

25 June 2020

Richard McMillian

By email: [fyi-request-12998-9591aeeb@requests.fyi.org.nz](mailto:fyi-request-12998-9591aeeb@requests.fyi.org.nz)  
Ref: H202003942

Dear Richard McMillian

### Response to your request for official information

Thank you for your request for information under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 2 June 2020 for:

*“Please publish or provide the source code for the recently released COVID tracing app.”*

The source code of the COVID-19 contact tracing app is withheld under the following sections of the Act:

- 9(2)(b)(ii), to protect information where the making available of the information would unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information; and
- 9(2)(ba)(i), to protect information which is subject to an obligation of confidence and would likely prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

Please note, while it has been necessary to decline your request at this time, I can confirm that the Ministry has developed the app with the intention of releasing the source code in due course.

The Ministry’s current focus is on developing the app to provide key functionality to support contact tracing in a safe and secure manner. We are yet to have the supporting capability and processes in place to ensure that any release of the source code does not place data security or privacy at risk.

Once we have completed the major functional updates to the app, we will be able to assess the supporting capability required to inform a decision on the release of the source code. Please be advised that the app developer, Rush Digital may have used some licenses components that the Ministry will be unable to release.

You have the right under section 28(3) of the Act, to ask the Ombudsman to review my decision to refuse your request.

Yours sincerely



Gaynor Bradfield  
**Manager Office of the Deputy Director-General  
Data and Digital**