

23 November 2018

Data61
Locked Bay 9013
Eveleigh NSW 2015

By email: cdr-data61@csiro.au



Dear Data61

Consumer Data Standards - Working Draft of the Standards

The Law Council welcomes the opportunity to provide feedback on the draft Consumer Data Standards (**Draft Standards**) prepared by Data61 as part of the proposed Consumer Data Right framework.

On 7 September 2018, the Law Council provided the Treasury with a submission on the Treasury Laws Amendment (Consumer Data Right) Bill 2018 Bill in which we identified a number of issues with the proposed legislative framework, in particular the uncertainty regarding safeguards within in the Consumer Data Rules.

The Law Council does not wish to comment on the technical aspects of the Draft Standards, however makes two observations with regards to their practical operation to ensure transparency and accountability.

Transparency

The Law Council submits that there should be an obligation that Consumer Data Standards, and any subsequent amendments, are publicly available and accessible.

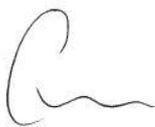
Accountability

In the event that Consumer Data Standards expand beyond permitted designated data fields, the Law Council submits that there must be an effective right of review available to consumers that may be affected by such an expansion.

While these matters may form part of the Consumer Data Rules to be developed by the Australian Competition and Consumer Commission, the Law Council suggests that these considerations are relevant to the development of the Draft Standards, and in particular the need to ensure that user protections remain at the heart of the development process.

Please contact Dr Natasha Molt, Director of Policy on (02) 6246 3754 or at natasha.molt@lawcouncil.asn.au in the first instance, if you require further information or clarification.

Yours sincerely



Morry Bailes
President