



GOVERNMENT
COMMUNICATIONS
SECURITY BUREAU
TE TIRA TIAKI

Briefing Paper

TICSA Notification NCSC-TN-2018-451

To Andrew Hampton, Director-General GCSB
From **s6(a) and s 9(2)(a)**
For your Information
Date 23 November 2018

Action sought

		Timeline
Note	We have considered Spark New Zealand Limited's notification under s 48 of TICSA (notification NCSC-TN-2018-451), which sets out Phase 1 of Spark's plan to roll out 5G services	As soon as practicable
Agree	That the notification raises a significant network security risk, for the reasons set out in the attached reasons paper	As soon as practicable
Agree	To sign the attached letter notifying the network operator of the identified network security risk under s 51(2) of TICSA	As soon as practicable
Note	Briefing papers for the Minister responsible for the GCSB will be provided separately	As soon as practicable

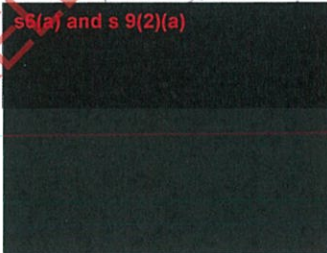
Contacts for telephone discussion (if required)

Name	Position	Telephone	1 st Contact
s6(a) and s 9(2)(a)			X

TICSA Notification NCSC-TN-2018-451

1. On 7 September 2018, Spark New Zealand Limited (Spark) notified the GCSB of their 5G Phase 1 proposal (reference NCSC-TN-2018-451), as required under section 48 of the Telecommunications (Interception Capability and Security) Act 2013 (TICSA). The notification sets out Spark's proposal to install new Huawei 5G-ready hardware into Spark's existing 4G RAN.
2. I have considered the notification under s 50 of TICSA, and I consider that the changes proposed in the notification will, if implemented, raise a significant network security risk. The reasons for my decision are set out in the attached reasons paper.
3. While I have delegated authority to consider whether a proposed decision, course of action or change notified by a network operator gives rise to a network security risk, given the significance of the decision I consider it appropriate that you make the final determination.
4. Once notified, the network operator must, as soon as practicable, respond in writing with a proposal to prevent or sufficiently mitigate the network security risk (refer section 51(3) of TICSA).
5. We will then assess Spark's response in accordance with our assessment framework and brief you on whether the risk identified has been sufficiently mitigated or removed.
6. The network operator must be notified of a determination in accordance with s 51(2) of TICSA. A letter for that purpose is attached for your signature, should you agree.
7. I will arrange for a security briefing at which the network operator's cleared personnel will be provided an opportunity to read the reasons paper (subject to redaction of classified materials commensurate with their security clearance). Following the security briefing, an unclassified version of the reasons paper will be provided to the network operator.
8. As this is our first determination of a 5G notification, we expect there to be substantial industry and Ministerial interest in the outcome of this decision. We have therefore recommended a briefing paper be prepared for the Minister responsible for the GCSB. ^{s6(a) and s 9(2)(a)} [redacted] from the JDGO will provide that to you separately, and we will assist her as required.

s6(a) and s 9(2)(a)



Recommendations

It is recommended that you:

- | | | | |
|---|-------|--|---|
| 1 | Note | We have considered Spark New Zealand Limited's notification under s 48 of TICSAs (notification NCSC-TN-2018-451), which sets out Phase 1 of Spark's plan to roll out 5G services | <input checked="" type="radio"/> Yes/No |
| 2 | Agree | That the notification raises a significant network security risk, for the reasons set out in the attached reasons paper | <input checked="" type="radio"/> Yes/No |
| 3 | Agree | To sign the attached letter notifying the network operator of the identified network security risk under s 51(2) of TICSAs | <input checked="" type="radio"/> Yes/No |
| 4 | Note | Briefing papers for the Minister responsible for the GCSB will be provided separately | <input checked="" type="radio"/> Yes/No |



Andrew Hampton

Director-General, GCSB

Date: 20/11/18

RELEASED UNDER OFFICIAL INFORMATION ACT