



Elizabeth Kanter
Director Government Relations
TikTok
4 Lindsey Street
London EC1A 9HP

Alicia Kearns MP
Chair
Foreign Affairs Committee
House of Commons
London SW1A 0AA

22 November 2022

Dear Alicia,

Thank you for your letter on behalf of the Foreign Affairs Committee about the recent updates to TikTok's Privacy Policy and the potential access of UK user personal data by some of our employees outside of the UK and Europe, including in China.

ByteDance Ltd., our parent entity, was founded in China but is incorporated outside of China. ByteDance has a board that includes executives from global institutional funds such as General Atlantic and Sequoia. TikTok is a global company with a global leadership team and employees based around the world. TikTok's CEO is a Singaporean national based in Singapore, our COO is based in the US (along with many other senior leaders) and our global head of trust and safety is based in Ireland.

We recognise the need for scrutiny about the way in which companies handle user personal data. As a company, we prioritise ensuring strong protections and governance when handling our users' data and we strive to create public transparency around our data practices, including issues such as data storage and access. We believe that being transparent about data storage and access is important not just for Government and regulators, but also for our users.

Changes to our Privacy Policy

Before answering your questions in full, I hope it is useful to explain why we have made the recent changes to our Privacy Policy.

Earlier this month we amended our Privacy Policy for the UK, EEA and Switzerland to make it explicitly clear that certain entities within our corporate group located in Brazil, Canada, China, Israel, Japan,



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Malaysia, Philippines, Singapore, South Korea, and the United States have remote access to European TikTok user personal data, to the extent necessary to enable them to provide important functions.

We also explained that the access granted is subject to a set of robust security measures and approval protocols. These measures are overseen by our US-based security teams and are designed to safeguard the privacy and security of users' personal data.

The fact that personal data may be accessed by certain employees in these locations is a practice that we have explained previously. Indeed, we've been transparent about the fact that access from outside the UK and EEA, including from China, may be necessary to keep TikTok operational and safe for our users. For example, Dr. Theo Bertram, our VP of Public Policy for Europe, spoke about this topic in his evidence of October 2021 to the [Joint Pre-Legislative Scrutiny Committee on the Online Safety Bill](#).

Personal Data Access and Storage

TikTok user data is stored in the US and Singapore. As [announced earlier this year](#), we expect our European data centre where UK and EEA TikTok users' data will be stored to be operational in 2023.

As with any large international company, international data flows remain necessary to operate a global business. At the same time, we are continuing to work towards our goal of minimising data flows outside of Europe and reducing remote access even further, both in terms of the scope of access required and the number of business functions with access in the first place.

Questions

What is the extent of data sharing between ByteDance Limited and ByteDance China?

We understand from discussions with Clerks to the Committee that references to "ByteDance China" are intended as references to a China-based subsidiary of ByteDance incorporated in China that was previously known as Beijing Bytedance Technology Co. Ltd. This company is now known as Beijing Douyin Information Service Co Ltd (referred to hereafter as "Douyin Info Service").

As set out in our Privacy Policy, and further explained above and below, in certain circumstances TikTok may allow limited remote access to certain employees within our global corporate group, who support the TikTok platform. However, employees of the entity Douyin Info Service do not have access to TikTok UK user personal data.

What are the specific circumstances under which UK user data can be shared with employees of ByteDance China?

As per the response above, employees of the entity Douyin Info Service do not have access to TikTok UK user personal data.



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Is the type of UK data ByteDance Limited shares with employees in China limited to metadata, or can individual user data also be shared when deemed necessary?

The definition of personal data within the UK GDPR is very broad and can include a wide range of user data. This includes data that is already non-private such as videos users have posted on the app for other users to see. Our Privacy Policy covers this wide range of user personal data.

As made clear in our Privacy Policy and above, certain employees located outside of the UK and EEA, including in China, may access UK user personal data to do their jobs and provide certain important functions. This access is limited and subject to strict security controls and authorisation approval protocols. For example, if a user reports a problem with their videos not appearing on the platform, an employee in China may need to access their account to timely troubleshoot the problem.

What controls are in place to ensure that UK user data cannot be accessed by the Chinese Communist Party (CCP) once it has been shared with ByteDance China? Are you able to guarantee that this data cannot be accessed by the CCP?

As made clear above, employees of the entity Douyin Info Service do not have access to TikTok UK user personal data. Therefore, the issue of controls as set out above does not apply.

For UK users' personal data that is accessed by any employee, including anyone based in China (or anywhere in the world), we employ a range of system access controls, encryption, and network security protocols to prevent the employee sharing the data with anyone without permission to access it, either within the company or externally. TikTok data is divided into different levels of confidentiality according to the degree of sensitivity; the higher the level of confidentiality, the stricter the approval process. As made clear above, these processes are overseen by our US-based security teams.

Given that there is a member of the CCP on all boards of companies in China, how does ByteDance Limited guarantee that the CCP cannot access UK user data provided to ByteDance China?

As made clear above, the ByteDance subsidiary incorporated in China, Douyin Info Service, is separate from TikTok and its employees do not have access to TikTok users' personal data.

For the avoidance of doubt, we have not been asked for TikTok UK user data by the Chinese government or the CCP, we have not provided such data to the Chinese government or the CCP and we would not do so if asked. We are committed to being transparent about where requests for data have been made by countries around the world. This information can be found in our bi-annual [Information Requests](#).



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I hope that the above proves helpful to the Committee and we look forward to maintaining a positive, open, and transparent discussion with both Parliament and our users about our work to keep their data safe.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Liz Kanter'.

Liz Kanter
Director Government Relations



Foreign Affairs Committee

From the Chair
Alicia Kearns MP

Elizabeth Kanter
Director Government Relations
TikTok
One London Wall 6th Floor
London EC2Y 5EB

8 November 2022

Dear Ms Kanter,

I am writing on behalf of the Committee regarding TikTok's sharing of UK user data outside Europe, in light of updates to TikTok's Privacy Policy for Europe which will come into effect on 2 December 2022. I would like to seek reassurances about the potential access that the Chinese government could have to UK user data. We would therefore be grateful if you could answer the following questions:

- What is the extent of data sharing between ByteDance Limited and ByteDance China?
- What are the specific circumstances under which UK user data can be shared with employees of ByteDance China?
- Is the type of UK data ByteDance Limited shares with employees in China limited to metadata, or can individual user data also be shared when deemed necessary?
- What controls are in place to ensure that UK user data cannot be accessed by the Chinese Communist Party (CCP) once it has been shared with ByteDance China? Are you able to guarantee that this data cannot be accessed by the CCP?
- Given that there is a member of the CCP on all boards of companies in China, how does ByteDance Limited guarantee that the CCP cannot access UK user data provided to ByteDance China?

We would appreciate a reply by 21 November. It is my intention to publish both this letter and your response.

Yours,

ALICIA KEARNS