

# Information sharing



DEPARTMENT of the  
PRIME MINISTER and CABINET  
*Te Tari o Te Pirimia me Te Komiti Matua*

## Improving information sharing between NZSIS and GCSB and others

The New Zealand Intelligence and Security Bill 2016

FACTSHEET NO. 13

### What the Bill proposes

- Giving the Government Communications Security Bureau (GCSB) and New Zealand Security Intelligence Service (NZSIS) direct access to certain government databases.
- Allowing GCSB and NZSIS to seek access to restricted information such as drivers licence photographs and tax information on a case-by-case basis.
- Expressly acknowledging that GCSB and NZSIS, like any government agency, can ask for information from individuals and other organisations on an ad hoc basis.
- Making GCSB and NZSIS subject to more of the Privacy Act's information privacy principles.

### Why share information?

A range of individuals and organisations (both public and private sector) hold information necessary to help NZSIS and GCSB protect New Zealand from security threats.

Sharing information with GCSB and NZSIS, however, is different from sharing with other government agencies, because of the intrusive nature of their work. It's therefore especially important that the law is clear, robust and accessible.

### Access to certain government databases

As recommended by the Reviewers of the First Independent Review of Intelligence

and Security, the Bill proposes giving NZSIS and GCSB direct access to specific government databases. This is conditional on the written agreement of the relevant ministers.

Information	Examples of why access may be needed
<b>NZ Customs Service:</b> Border-crossing craft, goods, and people.	To detect the arrival of foreign intelligence officers or other persons of interest (such as suspected terrorists).
<b>Immigration NZ data.</b>	To track the movements of a person of interest. <b>See Factsheets 6, 7 and 8 for more information.</b>
<b>Department of Internal Affairs:</b> Births, deaths, marriages and relationships, and citizenship registers.	To cross-check information to confirm identities or associations between persons of interest, or to confirm nationality.

### Access to other restricted information

It is proposed that NZSIS and GCSB will be able to seek access to restricted individual information on a case-by-case basis, but they must seek permission. Permission would be granted through a process similar to the process for obtaining a warrant. Access requires the approval of the Attorney-General and, if the information involves a New Zealander, the Chief Commissioner of Intelligence Warrants.

Examples include:

- Tax information held by the Inland Revenue Department
- Driver license photographs held by NZTA
- National Student Identification Numbers and linked information

See Factsheet 6 for more information.

### NZSIS and GCSB can request information

To avoid any doubt, the Bill will recognise that GCSB and NZSIS have the same power as any other government agency to request information from other public and private entities.

It will also acknowledge that those individuals and organisations may ordinarily disclose information to GCSB and NZSIS.

### Expanding coverage under the Privacy Act 1993

The Bill proposes amending the Privacy Act 1993 to remove the existing general exception provided to GCSB and NZSIS. Instead, the intelligence and security agencies will be subject to more of the Privacy Act's information privacy principles, with some specialised exceptions in light of their functions.