

House of Representatives
Supplementary Order Paper

Thursday, 8 August 2013

Government Communications Security Bureau
and Related Legislation Amendment Bill

Proposed amendments

Brendan Horan, in Committee, to move the following amendments:

Clause 6

In *clause 6, new section 8CA(1)*, replace *paragraph (d)* (lines 21 and 22 on page 9) with:

“(d) in a manner that facilitates effective democratic oversight:

“(e) subject to effective, thorough, and genuine oversight.

In *clause 6, new section 8CA*, replace *subsection (2)* (lines 23 to 25 on page 9) with:

“(2) **Subsection (1)** imposes duties on, and gives the powers to, the Bureau, the Director, or any employee of the Bureau, that are reasonably necessary for the Bureau to perform its functions under the Act.

Explanatory note

The Bill as reported to the House provides for a *new section 8CA* inserting a set of principles. While the intention to allow spying on New Zealanders is odious, *new section 8CA* is a minor positive step. The amendments in this Supplementary Order Paper will strengthen *new section 8CA* in 2 ways. First, to provide that not only will the Bureau act in a manner that will facilitate oversight, but also to explicitly state that the Bureau will be subject to effective, thorough, and genuine oversight. Second, the current drafting of the Bill in *new section 8CA(2)*

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provides that the principles in *new section 8CA(1)* are of no effect. *New section 8CA(2)* is amended to give real effect to the principles in *new section 8CA(1)*.
