

RESTRICTED

OFFICE OF THE MINISTER
FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY

The Chair
Cabinet Committee on Domestic and External Security

**TELECOMMUNICATIONS INDUSTRY – PAPER 1: OVERVIEW OF INTERCEPTION
CAPABILITY AND NETWORK SECURITY PROPOSALS**

[Paragraphs 1 – 15 out of scope]

[Out of scope]

[Paragraphs 1 – 15 out of scope]

Proposed amendments to the TICA

- 16 Paper 2 of this series seeks approval to amend the TICA to (1) make obligations on industry clear and effective, and avoid unnecessary compliance cost [Out of scope]
- 17 Intended benefits from the proposed changes are:

[Out of scope]

- c. More flexible obligations enabling more agile responses to technological developments, including the ability to extend capability obligations beyond network operators, to telecommunications service providers, if certain criteria are met.

[Out of scope]

[Out of scope]

[Out of scope]

Make obligations on industry clear and effective, and avoid unnecessary compliance cost

18 Paper 2 proposes that Cabinet approve amendments to the TICA to:

[Out of scope]

- b. Ensure obligations in the Act can remain up to date, by creating a structured process for the future extension of interception capability obligations to those telecommunications service providers who do not have obligations today⁴ (via a deem-in process).
- c. Make today's compliance requirements more certain by: a) amending the 'duty to assist' to expressly list key elements of assistance which may be required to help fulfil a warrant (including help with decryption), and b)

[Out of scope]

[Paragraphs 19 – 70 out of scope]

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Recommendations

It is recommended that the Committee:

[Out of scope]

Interception capability obligations on the telecommunications industry

[Out of scope]

- 3 **Note** that Paper 2 proposes that a Telecommunications (Interception Capability and Security) Bill (the Bill) be prepared to amend the Telecommunications (Interception Capability) Act 2004, so as to:
- 3.1 update existing obligations on the telecommunications industry (to help effect duly authorised interception operations), to make the obligations more proportionate flexible and certain; and

[Recommendations 3.2 – 12 out of scope]

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[Recommendations 3.2 – 12 out of scope]

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Hon Amy Adams
Minister for Communications and Information Technology

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[Appendix 1: Out of scope and remainder withheld under s6(a) and 6(c)]

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[Appendix 2 (pages 21 to 22): Out of scope]

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