

Additional Written Questions on Notice for TikTok Australia - hearing 11 July 2023
Answers received 19 July 2023

Additional written QON1 unanswered as at 19 July 2023

Additional QON2: Have any TikTok Australia representatives raised concerns or held any discussions with global TikTok executives or ByteDance executives about the application of China's National Intelligence Law of 2017 to Australian user data? Please provide any copies of correspondence or meeting minutes where available.

The answer to the honourable Senator's question is as follows:

As we testified at the hearing, safety and security of our app and our community is a top priority. We regularly have discussions across our cross functional TikTok teams to ensure that the Australian business is well informed about the important work that is underway across the business to support safety and security.

Additional QON3: In the United States TikTok has proposed a solution known as 'Project Texas' in which it commits to work with Oracle to store US user data in the United States, and there is an equivalent program called Project Clover in Europe.

a. Does TikTok have similar plans afoot in Australia? Why or why not?

The answer to the honourable Senator's question is as follows:

Project Texas and Project Clover are large, complex engineering projects that require considerable collaboration and partnership with government stakeholders. As Mr Farrell spoke to at the hearing, we believe these projects go above and beyond anything any other company in our industry is doing to protect data sovereignty. We continue to have an open door policy with government about how we can work collaboratively to support the ongoing safety and security of the TikTok community in Australia.

Since we began operating in Australia, we have routinely had engagements with the Department of Home Affairs and others about our policies and practices to protect user data, and have done so again throughout the review process Home Affairs undertook into social media platforms recently. These meetings included dialogue with our specialist security team personnel. The Department has also undertaken a remote tour of our Transparency and Accountability Centre.

Additional QON4: There are reports that the Biden administration is considering to a move to force ByteDance to divest TikTok to a non-Chinese owner to eliminate all corporate ties back to China. If the Australian Government were to consider a similar move here, would TikTok Australia be agreeable to that in order to continue operating in Australia? Why or why not?

The answer to the honourable Senator's question is as follows:

TikTok is not a "Chinese-owned" company. TikTok's parent company, ByteDance, is a privately-held global company that is roughly 60 percent owned by global institutional investors, approximately 20 percent owned by the company's founders, and approximately 20 percent owned by its employees, including its Australian employees. As TikTok's CEO explained in testimony before the US Congress,

divestment does not address pertinent issues concerning data flows and access, as a change in ownership would not impose any new restrictions on these processes. All global companies face common challenges with respect to data security that need to be addressed through safeguards and transparency.