

FOCI Vendor Questionnaire: An Overview

Background

This Vendor Questionnaire is mandatory for all IP Australia technology procurements, to identify and assess risks associated with Foreign Ownership, Control & Influence (FOCI). It collects detailed information on ownership, governance, and security measures, ensuring compliance with Australian government requirements under the Protective Security Policy Framework. This questionnaire provides an opportunity for potential vendors to demonstrate their commitment to security, build trust, and provide transparency in the procurement evaluation process. If the questionnaire is not completed, then IP Australia will not be able to evaluate your submission.

Exceptions

Vendors who are certified under the government's Hosting Certification Framework (HCF) or are current partners under the Defence Industry Security Program (DISP) do not have to complete the FOCI Questionnaire. However, you must provide evidence of current certification or program participation as part of your submission.

Additional considerations

Sub-contractors and third-party suppliers that you partner with to deliver your products and services must also complete this questionnaire. You are responsible for providing this questionnaire to them for inclusion in your procurement submission.

Privacy Collection Notice

IP Australia is collecting this information from you to inform our assessment of potential Foreign Ownership, Control, or Influence (FOCI) risks associated with this procurement, as a mandatory requirement of the Australian Government's Protective Security Policy Framework (PSPF). The information collected includes personal information, which is protected by the Privacy Act 1988 (Cth). Personal information collected will be used only for the purpose of this internal assessment, and will not be shared outside of IP Australia, unless required under mandatory reporting obligations to other Commonwealth agencies including the Department of Home Affairs and the Australian Security Intelligence Organisation.

For Information about how you may access or correct your personal information or make a privacy-related complaint, please read IP Australia's Privacy Policy at <https://www.ipaustralia.gov.au/about-us/our-agency/privacy>.

General Information

1. Company Name:	
2. Headquarters Location:	
3. Primary Contact Person:	
4. Contact Information:	
5. Is the business certified by the Defence Industry Security Program (DISP) or Hosting Certification Framework (HCF) - If so, you do not need to complete this	

questionnaire – instead, you must provide evidence of certification as part of your submission.	
Ownership Structure	
6. What percentage of the company is owned by foreign entities or individuals?	
Foreign Government Influence	
7. Is your company subject to any foreign government laws or regulations that could compel you to provide access to data or systems?	
8. Are there any foreign government representatives on your board of directors or in senior management positions? If yes: a) Which foreign government do they represent? b) To what extent do they interact with the board? • Non-voting observer only • Advisory interactions • Voting board member • Multiple members with controlling interest	
State Ownership	
9. Is your company partially or wholly owned by a foreign government or state-owned enterprise? If yes, please provide details of the ownership structure and the extent of state ownership	
Board Composition	
10. Do any board members have affiliations with foreign governments or political organisations? If yes, provide details including if these are formal or informal ties	
Governance Practices	
11. How does your company ensure transparency and compliance with international governance standards?	

12. Are there any profit-sharing agreements or funding injections from foreign entities? If yes, provide details and percentage of arrangements.	
Historical Practices	
13. Has your company been involved in any historical proceedings, findings, or assessments related to foreign ownership, control, or influence? If yes, please provide details of these incidents and the outcomes.	
Security Incidents	
14. Has your company ever had incidents relating to economic or government espionage, intellectual property theft, or non-compliance with Australian Government laws?	
15. How does your company respond to security incidents and ensure transparency?	
Data and Security	
16. Where would IP Australia's data be stored and processed? You must also include any redundancy/business continuity arrangements.	
17. What security measures does your company have in place to protect against unauthorised access and foreign interference?	
18. How does your company ensure compliance with Australian Government security requirements?	
Monitoring and Reporting	
19. What mechanisms do you have in place to notify clients of changes in ownership or control?	

