

Senate Select Committee on COVID-19

Public Hearing – 6 May 2020
ANSWERS TO QUESTIONS ON NOTICE

Digital Transformation Agency

Topic: COVIDSafe App – AWS contract

Question reference number: 8

Senator: Katy Gallagher

Type of question: Written

Date set by the committee for the return of answer: 15 May 2020

Question(s):

AWS Contract

5. Is the contract between the Commonwealth and Amazon Web Services based on the Digital Transformation Agency's Digital Sourcing Contract template (created 27 February 2018)?
 - a) If not, is it based on a different publicly available contract template? If so, please provide the Committee with a copy of the template.
6. Noting the terms of the exception in section 94D(2)(c) of the draft bill, does the contract between the Commonwealth and Amazon Web Services permit – in any circumstances whatsoever – Amazon to transfer any information from the COVIDSafe data store outside Australia?
 - a) If so, in what circumstances and under what conditions?
7. Noting the terms of the exception in section 94D(2)(c) of the draft bill, does the contract between the Commonwealth and Amazon Web Services permit – in any circumstances whatsoever – Amazon to store any information from the COVIDSafe data store outside Australia?
 - a) If so, in what circumstances and under what conditions?
8. Noting the terms of the exception in section 94D(2)(c) of the draft bill, does the contract between the Commonwealth and Amazon Web Services permit – in any circumstances whatsoever – Amazon to access any information, even incidentally, in the COVIDSafe data store from outside Australia?
 - a) If so, in what circumstances and under what conditions?
9. Does the contract between the Commonwealth and Amazon Web Services impose a requirement that all AWS employees who administer or have access to the COVIDSafe data store be Australian citizens and Australian security cleared?
 - a) If not, why not?
10. Is the Commonwealth aware of any legislation, policy or practice in the United States (not Australia) that would prevent or mitigate any effort by US agencies to access COVIDSafe data? If so, to what extent is the Commonwealth confident that such US legislation/policy/practice would prevent access?

Answer(s):

5. The contract was made as a Statement of Work under the Amazon Web Services (AWS) Whole of Government Arrangement – Standing Offer. The Standing Offer is recorded as Austender contract notice number CN3601345.

The specific Statement of Work ID number under that Standing Offer is E104752985.

6. The contract between the Commonwealth as AWS specifies:
 - Data held in the National COVIDSafe data storage system must be located in Australia.
 - The National COVIDSafe data storage system must use PROTECTED certified cloud services.
7. The contract between the Commonwealth and AWS specifies that data held in the National COVIDSafe data storage system must be located in Australia.
8. No. AWS have not been granted access to the National COVIDSafe data storage system.
9. As the National COVIDSafe data storage system must use PROTECTED certified cloud services, the requirements of the Information Security Manual (ISM) stipulate that only those with a valid and appropriate level security clearance are provided access to classified environments. AWS have not been granted access to the National COVIDSafe data storage system.
10. This question should be referred to the Attorney-General's Department.