

**Draft Amendments to Consumer Data Right Rules
(non-bank lending and banking data scope)**

Consultation Feedback

December 2024

Responding Entity:



STAY OR GO PTY LTD (trading as Stay or Go)

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1 Background

Stay or Go helps consumers get a better deal, potentially without having to switch providers. This is achieved via the following services:

1. **Consumer Product Comparison** (Home Loans, Credit Cards, Personal Loans, Car Loans, Transaction Accounts, Saving Accounts, and Term Deposits):
 - We provide a (reasonably) complete, unbiased view of all products in the Australian market.
 - Using our website (stayorgo.com.au), consumers can search / filter based on their needs to find the most suitable products.
 - We utilise CDR Product Reference Data (PRD) as our primary source of product information.
2. **Consumer Product Review** (Home Loans and Credit Cards):
 - We help consumers understand the competitiveness of their current product vs market alternatives.
 - We help them negotiate a better deal with their existing providers, which can be either banks or non-bank lenders.
 - We inform them of the best alternatives across the market so that they can make a decision to 'stay or go'. That is, 'stay' with their current bank / lender or 'go' to a new one.
 - We monitor the consumer's product to ensure it remains competitive / suitable, and if not, we facilitate another review.
 - We notify consumers when their provider changes their product or pricing.
 - As with our comparison service, this 'product review' service also relies on CDR Product Reference Data (PRD). In the future, it will also utilise CDR Consumer Data.

As the CDR matures, we will expand our services, to cover additional customer segments (e.g. business banking and lending) and industries (e.g. energy and telco).

2 Expanding the CDR to the Non-Bank Lending Sector

The scope and effectiveness of our services are significantly limited by the absence of the Non-Bank Lending sector from the CDR, therefore we are very supportive of the expansion of scope to include this sector. Many other services and use cases will equally benefit from this expansion.

3 'De minimis' Threshold for Non-Bank Lending Sector

Moving the 'large provider' threshold from \$500M to \$1B in lending assets removes many important non-bank lenders from scope. This includes some of the most competitive and innovative lenders in the industry. Removing these lenders from scope will have a significant impact on the utility of the CDR for consumers, particularly in the use case of product comparison (i.e. Stay or Go's use case). Given the Treasury has defined 'consumer finance and borrowing' as a 'high priority use case', this threshold should be reconsidered.

We understand the regulatory burden of complying with the CDR and are supportive of initiatives to reduce this. For smaller non-bank lenders (i.e. \$500M to \$1B portfolios), most of this burden relates to the provision of Consumer Data, not Product Reference Data (PRD).

To minimising the regulatory burden while also supporting the high priority use case of ‘consumer finance and borrowing’, the scope of the CDR for these smaller non-bank lenders (\$500M to \$1B lending assets) should be limited to PRD. This will enable product comparison services, such as Stay or Go, to inform consumers of the competitive lending products offered by this segment, ensuring better consumer outcomes and stronger competition.

4 Asset Finance Scope

The definition of asset finance products within scope of the CDR should be improved to ensure clarity. Currently the following varying definitions are provided:

CDR Rules Exposure Draft:

- 1.4 – covered products table: “asset finance (including leases)”
- 3.1(2)(e) and 2.3(3)(e): “asset finance that is non-standard vehicle finance (for example, a novated lease).”

Exposure Draft Explanatory Materials:

- “... asset finance that is non-standard vehicle finance. Non-standard vehicle finance is intended to include products such as novated leases and fleet finance.”

A single, comprehensive and unambiguous definition of what is in and out of scope should be provided.

5 ‘Held in Digital Form’ Scope

The term “held by the data holder in a digital form” is ambiguous and currently causes confusion across the banking sector regarding scope. As the CDR expands, it becomes increasingly important to remove ambiguity, such as this, noting ambiguity increase the regulatory burden. This term should be more clearly defined, both in the context of Product Reference Data and Consumer Data.

In the context of Product Reference Data, areas of confusion include:

- Does the scope include digital data that is not published on the data holder’s website?
- Does it include digital data held on internal networks, for example Product and Marketing team file repositories?
- Does it include digital data held by a supplier to the data holder, for example Card Art images held by a card manufacturer or marketing agency?