



Australian Government

Australian Government response to the
Senate Committee Economics report:

Inquiry into Scams Prevention Framework Bill 2024
[Provisions]

May 2026



Introduction

The Australian Government thanks the Senate Economic Legislation Committee for its consideration of the Scams Prevention Framework Bill 2024.

Response to the recommendations

Coalition Senators' Additional Comments Recommendation 3

The government create a Memorandum of Understanding clearly setting out the roles of the SPF Regulators (ACCC, ASIC, ACMA), the SPF EDR scheme operator (AFCA) and the National Anti-Scam Centre in relation to the operation of the SPF.

Australian Government response

The Government **notes** this recommendation.

The Government moved amendments to the Bill to require the SPF General Regulator to publish a statement on its website summarising, in general terms, the roles and responsibilities of each SPF regulator, the SPF EDR scheme operator and any other entity it considers relevant.¹

The Government notes that the National Anti-Scam Centre cannot be required to enter a Memorandum of Understanding as it is a function within the ACCC, not a statutory body.

Coalition Senators' Additional Comments Recommendation 5

The Explanatory Memorandum be revised to:

clarify the interoperability of the SPF with the existing legal rights for victims of unauthorised transactions under the ePayments Code; and

replace the Regulatory Impact Analysis to ensure it accurately reflects the likely regulatory burden of the SPF and uses realistic costing assumptions based on industry feedback.

Australian Government response

The Government **notes** this recommendation.

The explanatory memorandum (EM) was revised to address concerns on the interaction between the ePayments Code and the SPF, making clear that regulated entities must comply with all relevant requirements under each regime.²

Treasury conducted an Impact Analysis on the SPF, which included an estimation of the expected regulatory burden of the SPF as set out in the exposure draft legislation based on available information and assumptions informed by engagement with relevant stakeholders, including public consultation.

1 Scams Prevention Framework Act 2025, s 58EFA

2 Amended Explanatory Memorandum, Scams Prevention Framework Act 2025, paragraph 1.69

Coalition Senators' Additional Comments Recommendation 7

The first statutory review of the SPF consider:

- the need for a private right of action under the SPF, noting that the SPF already provides for dispute resolution through IDR, EDR and regulator enforcement action;
- whether SPF Principles should remain civil penalty provisions, once industry codes are operational;
- whether the currently complex redress framework should be streamlined and focused on efficient IDR and EDR;
- whether the proposed EDR framework is fit for purpose and ensuring timely access to compensation where entities have not complied with SPF obligations;
- the effectiveness of AFCA as the sole prescribed EDR scheme;
- harmonisation of concurrent obligations and broadening the safe harbour provision, in recognition of major concurrent reforms to the AML/CTF regime, Privacy Act and Chapter 7 of the Corporations Act;
- the adverse impacts for consumers and small businesses arising from compliance with the 'disrupt' SPF principle;
- the proportionality of the compliance burden for smaller regulated entities and how the SPF can be simplified; and
- the effectiveness of emerging international models for scams prevention and how the SPF can be better aligned with frameworks in jurisdictions like the UK and Singapore.

Australian Government response

The Government **notes** this recommendation.

The statutory review of the SPF is broadly worded and will enable a review to be conducted in relation to the operation of all SPF provisions.³

Coalition Senators' Additional Comments Recommendation 10

The government provide adequate transition timeframes when designating sectors and creating new obligations through SPF Codes and ensure codes for all sectors are developed and come into effect concurrently.

Australian Government response

The Government **notes** this recommendation.

Initial Treasury consultation on sector designations, codes and rules was held from 28 November 2025 to 5 January 2026

³ Scams Prevention Framework Act 2025, s 58GF

Coalition Senators' Additional Comments Recommendation 11

The government support uptake of new, more secure technologies like the Consumer Data Right and the NPP as part of its scams prevention strategy.

Australian Government response

The Government **notes** this recommendation.

The Government continues to support the uptake of new, more secure technologies as part of its broader scams prevention strategy, and welcomes the industry-wide roll-out of Confirmation of Payee across the banking sector announced in July 2025.

Coalition Senators' Additional Comments Recommendation 12

The government properly consult on all future SPF delegated legislation and avoid the truncated, rushed approach to consultation conducted for the exposure draft of this Bill.

Australian Government response

The Government **notes** this recommendation.

Initial Treasury consultation on sector designations, codes and rules was held from 28 November 2025 to 5 January 2026.

Further consultation on codes and rules will occur in 2026.

Coalition Senators' Additional Comments Recommendation 13

That the government provide a clear roadmap for the inclusion of other regulated sectors, including payments providers and digital assets businesses.

Australian Government response

The Government **notes** this recommendation.

The Government will continue to work constructively with relevant sectors ahead of potential designations and consult on proposed instruments.

The Government established the Regulatory Initiatives Grid (RIG), which lists announced and publicised reform priorities and initiatives that will materially affect the financial sector over the next 2 years. The RIG will be updated and published twice a year (March and September).

Coalition Senators' Additional Comments Recommendation 14

That the government urgently progress new licensing frameworks for digital asset platforms and payment service providers, recognising these businesses as part of the scams ecosystem and enabling their integration into the SPF.

Australian Government response

The Government **notes** this recommendation.

The Government has introduced legislation to appropriately regulate digital asset platforms, and has released an Exposure Draft of legislation to modernise the licensing framework for payment service providers.

Greens Senators' Additional Comments Recommendation 2

The Australian Government urgently act to bring digital platforms under Australian jurisdiction and ensure jurisdiction is not an impediment to enforcement measures in the bill.

Australian Government response

The Government **notes** this recommendation.

Any business operating in Australia is required to comply with Australian laws.

Senator Pocock's Additional Comments Recommendation 9

The government should revisit the dispute resolution mechanisms envisaged in the legislation to simplify the process for consumers and clarify obligations for regulated entities. The Government also needs to further increase resources to AFCA (over and above the grant already provided) and other regulators to ensure they are adequately resourced to deal with the new functions provided for in this legislation.

Australian Government response

The Government **notes** this recommendation.

The SPF enables sector codes and rules to set out specific obligations around internal dispute resolution (IDR) and EDR.⁴ The amended EM notes that it is expected that the sector codes will set out timeframes for responding to a complaint at IDR, and guidelines in SPF rules will set out about processes for how regulated entities should interact with other regulated entities during IDR processes.⁵ The SPF rules may also set out guidelines on how to apportion liability between multiple entities at IDR.⁶

The Government has provided AFCA with seed funding to expand its jurisdiction to handle scam complaints in relation to the first three designated sectors under the SPF. AFCA will recover additional and ongoing costs from its members per its existing practices. Further, the Government provided 37.3 million over four years from 2024-25 (and \$8.6 million per year ongoing) for the ACCC, ASIC and ACMA to administer and enforce the SPF in the 2024-25 Budget.

4 Scams Prevention Framework Act 2025, s 58BZE; Scams Prevention Framework Act 2025, s 58BZH

5 Explanatory Memorandum, Scams Prevention Framework Act 2025, paragraph 1.297

Senator Pocock's Additional Comments Recommendation 10

The Government should move to designate the superannuation industry as soon as practicable.

Australian Government response

The Government **notes** this recommendation.

The Government may consider opportunities to designate additional sectors in the future, subject to consultation with industry and any future decisions of government.
