Data Standards Body
Consumer Experience Working Group

Decision 333: Business Consumer Provisions

Contact: *Michael Palmyre*, *Amy Nussbaumer*, *Eunice Ching*
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Context

This decision relates to Consumer Experience (CX) data standards for the new business consumer provisions introduced in the July 2023 CDR Rules.

The specific standards covered in this paper are:
- Business consumer statements
- Business consumer disclosure consents (BCDC)

These standards were consulted on in two rounds of consultation: DP276 and DP333, which commenced on September 22 and concluded on November 21. The background for each proposal and the associated feedback can be found on each respective consultation page. Broad support was indicated for the proposals in both rounds.

CDR Rule 1.10A(14) prohibits an accredited person from seeking business consumer statements and business consumer disclosure consents before 1 December 2023 unless data standards relating to 8.11(1)(a)(iv) and 8.11(1)(c)(vi) are made earlier.

An approved decision relating to the standards outlined in this paper shall take effect immediately. This will allow accredited persons to implement the new provisions prior to the 1 December 2023 obligation date stated in the rules.

Decision to be Made

> **Decide the data standards to be made to support the new business consumer provisions introduced by the July 2023 CDR Rules**

Decision for Approval

Business consumer statement

Business consumer statement: Method

The below will be added to the Consent Standards:

> When seeking a business consumer statement, data recipients **MUST** invite the business consumer to give the business consumer statement in a manner that is explicit, express, and through an active selection or declaration.
>
> The giving of a business consumer statement **MUST** be clearly separated from any other interaction or information provided to the consumer and **MUST NOT** be implied or bundled with any other permission.

Business consumer statement: Content

The below will be added to the Consent Standards:

> Data recipients **MUST** use plain and concise language when inviting a consumer to give a business consumer statement.

Business consumer disclosure consents

Disclosure Consent: Non-Accredited Person Disclosure Notification

The yellow highlight will be added to the Disclosure Consent: Non-Accredited Person Disclosure Notification note:

> The standards in this section outline requirements that apply when a disclosure consent is being sought to disclose data to a non-accredited person, which includes insight disclosure consents, business consumer disclosure consents, and trusted adviser disclosure consents.

Disclosure consent: CDR protections

The yellow highlight will be added to the [Disclosure Consent: Non-Accredited Person Disclosure Notification](#) standards:

> Data recipients **MUST** state that data disclosed to a non-accredited person will not be regulated as part of the Consumer Data Right.
>
> ==This information **SHOULD** be immediately viewable by the consumer without further interaction.==
>
> Data recipients **MAY** include a plain and concise explanation of what this means, which **MAY** include information on the Consumer Data Right, and **MAY** include a link to the [Office of the Australian Information Commissioner guidance on the Consumer Data Right](#).

Implementation Considerations

A decision relating to the standards outlined in this paper will take immediate effect. Accredited persons would only be required to comply with these standards if they chose to implement the relevant disclosure consents and business consumer statements.

[This Figma artefact](#) contains examples of how and where these standards might be implemented. These examples are subject to change before they are released on the [CX Guidelines](#) website, including to reflect the intent of the rules. The DSB invites the community to request new or amended CX Guidelines on the [DSB Standards Maintenance site](#).