

Quick Reference Guide

Finding documents in the CDR Legislative Framework

February 2024

Version Control

August 2022	Version 1	First version of Guide
September 2023	Version 2	List of instruments updated, including to refer to version 5 of the CDR Rules and the Non-Bank Lending designation instrument
February 2024	Version 3	Updated links and screenshots to align with the redesign of the Legislation.gov.au website.

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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 in any jurisdiction. Because it is intended only as a general guide, it may contain generalisations. You should obtain professional advice if you have a specific concern.

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Parties who wish to re-publish or otherwise use the information in this publication must check this information for currency and accuracy with the ACCC prior to publication. This should be done prior to each publication edition, as ACCC guidance and relevant transitional legislation frequently change. Such queries should be addressed to ACCC-CDR@acc.gov.au.

1. Purpose

This document is designed to help CDR participants – including data holders, accredited (and unaccredited) data recipients and other providers engaging with the Consumer Data Right – readily locate and access the various iterations of the Competition and Consumer (Consumer Data Right) Rules (CDR Rules), as well as other key CDR legislative framework material (e.g. CDR designation instruments and CDR regulations) and related explanatory materials. This document is current as of 22 February 2024. It will be updated periodically with references to new CDR Rules amendments, CDR designation instruments and CDR regulations once they have come into force.

2. Current consolidated version of the CDR Rules

The consolidated version of the CDR Rules, incorporating all current amendments, can be found on the [Federal Register of Legislation](#). You can check whether you are viewing the current version of the CDR Rules by looking at the left of the screen. If the version you are viewing is current, there should be a box with text in green reading “In force”, which will look like:

Competition and Consumer (Consumer Data Right) Rules 2020

In force

Administered by Department of the Treasury

Latest version   

F2023C00735 (C08)
22 July 2023 - 31 March 2030

You can view previous versions of the CDR Rules, as in effect from time to time, by clicking ‘All versions’ above the name of the Legislative Instrument, as shown below, and then clicking on the link under the heading ‘Effective date’ for the dates that you wish to see.

Home > Legislative instruments > In force

 Text  Details  Authorises  Downloads  **All versions**  Interactions

Competition and Consumer (Consumer Data Right) Rules 2020

In force









Administered by Department of the Treasury

Latest version   

F2023C00735 (C08)
22 July 2023 - 31 March 2030

All versions

Hide possible future amendments

Effective date	Comp.	Includes amendments	
22 Jul 2023 - 31 Mar 2030	(C08)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2023	
01 Feb 2022 - 21 Jul 2023	(C07)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021	
16 Nov 2021 - 31 Jan 2022	(C06)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021	
19 Oct 2021 - 15 Nov 2021	(C05)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021	
06 Oct 2021 - 18 Oct 2021	(C04)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021	
23 Dec 2020 - 05 Oct 2021	(C03)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020	
02 Oct 2020 - 22 Dec 2020	(C02)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2020	
19 Jun 2020 - 01 Oct 2020	(C01)	Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2020	

3. Previous versions of the CDR Rules

The below table contains links to each of the previous versions of the CDR Rules, as enacted. It also includes links to the Explanatory Statement and Consultation Materials (which may include consultation papers and/or exposure drafts of proposed rules). These materials may assist in interpreting the relevant version of the CDR Rules.

The ‘Key Topics’ column highlights key concepts that were introduced, or amended, in that iteration of the CDR Rules. This will assist in finding the appropriate version of the CDR Rules for the issue you are exploring. For example, if you are interested in better understanding the current joint account rules, you may wish to review the Explanatory Statement accompanying version 3 of the CDR Rules.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
Competition and Consumer (Consumer Data Right) Rules 2020 (version 1)	19/6/2020	Link	Link	<ul style="list-style-type: none"> product data requests consumer data requests, including consent and authorisation accreditation, including rules relating to the Register of Accredited Persons dispute resolution privacy safeguards data standards reporting & record keeping provisions relating to banking sector
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2020	2/10/2020	Link	Link	<ul style="list-style-type: none"> use of accredited intermediaries to collect CDR data
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020 (version 2)	23/12/2020	Link Supplementary Statement	Link	<ul style="list-style-type: none"> expansion of CDR to more consumers (non-individuals, partnerships and secondary users) ADR-to-ADR CDR data transfers updating consent rules (e.g. separating collection and use consents and enabling consent amendments)

				<ul style="list-style-type: none"> • use of CDR data for research • update to data holder authorisation process and dashboard rules • white labelled products and product data sharing • joint accounts (now superseded)
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2021 (version 3)	30/9/2021	Link	Link	<ul style="list-style-type: none"> • sponsored accreditation • CDR representatives • use of unaccredited outsourced service providers (OSPs) • trusted advisers • disclosure of CDR insights • current joint accounts rules • indefinite deferral of direct-to-consumer data sharing rules
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021 (version 4)	12/11/2021	Link	Link	<ul style="list-style-type: none"> • peer to peer data access model for the energy sector • extending application of the CDR to energy sector • additional energy sector specific rules
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 1) 2023 (version 5)	11/7/2023	Link	Link	<ul style="list-style-type: none"> • business consumer disclosure consents • extended maximum consent duration for CDR business consumers • amendments to CDR representative and outsourcing arrangement provisions, including revised terminology and clarification of ADR liability • use of OSPs by CDR representatives • exception from data sharing obligations for data holders offering trial products in the banking sector • delay of reciprocal data sharing obligations for newly accredited entities holding banking data sets

4. Current version of Part IVD of the *Competition and Consumer Act*

Part IVD of the *Competition and Consumer Act 2010* (Cth) (CCA) also contains key CDR obligations, including the Privacy Safeguards. Similar to the process for finding the current version of the CDR Rules, the current version of Part IVD of the CCA can be found on the [Federal Register of Legislation](#). As with the CDR Rules, the current version of the CCA should include the statement “**In force**”, which will look like:

Competition and Consumer Act 2010 ^

In force


Administered by

- Attorney-General's Department
- Department of Climate Change, Energy, the Environment and Water
- Department of Industry, Science and Resources
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Department of the Treasury

Latest version

C2024C00038 (C148)

01 January 2024



5. Previous amendments to Part IVD of the CCA

Note that not all amendments to the CCA are relevant to the CDR. The table below sets out amendments to the CCA that relate to the CDR and Part IVD that have been made since the introduction of Part IVD to the CCA in August 2019.

Name of Instrument	Start Date	Explanatory Statement	Key Topics
Treasury Laws Amendment (Consumer Data Right) Act 2019	13/08/2019	Link	<p>This Act introduced the CDR to the CCA (Part IVD) and includes:</p> <ul style="list-style-type: none"> • definitions of key terms such as ‘CDR data’, ‘CDR consumer’, ‘data holder’, ‘accredited data recipient’, ‘CDR participant’ and ‘designated gateway’ • establishing the respective roles of the ACCC, OAIC and DSB • the process and framework for making the CDR Rules • the process and framework for making the Data Standards • enforcement mechanisms and penalties for

			breaches of the CDR Rules and Data Standards
			<ul style="list-style-type: none"> • establishing the Register of Accredited Persons • the privacy safeguards • process for applying for exemptions from CDR obligations
Treasury Laws Amendment (2019 Measures No. 2) Act 2019	29/10/2019	Link	<ul style="list-style-type: none"> • Requirement to delete CDR data in response to a request from a CDR consumer
Treasury Laws Amendment (2020 Measures No. 6) Act 2020	1/1/2021	Link	<ul style="list-style-type: none"> • Applies CCA to acts done by or in relation to agents of CDR. • Extends the application of privacy safeguards to future handling of CDR data.

6. List of relevant CDR Regulations

The Government has also made Regulations that apply to the CDR. Please find below some of the key Regulations of relevance to CDR participants.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
Competition and Consumer Amendment (Consumer Data Right) Regulations 2021	25/11/2021	Link	N/A	Application of privacy safeguards in the energy sector (particularly for the Australian Energy Market Operator)
Competition and Consumer Amendment (Consumer Data Right Measures No. 1) Regulations 2022	31/3/2022	Link	N/A	Specifies new compliance dates for product phasing in the banking sector, specifically in relation to joint accounts for non-major ADIs
Competition and Consumer Amendment (Consumer Data Right Measures No. 2) Regulations 2022	15/9/2022	Link	N/A	Modifies the CDR Rules so that initial and larger retailers in the energy sector may voluntarily disclose CDR data pursuant to a valid request prior to 15 November 2022

7. List of CDR Sector Designation Instruments

Every time a new sector is designated for inclusion in the CDR, this is affected by a formal designation instrument that outlines how the new sector is defined, including what classes of information are to be included in the CDR for that sector, who may hold that data, and any exclusions that may apply. Please see below a list of the CDR Designation Instruments for each of the 4 sectors that have currently been designated.

Name of Instrument	Date	Explanatory Statement	Consultation Materials	Key Topics
Consumer Data Right (Authorised Deposit-Taking Institutions) Designation 2019	4/9/2019	Link	Link	Designates banking as a CDR sector
Consumer Data Right (Energy Sector) Designation 2020	26/6/2020	Link	Link	Designates energy as a CDR sector
Consumer Data Right (Telecommunications Sector) Designation 2022	24/1/2022	Link	Link	Designates telecommunications as a CDR sector ¹
Consumer Data Right (Non-Bank Lenders) Designation 2022	21/11/2022	Link	Link	Designates non-bank lending as a CDR sector
Consumer Data Right (Authorised Deposit-Taking Institutions) Amendment Designation 2023	10/7/2023	Link	Link	Minor amendment to the banking designation to clarify that it extends to lease products.

8. List of relevant CDR Notifiable Instruments

Sections 56AS, 56AT and 56DA of the CCA also specify that certain declarations in the CDR must be made by the Minister through a notifiable instrument. At present the notifiable instruments made under s 56DA and s 56AS respectively are:

Name of Instrument	Date	Explanatory Statement	Explanatory Statement	Key Topics
Competition and Consumer (Consumer Data Right – Recognised External Dispute Resolution Schemes) Instrument 2021	12/11/2021	N/A	N/A	Designates the recognised external dispute resolution schemes for the banking and energy sectors

¹ While telecommunications has been designated as a CDR sector, [the Government has announced](#) that it is pausing the implementation of CDR in the telecommunications sector to allow CDR to mature across banking and energy sectors, and to focus on the roll out to the NBL sector.

Competition and Consumer (Consumer Data Right– Participating Victorian Government entity) Declaration 2022	28/3/2022	N/A	N/A	Specifies the Victorian Government entity for their role in the energy sector
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There are currently no notifiable instruments that have been made under s 56AT of the CCA.