



Australian Government



Consumer
Data Right

Summary of consultation outcomes

Consumer Data Right Rules – non-bank lenders and banking data scope

February 2025

From 26 November 2024 until 24 December 2024, Treasury undertook public consultation about the making of amendments to the *Competition and Consumer (Consumer Data Right) Rules 2020* (CDR Rules) to expand the Consumer Data Right (CDR) to the non-bank lenders sector and narrow the scope of CDR data for the banking sector. Treasury also held bilateral meetings with government, industry and consumer group stakeholders.

Treasury received submissions from 33 stakeholders in response to the public consultation:

- 25 of the submissions have been published on the Treasury website.¹
- 8 stakeholders made a submission that they requested be kept confidential.

Summary of feedback

Broadly, stakeholders expressed support for making CDR Rules for the non-bank lenders sector, however some suggestions were raised on specific changes that could be made. There were mixed views about narrowing the scope of CDR data for the banking sector and other measures to reduce compliance costs for the banking and non-bank lenders sectors.

The Government has considered stakeholder feedback. Some changes have been made to the final rules as a result. Responses to key areas of feedback are outlined below.

'De minimis' threshold for non-bank lenders

The 'de minimis' threshold for non-bank lenders was generally recognised as desirable. However, there were mixed views on the appropriate threshold for a non-bank lender to be required to share data. Some stakeholders supported the proposed threshold while others raised concerns about the criteria excluding lenders and suggested alternatives. There were requests for key buy now, pay later (BNPL) and consumer finance providers to be required to share CDR data to support use cases such as borrowing decisions.

¹ Treasury, [Consumer Data Right Rules – non-bank lending and banking data scope](#) [webpage].

The Government has maintained the thresholds from the draft rules. Key providers of consumer finance, including BNPL products, are expected to have CDR data sharing obligations from commencement or in the near future.

Implementation timing for non-bank lenders

Under the draft rules, product data sharing obligations would have applied for all non-bank lenders meeting the criteria from 13 July 2026. Consumer data sharing obligations would have applied in phases from 9 November 2026 to 13 September 2027 based on the total value of the lender's resident loans and finance leases and the complexity of the request. There were a range of views on the implementation schedule, including requests to shorten or extend the timing.

The Government has maintained the implementation timing for product data sharing obligations and consumer data sharing in response to non-complex requests so that the CDR becomes operational in non-bank lending from mid-2026. However, consumer data sharing obligations to respond to a complex request have been removed. This is to avoid unnecessary or duplicative compliance burden while the Government is considering options regarding nominated representatives and improving business consumer use of the CDR.

Enabling accredited non-bank lenders to use CDR data as data holders

It was suggested that the mechanism available to an authorised deposit-taking institution (ADI) which is an accredited person should also be made available to non-bank lenders. The mechanism enables an ADI which is an accredited person to use the CDR to obtain and use the same data that it obtains via other means such as screen scraping. The Government has made this mechanism available to non-bank lenders.

Complex arrangements, such as white labelling and off-balance sheet lending

While there was support for the draft measures to address complex arrangements that products are provided through, stakeholders sought additional clarity about the operation of these measures.

In response to feedback, the Government made changes to the proposed mechanisms including to enable the transfer of obligations between data holders operating in two different sectors. Additional clarification has also been included in the rules and explanatory statement.

Narrowing the scope of banking and non-bank lending products

There was broad recognition of the need to balance consumer needs with compliance costs for industry. Data holders generally supported narrowing the scope to only those products that supported high-value use cases. While other stakeholders expressed particular interest in accounts that would allow them to gain a broader view of a consumer's financial picture. The products de-scoped in the final rules are unchanged.

While there was support for the de-scoping of products with less than 1,000 eligible CDR consumers, stakeholders also identified interactions with other parts of the rules and the need to ensure entities participate as intended (essentially ensure effective anti-avoidance). In response to these issues, the Government has removed the 1,000 eligible CDR consumers de-scoping for products.

Reduced requirements to share historical consumer data on open and closed accounts

Data holders supported the reduction in the period for historical data to two years, noting its potential to reduce costs and the low volume of requests for this data to date. There was also overall support from data recipients as balancing costs and consumer needs, although some

stakeholders preferred a longer period. Data holder submissions also raised the cost of providing closed account data under the CDR and noting the lack of clear use cases.

The Government is proceeding with reducing open account data to two years and has removed the obligation to disclose closed account data. The Government is open to reassessing the value proposition of required sharing of this data in future if valuable use cases are identified.

Voluntary product data requests and data standard compliance

Some stakeholders raised concerns with removing the requirement under the rules to respond to voluntary product data requests in accordance with the CDR data standards. Concerns included risks to data quality, reliability and usability. The Government has not proceeded with this change.

Treatment of financial hardship information

Stakeholders provided feedback about the exclusion of financial hardship information from 'customer data'. This issue was also highlighted in the independent privacy impact assessment. This information is part of the comprehensive credit reporting regime and has specific treatments in the *Privacy Act 1988* and *National Consumer Credit Protection Act 2009* for disclosures to and by credit reporting bodies. CDR is not intended to duplicate this regime and this information is explicitly excluded from CDR data.

Enquiries about the consultation process may be addressed to CDRRules@treasury.gov.au.
Thank you to all participants in the consultation process.