

TICSA - Frequently Asked Questions (FAQs)

Disclaimer: This document is informational only and is not considered to be "Guidance" as defined in section 58 of the TICSA

Legislation referred to in this section is the Telecommunications (Interception Capability and Security) Act 2013 (TICSA).

Register / Clearances

Sections 60-77

Q) Who is the TICSA registrar?

A) The Registrar of network operators is appointed by the Commissioner of Police and is responsible for maintaining the Register. You can contact the Registrar at:

Registration.ticsa@police.govt.nz

Website www.police.govt.nz/advice/businesses-and-organisations/ticsa/contact

Q) Who do I talk to about security clearances?

A) Nominations for security clearances can be required under s 75 of TICSA, questions about clearances should be directed to the NZ Police TICSA Registrar.

Notifications

Sections 46-48

A note about terms used in this paper

Section 48 of TICSA requires Network operators to notify any decision, course of action, or change falling within s 48 of TICSA. In this document we refer to these jointly as notifications.

Q) I have questions about the information I should provide on my notification how can I contact you?

A) You can contact us directly at the TICSA mailbox; send us an email outlining your situation. We can follow up with an email, call or if necessary arrange a time to visit.

Q) I have a question about confidentiality. How do you protect my information?

A) We understand that notifications may reveal information about future investment decisions and services, which could cause significant commercial harm if shared with a competitor or prospective vendor. All notifications and enquiries are treated as commercial-in-confidence, and are not publically disclosed without permission or unless the network operator has already publicly released the information.

Information we hold may be subject to a request for disclosure under the Official Information Act 1982 (OIA). We will consult with you prior to releasing any information under an OIA request.

We have means of accepting notifications and / or supporting information using public encryption methods. Please contact us at TICSA@ncsc.govt.nz for assistance.

UNCLASSIFIED

Q) Do I need to notify changes made prior to the TICSAs coming into effect?

A) No. Network operators do not need to notify GCSB of changes made prior to the TICSAs coming into effect on 11 May 2014.

If you have made changes to your network since that date, but failed to notify in advance of the change, you should contact us as soon as possible, and submit a notification in accordance with s 48 of the Act.

Q) I have less than 4000 customers, so I do not have to notify. Is that correct?

A) No. Notifications are required for any decision, course of action, or change falling within s 48 of TICSAs, regardless of the number of customers you have. As a registered network operator you will need to notify us.

Q) Our organisation is looking to upgrade or purchase new equipment, when should we notify you?

A) Section 48 requires you to notify as early on in the decision process as possible, i.e. as part of your procurement or acquisition decision-making process. Either prior to (or at the time) a Request for Proposal (RFP) is issued.

Q) We use an as-built (firewall, server or CPE) across our network, do we need to notify you each time?

A) Yes. All notifications are assessed on a case-by-case basis for network security risks.

Q) We have a point of presence; we are extending the footprint across New Zealand to several different locations. Do I need to notify you each time?

A) Yes. All notifications are assessed on a case-by-case basis for network security risks.

Q) Our Organisation has been acquired by another company; do we need to notify you?

A) Yes, you need to notify the following: purchase of or sale to, another organisation, changing a third party provider, and changing remote access method and/or authentication.

Q) We want to change the contractors we use for providing support to our services, do we need to notify of this?

A) Yes, you should notify of change such as changing the provider of a service or outsourcing of functions that may affect an area of specified security interest.

UNCLASSIFIED

Q) On the Notification of Proposal Template is the question, "Is this a Standard Build or Bulk Notification?" What is the difference?

Standard builds

A standard build may be a consistently procured equipment build or network addition, which is replicated throughout the network. Notification of the standard build is only required in the first instance, provided the build does not change to a type of equipment that has not been previously submitted by that network operator. In instances where a standard build is used, notification should also include details of the geographic locations in which it is intended to be deployed.

An example of a standard build would be a build which is replicated across the country. In such a case, a notification of proposal which specifies which equipment will be used, the oversight and control mechanisms and the **geographic locations** that the build will be deployed in would be sufficient notification for all deployments of the same build (provided no network security risks are identified).

Should the standard build change from that notified, a new notification would need to be submitted, that outlines what is changing in the new build.

Bulk changes

This could include all versions of a certain type of networking equipment, and the software/firmware builds that are likely to be deployed on it.

Notification could also be supplied for a specific product range which may change incremental versions over time. Once the GCSB has considered the proposal covering the product range, the equipment would be able to be deployed on the network without the need to submit a new notification.

One example of a bulk change would be a notification of proposal which outlines a product range of network cards which would be deployed in a network switch. Once assessed, provided no network security risks were identified, the equipment would be able to be deployed without needing a new notification (such as a capacity upgrade).

However there are some practical limitations to notifications of bulk changes. A notification with an excessive number of equipment types or for an entire vendor's product range does not amount to notification of a bulk change.

Vendors

Q) Is there a black list or white list of equipment vendors? Are we prohibited from using any particular vendor?

A) No, there are no black lists or white lists and no particular vendor is prohibited. All notifications are assessed on a case-by-case basis for network security risks.

Q) Can you provide us with a list of approved vendors?

A) No. We do not have a list of approved or acceptable vendors. Our consideration of notifications are assessed on a case-by-case basis.

Timeframes

Q) What is the timeframe for an Assessment?

A) Once sufficient information has been received, GCSB will acknowledge receipt; this will be no more than three working days. The assessment should be completed within 20 working days as long as all the information necessary is provided in your notification. If we have to ask questions we will stop the clock while we wait for your response.

Lawful Intercept

Q) I have questions about lawful Intercept!

A) All questions concerning lawful intercept capability should be made to the Police TICSAs Registrar.

Q) For Lawful Intercept operations do I need to notify a change in the staffing of those who perform the intercept?

A) Maybe

- For purposes of part three of the act which of your staff facilitate an intercept is not material.
- If you have been required to have a staff member gain a clearance to assist in the LI process, you may wish to notify the police of their departure.
- If you were to have a 3rd party provide support or facilitate your LI work and you were seeking to change that provider we would require a notification under part 3 as we would consider that would be a change of oversight and control.

General

Q) Do you mandate any security standards?

A) No.

Q) My network provides its services to customers based on CB radio and connects to wireless networks to connect to wider telecommunications (voice/data) services. Do you think I am an operator?

A) Yes. Regardless of the transmission service used (e.g. CB radio or cellular mobile), if you own, control or operate a public telecommunication network, you are a network operator.

Q) My council supplies internet to small businesses in the centre of town is it a network operator?

A) Yes, we would likely consider it to be a network operator

Q) What is the definition of a public telecommunications network

A) The act defines a telecommunications network:

Public data network—

(a)	means a data network used, or intended for use, in whole or in part, by the public; and
(b)	includes, without limitation, the following facilities:
(i)	Internet access; and
(ii)	email access

- **public switched telephone network means** a dial-up telephone network used, or intended for use, in whole or in part, by the public for the purposes of providing telecommunication between telecommunication devices
- **public telecommunications network means**—(a) a public switched telephone network; and (b) a public data network

Contact

e-mail ticsa@ncsc.govt.nz
website ncsc.govt.nz/ticsa or gcsb.govt.nz