

COMPETITION AND CONSUMER ACT 2010

Section 56GD(2)

Exemption from provisions of the *Competition and Consumer (Consumer Data Right) Rules 2020*

1. The Australian Competition and Consumer Commission (the Commission), pursuant to section 56GD(2) of the *Competition and Consumer Act 2010* (the Act), hereby exempts

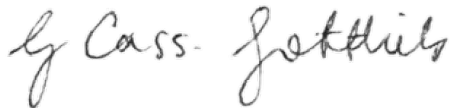
Heritage and People's Choice Limited (ACN 087 651 125)

as a data holder, from the following provisions of the *Competition and Consumer (Consumer Data Right) Rules 2020* (the Rules) in relation to the CDR data specified in clause 2:

- a) Rule 3.4(3) of Part 3 of the Rules (the obligation to disclose required consumer data in relation to a consumer data request made by an eligible consumer) and all related rules;
 - b) Rule 4.6(4) of Part 4 of the Rules (the obligation to disclose consumer data in response to a consumer data request) and all related rules;
 - c) Rule 9.3(1)(e) of Part 9 of the Rules (the obligation to keep and maintain records); and
 - d) Rule 9.4(1) of Part 9 of the Rules (the obligation relating to reports that must be prepared by the data holder).
2. The CDR data to which this exemption applies is required consumer data in respect of any offline or closed account held by any HPCL customer who meets both of the following conditions:
 - a) The HPCL customer has, one or more Heritage Bank products and one or more People's Choice products; and
 - b) Either:
 - i. The HPCL customer meets the CDR consumer eligibility criteria in respect of one or more Heritage Bank products and, if not for the eligibility of the Heritage Bank product(s), would not otherwise meet the CDR consumer eligibility criteria in respect of any People's Choice products; or
 - ii. The HPCL customer meets the CDR consumer eligibility criteria in respect of one or more People's Choice products and, if not for the eligibility of the People's Choice product(s), would not otherwise meet the CDR consumer eligibility criteria in respect of any Heritage Bank product.
 3. This exemption applies until 30 April 2026.
 4. A reference to 'all related rules' for the purpose of this instrument means:
 - a) in respect of rule 3.4(3): rule 1.13(1);
 - b) in respect of rule 4.6(4): rules 1.13(1); 1.15(1); 1.15(5); 4.5(3), 4A.5(2), 4A.6(1), 4A.13(1), 4A.14(2) and 4A.14(3).

5. It is a condition of this exemption that HPCL must notify the Commission in writing in the event it intends to voluntarily disclose data in response to a data request under Parts 3 and/or 4 of the Rules in respect of accounts held by the cohort of consumers described in clause 2 of this instrument.
6. In this instrument of exemption, the terms used have the meanings given in the Rules and the Act.

Dated: 14 December 2023

A handwritten signature in black ink, reading "Gina Cass-Gottlieb". The signature is written in a cursive, flowing style.

Gina Cass-Gottlieb
Chair
Australian Competition and Consumer Commission