



Te Pā Whakamarumarū
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Intelligence Service

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Tēnā koe Amy

Official information request

Thank you for your Official Information Act 1982 (OIA) request of 13 November 2023 to the New Zealand Security Intelligence Service (NZSIS) seeking responses to two questions about membership of Freemasons New Zealand and national security clearance vetting.

We agree there is a need for public understanding of the vetting criteria applied by the NZSIS. For this reason, the Security Assessment Criteria and the Adjudicative Guidelines are publicly available – see the Protective Security website at <https://www.protectivesecurity.govt.nz>.

The Adjudicative Guidelines are as follows:

- Guideline A: External loyalties, influences and associations
- Guideline B: Personal relationships and conduct
- Guideline C: Financial considerations
- Guideline D: Alcohol and drug use
- Guideline E: Criminal history and conduct
- Guideline F: Security attitudes and violations
- Guideline G: Mental health disorders

The full text of the guidelines is available on the Protective Security website.

In answer to your specific questions, I can advise as follows.

1. Does the NZSIS review membership of Freemasons New Zealand as part of the vetting process for security clearances?

The NZSIS asks all security clearance applicants to tell us which organisations and groups they belong to. If an applicant was a member of Freemasons New Zealand, this would be considered on the same basis as membership of any other group.

All associations and affiliations are assessed against Guideline A of the Adjudicative Guidelines, which deals with external loyalties, influences and associations.

The conditions that could raise and mitigate a security concern are outlined on the Protective Security website. For ease of reference, I have attached the full text of Guideline A – see Annex 1.

2. If Freemasons New Zealand membership is considered in the vetting process, what impact does such membership make in the assessment of an individual's security clearance?

The Adjudicative Guidelines are applied to all organisational memberships on a case-by-case basis. The key for us is to satisfy ourselves that there is no doubt about the applicant's allegiance to New Zealand and their willingness to protect protectively marked material relating to New Zealand's national security.

Please refer to the Protective Security website / Annex 1 for a full explanation of the factors we take into account.

Publication

Please note that the NZSIS proactively publishes OIA responses in accordance with the expectations of Te Kawa Mataaho/the Public Service Commission.

We intend to publish this letter (with your personal information removed) on the NZSIS website. Publication of such responses is done on a quarterly basis.

If you wish to discuss this response with us, please feel free to contact uia.privacy@nzsia.govt.nz.

Ngā mihi



Andrew Hampton

Te Tumu Whakarae mō Te Pā Whakamarumarū
Director-General of Security

ANNEX 1: Guideline A - External Loyalties

The concerns

A1. There must be no doubt about a national security clearance holder's allegiance to New Zealand and his or her willingness to protect protectively marked material relating to New Zealand's national security.

A2. Anyone working on behalf of the New Zealand government must have a commitment to the democratic process and a respect for the processes by which the elected government functions.

If candidates express political or personal views incompatible with New Zealand's constitutional, democratic system of government, doubts arise about whether they can remain loyal to the New Zealand government.

It is accepted that conflicts of view or even conscientious objections could arise in some cases. However, the issue is whether candidates recognise their individual responsibilities to their employing agency, the elected government and the public interest.

A3. When a candidate acts in such a way as to indicate a preference for a foreign country over New Zealand, then he or she may be prone to act in a way that is harmful to the national interest of New Zealand.

A4. Involvement in certain types of outside employment or activities is of security concern if it poses a conflict with a candidate's security responsibilities and could create an increased risk of unauthorised disclosure of security protectively marked information.

A5. A security risk may exist when the candidate or their immediate family, including cohabitants, and other persons to whom he or she may be bound by affection, influence or obligation are not New Zealand citizens or may be subject to duress.

These situations could create the potential for foreign influence over divided loyalties that could result in the compromise of protectively marked information.

Contacts with citizens of other countries or financial interests in other countries are also relevant to security determinations if they make the candidate potentially vulnerable to coercion, exploitation or pressure.

Conditions that could raise a security concern and may be disqualifying

A6. Involvement in, support of, training to commit, or advocacy of any act of:

- espionage
- sabotage
- terrorism
- treason
- politically motivated violence
- attacks on New Zealand's defence systems
- acts of foreign interference.

A7. Association or sympathy with persons who are attempting to commit, or who are committing, any of the above acts.

A8. Association or sympathy with persons or organisations that advocate, threaten, or use force or violence, or use any other illegal or unconstitutional means, in an effort to:

- overthrow or influence the New Zealand government
- prevent government employees from performing their official duties
- gain retribution for perceived wrongs caused by the New Zealand government
- prevent others from exercising their rights under the Constitution or laws of New Zealand.

A9. Contact with a family member, business or professional associate, friend, or other person who is a citizen of, or resident in, a foreign country, if that contact creates an unacceptably heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion.

A10. Connections to a foreign person, group, government, or country that create a potential conflict of interest between the candidate's obligation to protect protectively marked material and the candidate's desire to help a foreign person, group, or country by providing that information.

A11. Sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign or criminal inducement, manipulation, pressure, or coercion.

A12. A substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the candidate to heightened risk of foreign influence or exploitation.

A13. Failure to report, when required, an association with a foreign citizen.

A14. Unauthorised and/or concealed association with a suspected or known agent, associate, or employee of a foreign intelligence service.

A15. Indications that representatives or citizens of a foreign country are acting to increase the vulnerability of the candidate to possible future exploitation, inducement, manipulation, pressure, or coercion.

A16. Conduct, especially while travelling outside New Zealand, which may make the candidate vulnerable to exploitation, pressure, or coercion by a foreign person, group or government.

A17. Exercise of any right, privilege or obligation of foreign citizenship after becoming a New Zealand citizen. This includes but is not limited to:

- possession of a current foreign passport
- military service or a willingness to bear arms for a foreign country
- accepting educational, medical, retirement, social welfare, or other such benefits from a foreign country
- residence in a foreign country to meet citizenship requirements

- using foreign citizenship to protect financial or business interests in another country
- seeking or holding political office in a foreign country
- voting in a foreign election.

A18. Action to acquire or obtain recognition of a foreign citizenship by a New Zealand citizen.

A19. Performing or attempting to perform duties, or otherwise acting, so as to serve the interests of a foreign person, group, organisation, or government in conflict with New Zealand's national interest.

A20. Any statement or action that shows allegiance to a country other than New Zealand, for example, declaration of intent to renounce New Zealand citizenship, or the renunciation of New Zealand citizenship.

A21. Any employment or service, whether compensated or voluntary, with:

- the government of a foreign country
- any foreign citizen, organisation or other entity
- a representative of any foreign interest
- any foreign, domestic, or international organisation, including media, or person engaged in analysis,
- discussion, or publication of material on
- intelligence, defence, foreign affairs, protected technology or protective security
- failure to report or fully disclose an outside activity when this is required.

A22. Ongoing voluntary association with individuals or groups of an extremist nature, that is, those who espouse or promote beliefs incompatible with a liberal democracy.

Conditions that could mitigate security concerns

A23. The candidate was unaware of the unlawful aims of an individual or organisation and severed ties upon learning of these.

A24. The candidate's involvement was only with the lawful or humanitarian aspects of an organisation such as those referred to in A8.

A25. Involvement in activities of concern occurred for only a short period of time and was attributable to curiosity or academic interest.

A26. The involvement or association with such activities occurred under such unusual circumstances, or so much time has elapsed, that it is unlikely to recur and does not cast doubt on the candidate's current reliability, trustworthiness or loyalty.

A27. The nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the candidate will be placed in a position of having to choose between the interests of a foreign individual, group, organisation, or government and New Zealand's national interest.

A28. There is no conflict of interest, either because the candidate's sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the candidate has such deep and longstanding relationships and loyalties in New Zealand that they can be expected to resolve any conflict of interest in favour of New Zealand's national interest.

A29. Contact or communication with foreign citizens is casual and infrequent and there is little likelihood that it could create a risk for foreign influence or exploitation.

A30. The foreign contacts and activities are on New Zealand government business and/or are approved by the departmental security officer.

A31. The candidate has promptly complied with agency requirements regarding the reporting of contacts, requests, or threats from persons, groups, or organisations from a foreign country.

A32. The value or routine nature of the foreign business, financial, or property interests is such that they are unlikely to result in a conflict and could not be used to influence, manipulate, or pressure the candidate.

A33. Where reasons for possession or acquisition of dual or multiple citizenships are not a security concern, including, but not limited to:

- dual or multiple citizenship is based solely on parents' citizenship or birth in a foreign country
- marriage
- convenience of travel.

A34. The candidate is able to articulate a primary loyalty to New Zealand over any other country.

A35. Exercise of the rights, privileges, or obligations of foreign citizenship occurred before the candidate became a New Zealand citizen or when the candidate was a minor.

A36. The use of a foreign passport is approved by the departmental security officer.

A37. The foreign passport has been destroyed, surrendered, or otherwise invalidated.

A38. The participation in a foreign election was encouraged by the New Zealand government.