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Introducing the DATA Scheme

A Scheme for sharing Australian Government data

The DATA Scheme (the Scheme), established under the *Data Availability and Transparency Act 2022* (the Act), is a best practice scheme for sharing Australian Government data, underpinned by strong safeguards and consistent, efficient processes. Its purpose is to increase the availability and use of data to inform better government services, policies, programs, research and development.

National Data Commissioner

The Commissioner regulates the Scheme and provides advice, guidance, education and support for best practice data handling and sharing.

National Data Advisory Council

The Council advises the Commissioner on data sharing, ethics, privacy, transparency, best practices, and industry and international developments.

Why use the DATA Scheme?

Using the Scheme ensures data sharing is driving public benefit, protected by appropriate safeguards, and supported by a flexible, trusted framework for projects of varying complexity.

What data can be shared?

Data legally held or collected by a Commonwealth body, with the exception of certain data types, can be shared under the Scheme. This can provide access to data about Australians' welfare, the environment and the economy. For national security reasons, entities like the Australian Federal Police and the Australian Security and Intelligence Organisation are excluded from the DATA Scheme, and some Home Affairs and AUSTRAC data cannot be shared.

Participants

Data Custodians are Commonwealth Government bodies who control public sector data. They are automatically participants and do not need to apply for this role.

Accredited Users are Commonwealth, state and territory government bodies, and Australian universities. They can obtain and use data and must apply for this role.

Accredited Data Service Providers are Commonwealth, state and territory government bodies, and Australian universities. They provide complex data integration, de-identification and secure data access services and must apply for this role.

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How does the Scheme operate?

Accredited Users can request data from a Data Custodian. Where needed, this can be supported by an Accredited Data Service Provider. For example, the New South Wales Department of Health may request data from the Commonwealth Department of Social Services, with the Australian Bureau of Statistics providing secure access services to support the sharing.

Dataplace

[Dataplace](#) is the digital platform to manage data sharing requests and agreements, apply for accreditation, and to find public sector data on the [Australian Government Data Catalogue](#).

Authorisation and override

The Act authorises an override of Commonwealth, State or Territory laws prohibiting data sharing, collection and use, provided appropriate safeguards are in place. The Act does not override the *Privacy Act 1988*, and data use under the Scheme must be consistent with the Privacy Act.

DATA Scheme safeguards

Data Sharing Purposes

Data can only be shared for service delivery, informing policy and programs, or research and development – not for national security or enforcement.

Accreditation

Accreditation provides access to the Scheme and confirms an entity can securely handle data. The Minister and Commissioner may impose, modify, suspend, or revoke conditions as required.

Data Requests

Data Custodians must respond to accredited user requests. They are encouraged, but not obligated, to share data supported by safeguards to serve the public interest. Refusals must be justified in writing within 28 days and are reported on annually by the National Data Commissioner.

Data Sharing Principles

The data sharing principles guide safe data sharing and support safe projects, people, settings, data and outputs. Data sharing must be done consistently with the principles.

Privacy Protections

The Scheme, aligned with the *Privacy Act 1988*, protects personal information, restricts data re-identification and offshore access, and requires consent for biometric data sharing.

Data Sharing Agreements

Participants must have a data sharing agreement setting out the details of the data sharing project and compliance with the Scheme. It must be registered with the Commissioner before sharing data.

Transparency and Reporting

The Commissioner maintains [public registers](#) of Accredited Users, Accredited Data Service Providers, and data sharing agreements. An annual report is provided to the Minister.

Regulatory Compliance

The Commissioner regulates the Scheme through regulatory functions including accreditation, handling complaints, and assessing and investigating entities.

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