

## Submission

24 May 2022

Ms Elizabeth Kelly PSM  
Secretariat Statutory Review of the Consumer Data Right  
The Treasury  
Parkers ACT 2600

By email: [CDRstatutoryreview@treasury.gov.au](mailto:CDRstatutoryreview@treasury.gov.au)

### Re: Statutory Review of the Consumer Data Right – Issues Paper

Dear Ms Kelly,

The Australian Communications Consumer Action Network (ACCAN) is the peak body that represents all consumers on communications issues including telecommunications, broadband, and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards communications services that are trusted, inclusive and available for all.

We are writing to support the Consumer Policy Research Centre’s (CPRC) submission to the Statutory Review of the Consumer Data Right (CDR).<sup>1</sup> As the peak body representing communication consumers, ACCAN has engaged with the development of the CDR, especially as it relates to the telecommunications sector. For example, ACCAN recently submitted comments on the *Consumer Data Right rules and standards design paper for the telecommunications sector*.<sup>2</sup> Throughout its engagement ACCAN has broadly supported the development of a CDR in the telecommunications sector provided that the scheme has clear use cases of consumer benefits and is developed in close consultation with consumers and their representatives. While the CDR in the telecommunications sector is still nascent, ACCAN is troubled by submissions from CPRC and Financial Rights Legal Centre that question whether banking and energy consumers benefit under the current scheme.

ACCAN shares CPRC’s concerns regarding a lack of clear use cases and consumer-centric success metrics and a shortage of consumer input to the CDR development process. In its submission CPRC argues that the CDR regime would benefit from sustained consumer consultation to develop specific use cases and consumer-centric success metrics. However, ACCAN notes that CPRC is concerned by “extensive and excessive” consultations without adequate support.<sup>3</sup> ACCAN agrees that consumer organisations require support to effectively participate in the rollout of the CDR and that the development of consumer-centric use cases should be a priority.

ACCAN agrees with the CPRC that safety and security should be a core focus of the CDR regime and that data sharing should not place additional risks to consumers or their data. To build consumer

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<sup>1</sup> CPRC 2022, *Submission to Ms Elizabeth Kelly PSM on the Statutory Review of the Consumer Data Right – Issues Paper*.

<sup>2</sup> ACCAN 2022, *CDR Rules and Standards Design Paper*. Available at: <https://accan.org.au/accans-work/submissions/1978-cdr-rules-and-standards-design-paper>

<sup>3</sup> CPRC 2022, *Submission to Ms Elizabeth Kelly PSM on the Statutory Review of the Consumer Data Right – Issues Paper*, p.3.

trust and confidence, the CDR must feature higher standards of protection for consumers and meaningful oversight and enforcement. As CPRC notes in its submission, “Safety and fairness should not be left to consumer choice – these are things which consumers expect the law to ensure regardless of choice”.<sup>4</sup> ACCAN strongly supports the implementation of clearer, more robust data security protections overseen by a well-resourced regulator.

In closing, ACCAN commends the submission and recommendations of the CPRC regarding the issues paper. Please do not hesitate to contact us should you require any further information.

Yours sincerely,

Samuel Kininmonth  
Policy Officer  
Australian Communication Consumers Action Network

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*The Australian Communications Consumer Action Network (ACCAN) is Australia’s peak communication consumer organisation. The operation of ACCAN is made possible by funding provided by the Commonwealth of Australia under section 593 of the Telecommunications Act 1997. This funding is recovered from charges on telecommunications carriers.*

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<sup>4</sup> CPRC 2022, *Submission to Ms Elizabeth Kelly PSM on the Statutory Review of the Consumer Data Right – Issues Paper*, p.2.