



Consumer
Data Right



Australian Government
The Treasury

DATA
STANDARDS
BODY

‘Opt-out’ joint account data sharing model

CDR rules and standards design paper

30 April 2021

Opportunity to provide feedback

This paper is designed to obtain feedback in order to develop draft CDR rules and standards. Draft CDR rules and standards will be the subject of formal consultation at a later stage, with the opportunity to make formal submissions.

You are invited to provide informal feedback to the Treasury and Data Standards Body by **26 May 2021** through either:

- lodging comments on the public GitHub repository maintained by the Data Standards Body; or
- by email to Treasury at data@treasury.gov.au. Respondents who would like to provide feedback on a confidential basis should ensure that this is clearly indicated.

Feedback posted on GitHub is public by nature at the time of submission. Content posted on GitHub should be made according to the community engagement rules published by the Data Standards Body.

Treasury will also provide opportunities for discussion and feedback during May through various CDR forums and engagement mechanisms.

Part A – Overview

1. Context and purpose

1. While rules for joint account data sharing have been settled for some time, current and prospective accredited data recipients (**ADRs**) have raised concerns about the current approach as they begin implementation and integrating joint account data sharing into their use cases. In particular, concerns have been raised that the requirement for each joint account holder to ‘opt-in’ to sharing before joint account data can be shared will lead to poor consumer outcomes.
2. Given this, and the work that is concurrently progressing to extend the CDR to the energy sector, we are considering whether alternate joint accounts policy settings are appropriate, align to consumer preferences, and are extensible to the future directions and sectors of the CDR.
3. The current model is banking-sector specific (see Schedule 3, Part 4 of the rules). The ‘opt-in’ requirement means that while one joint account holder may initiate a consent process with an ADR to share joint account data, the process will stall if any other joint account holders have not previously indicated that they wish to share data from the account. ADRs have raised concerns that the current approach introduces excessive friction leading to unfulfilled data sharing requests, ultimately discouraging businesses from offering CDR-based services to consumers.
4. Amendments to the rules in December 2020 were designed to reduce friction by allowing the initiating joint account holder to make the ‘opt-in’ decision at the time of authorisation, with a notification then being sent to the other joint account holder(s) to prompt them to also ‘opt-in’. However, we have received feedback that this addition will be unlikely to sufficiently address concerns about friction.
5. This design paper sets out proposals from the Treasury and the Data Standards Body on options for how an ‘opt-out’ approach could be implemented in the rules and standards. Our aim is to articulate a sector-agnostic data sharing model that provides an optimal joint accounts data sharing consumer experience that reduces friction for consumers while also providing appropriate control and transparency.
6. This is not a banking sector-specific consultation. Our intention is to develop a model that will be workable for data sharing on joint accounts across the economy. We therefore strongly encourage stakeholder feedback from all sectors and would particularly value feedback on whether the concepts and preferred options raised in this paper are feasible from an economy-wide perspective.
7. This consultation will impact those currently implementing the functionality to enable joint account sharing required from November 2021. We seek feedback on what extensions for compliance deadlines may be required in light of the options being proposed.
8. The joint account rules already in place for the banking sector will be used as the basis for considering the extent to which amendments are needed to accommodate a revised data sharing model. To facilitate participation in this consultation, we encourage stakeholders to

review the existing joint account rules at Schedule 3, Part 4 of the rules. The [Joint account implementation guidance](#) is also a useful reference to aid understanding of the rules.

9. Wireframes accompany this paper as visual aids. The full list of these wireframes can be found online [here](#), or via [downloadable PDFs](#). To provide feedback on the wireframes, or to refer to the wireframes in a submission, participants should specify the flow number and the numbered component. For example, referencing **1.1.3** would specify the point where the consumer selects which accounts they would like to share before the authorisation the disclosure of their data.

2. Design considerations

10. In developing a default 'opt-out' setting for joint account data sharing, there is a need to consider and balance several relevant factors:
 - extensibility to future sectors
 - consumer control and oversight
 - convenience for consumers, including limiting friction
 - encouraging new and innovative CDR offerings and participation in the CDR by ADRs
 - regulatory costs and implementation timelines, including leveraging the current implementations for the joint account functionality already and currently being built by data holders and ensuring joint account data is sharable as soon as reasonably practicable.
11. The CDR aims to leverage and support the existing protections for consumers in the sectors it expands into. There are a range of existing protections in the CDR rules to protect vulnerable consumers which will remain unchanged, regardless of other policy settings that are introduced or reconfigured for joint accounts.
 - The current rules operate on the basis that data sharing is not required, or oversight of data sharing is not required (including multi-party approvals), where a data holder considers it necessary to prevent physical or financial harm or abuse. The rules also allow data holders to treat joint accounts as if they were held in the name of one person alone where a data holder considers it necessary to prevent physical or financial harm or abuse.
 - [Wireframe 1.3 \(PDF version\)](#) demonstrates how joint account sharing could work where the data holder deems it necessary to treat the joint account like an individual account to mitigate physical or financial harm or abuse.
12. We consider these protections, and the prohibition on sharing customer data of another person,¹ should be maintained to support the autonomy and wellbeing of consumers. However, we welcome feedback on whether additional protections for vulnerable consumers are appropriate if a shift to 'opt-out' is supported.

¹ The rules provide that a consumer can only ever share their own customer data; customer data of the other account holder(s) is never sharable data (clause 3.2(3)(b)). An exception to this prohibition is where a person is acting under a power of attorney on behalf of a CDR consumer.

3. Structure of this paper

13. This paper is structured as follows:

- **Joint accounts in a cross-sectoral context:** we seek feedback on the extent to which the current concept of a joint account would be relevant to be applied on a cross-sectoral basis.
- **Default setting for an 'opt-out' approach:** we seek feedback on joint accounts sharing settings being set to 'on', allowing each joint account holder to automatically share data on the joint account after providing a consent to the accredited person and an authorisation to the data holder.
- **Complex joint accounts:** where a joint account has been set up by the account holders to require multiple approvals before a transaction can occur (**complex joint accounts**), we seek feedback on three options:
 - a. mirroring current authorities to transact on the account
 - b. requiring 'opt-in' to share data by each account holder
 - c. adopting the 'opt-out' approach regardless of the authorities to transact on the account.
- **'Opt-out' settings:** this paper proposes joint account holders should be able to override the default setting and set data sharing to 'off'. Consistent with the requirements in the current rules, this paper also proposes joint account holders should have granular functionality to cease individual data sharing arrangements, whether initiated by themselves or another account holder.
- **Notification requirements:** this paper proposes maintaining the notification requirements in the current rules. That is, data holders must provide notifications to all joint account holders where an account holder gives or amends an authorisation, when an authorisation expires and when an account holder turns 'off' data sharing or indicates they want a different disclosure option to apply to the account.
- **Implementation considerations:** this paper proposes a shift to an 'opt-out' approach is unlikely to significantly interrupt implementation efforts to date, and therefore a short extension of the timelines for implementation of joint accounts may be appropriate.

Part B – Content for review and feedback

4. Joint accounts in a cross-sectoral context

4.1. Topic Overview

14. The concept of a joint account is well understood in the banking sector. Schedule 3, clause 1.2 of the rules define a joint account as:
- (a) a joint account with a data holder for which there are two or more joint account holders, each of which is an individual who, so far as the data holder is aware, is acting in their own capacity and not on behalf of another person; but
 - (b) does not include a partnership account with a data holder.
15. We understand that accounts consistent with the above definition are common in the banking sector but are likely to be less prevalent in other sectors, including the energy sector. However, it is also probable that there will be terminology or account set-up differences between or within sectors. For example, the use of the term ‘joint account’ may not be prevalent in a sector, but it may be common for an account to have two or more account holders and meet the definition set out in the rules.
16. We also note that a joint account holder will generally hold financial responsibility for the account, together with one or more others. In considering the differences between sectors, the concept of financial responsibility may have greater relevance when considering how joint accounts may be applied for sector-wide rules.
17. We welcome feedback on the extent to which the current rules for joint accounts would be relevant on a cross-sectoral basis.
18. Separately, the CDR rules include provisions for ‘secondary users’. These rules allow an account holder to nominate an additional person to share data on the account. The secondary user is subordinate to the primary account holder(s) and is not financially responsible for the account in the sense of having a contractual relationship with the data holder.
19. For the purposes of this paper, we propose to continue to treat ‘secondary users’ as subject to different policy settings, given their subordinate status to account holders.

Questions

1. Do you prefer the definition of joint accounts in the rules, or would you prefer a sector-wide definition, for example with a focus on financial responsibility? Are there other factors should we consider?
2. Is there variation to the operation of joint accounts in different sectors that should be considered when developing sector-wide rules?

5. Default setting for an ‘opt-out’ approach

5.1. Topic Overview

20. The current rules for the banking sector require both joint account holders to ‘opt-in’ to data sharing before data on the joint account is permitted to be shared. That is, data holders must not share data on a joint account unless both account holders have proactively consented to data sharing on the account. While this provides a high level of oversight and control, it may create an undue level of friction and lead to consumers abandoning the data sharing process. It also introduces technical implementation complexity for CDR participants, and may ultimately lead to longer implementation timeframes as the CDR expands across sectors.
21. This section seeks feedback on whether an ‘opt-out’ approach is preferred as the default setting for data sharing. An ‘opt-out’ approach would automatically allow an individual joint account holder to independently share data on the joint account by consenting to an accredited person collecting and using the data from a joint account, and authorising the disclosure of that data with a data holder. Either joint account holder would be able to override this default setting at any time and change data sharing to ‘off’ if desired. In the framing of the current joint account rules, the proposal would be equivalent to applying a default ‘pre-approval’ disclosure option to joint accounts.
22. Joint account holders would continue, as per the current rules, to have knowledge of other account holders’ sharing and would receive notifications of new sharing arrangements and the ability to stop particular sharing arrangements (see **‘Opt-out’ settings** and **Notification requirements** sections later in this paper).
23. An ‘opt-out’ approach would remove the need for all joint account holders to set data sharing permissions before data sharing could be initiated by a joint account holder. However, we propose that data holders should be encouraged (but should not be required) to notify consumers of default CDR data sharing settings on their joint account. This could allow data holders to leverage notifications in their internet banking apps or emails informing joint account holders of default CDR data sharing settings.
24. In developing this ‘opt-out’ proposal, we have sought to balance the objectives outlined at paragraph 10. We consider an ‘opt-out’ setting will be extensible to future sectors, as it is simple and clear, allowing both CDR participants and consumers to understand their regulatory obligations and data sharing rights. Together with the notifications and oversight requirements, we consider consumers will continue to have control and oversight of their data sharing arrangements and will be able to ‘opt-out’ of data sharing completely, as well as individual data sharing arrangements that are initiated by themselves or other joint account holders. The reduced friction in the data sharing process from an ‘opt-out’ setting is likely to increase consumer convenience as the data sharing process will not require re-direction or timely delays while awaiting a response from the other account holder(s).
25. The reduction in technical complexities and friction is likely to encourage greater participation in the CDR by prospective ADRs and increase the CDR-based service offerings for consumers.

26. The ‘opt-out’ setting largely leverages current regulatory and implementation requirements. This ensures implementation progressed to date remains relevant, reducing the impact on delivery timelines and enabling consumers to be able to share their data and receive the full benefit of CDR offerings with minimal delay.

5.2 Rules Considerations

27. If an ‘opt-out’ approach is supported, we consider the joint account rules are likely to be extensible to future sectors, and could be moved from Part 4, Schedule 3 (the banking-specific schedule), into Part 1 of the rules (the main body of the rules). We consider that the amended rules could form the default approach to joint accounts across sectors, with sector-specific provisions (to the extent required) being provided for in the Schedules to the rules as the CDR expands into new sectors.
28. We consider that many of the provisions in the current banking-related rules would remain relevant to universal rules. The most significant amendments are likely to be to current clause 4.5 to reflect the default setting of ‘pre-approval’. Amendments to support the approach taken for managing complex joint accounts will also be needed (discussed below at section 8.2).

5.3 Standards Considerations

29. No **register standards** impacts are anticipated to support the options outlined in section 7.1.
30. No **technical standards** impacts are anticipated to support the options outlined in section 7.1.
31. The anticipated joint account **CX standards** outlined in [Noting Paper 157](#) will remain relevant. These are intended to include the following contextual notification standards for the authorisation flow where a joint account is being shared:
1. **Sharing a joint account:** When a consumer goes to share data from a joint account, Data Holders **MUST** provide a generic message in the authorisation flow to note that other joint account holders will be notified. See 1.1.3 and 1.1.3a for examples [here \(PDF version\)](#).
 2. **Account pending:** Where applicable, Data Holders **SHOULD** indicate that an account is pending further action in the authorisation flow. Data Holders **SHOULD** provide information to explain what this means. This functionality **MAY** be applied to accounts other than joint accounts where appropriate but **MUST ONLY** be applied for this purpose. See 1.2.3 and 1.2.3a for examples [here \(PDF version\)](#).
 3. **Harm and abuse exemptions:** Where a Data Holder treats a joint account like an individual account to prevent physical or financial harm or abuse, Data Holders **SHOULD** provide a notification in the authorisation flow to note that the other account holders will **not** be notified. Data Holders **SHOULD** provide information to explain what this means. See 1.3.3 and 1.3.3a for examples [here \(PDF version\)](#).

Questions

7. Do you agree that an ‘opt-out’ approach is preferred over the current ‘opt-in’ approach?

8. Do you agree with the assessment of rules considerations? Why/why not?
9. Do you agree with the assessment of technical and register standards impacts? Why/why not?
10. Do you agree with the CX standards proposals? Why/why not?

6. Complex joint accounts

6.1 Topic Overview

32. We understand the majority of joint accounts are set up to allow joint account holders to independently ‘transact’² on the account. For example:

- in the banking sector, most joint account holders may independently transfer funds on the account without additional approval from the other account holder(s)
- in the energy sector, most joint account holders may independently add permissions for an additional person without approval from the other account holder(s).

33. However, we understand some joint accounts may allow authorities to be set up so that approvals are required from all/multiple account holders before transactions can occur.³ We understand a small segment of joint accounts actually have authorities set up in this way.

34. This introduces an additional policy consideration of whether it is preferable to depart from the proposed default ‘opt-out’ setting for joint accounts that currently require multiple approvals before a transaction can occur (**complex joint accounts**). We consider a number of options exist for the default setting on complex joint accounts:

- **Option 1: mirror current authorities to transact on complex joint accounts.** If an account holder requires approval from the other account holder(s) before a transaction can occur, then by default they will require approval from the same account holders before they may share data on the account. This would require the implementation of ‘co-approval’ which has, to date, been an optional implementation for data holders. For illustrative purposes, we have provided wireframes for Option 1; see flow 1.1 online [here \(PDF version\)](#), which demonstrates joint account sharing where no additional approval is required. See flow 1.2 online [here \(PDF version\)](#), which demonstrates joint account sharing where additional approvals are required.
- **Option 2: require ‘opt-in’ for complex joint accounts.** If an account holder requires approval from the other account holder(s) before a transaction can occur, then by default the data sharing will require both account holders to ‘opt-in’ to be able to independently share data on the account before it is permitted to be shared. This would result in ‘co-approval’ not

² The term ‘transact’ requires sector-specific interpretation. Defining ‘transact’ in a sector would form part of normal sector-introduction consultation processes if required.

³ Including Joint Accounts where the account holders can make withdrawals. See the Australian Banking Association Banking Code of Practice, 1 March 2020, paragraphs 138-140.

being required implementation, however, data holders would be required to implement both 'opt-out' and 'opt-in' policy settings.

- **Option 3: apply the 'opt-out' setting to complex joint accounts.** Consistent with the general approach to joint accounts, an individual account holder may share CDR data regardless of the transaction authorities on the joint account. This would result in 'co-approval' not being mandatory to implement and data holders implementing an 'opt-out' approach across all joint accounts. This option reflects that transaction authorities may not be analogous to data sharing authorities, and an alternative approach for data sharing settings may be appropriate.

35. The policy considerations for managing complex joint accounts are option dependent. An overview of the impacts is outlined in Table 1. If Option 1 or 2 are supported, we consider that this may also impact implementation timeframes for complex joint accounts so that efficiencies can be created by considering the 'co-approval' settings from an action-initiation perspective concurrently.

Table 1: Complex joint accounts options comparison

Management of complex joint accounts	Option 1: mirror current authorities to transact on complex joint accounts	Option 2: require 'opt-in' for complex joint accounts	Option 3: apply the 'opt-out' setting to complex joint accounts
What is the impact on consumer experience?	This option would introduce friction and delays into the data sharing process. However, it may align with consumer expectations to have additional control and oversight of activities on a complex joint account. Option 1 may create confusion where consumers have multiple joint accounts with different authorisation structures.	This option would introduce friction and delays into the data sharing process. However, it may align with consumer expectations to have additional control and oversight of activities on a complex joint account. Option 2 may create confusion where consumers have multiple joint accounts with different authorisation structures.	This option is likely to reduce friction and delays in the data sharing process, increasing convenience for consumers. It will also ensure a consistent approach to joint accounts is taken, which may facilitate simple messaging and education activities. However, Option 3 may not align with consumer expectations to have additional control and oversight on complex joint accounts.
What is the impact on accredited persons?	Under this option accredited persons are likely to face some technical implementation complexity and delays in receiving data. This is further outlined in the Implementation Considerations section.	Under this option accredited persons are likely to face some technical implementation complexity and delays in receiving data. This is further outlined in the Implementation Considerations section.	Option 3 limits barriers to sharing and implementation complexity for accredited persons.
What is the impact on data holders?	Option 1 would require data holders to implement 'co-approval' solutions that are currently optional under the rules. This is further outlined in the Implementation Considerations section.	Option 2 requires data holders to implement both 'opt out' and 'opt in' settings, however the technical implementation is considered materially less complex and costly than Option 1. This is	Option 3 requires data holders to implement one technical solution, reducing cost and complexity in comparison to Options 1 and 2. A 'co-approval' solution

Management of complex joint accounts	Option 1: mirror current authorities to transact on complex joint accounts	Option 2: require 'opt-in' for complex joint accounts	Option 3: apply the 'opt-out' setting to complex joint accounts
		further outlined in the Implementation Considerations section.	could remain optional implementation.
How extensible is the option to support the expected future direction of the CDR, including across sectors and action initiation?	Option 1 will reduce divergence with current authorities, creating a potential pathway for extensibility across sectors and action initiation. That is, Option 1 allows for the possibility that the CDR mirrors all current authorities, creating a digital overlay of existing authorities.	Option 2 has similar potential to Option 1, although builds in flexibility where current authorities may unduly increase implementation complexity and cost.	By creating a new CDR-specific authority for data sharing, Option 3 will be extensible across sectors. It would also not preclude extension to support future CDR functionality, including action initiation.

In flow election

36. In the banking sector, where a joint account holder begins the data sharing process, but has not previously set up their data sharing settings, the current rules require data holders to enable the consumer to make this settings selection as part of the authorisation process.⁴ This is commonly called the 'in flow election'.
37. We propose that if an 'opt-out' setting is supported, the requirement for data holders to offer the 'in flow election' should be removed from the rules.
38. While the 'in flow election' may still be potentially relevant for complex joint accounts if Option 2 is supported, we consider the costs associated with implementing this requirement, relative to the small number of consumers with complex joint account settings, is not practical. Given the goal of introducing a sector-wide approach to joint accounts, requiring data holders in future sectors to offer the 'in flow election' may be particularly untenable. For example, a sector where joint accounts are rare, and complex joint accounts are even more limited again, the cost of delivering 'in flow elections' may introduce significant implementation costs for a limited benefit.

Co-approval

39. If Option 1 is supported for complex joint accounts, we propose maintaining the current flexibility in the rules and allowing data holders to offer consumers a 'co-approval' disclosure option, as well as 'pre-approval'. This would enable consumers who have automatically been opted into 'pre-approval' to change their joint account settings to 'co-approval', and the reverse (consumers who have automatically been opted in to 'co-approval' to change their joint account

⁴ See clause 4.10 of Schedule 3 of the rules.

setting to 'pre-approval'). Under Option 1, existing accredited persons will have likely deployed technical implementation solutions to accommodate 'co-approval' settings, so the impact for existing accredited persons is likely to be minimal.

40. Given offering a 'co-approval' is a more restrictive data sharing setting, we propose that overriding the default setting should not require input from both account holders. That is, where an account holder indicates a preference for a 'co-approval' disclosure option, this should automatically be applied to the account without any additional input from the other account holder. This is a departure from the current rules which require all account holders to agree to a disclosure option before it applies to the account. Account holders would be required to all agree to change back to a 'pre-approval' disclosure option before it applies, as it is a less restrictive data sharing option than 'co-approval'.
41. If Options 2 or 3 are supported for complex joint accounts, we are interested in feedback on whether 'co-approval' settings should be prohibited for data sharing, so that this functionality can be considered in the context of future enhancements to the CDR like action initiation. While Option 1 would require accredited persons to have technical implementation solutions in place to accommodate 'co-approval' settings, the same is not true for Options 2 and 3. Allowing data holders to optionally implement 'co-approval' may result in data holders introducing 'co-approval' solutions that do not consider the flow-on technical impacts for accredited persons.

6.2 Rules Considerations

42. If Option 1 is supported, as well as introducing sector-wide joint account provisions into the main body of the rules, sector-specific rules would be required to accommodate an appropriate definition of 'transact' in each sector.
43. Option 2 largely reflects the requirements for all joint accounts (not just complex joint accounts) in the current rules. Therefore, if Option 2 is supported, the current rules are likely to provide an appropriate example of what provisions that deal with complex accounts may look like. Option 2 would require the introduction of rules to accommodate both an 'opt-in' and an 'opt-out' approach, so consequentially may be more complex and lengthy than Options 1 and 3.
44. Option 3 is unlikely to result in additional rule amendments (outside of the amendments to accommodate the default 'opt-out' approach discussed at 5.2).
45. Additional amendments would be required to repeal the 'in-flow election' requirements outlined in clause 4.10 of Schedule 3, and the ability for data holders to offer 'co-approval', if these proposals are supported.

6.3 Standards Considerations

46. No **register standards** impacts are anticipated to support the options outlined in section 6.1.
47. No **technical standards** impacts are anticipated to support the options outlined in section 6.1.
48. For all options, the anticipated joint account **CX standards** outlined in [Noting Paper 157](#) will remain relevant for all of the options outlined in this design paper. These are intended to include

the following contextual notification standards for the authorisation flow where a joint account is being shared:

1. **Sharing a joint account:** When a consumer goes to share data from a joint account, Data Holders **MUST** provide a generic message in the authorisation flow to note that other joint account holders will be notified. See 1.1.3 and 1.1.3a for examples [here \(PDF version\)](#).
2. **Account pending:** Where applicable, Data Holders **SHOULD** indicate that an account is pending further action in the authorisation flow. Data Holders **SHOULD** provide information to explain what this means. This functionality **MAY** be applied to accounts other than joint accounts where appropriate but **MUST ONLY** be applied for this purpose. See 1.2.3 and 1.2.3a for examples [here \(PDF version\)](#).
3. **Harm and abuse exemptions:** Where a Data Holder treats a joint account like an individual account to prevent physical or financial harm or abuse, Data Holders **SHOULD** provide a notification in the authorisation flow to note that the other account holders will **not** be notified. Data Holders **SHOULD** provide information to explain what this means. See 1.3.3 and 1.3.3a for examples [here \(PDF version\)](#).

Questions

11. Which option do you support for complex joint accounts and why?
12. Do you agree with the proposal to remove 'in flow election' requirements? Why/why not?
13. Do you agree with the proposal that where 'co-approval' settings continue to be optional implementation, joint account holders should be able to independently switch to a 'co-approval' setting without additional input from the other account holder(s)?
14. Do you agree with the proposal that 'co-approval' should only be a permissible implementation where Option 1 is supported?
15. Do you agree with the assessment of rules considerations? Why/why not?
16. Do you agree with this assessment of standards considerations? Why/why not?
17. Do you agree with the CX Standards proposals? Why/why not?

Issue: Joint Account Disclosure Delays and Denials

All of the options in this paper for managing complex joint accounts will result in joint account disclosure being delayed or denied in some form.

Any option that requires or permits 'co-approval' functionality will result in authorisations being established relating to joint accounts, but the relevant joint account data only being disclosed when or if the other account holder(s) provide their approval.

The 'opt-out' settings discussed in section 5 would mean that joint account sharing can cease at any time, including where the joint account data is being disclosed as part of an active authorisation. This would occur for all of the default 'opt-out' settings discussion in section 5.

As noted in section 6.1 and section 9, **Implementation Considerations**, co-approval-type solutions and preferences may need to be accommodated in other CDR contexts, regardless of the position taken on joint accounts. Data sharing delays may therefore be a common occurrence in the CDR regime and joint account implementation solutions may create efficiencies as the CDR expands to additional accounts and functionalities.

Concept: Enhanced CDR Participant Communication

Community feedback has suggested that issues relating to disclosure delays and denials can be mitigated with enhanced communication between DHs and ADRs. Enhanced communication and 'status updates' may allow an ADR to understand when the disclosure of data from an account:

- is awaiting additional approval
- has been successfully approved
- has not been approved
- has been set to 'off' (when a consumer opts out of data sharing on the joint account entirely)
- has been stopped for a specific data sharing arrangement (when a consumer removes an 'approval')

This is expected to assist ADRs in deciding when to proceed with collecting data based on the information provided in this status update. This concept is also expected to support ADRs to manage consent lifecycles where account-related changes may impact data access or ADR use cases.

How ADRs discover statuses should be subject to consultation, but may include a variety of non-mutually exclusive mechanisms, based on existing patterns used in the technical standards that allow ADRs to pull information to discover a status and/or DHs to push that information when a status has changed. For the purposes of this paper, we are interested in the appropriateness of this concept and the possible technical mechanisms that would be of value to both ADRs and DHs for its operation.

Questions

18. Do you see value in the **Enhanced CDR Participant Communication** concept? Why/why not?
19. If supported, how could existing technical mechanisms be leveraged to implement Enhanced CDR Participant Communication?

7. 'Opt-out' settings

7.1. Topic Overview

49. Shifting to default 'on' setting should not come at the cost of diminishing the controls or notification of data sharing for joint account holders provided for in the current rules.
50. We propose joint account holders would be able to 'opt-out' by:
 - overriding the default setting and opting-out of data sharing on the joint account entirely (setting data sharing to 'off'), and
 - stopping data sharing arrangements, whether initiated by themselves or another joint account holder(s) (removing 'approvals').
51. As outlined in paragraph 23, we also propose that data holders could choose to notify joint account holders about how CDR data sharing on their joint account operates.
52. For illustrative purposes, we have provided the following wireframes:
 - a. [Wireframe 1.4 \(PDF version\)](#), which demonstrates how a consumer could cease data sharing with individual accredited persons ('removing an approval')
 - b. [Wireframe 1.5a \(PDF version\)](#), which demonstrates how a consumer could change their joint account data sharing settings ('co-approval' and 'pre-approval')
 - c. [Wireframe 1.5b \(PDF version\)](#), which demonstrates how a consumer could turn their joint account data sharing to 'off' ('removing a disclosure option').

7.2. Rules Considerations

53. The suggested controls are already supported by the current rules, so amendments beyond those discussed at 5.2 are likely to be consequential in nature only.

7.3. Standards Considerations

54. No **technical or register standards** impacts are anticipated to support the proposed 'opt-out' settings.

55. **Consumer experience standards** may be warranted to notify a consumer of the implications of choosing to opt out of joint account data sharing. This would achieve consistency with the withdrawal standards requirements for authorisation withdrawal and the removal of a secondary user instruction.

Questions

20. Do you agree with the assessment of rules considerations? Why/why not?

21. Do you agree with this assessment of standards considerations? Why/why not?

8. Notification requirements

8.1. Topic Overview

56. The current rules (Schedule 3, clauses 4.7 and 4.16) include requirements for data holders to provide certain notifications to joint account holders if a joint account holder performs certain data sharing activities.

57. A data holder is required to notify the other joint account holders if a joint account holder:

- gives, amends or withdraws an *authorisation* for a data holder to share joint account data with an ADR, and
- gives or removes an *approval* for a data holder to share joint account data with an ADR.

A data holder is also required to notify all joint account holders if an existing authorisation to share joint account data expires. A data holder is not required to notify relevant joint account holders if it considers it necessary to prevent physical or financial harm or abuse.

58. A data holder must also notify the other joint account holders if a joint account holder changes their data sharing setting (shifts between 'pre-approval' or 'co-approval', where the latter is offered by a data holder) or sets their data sharing to 'off'.

59. We propose maintaining the notification requirements in the current rules as we consider they provide an appropriate level of transparency over the actions of other joint account holders. However, we welcome views on whether fewer or different notifications are preferable, and whether any amendments to the content of notifications should be considered.

8.2 Rules Considerations

60. The suggested notification requirements are already supported by the current rules, so amendments beyond those discussed at 5.2 are likely to be consequential in nature only.

8.3 Standards Considerations

61. No **technical** or **consumer experience** standards changes are anticipated to support this topic beyond those outlined in section 9, **Implementation Considerations**.
62. No **register standards** impacts are anticipated to support the proposed notification requirements.

Questions

22. Do you agree with the proposal to retain current notification requirements? Why/why not?
23. Do you agree with the assessment of rules considerations? Why/why not?
24. Do you agree with this assessment of standards considerations? Why/why not?

9. Implementation Considerations

63. We consider that the implementation requirements for an 'opt-out' approach are relatively consistent with the current 'opt-in' approach. That is, implementation undertaken to date by data holders remains appropriate, however the initial default setting would reflect 'on' and 'pre-approval' under the framing of the current rules. We consider this to be an input amendment, rather than a major implementation shift.
64. Additionally, the implementation requirements for allowing consumers to change their settings for joint account sharing, and notification requirements discussed in this paper largely align with the requirements in the current rules.
65. Given any shift to an 'opt-out' approach is unlikely to significantly interrupt implementation efforts to date, we would propose a short delay to the timelines for implementation of joint accounts from the current **1 November 2021** to a date within the first quarter of 2022. This will ensure CDR roll-out continues as an appropriate pace to support uptake and value for prospective ADRs. We would welcome feedback on the earliest feasible implementation timeframes.
66. The implementation considerations and timeframes may also depend on the default setting chosen for complex joint accounts (as discussed in section 6).

Option 1: mirror current authorisations to transact on the account

67. Initial analysis suggests that a change to Option 1 will be a new initial input as opposed to a build change. DHs with active joint account implementations would need to ensure that data sharing ability is 'on' by default and follows existing authorisations for transactions.
68. For joint accounts that are already enabled as part of live implementations, analysis would need to occur to understand if any change resulted in:

- a) The introduction of co-approval for already enabled joint accounts with multiple approval authorisations, or
- b) A distinction between sharing settings for newly enabled joint accounts with multiple approval settings, and existing pre-approval settings for joint accounts that have already been enabled as per v1 rules,
- c) Any appropriate consumer messaging to highlight a transition between sharing models.

69. Option 1 will require data holders to implement co-approval, a requirement currently optional under the rules and standards. One consequence of requiring co-approval is that it will result in delays in ADRs receiving the full set of available data. That is, it will not be possible for data sharing to be instantaneous under a co-approval disclosure option as ‘approval’ will be required from multiple parties before joint account data may be shared. Seeking approval from multiple parties will inevitably introduce timing delays to the data sharing process.

70. However, co-approval-type solutions and preferences may need to be accommodated in other CDR contexts, regardless of the position taken on joint accounts. For example, future action-initiation use cases such as payments may still require co-approval solutions. Data sharing delays may therefore be a common occurrence in the CDR regime and joint account implementation solutions may create efficiencies as the CDR expands.

Option 2: require ‘opt-in’ for complex joint accounts

71. Option 2 would result in implementation requirements considered analogous to the existing opt-in model for joint accounts, though in Option 2 these requirements would only apply for consumers with complex joint accounts.

72. While Option 2 would require opt-in functionality for complex joint accounts, it would not require co-approval and as such is considered to result in lower implementation time and cost when compared with Option 1.

73. Similar to Option 1, analysis for live implementations would need to occur to determine how already enabled joint accounts are dealt with as part of this transition.

Option 3: apply the ‘opt-out’ setting to complex joint accounts

74. Similar to Option 1, Option 3 is considered to be an input amendment as opposed to a build change. However, Option 3 is considered to result in lower implementation time and cost as it would not require co-approval or opt-in functionality to be implemented for joint accounts.

75. Option 3 is not expected to result in the same extent of transition measures for live implementations with already enabled joint accounts.

Questions

25. Do you agree with this assessment of the implementation considerations? Why/why not?