

Office of the Minister of Broadcasting, Communications and Digital Media
Chair, Cabinet Appointments and Honours Committee

CERT NZ Establishment Advisory Board Extension and Appointments

Proposal

1. This paper outlines my decision to extend the term and appointments of the Computer Emergency Response Team (CERT NZ) Establishment Advisory Board to September 2018. The Board consists of nine members, including the Chair.

Background

2. CERT NZ was established in April 2017 as a branded business unit of MBIE, and sits within MBIE's Market Services branch.
3. CERT NZ provides economy-wide services to businesses, organisations and individuals who are affected (or may be affected) by cyber security incidents. It collates a profile of the cyber security threat landscape in New Zealand, and provides trusted and authoritative information and advice.
4. CERT NZ sits at the centre of New Zealand's cyber security architecture. It works with other agencies with cyber security responsibilities (including Department of Prime Minister and Cabinet, the National Cyber Security Centre, NZ Police, Department of Internal Affairs and Netsafe) and ensures a coordinated response to cyber security threats in New Zealand.
5. In August 2016, the CERT Establishment Advisory Board (the Board) was appointed to support the establishment of CERT NZ, and to enable CERT NZ to access the expertise in cyber security within the private and NGO sectors [APH-16-MIN-0156 Minute refers].

Purpose of the CERT NZ Establishment Advisory Board

6. The Board provides advice to the Minister of Communications and the Deputy Chief Executive (Market Services) of the Ministry of Business, Innovation and Employment on enabling the involvement of the non-government and private sector in the operation of CERT NZ; the longer-term organisational form of CERT NZ; and as required, any other matters relating to the operation of CERT NZ (for example, if advice is required on the development of new service offerings).

Composition and extension of term

7. The Board has no less than five and no more than nine members at one time. Members will be reappointed until 30 September 2018. Additional information on members experience and expertise is included with the candidates CV forms.
8. I have contacted the existing Board members (outlined in Annex Two) to offer an extension of their appointment to September 2018. This will ensure that CERT NZ will continue to have access to private sector and NGO expertise on cyber security

issues, while a more enduring advisory mechanism for government is considered as part of the current Cyber Security Strategy and Action Plan Review.

9. I will report back to the Appointments and Honours Committee (APH) if further appointments need to be made to ensure that the Board is well-balanced and representative.

Remuneration

10. The Board is classified as a 'Group 4, Level 3 - all other committees and other bodies' under the *Cabinet Fees Framework* (CO (12) 6). The fees for the Board Chair will be \$320 per day and the fees for the Board members will be \$250 per day (plus GST if applicable). These fees are consistent with the *Cabinet Fees Framework*.

Commencement and expiry of appointments

11. Each of the members will be appointed from 1 April 2018 until 30 September 2018.

Appointment process and consultation

12. I can confirm that an appropriate process was followed in selecting the Board members when the Board was established in 2016, in terms of the *State Services Commission Appointments Guidelines*.
13. I propose to carry-over existing members (subject to their availability). This approach is appropriate because members are being extended in the same role, providing continuity of service, and maintaining the experience of members over a short space of time. As a general guide, *State Services Commission Appointments Guidelines* note that members can be reappointed for further terms if the Minister considers there are sound reasons for doing so.
14. The revised terms (draft version in Annex A) provide for the Board to be extended for a six month term and advise CERT NZ on strategy, policy and service delivery with the objective of ensuring it remains focused on engaging with the private sector to deliver cyber security services. The Board's focus would be limited to engagement with regard to CERT NZ's role; it would not have a broader cross-governmental cyber security mandate.

Representativeness of appointment

15. At the time of initial appointment, consideration was given to the need to achieve appropriate gender, age, geographical and ethnic balance. I am satisfied that the members provide for a well-balanced Board in terms of gender, age, ethnicity and geographic representation, and an appropriate mix of skills and experience.

Conflicts of interest

16. Several members identified memberships to other Boards and employment relationships in initial conflict of interest assessments, which are noted in the attached candidate forms. I consider these conflicts to be appropriate given that the Board is intended to enable private sector and non-government cyber security experts to provide advice on the development of CERT NZ.
17. As part of extending the Board's term, available members will be asked to complete a new conflict of interest assessment. The extended appointments will not be

finalised before appropriate enquiries concerning conflicts of interest have been carried out in accordance with the SSC appointment guidelines and will be reported back to Cabinet should any issues arise.

18. The following regime will continue to deal with conflicts:

- members will be required to keep the Chair and Secretariat informed of any potential conflicts of interest, which will be recorded;
- the Chair will consult with the Ministry of Business, Innovation and Employment on the management of conflicts of interests; and
- conflicts will be managed in accordance with the Auditor General's *Guidance Managing conflicts of interest: Guidance for public entities*.

Timing and Publicity

19. The communications approach around this paper and associated issues will be managed by my Office, in consultation with other Offices as appropriate once the membership of the Board has been confirmed.

Consultation

20. No other agencies have been consulted on this paper as the Boards' role continues to relate to CERT NZ only under its revised Terms of Reference.

Recommendations

21. It is recommended that the Cabinet Appointment and Honours Committee:

1. **note** my decision to offer an extension of appointment terms to the following members of the CERT NZ Establishment Advisory Board:
 - i. Sarah Ellen BURKE
 - ii. Jonathan DUFFY
 - iii. David Frederick EATON
 - iv. Adrian Peter Anthony VAN HEST
 - v. Paul Jonathan MCKITRICK
 - vi. Deborah Louise MONAHAN
 - vii. Kendra Leanne ROSS
 - viii. Richard John Simon SHERA;
2. **note** my decision to offer an extension to the appointment of Michael Franz WALLMANNBERGER as Chair of the CERT NZ Establishment Advisory Board;
3. **note** I will report back to APH if further appointments need to be made to ensure that the Board is well-balanced and representative;
4. **note** that new appointment terms will commence 1 April 2018 and continue until 30 September 2018.

5. **note** the Candidate CV Forms and the Membership Form are compiled and attached.

Authorised for lodgement

Hon Clare Curran

Minister of Broadcasting, Communications and Digital Media

Annex One: Current CERT NZ Establishment Advisory Board Members

- a. **Sarah Burke:** Sarah is Head of Technology – Platforms at ANZ New Zealand. Sarah was previously Head of Information Security and Technology Risk for ANZ New Zealand. Sarah has an understanding of customer needs, and has experience in organisational and system change.
- b. **Jon Duffy:** Jon is currently the Head of Trust and Safety at TradeMe. He is Deputy Chair of Netsafe and on the Board of Consumer New Zealand. Jon has a strong consumer and SME voice.
- c. **David Eaton:** David is Associate Director, Cybersecurity (NZ) at Datacom. He is the Chair of the ICT Advisory Committee at the Manukau Institute of Technology. He was the Chief Technology Officer at Hewlett Packard Enterprise and has been a long-time advocate of improving New Zealand’s cyber security and has had extensive involvement in the development of the New Zealand Cyber Security Strategy and ongoing action plan.
- d. **Adrian Van Hest:** Adrian is the National Cyber Leader at PwC. He has experience in IT managing security and implementing security operations centre. He also has strategic development and project management experience.
- e. **Paul McKittrick:** Paul is the Principal Program Manager Development of ICEBRG Inc and the previous Senior Security Strategist at Microsoft. He co-founded the New Zealand Internet Taskforce and authored the FIRST.org Information Exchange Policy framework. He has previously employed at the GCSB where he represented New Zealand on a number of international CERT networks. Paul is currently based in the United States and has vast global technical experience.
- f. **Deborah Monahan:** Deborah (Debbie) is a cyber security consultant. She was the .nz Domain Name Commissioner for 15 years. She is a member of the New Zealand Internet Taskforce. Debbie has been a long term supporter of a national CERT.
- g. **Kendra Ross:** Kendra co-founded and is the Director of Duo NZ Ltd (a Security Distributor), PS Duo Ltd and Duo International Pty Ltd. She co-founded 1stTuesday Security Club, which is a network for senior security professionals across New Zealand. Kendra is also the co-founder and Chair of iSANZ (Information Security Awards New Zealand). Kendra understands and would represent the views of small business.
- h. **Rick Shera:** Rick is a Partner at Lowndes Jordan, a corporate and IT lawyer. He is the Chair of NetSafe and a founding director of Network for Learning Ltd. Rick is also on the Board of DigitalNZ. He has extensive board experience, and knowledge of legal issues within governance and IT.
- i. **Michael Wallmannsberger (Chair):** Michael is a cybersecurity consultant. He has previously been the Chief Information Security Officer at Wynyard Group, the director of the New Zealand Domain Name Registry Ltd and a councillor on the Standards Council and Internet New Zealand. Michael is also the Board Chair of OUTLine NZ Inc.

Annex Two: Establishment Advisory Board Terms of Reference, 2018