



GOVERNMENT
COMMUNICATIONS
SECURITY BUREAU
TE TIRA TIAKI

PO Box 12-209
Wellington 6144
P +64 4 472 6881
F +64 4 499 3701
www.gcsb.govt.nz

A16862235

1 December 2022

Scott

fyi-request-20734-83f7b2df@requests.fyi.org.nz

Tēnā koe Scott

Official information request for GCSB policies

I refer to your Official Information Act 1982 (OIA) request to the Government Communications Security Bureau (GCSB) dated 3 October 2022 for copies of GCSB policies. On 25 October 2022 you were of an extension to the time limit for responding to this request, to 1 December 2022, due to the consultations necessary to make a decision.

I have responded to each of your questions below.

ONE: Incidental Intelligence Policy (PS-216) if the current version is different to the one uploaded to the GCSB website.

PS-216 has been revoked and replaced with *PS-135: Incidentally Obtained Information*. We will be releasing a copy of PS-135, with some information withheld under section 6(a) of the OIA, as release would be likely to prejudice the security or defence of New Zealand. A copy of this document is being prepared for release and will be sent to you in due course.

TWO: Personal Information Policy for Information Collected for Operational Purposes (PS-131) if the current version is different to the one uploaded to the GCSB website.

PS-131 was revoked and replaced by *JPS-009: Privacy* in 2018. In 2020, JPS-009 was updated to reflect changes to legislation with the introduction of the Privacy Act 2020. Please find attached a copy of the 2018 and 2020 versions of JPS-009. Some information has been withheld under section 6(a) of the OIA, as release would be likely to prejudice the security or defence of New Zealand.

THREE: Nationality Policy if the current version is different to the one uploaded to the GCSB website.

The GCSB's current Nationality Policy is *PP-1019: New Zealand Purpose and Nationality*. We will be releasing a summary of PP-1019, as allowed for under section 16(1)(e) of the OIA, in order to protect the interests of section 6(a). The summary is currently being prepared for release and will be sent to you in due course.

FOUR: Joint GCSB and NZSIS Policy Framework (PS-100).

We will be releasing a summary of this document, as allowed for under section 16(1)(e) of the OIA, in order to protect the interests of section 6(a). The summary is currently being prepared for release and will be sent to you in due course.

FIVE: The most recent IGIS work programme refers to a set of GCSB policies relating to collection against New Zealanders which were then under review... I would like to request copies of the policies referred to here, if they are different to the ones I requested above.

The Inspector-General of Intelligence and Security (IGIS) has not yet commenced his review of GCSB policies; as such, we do not know which specific policies will be in-scope of the review. I am therefore refusing your request under section 18(g) of the OIA, as the information requested is not held by the GCSB and I have no grounds to believe the information is held by another department or is more closely associated with the functions of another department. As you may be aware, the IGIS is not subject to the OIA, so we are not able to transfer this request to their office for response.

Review

If you wish to discuss this response with us, please feel free to contact information@gcsb.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Andrew Hampton

Te Tumu Whakarae mō Te Tira Tiaki

Director-General, Government Communications Security Bureau