



## COVERSHEET

<b>Minister</b>	Hon Kris Faafoi	<b>Portfolio</b>	Commerce and Consumer Affairs
<b>Title of Cabinet paper</b>	Approval to Release Discussion Document: Options for Establishing A Consumer Data Right in New Zealand	<b>Date to be published</b>	9 October 2020

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
29 July 2020	<i>Approval to Release Discussion Document: Options for Establishing A Consumer Data Right in New Zealand</i>	<i>Office of the Minister of Commerce and Consumer Affairs</i>
29 July 2020	<i>Cabinet minute DEV-20-MIN-0155</i>	<i>Cabinet Office</i>

### Information redacted

**NO**

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



# Cabinet Economic Development Committee

## Minute of Decision

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*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

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### Options for Establishing a Consumer Data Right in New Zealand: Release of Discussion Document

Portfolio                      Commerce and Consumer Affairs

On 29 July 2020, the Cabinet Economic Development Committee (DEV):

- 1        **noted** that a consumer data right would enable the secure portability of consumer data between data holders, such as banks and trusted third-parties, with a consumer's consent;
- 2        **noted** that a consumer data right would enable innovative products and services to emerge, which will help fintech and other sectors grow, promoting economic development and aiding the recovery from the impacts of COVID-19;
- 3        **noted** that a consumer data right would benefit consumers by encouraging increased competition and innovation, which will lead to the development of better and more affordable products and services;
- 4        **noted** that the discussion document *Options for Establishing a Consumer Data Right in New Zealand* (the discussion document), attached to the paper under DEV-20-SUB-0155, seeks feedback on:
  - 4.1        whether New Zealand needs a consumer data right;
  - 4.2        how any consumer data right could be designed, including:
    - 4.2.1        options for establishing a consumer data right, including a right that can be applied across the entire economy, and an approach where it is applied to certain sectors through secondary legislation;
    - 4.2.2        the elements of a consumer data right, including the need to establish consistent data standards, an accreditation regime for third-parties, additional privacy safeguards, and means of enforcement and consumer redress;
- 5        **agreed** to the release of the discussion document in August 2020 for an eight week public consultation, subject to any minor or editorial changes that may be required;

- 6 **invited** the Minister of Commerce and Consumer Affairs to report back to DEV on the outcome of the consultation, before the end of 2020.

Janine Harvey  
Committee Secretary

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**Present:**

Rt Hon Winston Peters  
Hon Grant Robertson (Chair)  
Hon Phil Twyford  
Hon Andrew Little  
Hon David Parker  
Hon Stuart Nash  
Hon Damien O'Connor  
Hon Shane Jones  
Hon Kris Faafoi  
Hon Willie Jackson  
Hon James Shaw  
Hon Eugenie Sage

**Officials present from:**

Office of the Prime Minister  
Officials Committee for DEV