





Computer Emergency Response Team (CERT NZ) Establishment Advisory Board

Terms of Reference

April 2018

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Authorisation

Mandate

The CERT NZ Establishment Advisory Board was established by the Minister for Communications on 15 August 2016 following approval by Cabinet.

Appointments to the CERT NZ Establishment Advisory Board are made at the discretion of the Minister for Communications.

Approval

The Terms of Reference for the CERT NZ Establishment Advisory Board are authorised by:

_____ Date _____
Hon Clare Curran
Minister for Broadcasting, Communications and Digital Media

Introduction

Context

CERT NZ was established in April 2017 as a branded business unit of MBIE, and sits within MBIE's Market Services branch. 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.

The functions of CERT NZ are:

- Incident response and triage
 - take reports of cyber incidents from individuals and organisations, including private sector, public sector and SMEs;
 - analyse, triage and refer cyber incidents to the appropriate agency or organisation;
- situational awareness and information sharing:
 - facilitate sector-based information sharing groups/discussion rooms with online automated information sharing;
 - undertake vulnerability and threat analysis capability;
 - receive and analyse a range of data feeds;
- advice and outreach
 - provide web- and email-based advice and updates on: active threats; prevention of active threats and vulnerabilities; and advice on mitigation of cyber incidents;
 - undertake domestic liaison;
 - formal reporting of trends and provision of data sets;
- international collaboration; and
 - undertake international liaison with key partners and agencies (including other CERTs and stand-alones);
 - provide the contact point for international collaboration and de-confliction for cross-border cyber security threat and incidents for New Zealand;
 - hold membership of international organisations such as FIRST and APCERT, and attend CERT-related fora;
- co-ordination of serious cyber incidents where necessary.

Purpose

The **CERT NZ Establishment Advisory Board** was formed to provide advice and support to the CERT project team and CERT NZ during its establishment phase, which covers both the project and first year of CERT NZ's operation.

The CERT NZ Establishment Advisory Board was appointed by the Minister for Communications in August 2016, and has provided advice to the Minister for Communications and the Deputy Chief Executive – Market Services of the Ministry of Business, Innovation and Employment (MBIE) on the establishment, ongoing development and future form of CERT NZ.

The Establishment Advisory Board is comprised of experts from industry, businesses, and consumers, in order to ensure that CERT NZ is developed with an understanding of the needs of these stakeholders.

Following completion of its original term in March 2018, the Minister for Broadcasting, Communications and Digital Media has agreed to extend the Board’s term for 6 months. This will enable it to advise CERT NZ on strategy, policy and service delivery to ensure CERT remains focused on engaging with the private sector to deliver cyber security services, while the *Review of New Zealand’s Cyber Security Strategy and Action Plan* considers the wider need for a structured approach to ensure private sector engagement with the government’s work (and vice versa).

Term

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

Scope

The Board is advisory in nature, will have no legal responsibility or decision making power for CERT NZ or related work, and no budgetary responsibilities.

The Board will provide advice on matters including:

- ways to enable the involvement of the non-government and private sector in the operation 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).

Membership

The membership of the CERT NZ Establishment Advisory Board is as follows:

CERT Establishment Advisory Board Chair	Michael Wallmannsberger
CERT Establishment Advisory Board Members	Paul McKitrick Rick Shera Adrian van Hest David Eaton Sarah Burke Jon Duffy Deborah Monahan Kendra Ross

Secretariat

CERT NZ will provide secretariat support for the Chair and the CERT NZ Establishment Advisory Board, including management of agendas, minute-taking, meeting preparation and follow-up of action points. The secretariat will develop a process for lodging agenda items and papers with the CERT Establishment Advisory Board and communicate this to members and attendees.

Conflicts of Interest

A conflict of interest may arise for a CERT NZ Establishment Advisory Board member when they are in a position where they (or a person in a close relationship with that member) may have an interest in, or derive a benefit from, a matter being discussed by the Board.

Prior to appointment, prospective members of the Board are required to disclose any interests they have, or are likely to have, in matters relating to CERT NZ.

Following appointment, members are required to keep the Chair and Secretariat informed of any potential conflicts of interest, including changes to the nature of previously declared conflicts (real or potential) which will be recorded. The Chair will consult with the MBIE 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*.

Accountability

The CERT NZ Establishment Advisory Board is chaired by Michael Wallmannsberger.

Communicating Decisions

The Chair will report back in writing to the Deputy Chief Executive, Market Services, MBIE and the Minister for Communications on a quarterly basis to note progress of work and decisions made. The Chair may also recommend or refer decisions for agreement by the Deputy Chief Executive, Market Services, MBIE. Minutes will capture the action points and any decisions taken by the CERT NZ Establishment Advisory Board. The minutes and action points will be circulated to members.

Arrangements

Quorum

To convene a meeting, the CERT NZ Establishment Advisory Board will have at least six (6) members in attendance, including the Chair.

Meeting frequency

CERT NZ Establishment Advisory Board will meet as required and agreed with the secretariat. It is anticipated that the likely frequency of meetings will be quarterly and may be either face to face or by audio conference.