

Competition and Consumer Amendment (Consumer Data Right Measures No. 1) Regulations 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 31 March 2022

David Hurley

Governor‑General

By His Excellency’s Command

Jane Hume

Minister for Superannuation, Financial Services and the Digital Economy

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1 Name

 This instrument is the *Competition and Consumer Amendment (Consumer Data Right Measures No. 1) Regulations 2022*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 2 April 2022 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Competition and Consumer Act 2010*.

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Competition and Consumer Regulations 2010

1 After regulation 28RA

Insert:

28RB Modifications of certain provisions for parts of the banking sector

 For the purposes of paragraph 56GE(2)(c) (modifications) of the Act, this regulation declares that the provisions of the *Competition and Consumer (Consumer Data Right) Rules 2020* apply in relation to:

 (a) the classes of data holders referred to in subclause 6.6(1) of Schedule 3 to those Rules; and

 (b) the classes of CDR data referred to in that subclause;

as if that subclause were modified by replacing the commencement table in that subclause with the following:

| Data holder | Data sharing obligations | Start date to31 Jan 2021 | 1 Feb 2021to28 Feb 2021 | 1 Mar 2021to30 Jun 2021 | 1 Jul 2021to31 Oct 2021 | 1 Nov 2021 to31 Jan 2022 | 1 Feb 2022to30 Sept2022 | 1 Oct 2022 onward |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Initial data holders (NAB, CBA, ANZ, Westpac branded products) | Part 2  | All product phases | All product phases | All product phases | All product phases | All product phases | All product phases | All product phases |
| Part 3  | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ |
| Part 4  | Phase 1Phase 2 | All product phases | All product phases | All product phases | All product phases | All product phases | All product phases |
| Any other relevant ADI and initial data holders for non‑primary brands | Part 2  | Phase 1 | Phase 1Phase 2 | Phase 1Phase 2 | All product phases | All product phases | All product phases | All product phases |
| Part 3  | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ |
| Part 4  | ‑ | ‑ | ‑ | Phase 1 JAECODE | Phase 1Phase 2 JAE | All product phasesJAE | All product phases |
| Accredited ADI and accredited non‑ADI (reciprocal data holder) | Part 2  | All product phases | All product phases | All product phases | All product phases | All product phases | All product phases | All product phases |
| Part 3  | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ | ‑ |
| Part 4  | ‑ | ‑ | Phase 1 JAECODE | All product phasesJAE | All product phasesJAE | All product phasesJAE | All product phases |