



File No. DOIA 2223-0790

27 October 2022

AS Van Wey

fyi-request-20867-ae4a52f4@requests.fyi.org.nz

Dear AS Van Wey

Thank you for your email of 16 October 2022 to the Ministry of Business, Innovation and Employment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

I am writing to request a complete list of Registered Network Providers, as defined under the Telecommunications (Interception Capability and Security) Act 2013. If possible, I respectfully request, that the information be provided as follows.

- (1) Complete list of Registered Network Providers who have full interception capability, as defined under sections 3, 9 and 10 of the Act; and*
- (2) Complete list of Registered Network Providers who have Lower-level compliance duties; and*
- (3) List of Government Agencies or State-Owned Enterprises that must be compliant with the Act, whether they have registered or not.*

On page 8 of the Te kōke ki tētahi Rautaki Matihiko mō Aotearoa Towards a Digital Strategy for Aotearoa report, it states that CERT NZ reported they had received 125 complaints of "unauthorized Access" and 203 compliant as "other".

- (4) Of the 125 reports of "unauthorized access", I respectfully request the copies of the reports in which the person to have allegedly gained "unauthorized access" was a government employee. To protect victim, and reputation of the alleged offender, I do request that information which is considered personal identification information (e.g., names of individuals or personal identification numbers) be redacted. However, I respectfully request that the names of the government agency of the alleged "unauthorized access" remain visible.*

- (5) For each of the above, I also request the information on what steps you took to investigate these alleged breaches and to protect and secure the data which was alleged to have been accessed without authority.*

- (6) I would like to amend my earlier request to also include copies of all direction and regulations issued under the Telecommunications (Interception Capability and Security) Act 2013, if any exist.*

- (7) I also ask for a list of network providers or class of network providers who have been granted an exemption from any or all of the requirements under this Act.*

This letter is to notify you that the Ministry is transferring parts 1, 2, 3, 6 and 7 of your request to New Zealand Police, in accordance with section 14 of the Act. This transfer is occurring because the Ministry believes that the information requested is more closely aligned with the functions of New Zealand Police.

On 26 October the Ministry contacted you to seek clarification on parts 4 and 5 of your request. The Ministry will respond to parts 4 and 5 of your request in due course and once clarification is received.

You have the right under section 28(3) of the Act to seek an investigation and review by the Ombudsman of my decision to transfer your request. The relevant details can be found at: www.ombudsman.parliament.nz

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Deborah Salter', with a long, sweeping underline.

Deborah Salter
Manager, Communications Policy
Digital, Communications and Transformation