



Our reference: [D2021/006901](#)

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet

By email: jason.lange@pmc.gov.au

Dear Mr Lange

Data-Matching Program (Assistance and Tax) Act 1990 - Guidelines (31/10/1994)

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Data-Matching Program (Assistance and Tax) Act 1990 - Guidelines 1994* (the Guidelines). Under the *Legislation Act 2003*, the Guidelines will sunset on 1 October 2021. It has been decided that the Guidelines will be remade into a Rule without significant amendment to their substance.

The Office of the Australian Information Commissioner (OAIC) certifies that the Guidelines are operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this regulation to be remade.

The assessment that the Guidelines operate effectively and efficiently has been informed by targeted consultation with the agencies that are involved in Data-Matching under this instrument, namely:

- the Department of Veterans Affairs (DVA)
- the Department of Social Services (DSS), and
- Services Australia.

These agencies have received a copy of the proposed Rules and have had an opportunity to provide feedback to the OAIC. No agency has objected to the remaking of the Rules or the proposed content of the Rules.

The OAIC has also consulted with the general public over the period of 5 May to 19 May through its website. No objections were raised to the proposed remaking of the Rules or their proposed content through that consultation.

I note that there is no quantifiable regulatory cost for business, the community or individuals, as the proposed Rules will apply no regulatory requirements on these entities. The Rules will apply to Australian Government agencies only.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Emi Christensen on emi.christensen@oaic.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Falk', written in a cursive style.

Angelene Falk
Australian Information Commissioner and Privacy Commissioner

21 May 2021