



Australian Government



Australian
**Small Business and
Family Enterprise**
Ombudsman

20 May 2022

Secretariat
Statutory Review of the Consumer Data Right
The Treasury
Langton Crescent
PARKES ACT 2600

via email: CDRstatutoryreview@treasury.gov.au

Dear Sir/Madam

Statutory Review of the Consumer Data Right (CDR) – Issues Paper

We welcome the timeliness of this review and the opportunity to provide comment on the Issues Paper. Stakeholders have raised concerns with us that the continued roll-out of the CDR is not allowing opportunity to adequately analyse the benefits and shortfalls of the program, including the financial disincentive for small business development of CDR-powered products and services.

The progressive roll-out of the CDR has demonstrated that many small businesses face disproportionately high costs to participate as data holders in the CDR. We acknowledge the option provided to allow eligible small businesses not to participate in the CDR however, this option may result in a significant competitive disadvantage. The Productivity Commission acknowledged the barrier for smaller firms created by these substantial costs, but it expected the emergence of “off-the-shelf” products and services to mitigate said costs.¹ However it seems this is not yet the case with the CDR system.

Moreover, where not all eligible data holders contribute data to the CDR system, consumers and their trusted advisers, many themselves small businesses, face working with incomplete information.

As such we recommend the following:

1. A temporary hold in the sectoral expansion of the CDR to allow for appropriate analysis.
2. Adjusting the regulatory settings for the CDR to facilitate inclusion of all data holders including small and family business.

Further, we suggest consideration be given to a campaign supporting public awareness of the CDR, tangible incentives for success, and granular and real-time measurement and reporting.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Mike Kearney on 02 5114 6119 or at michael.kearney@asbfeo.gov.au.

Yours sincerely

The Hon. Bruce Billson
Australian Small Business and Family Enterprise Ombudsman

¹ Productivity Commission 2017, Data Availability and Use, Report No. 82, Canberra, page 219