Confidential Document Disclosure Policy

Policy	Confidential Document Disclosure Policy
Policy Owner	InternetNZ Board
Version	Version 4.0 FINAL
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Purpose

This policy provides guidance around confidential documents and how and when they should be shared with the InternetNZ Board (Board), members and other stakeholders.

This policy ensures that sensitive information is protected, compliance with legal and regulatory requirements is maintained, and the integrity and confidentiality of information are preserved.

Policy Statement

InternetNZ believes in transparency and openness and shall only withhold confidential information when there is a reason to do so.

Nothing in this policy shall require InternetNZ to disclose information that is protected under the Privacy Act or that relates to personnel matters.

This policy shall apply to confidential documents submitted to the Board.

Why may some documents be considered confidential?

Documents may be confidential where there is a listed reason to do so:

a) to protect the privacy and security of people (such as documents containing contact information of staff or Board emails or lists of approved new members); or

b) to protect InternetNZ's ability to consider professional advice before making certain decisions (such as legal advice in relation to a dispute or tactics/strategy for a campaign); or

c) to protect InternetNZ's reputation or ability to function. (e.g. if a security flaw was discovered, or an employment dispute was being managed, or a newly-realised operational risk was being tackled); or

d) to protect InternetNZ's commercial interests (e.g. negotiation of a lease for premises or changes to commercial aspects of .nz or the customers of the registry); or

e) for the proper administration of the .nz ccTLD. (e.g. recommendations to change the wholesale fee for domain names are confidential until the decision is made); or

f) to allow the Board to consider draft documents before a final version is ready to be released (e.g. working documents and draft reports).

Submitting confidential documents to the Board

InternetNZ or the Domain Name Commission staff, Board, members, subsidiary Board members and stakeholders may submit to the Board documents intended to be confidential.

Step 1: Mark the document as confidential and provide details in relation to confidentiality

In order for the document to be recognised as confidential the author must:

a) clearly mark the document as confidential; and

b) provide a reason for the document being marked confidential; and

c) indicate when the document may no longer be considered confidential, by:

   i) indicating a specific date; or

   ii) indicating a point in time defined by a decision/action that needs to take place; or

   iii) stating that the document shall remain confidential indefinitely until otherwise determined.

d) identify to whom the confidentiality status is applicable to (e.g. just the public or internal staff as well).

Step 2: Approval by the Chairperson or Chief Executive

The Chairperson or Chief Executive must approve any item being lodged as a Confidential item, and satisfy themselves that it meets the threshold and reasons for confidentiality set out in this policy before giving such approval.

Step 3: Confidential document noted on register

InternetNZ shall maintain a register of all confidential documents submitted to the Board (Confidential Documents for Board Register), which shall detail:

a) the reason for the confidential status; and

b) when the confidential status expires or may be removed (if applicable).

Step 4: Distribution to the Board

All documents shall be loaded on BoardPro (or similar platform) and all confidential documents shall be marked confidential.

Step 5: Confidential status may be challenged by the Board

Board Members may challenge the justification for confidential status of an item. They may resolve to release a confidential document. In the event that such a resolution is passed during the meeting, the paper shall be released to the public alongside the minutes from the Board meeting.

Sharing confidential documents with the public

Confidential documents shall not be shared with the public unless the confidential status expires or is removed.

InternetNZ shall carry out a yearly review of the Confidential Documents for Board Register and identify which documents can be shared with the public. InternetNZ shall publish the relevant documents as one pdf file in the website Document library.

Request to share confidential documents

Members of the public may request InternetNZ to disclose confidential documents on the basis that the document should not be confidential, by emailing office@internetnz.net.nz.

The request must include:

a) the name of the document; and

b) the reason(s) for why the confidential status should be removed.

InternetNZ shall consider each request on a case-by-case basis, whilst keeping in mind our belief to operate in an open and transparent manner, and respond within 30 working days.