

New Zealand Cloud Computing Code of Practice

Draft Code Consultation Document – March 2012 v1.3

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NOTE: The CloudCode consultation is an open and transparent process. Please be aware that all submissions may be published either in part or in whole

Submissions close at 5pm on Tuesday 10th April 2012. NO LATE SUBMISSIONS WILL BE ACCEPTED.

Submissions can be made via email to cloudsubmissions@nzcs.org.nz

Introduction

The Development of the New Zealand Cloud Computing Code of Practice is the result of an industry wide call for standards to be set to help protect the reputation of those providing professional services within the cloud computing industry as well as to help define what good practice should look like in New Zealand.

NZCS was asked to independently facilitate the first part of this process, being the creation of The Code, which has been funded by industry on behalf of the ICT community in New Zealand. NZCS is a fully independent organisation without allegiance to any particular vendor or vendors and has experience in creating code of practice and other related documents.

There are two phases to this project. The initial phase of the exercise was to determine, in detail what The Code of practice will look like, specifically what level of complexity and detail should be incorporated into The Code. This phase of the project concluded in February 2012.

Using the feedback that was received during phase one to create a skeleton document, 8 workgroups made up of industry specialists worked together to develop the content of The Code. The resulting draft document is now being released for feedback.

Consultation Process

We now invite formal feedback on the draft NZ Cloud Computing Code of Practice from stakeholders and interested parties.

The consultation period runs from the 19th March through till 10th April 2012. Submissions will close at 5pm on the 10th April 2012. No late submissions will be accepted.

Submissions are to be made via email to cloudsubmissions@nzcs.org.nz

Areas of Consultation.

We are seeking feedback on the following areas. Specific questions have been asked under each heading:

1. Approach of The Code

While extensive consultation has occurred on the Approach there is one area necessitating further consultation, being the application of disclosure requirements across a range of products or services offered by a Cloud Provider.

The Code is a disclosure-based Code of Practice meaning the requirement is for providers to proactively disclose item outlined in The Code to clients. On that basis, which of these scenarios do you believe is most appropriate and why?

Suggested option

A Cloud Provider is considered compliant with the CloudCode if they have made disclosures in relation to the company and about **all** “cloud-based” products and services they offer. This means a set of disclosures may need to be completed for each set of cloud-based products or services offered. (“Company X is compliant with the CloudCode”).

This has the benefit of simplicity in communicating participants but places a slightly greater burden on providers.

Alternative option 1

A Cloud Provider is considered compliant with the CloudCode if they have made disclosures in relation to the company and about **some or all** “cloud-based” products and services offered (with the specific products or services listed in the Register alongside that organisation’s name). This would mean that a provider could be providing a combination of compliant and non-compliant Cloud-based products or services. (“Company Y is compliant with the CloudCode in relation to services A and B”).

This is more complicated for customers and may lead to confusion but places less burden on providers.

Alternative option 2

The products or services offered by a Cloud Provider are considered compliant with the CloudCode if the provider has made disclosures about those products and services. It is the product or service that is compliant rather than the organization. (“Services A and B provided by Company Z are compliant with the CloudCode”).

This places the least burden on providers (who may pick and choose products) but would be the most difficult to communicate to customers.

2. Disclosure Statements

2.1 The Code states that the disclosures made under The Code of practice should be proactively available to all clients, both prospective and current at all times rather than on demand. Do you agree??

2.2 The most obvious way to proactively provide the disclosure statements is via a web page on the service provider's website. Do you agree with this or do you have another suggestion as to how the code could be made available proactively

2.3 Do you think that a publicly available register of Cloud Code compliant service providers should also have a copy of the disclosure statement for each service provider

2.4 The Code also states that any changes to the disclosures should be updated within 28 days. Are you agreeable with this?

2.5 Do you agree that any changes to the disclosure statements made because of a change to a product or service should occur within 28 days of that change?

3. Security:

The Code requires entry to the Cloud Security Alliances STAR registry. This standard was chosen as it is the most cloud specific standard available at present, and entry to the registry is free. Do you believe that this standard is acceptable as the base security standard for the NZ Cloud Code of practice, or do you have other suggestions of appropriate standards?

4. Disclosure Areas:

Of the ten standard disclosure areas that are required under The Code, what comments can you provide us with regards to the suitability of the statement for the purposes of The Code. (When responding please list the disclosure statement number that you are referring to)

5. Additional Modules:

5.1 Of the seven optional modules provided for in The Code, are there any comments you would like to make as to the statements required under each one. (When responding please list the disclosure statement number that you are referring to)

5.2 Do you believe these modules should remain separate optional modules or be included in the main Cloud Code for all service providers?

6. Consumer perspective

Do you believe that the disclosures statement contained within The Code provide a good basis of important points that should be considered by a prospective client to allow a good comparison of Cloud Service Providers?

7. Adoption of The Code

We would like to gain an understanding of the potential adoption of The Code by Cloud Service Providers. Are you a cloud provider and if so, assuming any issues or concerns you have about The Code are addressed, would you consider adopting the NZ Cloud Code of Practice.

8. Ongoing Governance of The Code

As yet the ongoing operation and governance of the NZ Cloud Computing Code of Practice has not been decided. Which organisation do you think should operate and oversee the ongoing operation of The Code, what type of organisation would you like to see be the champion of this new standard in NZ? What comments or feedback do you have about the ongoing operation of The Code?

9. General:

- 9.1 One of the principals of the Terms of Reference for The Code is to ensure that the code is accessible to a wide range of Cloud Service Providers, do you agree that the draft document provides sufficient protection for consumers, while remaining accessible to the majority of service providers?
- 9.2 Another governing principle set in the Terms of Reference was that the compliance or participation to The Code should not place any undue or unnecessary compliance costs. Do you think the draft document poses any unreasonable compliance costs on participating service providers?
- 9.3 In general, do you believe the code of practice is suitable for its purpose?