Assessing whether a non-bank lender has CDR obligations

Australian Competition and Consumer Commission

Fact sheet

Version 2

September 2026

Contents

1. Consumer Data Right and non-bank lenders

This fact sheet explains the application of the Consumer Data Right (CDR) Rules to the non-bank lenders sector.

It will help non-bank lenders understand:

- whether they have data sharing obligations under the CDR Rules
- which of their products are covered products
- the date from when they must comply with data sharing obligations.

1.1 Application of CDR to non-bank lenders

CDR gives consumers more control over their data. It lets them share data with accredited data recipients to get better deals. CDR is already operating in the banking and energy sectors.

On 28 February 2025, the CDR Rules were amended to extend CDR to the non-bank lenders sector.[1] Data sharing obligations will apply in stages, and depend on the size of entity and the type of data being shared. The first stage began on 13 July 2026.

Non-bank lenders must assess whether they have obligations under the CDR Rules. This will depend on factors such as:

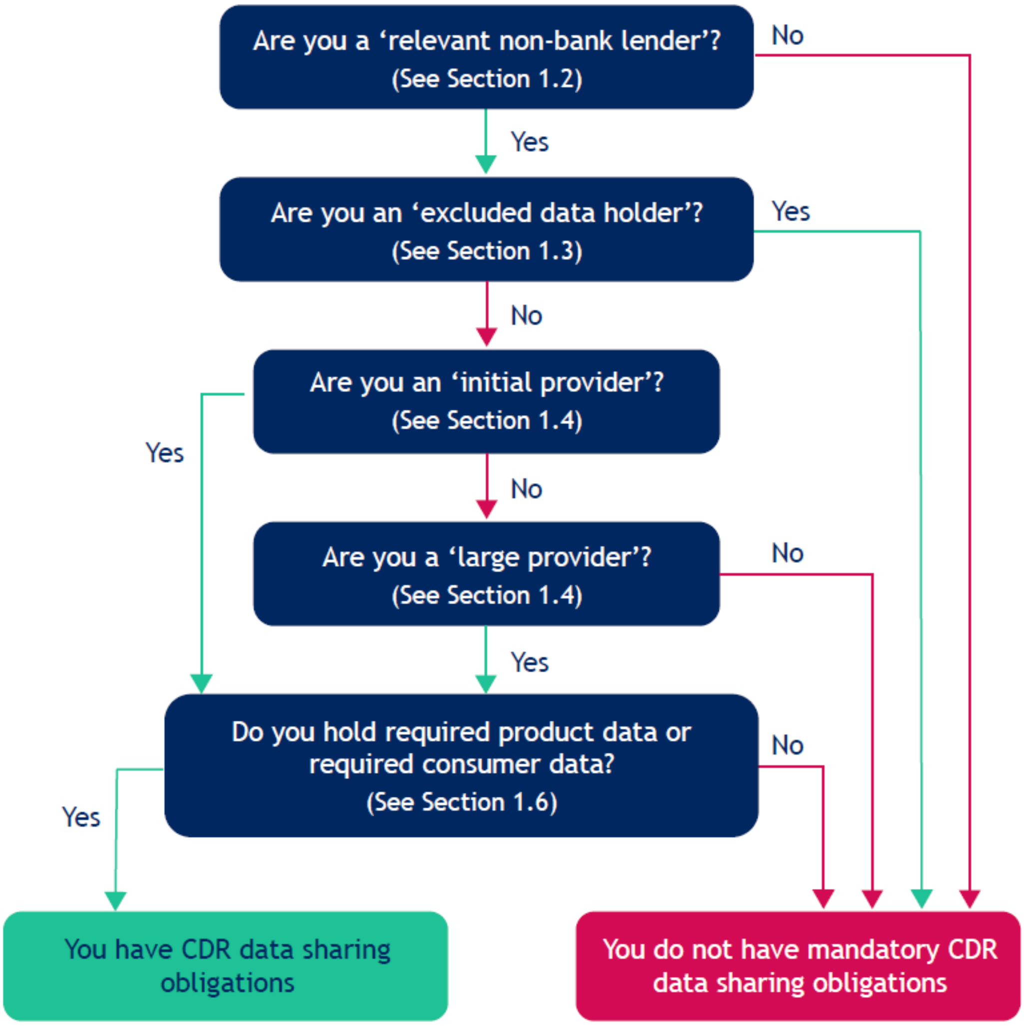
- the value of loans and leases held
- the number of customers
- the products offered
- the data held.

An overview of the relevant factors in the assessment is shown in Figure 1.

The following sections step through the decision points in Figure 1. The decision points may be applied in any order. They help a non-bank lender assess whether it has data sharing obligations and from when they will apply.

[1] Competition and Consumer (Consumer Data Right) Amendment (2025 Measures No. 1) Rules 2025 (Amending Rules).

Figure 1 Do you have CDR data sharing obligations? (non-bank lenders sector)



1.2 Relevant non-bank lenders

CDR obligations in the non-bank lenders sector only apply to an entity that is a 'relevant non-bank lender'.

A 'relevant non-bank lender' is a non-bank lender that:[2]

- is a registrable corporation under section 7 of the *Financial Sector (Collection of Data) Act 2001*, or
- would be a registrable corporation under the Act were it not excluded by section 7(2)(i).

Section 7(2)(i) of the Act excludes corporations with total value of specified assets of $50 million or less and total value of principal amounts on outstanding loans also of $50 million or less.

[2] Consumer Data Right (Non-Bank Lenders) Designation 2022, section 4.

A 'registrable corporation' is a corporation that provides finance in Australia and is not an authorised deposit-taking institution (ADI),[3] insurer or superannuation fund. A registrable corporation must register with the Australian Prudential Regulation Authority (APRA). However, CDR obligations may apply to a registrable corporation even if it has not complied with APRA registration requirements.

1.3 Excluded data holders

The CDR Rules do not apply to an entity that is an 'excluded data holder'.

An entity is an excluded data holder if it falls into at least one of these categories:[4]

- a body corporate that is a registered religious body offering one or more covered products[5] (see Section 3) in advancing its charitable purposes
- a foreign ADI for the purposes of the *Banking Act 1959*
- a foreign branch of an Australian ADI
- a restricted ADI.

1.4 Initial providers

A relevant non-bank lender is an 'initial provider' if the combined total value of the lender's and any associated non-bank lenders' resident loans and resident finance leases reported to APRA:

- was more than $10 billion for the most recent calendar month for which a report was given to APRA before 4 March 2025 and
- averaged more than $10 billion during the 12 months before 4 March 2025.[6]

Section 2 explains the reporting standards used to calculate resident loans and resident finance leases, and also when non-bank lenders will be associated non-bank lenders.

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[3] An ADI is a body corporate authorised under section 9 of the *Banking Act 1959* to carry on banking business in Australia.

[4] CDR Rules, Schedule 3, clause 1.1A.

[5] See definition of 'covered product' in the CDR Rules, Schedule 3, clause 1.4.

[6] CDR Rules, Schedule 3, clause 6.2(1).

Example – initial provider test

Lender A and Lender B are associated non-bank lenders. They reported the total value of resident loans and resident finance leases to APRA:

- Lender A reported a total value of $8 billion for the most recent calendar month before 4 March 2025. It averaged $7 billion during the 12 months before 4 March 2025.
- Lender B reported a total value of $3 billion for the most recent calendar month before 4 March 2025. It averaged $4 billion during the 12 months before 4 March 2025.

The sum of the resident loans and resident finance leases reported for the most recent calendar month before 4 March 2025 is more than $10 billion. The sum of the average figures reported for the 12 months before 4 March 2025 is also more than $10 billion. Therefore, both Lender A and Lender B are initial providers.

For CDR purposes, any calendar month in which no report was made to APRA is not counted when calculating the averaged value of resident loans and resident finance leases over 12 months.[7] For example, if the total value of resident loans and leases was reported for 10 out of the past 12 months, the averaged value is calculated by summing the values in those 10 months then dividing by 10.

An entity that met the criteria to be an initial provider on 4 March 2025 (when the CDR system was extended to the non-bank lenders sector) remains an initial provider for the purposes of the CDR Rules unless it ceases to be a relevant non-bank lender (Section 1.2).

An entity that did not meet the criteria on 4 March 2025 will never be an initial provider.

1.5 Large providers

1.5.1 Customer threshold and financial threshold

A relevant non-bank lender is a 'large provider' if, on 4 March 2025 or on a 1 July after that day, it meets all these criteria:[8]

- It is not an initial provider.
- It has more than 1,000 customers.
- The combined total value of the lender's and its associated non-bank lenders' resident loans and resident finance leases reported to APRA
  - is more than $1 billion for the most recently reported calendar month and
  - averaged more than $1 billion during the previous 12 months.

[7] CDR Rules, Schedule 3, clause 6.2(6).

[8] CDR Rules, Schedule 3, clauses 6.2(2) and (3).

Example -

Customer threshold

Lender C and Lender D are not initial providers. Lender C has 1,200 customers. Lender D has 800 customers.

Lender C has more than 1,000 customers, so it meets the customer threshold of the large provider qualification. Lender D does not.

Financial threshold

Lender C is an associated non-bank lender of Lender D. They reported the total value of resident loans and resident finance leases to APRA:

- Lender C reported a total value of $750 million for the most recent calendar month. It averaged $800 million during the previous 12 months.
- Lender D reported a total value of $300 million for the most recent calendar month. It averaged $400 million during the previous 12 months.

The sum of the resident loans and resident finance leases reported for the most recent calendar month is more than $1 billion. The sum of the average figures reported for the previous 12 months is also more than $1 billion. Therefore, both lenders meet the financial threshold of the large provider qualification.[9]

In this example, Lender C is a large provider with mandatory data sharing obligations. Lender D fails the customer threshold and so is not a large provider.

As explained in Section 1.4, any calendar month in which no report was made to APRA is disregarded when calculating the averaged value.

Applicable reporting standards and associated non-bank lenders are described in Section 2.

The large provider qualification may only be met on 4 March 2025 or on any subsequent 1 July. If an entity does not meet the relevant criteria on such a day, the entity cannot meet this large provider qualification until the following 1 July at the earliest.

If an entity has met the financial and customer criteria to be a large provider, it will remain a large provider unless it ceases to be a relevant non-bank lender.

1.5.1.1 Relevant non-bank lenders that meet the financial threshold, but have 1,000 or fewer customers

A relevant non-bank lender must notify the Australian Competition and Consumer Commission (ACCC) if it:[10]

- meets the requisite value of resident loans and resident finance leases for a large provider on 4 March 2025 or a subsequent 1 July, but
- had 1,000 customers or fewer on that day.

The entity must notify the ACCC via email to accc-cdr@accc.gov.au as soon as practicable after meeting these criteria.

In practice, this is an annual obligation on 1 July of each year. This helps the ACCC to monitor compliance with CDR obligations.

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[9] Determined with reference to the requirements set out in the CDR Rules, Schedule 3, clause 6.2(3)(a).

[10] CDR Rules, Schedule 3, clause 6.3(2).

Example -requirement to notify the ACCC

Lender D from the previous examples meets the financial threshold (in combination with its associated non-bank lender, Lender C). It has fewer than 1,000 customers. So, it is not a large provider for CDR purposes and has no data sharing obligations.

Lender D must comply with the notification requirement.

1.5.2 Accredited persons criterion

A relevant non-bank lender is a large provider if it is not an initial provider but is an accredited person.[11] An 'accredited person' is an entity accredited by the ACCC, in its role as CDR Accreditor, under the CDR Rules and the *Competition and Consumer Act 2010*.

This criterion will be met when:

- a relevant non-bank lender becomes an accredited person, or
- an accredited person becomes a relevant non-bank lender.

However, an entity that is a large provider *solely on this basis* would no longer be considered a large provider if it ceased to be an accredited person.

1.6 Initial providers and large providers with no 'required consumer data' or 'required product data'

The CDR Rules define 'required consumer data' and 'required product data'.[12] Initial providers and large providers must share these types of data on request if they relate to specified 'covered products' (see Section 3).

Entities that do not hold required consumer data or required product data need not meet CDR obligations. For example, this may be so for an entity that only offers margin lending products. If such an entity later begins to hold 'required consumer data' or 'required product data', CDR obligations will apply.[13] For example, this can occur when the entity becomes an accredited person or offers a covered product.

1.7 Voluntary participation by non-bank lenders

A relevant non-bank lender that has no mandatory obligations and is not an excluded data holder may voluntarily participate in CDR as a data holder.[14] The entity should email the

[11] CDR Rules, Schedule 3, clauses 6.2(2) and (4). See also definition of 'accredited person' in the *Competition and Consumer Act 2010*, section 4.

[12] See definition of 'required product data' and 'required consumer data' for the banking and non-bank lenders sectors in the CDR Rules, Schedule 3, clauses 3.1(1) and 3.2(2).

[13] Competition and Consumer (Consumer Data Right) Amendment (2025 Measures No. 1) Rules 2025, Explanatory statement, paragraphs 65–66.

[14] See definition of 'excluded data holder' in the CDR Rules, Schedule 3, clause 1.1A. See also clauses 3.1(1) and 3.2(2) for the meaning of 'required product data' and 'required consumer data'.

ACCC's CDR team at accc-cdr@accc.gov.au and give the date it would like to participate from.

Voluntary participants must comply with all relevant aspects of the CDR Rules and Consumer Data Standards.[15]

An initial or large provider may choose to disclose CDR data under the CDR Rules before their compliance date. For example, a provider may enable early data sharing for testing.[16]

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15 CDR Rules, Schedule 3, clause 6.11(3).

16 CDR Rules, Schedule 3, clause 6.11. See also Competition and Consumer (Consumer Data Right) Amendment (2025 Measures No. 1) Rules 2025, Explanatory statement, paragraph 91.

2. Applicable reporting standards and associated non-bank lenders

The total value of a relevant non-bank lender's resident loans and resident finance leases determines if a lender is an initial or large provider (sections 1.4 and 1.5). The total value is calculated from the value reported to APRA under the applicable standards. This consists of the value of resident loans and resident finance leases reported by the lender and by its associated non-bank lenders, as defined in the CDR Rules.[17]

2.1 Applicable reporting standards

The 'applicable standards' are made by APRA under the *Financial Sector (Collection of Data) Act 2001*. They relate to requirements for ADIs and registered financial corporations to report to APRA about their loans and finance leases.[18]

At the time the Amending Rules commenced, the applicable standards were set out in the *Financial Sector (Collection of Data) (reporting standard) determination No. 9 of 2022*.

These standards are updated from time to time. Always consult the most recent version.

Registered financial corporations must report to APRA about their loans and finance leases if they meet the criteria in the applicable standards.

2.2 Associated non-bank lenders

Two relevant non-bank lenders will be 'associated non-bank lenders' if:

- either lender has an arrangement with the other for, or about, the administration, offering, provision or underwriting of resident loans or resident finance leases, or
- the lenders are related bodies corporate – that is, one lender is:
  - the holding company of the other lender, or
  - a subsidiary of the other lender, or
  - a subsidiary of the holding company of the other lender.[19]

To assess whether a non-bank lender is an initial or large provider, the total value of resident loans and resident finance leases includes those of the non-bank lender and its associated non-bank lenders (if any). See sections 1.4 and 1.5.

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[17] 'Resident' applied to a loan or a finance lease means that the loan or finance lease is made to a resident institutional unit or units. 'Resident institutional unit' has the meaning given by the relevant standard made by APRA under the *Financial Sector (Collection of Data) Act 2001* dealing with definitions for the collection of economic and financial statistics information. 'Finance lease' has the meaning given by the accounting standard known as *AASB 16 – Leases - - February 2016 [F2016L00233]*. See CDR Rules, Schedule 3, clause 6.2(7).

[18] CDR Rules, Schedule 3, clause 6.2(7).

[19] See definitions of 'associated non-bank lender' and 'related body corporate' in the CDR Rules, Schedule 3, clause 6.2(7) and *Competition and Consumer Act 2010*, section 4A(5).

3. Covered products for the non-bank lenders sector

An initial or large provider may have CDR data sharing obligations if it holds CDR data about one or more covered products in the non-bank lenders sector.

A product is a covered product in the non-bank lenders sector if it is:

- publicly offered by or on behalf of a data holder in the non-bank lenders sector, and
- offered to customers by way of standard form contracts, and
- one of the following[20]
  - a personal credit or charge card account
  - a business credit or charge card account
  - a residential home loan
  - a home loan for an investment property
  - a mortgage offset account
  - a personal loan
  - business finance
  - a loan for an investment
  - a line of credit (personal)
  - a line of credit (business)
  - an overdraft (personal)
  - an overdraft (business)
  - asset finance (including standard vehicle financing and leases)
  - a consumer lease
  - a reverse mortgage
  - a buy now, pay later product.

CDR data sharing is voluntary for covered products that are:[21]

- foreign currency accounts
- consumer leases
- reverse mortgages
- margin loans
- asset finance that is non-standard vehicle finance.

An initial or large provider that holds only voluntary data will not have mandatory CDR data sharing obligations. Initial and large providers must enable CDR data sharing for all other covered products. The start of these obligations will be staged (see Table 1 in Section 4).

[20] CDR Rules, Schedule 3, clause 1.4.

[21] CDR Rules, Schedule 3, clauses 3.1(2) and 3.2(3).

A data holder may choose to disclose voluntary data. If it does, it must do so in accordance with the CDR Rules and Standards (see Section 1.7 of this fact sheet).

More information

For more about covered products, including examples, see Assessing whether a banking or non-bank lending product is in scope for CDR.

4. Start dates for data sharing obligations in the non-bank lenders sector

The introduction of data sharing obligations in the non-bank lenders sector is staged. Start dates depend on whether the non-bank lender is an initial provider or large provider and on the type of data they hold.

Start dates for the data sharing obligations of non-bank lenders are listed in Table 1. Complex requests under Part 4 of the CDR Rules are currently excluded (see Section 4.1 of this fact sheet).

Table 1 Start dates for data sharing[22]

Non-bank lender type	CDR data sharing type	Start date
Initial providers	Product data requests	13 July 2026
	Consumer data requests (except complex requests)	9 November 2026
Non-bank lenders that became large providers on or before 13 July 2025	Product data requests	13 July 2026
	Consumer data requests (except complex requests)	10 May 2027
Non-bank lenders that become large providers after 13 July 2025	Product data requests	12 months after the non-bank lender becomes a large provider
	Consumer data requests (except complex requests)	15 months after the non-bank lender becomes a large provider

4.1 Complex requests

A 'complex request'[23] is a consumer data request that:

- is made on behalf of a secondary user, or
- relates to a joint account or a partnership account, or
- is made on behalf of a CDR consumer who has a nominated representative.[24]

The CDR Rules do not currently require initial or large providers to respond to complex requests.[25] This is to avoid unnecessary or duplicative compliance burdens that may arise if non-bank lenders are required to comply with this obligation in the future.[26]

[22] CDR Rules, Schedule 3, clauses 6.4 and 6.5.

[23] CDR Rules, Schedule 3, clause 6.1.

[24] See definitions of 'secondary user', 'joint account', 'partnership account' and 'nominated representative' in the CDR Rules, rule 1.7.

[25] CDR Rules, Schedule 3, clauses 6.4(2) and 6.5(4).

[26] See Competition and Consumer (Consumer Data Right) Amendment (2025 Measures No. 1) Rules 2025, Explanatory statement, paragraph 74.

Background and more information

More information on the topics covered in this fact sheet is available in the following resources.

- Explanatory statement to the Amending Rules
- CDR compliance for bank and non-bank lender data holders
- Assessing whether a banking or non-bank lending product is in scope for CDR

CDR provides consumers with greater control over their data. It gives consumers the power to require a data holder to safely share their data with a service provider, so they can get better deals and services.

The key compliance requirements of CDR are established by:

- Part IVD of the *Competition and Consumer Act 2010*
- the Competition and Consumer (Consumer Data Right) Rules 2020
- the Consumer Data Standards.

The CDR information map is a topic-based listing of CDR information published by the Australian Competition and Consumer Commission (ACCC), the Australian Office of the Information Commissioner (OAIC), Treasury and the Data Standards Body (DSB). A glossary of CDR terms can be found on the CDR website.

The CDR Support Portal includes guidance on commonly queried CDR topics. It can also be used to submit questions about the CDR Rules and Standards for CDR agencies to respond to directly.

The ACCC and DSB facilitate the CDR implementation call. It provides a forum for participants and other stakeholders to ask questions about their obligations and receive updates on the CDR system.

Further contact

An entity may contact the ACCC's CDR team via email to accc-cdr@accc.gov.au to complete notification obligations.

Important notice

The information in this publication is for general guidance only. It does not constitute legal or other professional advice and should not be relied on as a statement of the law.

Users should refer to the current versions of the *Competition and Consumer Act 2010*, the Competition and Consumer (Consumer Data Right) Rules 2020, and the Consumer Data Standards. Users should also review other compliance guidance material referred to throughout this publication.

It is the responsibility of each CDR Participant to be fully aware of its obligations under the CDR regulatory framework. The ACCC recommends that CDR Participants obtain legal and/or professional advice on how the CDR framework applies to their specific circumstances.

Because the information in this publication is intended only as a general guide, it may contain generalisations. Any examples in this publication are provided for illustrative purposes only; they are not exhaustive and are not intended to impose or imply particular rules or requirements.

The ACCC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency or completeness of that information.

The ACCC welcomes feedback on this publication via email to accc-cdr@accc.gov.au.

Revision history

Version	Date	Description
1	May 2025	First version of fact sheet.
2	September 2026	Updated guide to improve readability and accessibility. Changes include: • restructured content and clearer headings • use of plain English and more concise language • clarified guidance on thresholds relevant to whether and when data sharing obligations apply.