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Sent: Friday, 25 August 2023 5:40 PM
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Subject: ACCC media and announcements week commencing 28 August [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID3066942]
Attachments: DSPI 8 Issues Paper MR Final.pdf

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Good afternoon

See below a list of the ACCC's planned media and announcements next week. As usual we will share embargoed copies of media releases once they are finalised.



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|---------------------------|--|
| Thursday 31 August | <ul style="list-style-type: none"> TBC – institution of legal proceedings in a major consumer law matter (media release) |
| Friday 1 September | <ul style="list-style-type: none"> Gina Cass-Gottlieb giving speech at Law Council competition law workshop in Melbourne. Topics include merger reform. Speech published on ACCC website. |



Please contact me if you have any questions.

Kind regards

[Redacted] (He / Him)

Director | Government Relations and Advocacy | ACCC Executive Office

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MEDIA RELEASE



10 July 2023

ACCC invites views on data broker industry

The ACCC is calling on consumers, businesses and interested stakeholders to provide submissions about data broker services in Australia, as part of its five-year digital platform services inquiry.

An issues paper, [published today](#), seeks views and poses questions about the business practices of data brokers and the products and services they create and supply. Potential competition and consumer issues that may arise in the supply of data broker services is also a focus.

“There is little transparency and awareness of how data brokers operate in Australia despite the vast amounts of information they collect about Australian consumers and the central role they play in enabling the exchange of information between businesses,” ACCC Chair Gina Cass-Gottlieb said.

Data brokers collect information from a range of sources including from social media sites, internet and search services, apps, customer loyalty programs, card payment providers and public records, like electoral rolls.

Types of information collected include names, home and work addresses, age, browsing behaviour, purchasing behaviour, and a range of other socio-economic and demographic information.

Some of the products and services data brokers create include audience profiling reports, consumer purchasing data and risk and fraud management products for tenancy or insurance applications.

The report will focus on businesses that collect information from third-party sources and sell or share that data with other organisations (third-party data brokers).

Businesses that collect data on their own customers and use that within their own business, or sell or share that data with others (first-party brokers), will not be a focus.

“Some Australian consumers may not be aware that their information is being collected, stored and sold by third-party data brokers with whom they have no direct relationship. This report will explore how third-party data brokers collect and use information to create products and services and if there may be competition and consumer issues arising from this,” Ms Cass-Gottlieb said.

The ACCC will consider the products and services supplied by several data brokers including CoreLogic, Equifax, Experian, Illion, LiveRamp, Nielsen, PropTrack, Oracle and Quantum.

“We are eager to hear from data brokers and consumers and businesses that interact with the data broker industry. We are also seeking to understand how data products and services may be beneficial for small businesses,” Ms Cass-Gottlieb said.

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Businesses that sell or provide data to data brokers and businesses that purchase or use data brokers' products or services are especially encouraged to respond to the issues paper by 7 August 2023.

Background

The [Ministerial Direction](#) defines a data broker as a supplier who collects personal or other information on persons, and sells this information to, or shares this information with, others.

For the purpose of the Report, '*personal or other information on persons*' includes information about an identified individual or an individual who is reasonably identifiable, as well as information about an individual that has been de-identified, anonymised, or aggregated. This definition is broader than the definition of personal information in the *Privacy Act 1988* (Cth).

The ACCC's Digital Platforms Branch is conducting a five-year inquiry into markets for the supply of digital platform services in Australia and their impacts on competition and consumers, following a direction from the Treasurer in 2020. The inquiry reports to the Treasurer every six months and examines different forms of digital platform services, their advertising services as well as data brokers.

This issues paper will inform the ACCC's eighth report due to be submitted to the Treasurer by 31 March 2024. The ACCC's seventh report on expanding ecosystems of digital platform service providers is due to the Treasurer by 30 September 2023.

Other reports have examined: [online private messaging services](#), [market dynamics and consumer choice screens in search services and web browsers](#), [app marketplaces](#), [online retail marketplaces](#), [regulatory reform](#), and [social media services](#).

Previous reports are published at [Digital platform services inquiry 2020-25](#).

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