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A1388761

6 May 2016

Kilian O’Gorman

Fyi-request-3877-b7853a70@requests.fyi.org.nz

Dear Ms O’Gorman

I refer to your Official Information Act 1982 (the OIA) request of 8 April 2016 for information regarding the New Zealand Intelligence Community (NZIC) minimum citizenship requirement.

I can confirm that it is a NZIC requirement for employment to have been a NZ citizen, or a citizen of UK, Canada, USA or Australia, for at least 10 years and be able to obtain and maintain a Top Secret Special (TSS) security clearance. Ordinarily to obtain this level of clearance candidates must have a 15 year checkable background in countries where meaningful and reliable checks can be undertaken. Where requisite checks are unable to be made, the candidate application may not progress. We provide this advice to all candidates who apply for roles at the NZIC.

In response to your question whether a US citizen of 10 years would have their application for employment in the NZIC progressed when an application from a NZ citizen of nine years would not; I can advise the ten year requirement must be fulfilled to work in the NZIC. All applications to the NZIC are considered, however there is no discretion to the 10 year requirement rule.

The document which details the minimum citizenship requirement for working in the NZIC is a classified document which cannot be released to you. This document is being withheld under section 6(a) [security and defence] of the OIA.

You have asked for a rationale for the 10 year requirement if the document cannot be provided to you. The underlying rationale of the minimum citizenship requirement is that the NZIC must protect sensitive information. To provide further details of the rationale would be revealing of the content, the disclosure of which would be likely to prejudice the interests protected by section 6(a) of the OIA.

It is agency heads who are responsible for granting national security clearances and managing risk. The Directors of both the GCSB and NZSIS need to be satisfied that all identified risks are managed and have established the 10 year citizenship requirement as a mitigation of the personnel security risks associated with accessing classified information.

In accordance with section 19 of the Act, you have the right to seek an investigation and review of the refusal by way of complaint to an Ombudsman under section 28(3).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Hampton', written in a cursive style.

Andrew Hampton

Director