



Australian Government



Consumer Data Right

## Quick Reference Guide - finding key documents in the CDR Legislative Framework

### Purpose

This document is designed to help CDR participants – including data holders, accredited (and unaccredited) data recipients and other providers engaging with the Consumer Data Right – readily locate and access the various iterations of the Competition and Consumer (Consumer Data Right) Rules (CDR Rules), as well as other key CDR legislative framework material (e.g. CDR designation instruments and CDR regulations) and related explanatory materials. This document is current as of 12 August 2022. It will be updated periodically with references to new CDR Rules amendments, CDR designation instruments and CDR regulations once they have come into force.

### Current consolidated version of the CDR Rules

The consolidated version of the CDR Rules, incorporating all current amendments, can be found on the [Federal Register of Legislation](#). You can check whether you are viewing the current version of the CDR Rules by looking at the left of the screen. If the version you are viewing is current, there should be a box with text in **green** reading “**In force - Latest Version**”, which will look like:

#### Competition and Consumer (Consumer Data Right) Rules 2020



- F2022C00187

**In force - Latest Version**

[View Series](#)

DETAILS

EXPAND

If instead that box displays text in **red** reading “**In force - Superseded Version**”, please click on “View Series” and select the top option (as circled in the below image).

Compilations		Principal + Amendments		Modified By / Affected By		
Displayed here are links to compilations of the Principal, the most current at the top of the list.						
Compilations						
Title	Registered	RegisterId	Comp No.	Start Date	End Date	Incorporating Amendments Up To
Competition and Consumer (Consumer Data Right) Rules 2020 <i>Latest</i>	10/Feb/2022	F2022C00187	7	01/Feb/2022		Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021
Competition and Consumer (Consumer Data Right) Rules 2020 <i>Superseded</i>	03/Dec/2021	F2021C01199	6	16/Nov/2021	31/Jan/2022	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021
Competition and Consumer (Consumer Data Right) Rules 2020 <i>Superseded</i>	17/Nov/2021	F2021C01141	5	19/Oct/2021	15/Nov/2021	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021

This option should say “Latest” underneath its title and have the most recent Start Date. You will now be viewing the latest version of the CDR Rules.

## Previous versions of the CDR Rules

The below table contains links to each of the previous versions of the CDR Rules, as enacted. It also includes links to the Explanatory Statement and Consultation Materials (which may include consultation papers and/or exposure drafts of proposed rules). These materials may assist in interpreting the relevant version of the CDR Rules.

The 'Key Topics' column highlights key concepts that were introduced, or amended, in that iteration of the CDR Rules. This will assist in finding the appropriate version of the CDR Rules for the issue you are exploring. For example, if you are interested in better understanding the current joint account rules, you may wish to review the Explanatory Statement accompanying version 3 of the CDR Rules.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
<a href="#">Competition and Consumer (Consumer Data Right) Rules 2020 (version 1)</a>	4/2/2020	<a href="#">Link</a>	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>product data requests</li> <li>consumer data requests, including consent and authorisation</li> <li>accreditation, including rules relating to the Register of Accredited Persons</li> <li>dispute resolution</li> <li>privacy safeguards</li> <li>data standards</li> <li>reporting &amp; record keeping</li> <li>provisions relating to banking sector</li> </ul>
<a href="#">Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2020</a>	1/10/2020	<a href="#">Link</a>	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>use of accredited intermediaries to collect CDR data</li> </ul>
<a href="#">Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020 (version 2)</a>	22/12/2020	<a href="#">Link</a>	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>expansion of CDR to more consumers (non-individuals, partnerships and secondary users)</li> <li>ADR-to-ADR CDR data transfers</li> <li>updating consent rules (e.g. separating collection and use consents and</li> </ul>

				<ul style="list-style-type: none"> <li>enabling consent amendments)</li> <li>use of CDR data for research</li> <li>update to data holder authorisation process and dashboard rules</li> <li>white labelled products and product data sharing</li> <li>joint accounts (now superseded)</li> </ul>
<a href="#">Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021 (version 3)</a>	30/9/2021	<a href="#">Link</a>	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>sponsored accreditation</li> <li>CDR representatives</li> <li>use of unaccredited outsourced service providers</li> <li>trusted advisers</li> <li>disclosure of CDR insights</li> <li>current joint accounts rules</li> <li>indefinite deferral of direct-to-consumer data sharing rules</li> </ul>
<a href="#">Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021 (version 4)</a>	12/11/2021	<a href="#">Link</a>	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>peer to peer data access model for the energy sector</li> <li>extending application of the CDR to energy sector</li> <li>additional energy sector specific rules</li> </ul>

## Current version of Part IVD of the *Competition and Consumer Act*

Part IVD of the *Competition and Consumer Act 2010* (Cth) (CCA) also contains key CDR obligations, including the Privacy Safeguards. Similar to the process for finding the current version of the CDR Rules, the current version of Part IVD of the CCA can be found on the [Federal Register of Legislation](#). As with the CDR Rules, the current version of the CCA should include the statement “**In force - Latest Version**”, which will look like:

Competition and Consumer Act 2010



DETAILS

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If that box displays text in red reading “In force - Superseded Version”, please follow the same process as that set out above for the CDR Rules.

The current version of the CCA, which includes Part IVD, is available [here](#).

### Previous amendments to Part IVD of the CCA

Note that not all amendments to the CCA are relevant to the CDR. The table below sets out amendments to the CCA that relate to the CDR and Part IVD that have been made since the introduction of Part IVD to the CCA in August 2019.

Name of Instrument	Start Date	Explanatory Statement	Key Topics
<a href="#">Treasury Laws Amendment (Consumer Data Right) Act 2019</a>	13/08/2019	<a href="#">Link</a>	<p>This Act introduced the CDR to the CCA (Part IVD) and includes:</p> <ul style="list-style-type: none"> <li>• definitions of key terms such as ‘CDR data’, ‘CDR consumer’, ‘data holder’, ‘accredited data recipient’, ‘CDR participant’ and ‘designated gateway’</li> <li>• establishing the respective roles of the ACCC, OAIC and DSB</li> <li>• the process and framework for making the CDR Rules</li> <li>• the process and framework for making the Data Standards</li> <li>• enforcement mechanisms and penalties for breaches of the CDR Rules and Data Standards</li> <li>• establishing the Register of Accredited Persons</li> <li>• the privacy safeguards</li> <li>• process for applying for exemptions from CDR obligations</li> </ul>
<a href="#">Treasury Laws Amendment (2019 Measures No. 2) Act 2019</a>	29/10/2019	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>• Requirement to delete CDR data in response to a request from a CDR consumer</li> </ul>

<a href="#">Treasury Laws Amendment (2020 Measures No. 6) Act 2020</a>	1/1/2021	<a href="#">Link</a>	<ul style="list-style-type: none"> <li>• Applies CCA to acts done by or in relation to agents of CDR.</li> <li>• Extends the application of privacy safeguards to future handling of CDR data.</li> </ul>
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## List of relevant CDR Regulations

The Government has also made Regulations that apply to the CDR. Please find below some of the key Regulations of relevance to CDR participants.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
<a href="#">Competition and Consumer Amendment (Consumer Data Right) Regulations 2021</a>	25/11/2021	<a href="#">Link</a>	N/A	Application of privacy safeguards in the energy sector (particularly for the Australian Energy Market Operator)
<a href="#">Competition and Consumer Amendment (Consumer Data Right Measures No. 1) Regulations 2022</a>	31/3/2022	<a href="#">Link</a>	N/A	Specifies new compliance dates for product phasing in the banking sector, specifically in relation to joint accounts for non-major ADIs

## List of CDR Sector Designation Instruments

Every time a new sector is designated for inclusion in the CDR, this is affected by a formal designation instrument that outlines how the new sector is defined, including what classes of information are to be included in the CDR for that sector, who may hold that data, and any exclusions that may apply. Please see below a list of the CDR Designation Instruments for each of the 3 sectors that have currently been designated.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
<a href="#">Consumer Data Right (Authorised Deposit-Taking Institutions) Designation 2019</a>	4/9/2019	<a href="#">Link</a>	<a href="#">Link</a>	Designates banking as a CDR sector
<a href="#">Consumer Data Right (Energy Sector) Designation 2020</a>	26/6/2020	<a href="#">Link</a>	<a href="#">Link</a>	Designates energy as a CDR sector
<a href="#">Consumer Data Right (Telecommunications Sector) Designation 2022</a>	24/1/2022	<a href="#">Link</a>	<a href="#">Link</a>	Designates telecommunications as a CDR sector

## List of relevant CDR Notifiable Instruments

Sections 56AS, 56AT and 56DA of the CCA also specify that certain declarations in the CDR must be made by the Minister through a notifiable instrument. At present the notifiable instruments made under s 56DA and s 56AS respectively are:

Name of Instrument	Date	Explanatory Statement	Explanatory Statement	Key Topics
<a href="#">Competition and Consumer (Consumer Data Right–Recognised External Dispute Resolution Schemes) Instrument 2021</a>	12/11/2021	N/A	N/A	Designates the recognised external dispute resolution schemes for the banking and energy sectors
<a href="#">Competition and Consumer (Consumer Data Right–Participating Victorian Government entity) Declaration 2022</a>	28/3/2022	N/A	N/A	Specifies the Victorian Government entity for their role in the energy sector

There are currently no notifiable instruments that have been made under s 56AT of the CCA.