

Mr Ian Fletcher
Director, Government Communications
Security Bureau (Designate)

section 9(2)(a)

Dear Ian

Director, Government Communications Security Bureau

I am very pleased that the former Governor-General has appointed you, on my recommendation, as the Director, Government Communications Security Bureau for a five year term commencing on 30 January 2012. Your warrant is attached.

Declaration of Interests

Thank you for declaring that you do not have any interests which conflict with those of the Crown.

Conditions of Appointment

As you are aware, your remuneration as the Director, Government Communications Security Bureau will be determined by the Remuneration Authority. Mr Iain Rennie, the State Services Commissioner, has advised Mr John Errington, the Chair of the Authority, that you will be contacting him.

I understand that the New Zealand Security Intelligence Service is processing your Top Secret Special security clearance and that it will be finalised before you commence in the role. I also understand that Ms Helene Quilter, Deputy Commissioner, State Services Commission has discussed the terms and conditions relating to the appointment with you. They have been set out in the attached Conditions of Appointment document. I would like to draw your attention to clause 6.1 which relates to the review of your performance. This clause reflects my decision to appoint the State Services Commissioner to review your performance annually on my behalf.

The Conditions of Appointment document is agreed between you as the Director, Government Communications Security Bureau (Designate) and me as the Minister Responsible for the Government Communications Security Bureau. The signed document is also attached.

I am committed to ensuring the highest level of national security. Your role and that of the Bureau in working collaboratively with government agencies, the New Zealand Intelligence Community and our intelligence partners will make an important contribution to achieving this. The attached position description reflects my expectations for you and the Bureau.

Congratulations on your appointment. I look forward to working with you.

Yours sincerely

Rt Hon John Key
Minister Responsible for the
Government Communications Security Bureau

Appointment of the Director of the Government Communications Security Bureau

Governor-General

Pursuant to section 9 of the Government Communications Security Bureau Act 2003, I, The Right Honourable Sir Anand Satyanand, GNZM, QSO, Governor-General, hereby appoint:

IAN RAYMOND FLETCHER

as the Director of the Government Communications Security Bureau for a five year term commencing on a date agreed in writing between the Prime Minister and Ian Raymond Fletcher.

Given under the hand of His Excellency the Governor-General and issued
this day of 2011.

Prime Minister and
Minister Responsible for the Government Communications Security Bureau

Director, Government Communications Security Bureau

Conditions of Appointment

1.0 Term of Office

- 1.1 The Director, Government Communications Security Bureau (GCSB) is appointed by the Governor-General, on the recommendation of the Prime Minister under section 9 of the GCSB Act 2003 (the Act). Under section 9 of the Act, the Director, GCSB holds office during the pleasure of the Governor-General.
- 1.2 This appointment is for five years commencing on 30 January 2012.

2.0 Remuneration

- 2.1 The Remuneration Authority determines:
 - a salary
 - b superannuation
 - c club and professional fees
 - d motor vehicle entitlement.

3.0 Relocation and Other Expenses

Section 9(2)(a)

4.0 Leave

4.1 *Annual Leave*

The Director, GCSB will receive annual leave of 20 days per annum and will be entitled to the three working days falling between Christmas and New Year's Day. Annual leave is to be taken at a time or times which will not unreasonably impinge on the proper performance of the duties of the Director, GCSB.

4.2 *Statutory Holidays*

The Director, GCSB will be entitled to the statutory holidays provided by the Holidays Act 2003.

4.3 *Sick Leave*

The Director, GCSB will be paid for any days he is absent due to sickness provided that the Minister Responsible for the GCSB may at any time require the Director, GCSB to obtain and furnish a medical certificate in respect of any period of sick leave arising from any sickness or injury which is ongoing for five or more consecutive calendar days.

4.4 *Queensland University of Technology Lectures*

The Director, GCSB will be entitled, to meet his commitment, to deliver lectures on 1 March and 23 March 2012 at the Queensland University of Technology. Mr Fletcher agrees to take two days' anticipated annual leave for this purpose. The University will pay for Mr Fletcher's expenses.

General

- 5.1 The Director, GCSB will at all times be an exemplar of the ethics, values and behaviours set out in the Standards of Integrity and Conduct.
- 5.2 The Director, GCSB must obtain and maintain a Top Secret Special security clearance.
- 5.3 The Director, GCSB will notify the Minister Responsible for the GCSB of any period of leave, missions abroad, or attendance at seminars and conferences. In these circumstances the Director, GCSB may in accordance with section 41 of the State Sector Act 1988 delegate his functions or powers to an employee.
- 5.4 The Director, GCSB will be entitled to reimbursement of the actual and reasonable expenses incurred by him in the proper performance of his duties. Any travel will be in accordance with the travel policy of the GCSB.

6.0 Review of Performance

- 6.1 The Director, GCSB agrees that the Minister Responsible for the GCSB may from time to time require the performance of the Director, GCSB to be reviewed and may appoint the State Services Commissioner to undertake the performance review on his or her behalf.
- 6.2 Any decision by the Director, GCSB to issue interception warrants, access computer systems, or collect, examine, decipher, decode or analyse foreign communications or intelligence must be made independently, and is outside the scope of a reviewer's authority to review, and must not be examined or otherwise form any part of a performance review.

7.0 Conflict of Interest

- 7.1 The Director, GCSB will disclose to the Minister Responsible for the GCSB in writing all interests of the Director, GCSB and his immediate family, which may conflict with the interests of the Crown. A copy of the signed Declaration of Interests document is attached.
- 7.2 Thereafter, the Director, GCSB will make such declarations of interests at the request of the Minister Responsible for the GCSB or as new interests of the Director, GCSB arise. The Director, GCSB agrees to take such steps as the

Minister Responsible for the GCSB reasonably requires to resolve or manage any such conflict.

Agreed

Rt Hon John Key
Minister Responsible for the
Government Communications Security Bureau

(date)

Ian Raymond Fletcher
Director, Government Communications
Security Bureau (Designate)

(date)