The Kenya Education Network (KENET);
- vii. That the governance structure comprise of the following:
 - a. A *Governing Board* comprising of guarantors and whose role would be to provide oversight over the day-to-day operations of the new KENIC;
 - b. An *Administrative Council* comprising of volunteers elected during an AGM and whose role would be to provide input to the activities of KENIC;
 - c. A *Management Team* that would be recruited by the Governing Council and which perform the Secretariat function;
- viii. That the responsibility of being the trustee of the Dot KE ccTLD be transferred from the KENIC to the CCK in line with the Kenya Information and Communications Act CAP411A of 1998;

- ix. That the new KENIC MUST put in place a Business Continuity Plan (BCP) to minimize damage and expedite the resumption of operations in the event of a crisis. The same MUST be incorporated as a requirement in the licence conditions; and,
- x. That the new KENIC MUST ensure data escrow by putting in place a hot backup site at the CCK.

MIN. 02/01/11/2013: WAY FORWARD

Members agreed that a sub-committee of the taskforce incorporate the recommendations of the taskforce into the draft licence framework (licence conditions and guidelines) developed by the CCK. It was agreed that the committee comprising of representatives from TESPOK, DRAKE and CCK (IT/LCS/LA) would meet on **Monday 4th November 2013** at **02:00pm** and should report back to the taskforce during the week of **11th November 2013**.

MIN. 03/01/11/2013: ANY OTHER BUSINESS (A.O.B)

The Chair promised to facilitate the co-opting of a communications person before the next taskforce meeting.

There being no other business, the meeting ended at 10:10am.

Michael Katundu

Vincent Ngundi

CHAIRPERSON

SECRETARY