

9 February 2011

Mr Stephen Palethorpe, Committee Secretary  
Senate Standing Committee on Environment and Communications  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

By email

Dear Mr Palethorpe

### **Privacy Concerns and Offshore Cloud Based Computing Services**

Please find attached a late submission to the current Senate inquiry into the adequacy of protections for the privacy of Australians online.

Whilst this is a late submission, Macquarie Telecom strongly believes that the two papers, attached, will be of significant interest to Committee members in their consideration of this important public policy issue.

The papers were recently commissioned by Macquarie Telecom from a leading international law firm, Freshfields Bruckhaus Deringer. The papers, *The Cloud and the US Cross-Border Risks* and *The Cloud and the Singapore Cross-Border Risks*, consider the privacy and business risks, actual and implied, to Australian businesses and their customers through storing data offshore, with a focus on data storage in the United States and Singapore.

Macquarie Telecom would be keen to provide any further background or other relevant briefing to the Committee in relation to these matters.

Yours sincerely

Matt Healy  
National Executive, Government & Regulatory