



GOVERNMENT
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28 November 2018

Simon Moutter
167 Victoria Street
Auckland Central
Auckland 1010

Dear Mr Moutter

Notice of network security risk in re: NCSC-TN-2018-451

1. I am providing this notice to you in accordance with s 51(2) of the Telecommunications (Interception Capability and Security) Act 2013 (TICSA).
2. I have considered the notification provided by Spark New Zealand Ltd (Spark) on 7 September 2018 under s 48 of TICSA, regarding Spark's proposed phase 1 upgrade of the Radio Access Network to the new 5G standard (our file reference NCSC-TN-2018-451).
3. Having considered the factors listed in s 50 of TICSA, I have decided the decision, course of action, or change proposed in the notification would, if implemented, raise a significant network security risk, as defined in TICSA.
4. In accordance with s 51(1)(b) of TICSA, Spark must not implement or give effect to the proposed decision, course of action, or change outlined in the notification unless and to the extent that those actions are consistent with or give effect to a proposal or part of a proposal (relating to the proposed decision, course of action, or change) accepted by the Director General under s 52, or the Director General has notified the network operator that the Director General has not accepted the proposal.
5. In accordance with s 51(3) of TICSA, Spark must, as soon as practicable, submit a proposal to prevent or sufficiently mitigate the network security risks identified.

6. Once a mitigation proposal has been received, it will be assessed in accordance with s 52 of TICSA.
7. My staff will provide a classified briefing to your cleared staff to provide more information regarding the network security risk identified. They will contact [REDACTED] s 9(2)(a) to arrange a time. Following that briefing, a copy of the reasons for the decision will be provided, subject to redaction of classified material.
8. I appreciate Spark's cooperation and assistance with this notification.

Yours sincerely,



Andrew Hamilton
Director General, GCSB

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