



Australian Government



Consumer  
Data Right

# Joint account implementation guide

May 2023

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## Version Control

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January 2022	Version 1	First version of guide
December 2022	Version 2	Editorial changes and updated to include the Energy sector
May 2023	Version 3	Removal of references to the Telecommunications sector

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# 1. Introduction

## 1.1. Consumer Data Right

The Consumer Data Right (CDR) system gives consumers the right to require a service provider that holds their personal data (the **data holder**) to share that data with another service provider (the **accredited data recipient**).

CDR aims to give consumers more access to and control over their personal data. Being able to share data easily and efficiently between service providers will make it easier for consumers to compare and switch between products and services. This will encourage competition between service providers, leading to more innovative products and services and the potential for lower prices.

CDR is being implemented sector by sector, and has commenced in the banking and energy sectors.

The CDR scheme operates under Part IVD of the *Competition and Consumer Act 2010* (Cth) (the CCA). The CCA sets out the CDR framework, including the subject matter that the [Competition and Consumer \(Consumer Data Right\) Rules 2020](#) (CDR Rules) may cover. The CDR Rules set out the obligations that data holders, accredited data recipients and other participating entities must meet to participate in the scheme.

A glossary of common terms is published on the [CDR website](#). There are also some definitions specific to the joint account rules contained in section 7 of this guide.

## 1.2. Joint accounts

There are specific rules that govern how joint account holders can authorise and approve sharing of data under the CDR.

A joint account is an account with a data holder for which there are 2 or more account holders, each of which is an individual who is acting in their own capacity and is eligible in relation to the data holder.<sup>1</sup>

## 1.3. This guide

This guide has been produced by the Australian Competition and Consumer Commission (ACCC). It provides an overview of the rules on joint accounts and applies to both the banking and energy sectors. It should be read together with:

- The CDR Rules.
- The [Consumer Data Standards](#) (Standards), which specify standards to be implemented and used by data holders participating in the CDR. They are made by the Data Standards Chair and maintained by the Data Standards Body (DSB).
- The [Consumer Experience Guidelines](#) (CX Guidelines), which give examples and recommendations for how to implement key rules and standards that relate to the consumer experience. Where appropriate, this guide refers readers to relevant CX Guidelines.
- The [Guide to Privacy for data holders](#)<sup>2</sup>, which sets out the key privacy obligations for data holders in the Consumer Data Right (CDR) system and [Chapter B](#) of the CDR Privacy Safeguard Guidelines. These guidance materials are made by the Office of the

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1 [Competition and Consumer \(Consumer Data Right\) Rules 2020](#) (CDR Rules), rule 1.7(1).

2 [Guide to privacy for data holders - Home \(oaic.gov.au\)](#).

Australian Information Commissioner and focus on the privacy obligations of CDR participants.

This document provides general guidance only. It does not constitute legal or other professional advice and should not be relied on as a statement of the law. We recommend that CDR participants obtain professional advice on how the CDR framework applies to their specific circumstance.

### 1.3.1. Implementation of joint account rules

Commencement dates for joint account data sharing vary across sectors.

In the banking sector, data sharing under the joint account rules has commenced.<sup>3</sup>

The joint account provisions, including the disclosure options for joint accounts, were amended by the *Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021*. As a result of these amendments, there was a transitional approach for major authorised deposit-taking institution's (ADI) in relation to applying the amended Rules that applied before 1 July 2022.

In the energy sector, requests involving joint accounts are classified as 'complex requests'. Initial retailers are required to comply with the CDR Rules in relation to complex requests by 15 May 2023 and large retailers are required to comply with the CDR Rules in relation to complex requests by 1 May 2024. More detailed information on commencement can be found in the CDR Rules<sup>4</sup> and the [Compliance guide for data holders in the energy sector](#).

## 1.4. Disclosure options

There are 3 disclosure options that can apply to joint accounts:

- pre-approval option - data for a joint account can be independently shared by any requester without approval from other joint account holders
- co-approval option - a more restrictive sharing preference, where all joint account holders must approve the disclosure of joint account data before it may be shared with the relevant accredited person
- non-disclosure option - the most restrictive option, where joint account data cannot be disclosed from the account.

### 1.4.1. Applying the disclosure options

The pre-approval option applies by default to joint accounts.

Data holders must offer joint account holders the pre-approval option and the non-disclosure option. They are not required to offer the co-approval option, however they can choose whether to offer it.<sup>5</sup>

While it is not required under the CDR Rules, data holders should notify relevant consumers that the pre-approval option will apply by default to their joint account. In this notification, they could also explain what this means and give instructions for how to change the disclosure option.

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<sup>3</sup> For major authorised deposit-taking institution (ADI) data sharing obligations commenced on 1 July 2022 and for non-major ADIs and reciprocal data holder obligations commenced on 1 October 2022.

<sup>4</sup> CDR Rules, Schedule 4, Part 8.

<sup>5</sup> CDR Rules, rule 4A.5(3).

This notification could be provided through the data holder's ordinary means of contacting each joint account holder.

## 1.5. Eligibility and joint account data sharing

To share joint account data, there must be 2 or more joint account holders, each of which is an individual and who is an **eligible** CDR consumer in relation to the data holder for the relevant sector.<sup>6</sup>

In the **banking** sector each joint account holder must:

- be aged 18 years or older
- hold an account (either the joint account or another account) with the data holder that is open and accessible online.<sup>7</sup>

In the **energy** sector to be an eligible CDR consumer each joint account holder must:

- be aged 18 years or older
- hold an open account with the data holder
- be a customer of a retailer and their account relates to an eligible arrangement, which is an arrangement that relates to one or more connection points or child connection points for which there is a financially responsible market participant in the National Electricity Market
- have energy consumed in association with their account that is:
  - less than 5GWh over the previous 12 months, or
  - for an account that has been in existence for less than 12 months, the estimated annual consumption for the account is less than 5 GWh.<sup>8</sup>

It is not a requirement in the energy sector that the account is accessible online.

In both sectors, data holders **must** support data sharing for closed accounts where all account holders remain eligible consumers and where the data from the account has not been excluded under sector-specific rules.<sup>9</sup>

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<sup>6</sup> CDR Rules, rule 1.7(1).

<sup>7</sup> CDR Rules, rule 1.7(1) and Schedule 3, clause 2.1(1).

<sup>8</sup> CDR Rules, rule 1.7(1) and Schedule 34, clause 2.1.

<sup>9</sup> For the banking sector, clause 3.2(5) of Schedule 3 to the CDR Rules applies. For the energy sector, clause 3.2(7) of Schedule 4 applies. Also note, where data holders must support data sharing for a closed account, data holders must continue providing services and complying with relevant obligations under Part 4A.

**Scenario 2a: Consumer eligibility**

Anna and Betty are both over 18 years old and hold a joint account with Bright Bank. Only Betty has access to the joint account online. Anna has never registered for online banking with Bright Bank, so she does not have online access to the joint account and does not have any other accounts with Bright Bank that she is able to access online. Therefore, she is not an eligible CDR consumer for Bright Bank. Because all joint account holders must be an eligible CDR consumer in order for the account to be available for sharing under CDR, neither Betty nor Anna can make requests to share data from the joint account.

**Scenario 2b: Consumer eligibility**

Jamie and Sasha are both over 18 years old and hold a joint account with Bright Bank. Only Jamie has access to the joint account online as Sasha has not set up online access for that account. However, Sasha also has a savings account with Bright Bank which is open and set up for online banking. Therefore, Jamie and Sasha are both eligible CDR consumers for Bright Bank. Either of them could request that their data be shared from their joint account (subject to other provisions of the CDR Rules).

**Scenario 2c: Consumer eligibility**

Winnie and Edith are both over 18 years old and hold a joint energy account with Tiger Energy, a large energy retailer. The account is open and relates to an eligible arrangement as it relates to at least one connection point and the energy consumed in association with the account is less than 5GWh over the last 12 months. While only Edith has access to the joint account online, Winnie and Edith are both eligible CDR consumers. This is because in the energy sector, it is not a requirement to have online access to the account to be an eligible CDR consumer. Either Winnie or Edith could request that data be shared from the joint account (subject to other provisions of the CDR Rules) once the joint account rules have commenced for large energy retailers.

## 2. Disclosure options for joint accounts

There are 3 disclosure options that can apply to joint accounts - see section 1.4.

Account holders can make changes to disclosure options by using the **disclosure option management service** (see section 4.1). Account holders can change the disclosure option to a more restrictive (see section 3.1) or less restrictive (see section 3.2) option.

The CX Guidelines give example authorisation flows for each of the options that can be selected for a joint account.<sup>10</sup>

### 2.1. Pre-approval option

If the pre-approval option applies to a joint account and one account holder requests a disclosure of data, the other account holders are treated as having approved disclosing the data relating to the joint account and the data holder must make the requested disclosure.<sup>11</sup>

### 2.2. Co-approval option

If the co-approval option applies to a joint account and one account holder authorises a disclosure of data, the data holder must invite the other account holders' approval before disclosing data from the account.

The data holder must inform the other account holders of the matters referred to in rule 4A.11, including the time allowed for them to provide the approval.

#### **Scenario 3a: How consumers authorise data sharing where a co-approval option applies to the account**

Perry and Candice hold a joint transaction account with Easy Credit Union. Candice also holds a savings account with Easy Credit Union. Candice decides she wants to share data from both accounts with Go-Budget. She goes through the consent and authorisation processes successfully.

However, a co-approval option has previously been applied to Perry and Candice's joint account. This means that CDR data cannot be shared for the joint account unless Perry gives his approval. Easy Credit Union must invite Perry to approve the data sharing request within a specified time and wait for Perry to approve the disclosure before it discloses data. However, it must disclose the data it has authorisation to disclose on Candice's savings account.

#### **Scenario 3b: How consumers indicate a co-approval option and authorise data sharing**

Hamish and Maeve hold a joint energy account with Centaurus Energy and they are both eligible CDR consumers. Maeve uses the disclosure option management service to select the co-approval option.

Maeve later decides to share data and goes through the consent and authorisation processes to share data successfully.

As the co-approval option applies, CDR data cannot be shared for the joint account unless Hamish gives his approval. Centaurus Energy must invite Hamish to approve the data sharing request within a specified time and wait for Hamish to approve the disclosure before it discloses data.

<sup>10</sup> [Authorisation to disclose joint account data Consumer Experience Guidelines](#), Data Standards Body.

<sup>11</sup> In accordance with CDR rules 4.5 to 4.7 and rules 4A.5(4)(a) and 4A.10.



## 2.3. Stopping the sharing of data

Sharing of data for a joint account may cease because:

- a joint account holder has applied a non-disclosure option, which means joint account data cannot be shared at all
- a joint account holder who has authorised a specific data sharing arrangement (the ‘requester’) has withdrawn the relevant authorisation
- a joint account holder (the ‘non-requesting joint account holder’) has withdrawn the relevant approval
- another provision of the rules applies - for example, an authorisation expires<sup>12</sup> or a consumer ceases to be ‘eligible’.<sup>13</sup>

### 2.3.1. Non-disclosure option

Any joint account holder may independently use the disclosure option management service to apply the non-disclosure option.<sup>14</sup>

Where the non-disclosure option is applied:

- data from the relevant joint account must not be shared with any accredited person
- the data holder must notify the other joint account holders that a joint account holder has applied the non-disclosure option to the account<sup>15</sup>
- the data holder must update the disclosure option management service to reflect the change as soon as practicable.<sup>16</sup>

Where the disclosure option management service is not incorporated into the consumer dashboard (as is authorised by rule 4A.6(3)), data holders should ensure consumer dashboards also inform consumers why data on a joint account is not being shared.

#### Scenario 4: Applying the non-disclosure option

Candice and Perry have a joint transaction account with Easy Credit Union. A co-approval disclosure option applies to their account. Candice authorises the disclosure of data to Go-Budget for:

- her joint transaction account with Perry
- her savings account held in her name alone.

Perry has approved the disclosure of joint account data to Go-Budget in relation to that authorisation, allowing data to be shared.

Perry subsequently accidentally applies the non-disclosure option to the joint account. Easy Credit Union:

- emails Candice, notifying her that Perry has applied the non-disclosure option and of

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<sup>12</sup> CDR Rules, rule 4.26.

<sup>13</sup> For the definition of an ‘eligible’ CDR consumer in the banking sector, see rule 1.10B(1) and clause 2.1 of Schedule 3 to the CDR Rules. For the definition of an ‘eligible’ CDR consumer in the energy sector, see rule 1.10B(1) and clause 2.1 of Schedule 4 to the CDR Rules.

<sup>14</sup> CDR Rules, rule 4A.6 and rule 4A.7.

<sup>15</sup> CDR Rules, rule 4A.7(3).

<sup>16</sup> CDR Rules, rule 4A.6(5).

the matters referred to in section 3.1 of this guide

- does not disclose further data from Perry and Candice’s joint account with Go-Budget or any other accredited person
- continues to disclose Candice’s savings account data to Go-Budget
- updates the disclosure option management service accordingly.

Perry, realising his mistake, later proposes a change back to the co-approval disclosure option.

Easy Credit Union therefore emails Candice, inviting her to agree to the change of disclosure option within a specified period.<sup>17</sup> If Candice agrees to the change, Easy Credit Union must:

- from the date and time of Candice’s agreement to the co-approval option, reinstate all sharing from Perry and Candice’s joint account where authorisations are still current
- update the disclosure option management service to give effect to the change.

Where data holders reinstate sharing after a disclosure option has been amended, the disclosure option management service and consumer dashboard will show consumers which sharing arrangements are in place.<sup>18</sup> However, data holders may choose to notify consumers as well.

Note that the CX Guidelines give examples of how to implement requirements for changing disclosure options for joint accounts. The guidelines include an example flow for applying the non-disclosure option.<sup>19</sup>

### 2.3.2. Withdrawing authorisations and approvals

#### *Stopping the sharing of data by withdrawing an authorisation*

The requester can withdraw an authorisation to disclose CDR data to a particular accredited person at any time. However, they cannot withdraw the authorisations given by other account holders or secondary users.

If a joint account holder withdraws an authorisation:

- data sharing from the joint account under the authorisation must cease, along with data being shared from any other account that is associated with that authorisation<sup>20</sup>
- consumer dashboards must be updated to reflect the withdrawal<sup>21</sup>
- the data holder must notify joint account holders, through its ordinary means of contacting them, that the authorisation has been withdrawn<sup>22</sup>
- the data holder must notify the accredited person that the authorisation has been withdrawn, in accordance with the Standards.<sup>23</sup>

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17 CDR Rules, rule 4A.8.

18 CDR Rules, rule 4A.13 and rule 1.15.

19 [Joint accounts disclosure option management service Consumer Experience Guidelines](#), Data Standards Body.

20 CDR Rules, rule 4.25.

21 CDR Rules, rule 1.15 and rule 4A.13(1)(c).

22 CDR Rules, rule 4A.14(1).

23 CDR Rules, rule 4.25.

### Scenario 5: Withdrawing an authorisation

Candice and Perry have a joint transaction account with Easy Credit Union. A co-approval disclosure option applies to the account. Candice authorised the disclosure of data to Go-Budget associated with:

- her joint transaction account with Perry
- her savings account held in her name alone.

Perry also approved the disclosure of joint account data to Go-Budget in relation to that authorisation, allowing data to be shared.

Candice decides she no longer wants to share her data with Go-Budget. She uses the Easy Credit Union consumer dashboard to withdraw her authorisation to disclose data. Easy Credit Union:

- stops disclosing data on the joint account and her savings account
- sends Perry an email notifying him that Candice has withdrawn her authorisation to share the joint account data with Go-Budget<sup>24</sup>
- updates the consumer dashboards to reflect the change<sup>25</sup>
- notifies Go-Budget of the withdrawal of the authorisation.<sup>26</sup>

### *Stopping the sharing of joint account data by withdrawing approval*

The non-requesting joint account holder must be allowed to withdraw an approval for each authorisation to disclose joint account data, regardless of whether there is a pre-approval or a co-approval disclosure option on the account.<sup>27</sup>

Withdrawing an approval means the data holder will stop sharing the joint account data for the corresponding authorisation. It will not stop sharing joint account data for other authorisations.

Data holders can also choose to offer a functionality that allows an individual joint account holder to reinstate their approvals in relation to an authorisation to share data on a joint account (for example, where the account holder mistakenly removed the approval), where an authorisation and disclosure option are in place.

If a joint account holder withdraws an approval:

- Data from the joint account must no longer be shared under that particular authorisation. However, data from any other accounts associated with the authorisation may continue to be shared.<sup>28</sup>
- The data holder must notify the other joint account holders, using its ordinary means of contacting them, that the approval has been withdrawn.<sup>29</sup>
- The data holder must update the consumer dashboards to reflect the withdrawal.<sup>30</sup>

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24 CDR Rules, rule 4A.14.

25 CDR Rules, rule 4.27, rule 1.15 and rule 4A.13(1)(c).

26 CDR Rules, rule 4.25(2)(b). This will trigger additional obligations for Go-Budget - see CDR Rules, rule 4.14 and rule 4.18A.

27 CDR Rules, rule 4A.13(1)(d)(ii).

28 CDR Rules, rule 4A.10. Whether the data holder must continue to share a consumer's CDR data from other accounts, or is merely authorised to do so, will depend on whether the CDR data is 'required consumer data' (which must be shared) or 'voluntary consumer data' (which may be shared). See CDR Rules, rule 4.6.

29 CDR Rules, rule 4A.14.

Where multiple approvals are in place in relation to authorisations with a single accredited person and a joint account holder has withdrawn their approval for one of them,<sup>31</sup> only data sharing from the relevant approval will stop.

Note that the CX Guidelines give examples of how to implement the data holder authorisation withdrawal process as well as the process for withdrawing approvals.<sup>32</sup>

### Scenario 6a: Withdrawing an approval

Candice and Perry have a joint transaction account with Easy Credit Union. A co-approval disclosure option applies to the account. Candice authorised the disclosure of data to Go-Budget associated with:

- her joint transaction account with Perry
- her savings account held in her name alone.

Perry also approved the disclosure of joint account data to Go-Budget in relation to the authorisation to share data.

Perry decides that he no longer wants data on the joint account to be shared with Go-Budget. He uses Easy Credit Union's consumer dashboard to withdraw his approval of this data sharing.<sup>33</sup>

Easy Credit Union:

- no longer discloses data from Perry and Candice's joint account to Go-Budget in relation to the authorisation to share data, but continues to disclose the joint account data to other accredited persons who Perry and Candice have sharing arrangements with
- continues to disclose Candice's savings account data to Go-Budget
- sends Candice an email notifying her that Perry has withdrawn the approval to share data with Go-Budget on the joint account<sup>34</sup>
- updates the consumer dashboards accordingly.<sup>35</sup>

### Scenario 6b: Withdrawing an approval

Jason and Michael have a joint energy account with Aquarius Energy. A pre-approval disclosure option applies to the account. Jason authorised the disclosure of data associated with his joint energy account with Michael to Energy Waves, an ADR.

Michael decides that he no longer wants data on the joint account to be shared with Energy Waves. He uses Aquarius Energy's consumer dashboard to withdraw his approval of this data sharing.<sup>36</sup>

Aquarius Energy:

- no longer discloses data from Michael and Jason's joint account to Energy Waves, but continues to disclose the joint account data to other accredited persons, who Jason and Michael have sharing arrangements with
- sends Jason an email notifying him that Michael has withdrawn the approval to share data with Aquarius Energy on the joint account<sup>37</sup>
- updates the consumer dashboards accordingly.<sup>38</sup>

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30 CDR Rules, rule 4A.13.

31 For example, where the accredited person uses concurrent consents or has multiple software products.

32 [Withdrawal Consumer Experience Guidelines](#), Data Standards Body.

## 3. Changing disclosure options

### 3.1. Applying a more restrictive disclosure option

Any individual joint account holder can independently apply a more restrictive disclosure option. They do not need the agreement of the other joint account holders.<sup>39</sup> In other words:

- if the joint account has the pre-approval disclosure option, an individual joint account holder can use the disclosure option management service to apply the co-approval option (if the data holder offers it) or the non-disclosure option
- if the co-approval option applies, an individual joint account holder can use the disclosure option management service to apply the non-disclosure option.

The joint account holder does not need the other joint account holders to agree to the change.

If an individual joint account holder (account holder A) applies a more restrictive disclosure option, the data holder must contact the other account holders to:

- explain to each of them what the CDR is
- inform them which disclosure option previously applied to the account
- inform them that account holder A has changed the disclosure option, and of the disclosure option that now applies
- explain the mechanism to change the disclosure option again.<sup>40</sup>

### 3.2. Applying a less restrictive disclosure option

If a more restrictive option has been chosen for the account, an individual account holder cannot unilaterally change it to a less restrictive option. They can propose a change to a less restrictive disclosure option, but they will need the other account holders to agree to it.<sup>41</sup> In other words:

- if the non-disclosure option has been put in place for the joint account, an individual joint account holder can propose to change it to the co-approval option (if the data holder offers it) or the pre-approval option
- if the co-approval option has been put in place for the joint account, an individual joint account holder can propose to change it to the pre-approval option.

Account holders will use the disclosure option management service to manage proposals for option changes.

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33 If a pre-approval disclosure option applied in this scenario, Perry could also withdraw his approval, even though the approval is automatically applied where a pre-approval disclosure option applies to the account.

34 CDR Rules, rule 4A.14.

35 CDR Rules, rule 4.27 and rule 4A.13.

36 If a pre-approval disclosure option applied in this scenario, Perry could also withdraw his approval, even though the approval is automatically applied where a pre-approval disclosure option applies to the account.

37 CDR Rules, rule 4A.14.

38 CDR Rules, rule 4.27 and rule 4A.13.

39 CDR Rules, rule 4A.6(1)(a) and rule 4A.7.

40 CDR Rules, rule 4A.7.

41 CDR Rules, rule 4A.6(1)(b) [(a) refers to restricting the options] and rule 4A.8.

If an individual joint account holder (account holder A) has proposed a change to a less restrictive disclosure option, the data holder must contact the other joint account holders<sup>42</sup> and:

- explain to each of them what the CDR is
- inform them which disclosure option currently applies to the account
- inform them that account holder A has proposed a change to either the co-approval or pre-approval option
- explain that this change requires the agreement of all account holders
- explain any alternative options for change that are available and how they can be made
- invite them to either agree to or reject the proposal within a specified period of time - this should be the time limit that applies to the data holder's equivalent non-CDR services and requests (for example, the time limit that would apply if an account holder proposed to change authorities to transact on a joint account).<sup>43</sup>

#### Privacy tip

When contacting the other joint account holders to explain a proposal for a less restrictive disclosure option, data holders should also explain how each disclosure option operates in practical terms. This will help the account holder to make an informed decision about their data sharing arrangements. For example, if an account holder proposes to apply the pre-approval option instead of the co-approval option, a data holder could explain to the joint account holder:

- what the pre-approval option means (that CDR data relating to the joint account will be possible to share with only one joint account holder's approval)
- how this differs from the disclosure option that currently applies (for example, where the co-approval option applies, all joint account holders must give approval before the relevant CDR data may be shared).

### 3.3. Informing account holders about a change to a less restrictive disclosure option

At the end of the specified time period, the data holder must inform the joint account holders whether:<sup>44</sup>

- all the joint account holders have agreed to the change and so the proposed disclosure option applies
- not all the joint account holders have agreed to the change and so the proposed disclosure option will not apply.

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42 CDR Rules, rule 4A.8(2).

43 [Competition and Consumer \(Consumer Data Right\) Amendment Rules \(No. 1\) 2021, Explanatory Statement](#), page 27, paragraph 3.

44 CDR Rules, rule 4A.8(3).

## 4. Consumer oversight and joint account management

The disclosure option management service and the consumer dashboard are the main ways that data holders can give joint account holders overview and oversight of the account. Functions on these services should be prominently displayed and easy for consumers to understand.

### 4.1. Disclosure option management service

Data holders must provide an online disclosure option management service to each joint account holder.<sup>45</sup> The service allows account holders to choose a disclosure option and, where necessary, respond to choices and proposals of other account holders.

Data holders may include the disclosure option management service in the consumer dashboard (see section 4.2).

If there has been a change in the disclosure option, the data holder must update the disclosure option management service to reflect the change as soon as practicable.

Note that the CX Guidelines give examples of how to implement requirements related to changing disclosure options for joint accounts. This includes example flows for changing to less restrictive and more restrictive disclosure options.<sup>46</sup>

#### 4.1.1. Offline disclosure option management service (optional implementation)

Data holders must provide a disclosure option management service online.<sup>47</sup> They can choose to also offer the service offline.<sup>48</sup> If a disclosure option is changed, the data holder must update the online disclosure option management service as soon as practicable to reflect the change.<sup>49</sup> This means that, if a data holder offers an offline disclosure option management service and an account holder uses that service to change a disclosure option, the data holder must update the online disclosure option management service to reflect the change as soon as practicable.

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45 CDR Rules, rule 4A.6(1).

46 [Joint account disclosure option management service Consumer Experience Guidelines](#), Data Standards Body.

47 CDR Rules, rule 4A.6(3).

48 CDR Rules, rule 4A.6(4).

49 CDR Rules, rule 4A.6(5).

### Scenario 7: How consumers may use the disclosure option management service offline

Patty, Fred and Carlos have an energy account with Super Energy. The pre-approval option applies by default. Carlos wants to change to the non-disclosure option, so he calls the local Super Energy customer service centre. Carlos tells a Super Energy staff member that he would like the non-disclosure option, rather than the pre-approval option, to apply to his energy account.

Super Energy has chosen to provide an offline disclosure option management service by allowing their customers to contact the customer service centre and choose a disclosure option. The staff member processes Carlos' request so that the non-disclosure option now applies to the energy account.

Super Energy updates the online disclosure option management services for Patty, Fred and Carlos to reflect the change to the non-disclosure option. As Super Energy includes the disclosure option management service in the consumer dashboard, this update is reflected in Patty's, Fred's and Carlos's consumer dashboards. Super Energy also notifies Patty, Fred and Carlos as described in section 3 of this guide.

## 4.2. Consumer dashboards

Data holders must provide a consumer dashboard to joint account holders.<sup>50</sup> The consumer dashboard will show whether the pre-approval option or co-approval option applies, or has applied, to a joint account.<sup>51</sup> If a joint account holder has an existing dashboard because they are sharing CDR data from another account with the same data holder,<sup>52</sup> the existing dashboard must also serve as the dashboard for the joint account for that account holder.<sup>53</sup>

The consumer dashboard for joint account holders must:

- allow non-requesting joint account holders to manage approvals for each authorisation to disclose joint account data. It must also provide a functionality that enables the withdrawal of these approvals<sup>54</sup>
- as part of the process of withdrawing approvals, display a message stating the consequences of the withdrawal. The form of the message should be in line with the Standards<sup>55</sup> and contain details of each authorisation to disclose CDR data, including:<sup>56</sup>
  - the CDR data that has been authorised to be disclosed, when it was disclosed and the name of the accredited data recipient to whom it was disclosed
  - the timing and period of the authorisation
  - if the authorisation is current, when it is scheduled to expire
  - if the authorisation is not current, when it expired.

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50 CDR Rules, rule 4A.13(1).

51 CDR Rules, rule 4A.13(1)(b).

52 CDR Rules, rule 1.15.

53 CDR Rules, rule 4A.13(2).

54 CDR Rules, rule 4A.13(1)(d).

55 CDR Rules, rule 4A.13(1)(d)(v) and see [withdrawal: joint accounts standards](#) and [withdrawing authorisation: consequences standards](#), Data Standards Body.

56 CDR Rules, rule 4A.13(1)(c).



Any details of approvals for a particular joint account that are shown on one account holder's dashboard must also be shown on the dashboards of the other joint account holders.<sup>57</sup>

Dashboards for requesting joint account holders must also contain a functionality that allows them to manage authorisations.<sup>58</sup>

## 4.3. Notifications

### 4.3.1. Accredited persons

At this stage, data holders do not have to inform accredited persons when disclosure options apply or when approvals are given or withdrawn. Additional data standards may be introduced in future that require notification to accredited persons where accounts are associated or disassociated from an authorisation.

However, data holders are required to notify accredited persons where an authorisation to share data is withdrawn – see Scenario 5.

### 4.3.2. Approval notifications

Data holders must provide an approval notification to each relevant joint account holder if:<sup>59</sup>

- a requester gives, amends or withdraws an authorisation associated with a joint account
- an authorisation associated with a joint account expires
- a joint account holder does not provide an approval to disclose joint account data within a specified timeframe or withdraws an approval.<sup>60</sup>

Data holders must notify joint account holders using their ordinary means for contacting them.<sup>61</sup>

Data holders must make notifications as soon as practicable, unless a joint account holder has selected an alternative schedule of notifications<sup>62</sup> – for example, the joint account holders may elect:

- to receive weekly, fortnightly or monthly bulk approval notifications
- not to receive notifications at all.<sup>63</sup>

Data holders must allow joint account holders to select alternative notification schedules and also change their selection at any time.<sup>64</sup> Once the schedule has been selected, the data holder must provide notifications in accordance with the schedules.<sup>65</sup>

Note that the CX Guidelines give examples of how to implement requirements for providing alternative notification schedules.<sup>66</sup>

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57 CDR Rules, rule 4A.13(5).

58 See for example, rule 1.15.

59 CDR Rules, rule 4A.14.

60 CDR Rules, rule 4A.14.

61 CDR Rules, rule 4A.14(2)(b).

62 CDR Rules, rule 4A.14(2)(a), [notification standards](#), Data Standards Body..

63 [Competition and Consumer \(Consumer Data Right\) Amendment Rules \(No. 1\) 2021, Explanatory Statement](#): page 26, paragraph 5.

64 CDR Rules, rule 4A.14(3)(b).

65 CDR Rules, rule 4A.14(3).

### 4.3.3. Alerts concerning notifications to other account holders

If an account holder (account holder A) intends to perform an action that may trigger a notification to other account holders, data holders must alert account holder A to this.<sup>67</sup> The precise wording of the notification to account holder A is at the discretion of the data holder.

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66 [Joint account notification settings Consumer Experience Guidelines](#), Data Standards Body.

67 [Notification Standards, Joint account notifications: Contextual alert, Consumer Data Right Consumer Data Standards](#), Data Standards Body.

## 5. Vulnerable consumers

### 5.1. Approach to vulnerable consumers

A data holder will not be liable for a failure to comply with the CDR Rules, Part 4A, if it considered that an act or omission was necessary to prevent physical, psychological or financial harm or abuse to any person.<sup>68</sup> In those circumstances, data holders may not be liable for:

- not inviting relevant account holder(s) to approve a change to the disclosure option before disclosing data on the joint account if the non-disclosure option is in place (which is ordinarily required under rule 4A.8)
- not seeking the approval of the relevant account holder before disclosing data on the joint account where a co-approval disclosure option is in place (which is ordinarily required under rule 4A.10(4))
- not providing a relevant account holder with a consumer dashboard or updating an existing dashboard with details regarding a joint account (which is ordinarily required under rule 4A.13)
- not giving approval notifications to a joint account holder (which is ordinarily required under rule 4A.14)
- not seeking an authorisation to disclose data<sup>69</sup>
- not disclosing data.<sup>70</sup>

It is important to note that a joint account holder or secondary user cannot share the customer data of another person. The rules ensure that customer data, including personal information, cannot be shared unless the customer data is that of the person making the request.<sup>71</sup>

### 5.2. Identifying vulnerable consumers

We strongly encourage data holders to develop and implement processes to protect vulnerable consumers.

Data holders should have robust internal frameworks for identifying vulnerable consumers so that they can make informed decisions about whether it is appropriate to rely on the exceptions in the CDR Rules. Data holders may have existing processes for identifying vulnerable consumers which they may use to help them identify whether their act or omission is necessary to prevent physical, psychological or financial harm or abuse.<sup>72</sup> The Australian Financial Complaints Authority publishes the [AFCA Approach to joint facilities and family violence](#) which provides [guidance](#) on how firms can recognise and support customers affected by family and domestic violence.<sup>73</sup>

If a consumer has previously been identified as vulnerable or at risk of harm and the data holder believes that an act or omission would be necessary to prevent physical, psychological or financial harm or abuse, they may be able to rely on that pre-existing identification. Relying on pre-existing processes may remove the need for consumers to re-identify as vulnerable.

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68 CDR Rules, rule 4A.15.

69 CDR Rules, rule 4.7.

70 CDR Rules, rule 4.7.

71 An exception to this is where a person is acting under a power of attorney on behalf of a CDR consumer.

72 CDR Rules, rule 4A.15.

73 [AFCA Approach - Joint Facilities and Family Violence.pdf](#).

When joint account data is not shared because the data holder has identified a consumer as vulnerable, the data holder should issue a generic error code to ensure there are no repercussions for the consumer. The data holder can use a range of standardised error codes to provide a general error to the ADR without disclosing the nature of the refusal (for example, 'Invalid Banking Account', 'Unavailable Banking Account', 'Consent Is Invalid' or 'Expected Error Encountered'). Data holders should choose appropriate error codes based on the error codes for requests for data. The form of the error codes should be in line with the Standards.

To prevent physical, psychological or financial harm or abuse to any person, the data holder may refuse to share data from a joint account where a consumer has chosen to:

- delink an account from their digital profile
- use a silent account digitally.

Note that the CX Guidelines give a sample authorisation flow where rule 4A.15 is used to allow a vulnerable account holder to share their joint account data as if it were an individual account and there are CX Standards for joint account notifications where rule 4A.15 is used.<sup>74</sup>

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74 [Authorisation to disclose joint account data Consumer Experience Guidelines and notification standards](#), Data Standards Body.

## 6. Multiple joint accounts and secondary users

### 6.1. Approach for multiple joint accounts

If a consumer holds multiple joint accounts with a data holder, the data holder may enable the consumer to use a streamlined process to give their disclosure option preferences. For example, a data holder may allow consumers to select multiple accounts and apply a disclosure option to all the selected accounts.

Data holders may also use streamlined formats to provide notifications to joint account holders. For example, a data holder may ask the other joint account holders to indicate a disclosure option preference (see sections 2.1-2.3) for multiple accounts through a single notification.

Data holders must ensure their processes and messaging comply with the CDR Rules.

### 6.2. Approach to secondary users

A person is a secondary user of an account if:

- the person is at least 18 years of age
- the person has account privileges for the account
- the data holder has received a secondary user instruction to treat the person as a secondary user.<sup>75</sup>

### 6.3. Making or revoking a secondary user instruction

A data holder must provide a service that allows an account holder to make and withdraw secondary user instructions.<sup>76</sup> Data holders can choose which specific functionality the service will have. For example, data holders may allow individual joint account holders to provide secondary user instructions, or they may require all account holders to approve a secondary user instruction. Data holders must allow a joint account holder to individually withdraw a secondary user instruction (even where the joint account holder did not make the secondary user instruction).

Note that the CX Guidelines give examples of how account holders may change the sharing rights for other account users, including by withdrawing a secondary user instruction.<sup>77</sup>

#### 6.3.1. General operation of secondary users and joint accounts

Once a secondary user instruction is in place, the secondary user rules generally operate as if the secondary user is also a joint account holder:<sup>78</sup>

- If a pre-approval option applies to the joint account, secondary users can independently authorise the sharing of data on the joint account and each relevant account holder is taken to have approved the disclosure. The joint account holders will have oversight through notifications and the consumer dashboard.
- If a co-approval option applies to the joint account and a secondary user authorises the sharing of data on the joint account, a data holder must seek the approval of all joint account holders before data from the joint account may be shared.

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<sup>75</sup> CDR Rules, rule 1.7, definition of 'Secondary user'.

<sup>76</sup> See CDR Rules, rule 1.13(1)(e) and rule 1.15(5).

<sup>77</sup> [Secondary users Consumer Experience Guidelines](#), Data Standards Body.

<sup>78</sup> CDR Rules, rule 4A.3 and division 4A.3.

However, a secondary user has subordinate status to account holders on the joint account. A secondary user does not have oversight of sharing by the account holders or input into which disclosure option applies to a joint account. This means that a secondary user's consumer dashboard only shows the data sharing that they themselves have initiated on the joint account. In addition, if the co-approval option applies and a joint account holder authorises the sharing of data on the joint account, a data holder does not have to seek the approval of a secondary user (as they are not a joint account holder).<sup>79</sup>

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<sup>79</sup> CDR Rules, rule 4A.3.

## 7. Definitions

### 7.1. Joint account

Under the rules, a joint account is defined as an account for which there are 2 or more account holders who are:

- individuals acting in their own capacity
- eligible CDR consumers in relation to the data holder.

This definition excludes partnership accounts. Data sharing from partnership accounts is enabled by a partnership's nominated representatives.<sup>80</sup>

The concept of a 'joint account' as used in this definition bears its ordinary meaning: an account in the names of 2 or more people. There is no requirement that the name of the account have the words 'joint account'. It is sufficient that it has the characteristic of a joint account, that is, there are '2 or more' named owners.

### 7.2. Joint account data

The joint account rules apply to the disclosure of the types of data outlined in clauses 1.3 of schedule 3 and schedule 4 of the CDR rules. However, requesters may only ever share their own customer data; customer data of the other account holder(s) is not shareable (clause 3.2(3)(b) of Schedule 3). If a joint account holder requests the sharing of their customer data relating to a joint account, this request must be actioned as though it were a request in relation to an individually held account. Details of such data sharing must not appear on the dashboards of the other account holders.

### 7.3. Requester

A requester is the person who makes a consumer data request. This could be a joint account holder, or a secondary user.

### 7.4. Secondary user

A secondary user is a person who is not an account holder, is at least 18 years of age, has account privileges for the account and the data holder has received a secondary user instruction to treat the person as a secondary user in relation to the joint account.<sup>81</sup>

### 7.5. Disclosure option

A disclosure option determines the level of approval that is required before data relating to a joint account may be shared. Disclosure options are set at the account level.

There are 3 types of disclosure options:

- pre-approval option (this is the default option and is commonly called 'one to authorise')
- co-approval option (commonly called 'two to authorise')
- non-disclosure option (where joint account data cannot be disclosed).

### 7.6. Approval

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<sup>80</sup> CDR Rules, rule 1.7.

<sup>81</sup> Secondary users' role extends beyond joint accounts but are presented in this guidance in the joint account context only. For further information on secondary users, see rule 1.7, rule 1.15(5), rule 4.6A and clause 2.1 of Schedule 3.

When a requesting joint account holder provides an authorisation for the disclosure of data on a joint account, the non-requesting joint account holders must each provide an approval in order for the data to be disclosed (noting that if a pre-approval option applies to the account, each relevant account holder is taken to have approved the disclosure).

Data holders must allow non-requesting joint account holders to withdraw an approval to share their joint account data with a particular accredited person at any time.

## 7.7. Authorisation

When a requesting joint account holder wants to share CDR data from a joint account, they must provide an authorisation to the data holder. Once an authorisation is in place, approvals from all other joint account holders will also be needed for the data holder to make the disclosure.

## 7.8. Ordinary means of contacting an account holder

Throughout the joint account provisions of the CDR Rules, there are requirements to notify consumers through the 'ordinary means of contacting them'. Rule 1.7 defines these ordinary means of contact as:

- the agreed means of contact between the data holder and the account holder
- otherwise, the data holder's default means of contacting the account holder.

The 'ordinary means for contacting a joint account holder' may be, for example:

- email
- text message
- online banking push notifications.