



Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

Email: helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

CERTIFICATION OF INDEPENDENT REVIEW: CONSUMER DATA RIGHT: TELECOMMUNICATIONS SECTORAL ASSESSMENT

I am writing to certify that the following attachments have undertaken a process and analysis equivalent to a Regulation Impact Statement (RIS) and meet best practice consistent with the *Australian Government Guide to Regulation*:

- Consumer Data Right Telecommunications Sectoral Assessment: Consultation Paper ; and
- Consumer Data Right Telecommunications Sectoral Assessment: Final Report

I certify that these documents adequately address all seven RIS questions outlined in the *Guide to Regulatory Impact Analysis* and are submitted to the Office of Best Practice Regulation for the purposes of a final policy decision.

During the sectoral assessment, including through consultation and preparation of the Final Report, views of affected stakeholder groups were considered. 18 submissions were received on the Consultation Paper and bilateral meetings were held with a range of potential data holders, data recipients, consumer advocates, regulators, and the Department of Infrastructure, Transport, Regional Development and Communications. The information received during consultation informed the decision to narrow the scope of data recommended for designation in the Final Report compared to the scope of data included in the Consultation Paper. With the assistance of an external consultancy, consultation with industry was also undertaken to determine the regulatory cost associated with designation.

I am satisfied that the scope of the problem and the recommendations identified in the certified review are substantially the same as the identified problem and recommendations in the policy proposal.

The regulatory burden to business, community organisations or individuals is quantified using the Australian Government's *Regulatory Burden Measurement* framework and is provided below.

I note that the implementation of this proposal will increase the regulatory burden. No offset measure has been identified, but the Department did engage with industry participants and external consultants to find ways to reduce the regulatory burden.

Designation captures classes of data holders and information. At the CDR rule-making stage, implementation aspects such as the scope of data holders with mandatory obligations and further refinement of the datasets required to be shared, is undertaken. The regulatory burden estimate recognises that decisions made at the rule-making stage will impact the cost for industry of implementing the proposal. Treasury will continue to work closely with industry throughout implementation to minimise regulatory burden where possible.

Regulatory burden estimate table				
Average annual regulatory costs (from business as usual)				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$9.6m-18.0m	\$0.0m	\$0.0m	\$9.6m-18.0m

Accordingly, I am satisfied that the attached documents are consistent with the Australian Government Guide to Regulatory Impact Analysis.

Yours sincerely,



James Kelly
A/g Deputy Secretary
Markets Group, Treasury