



## Senator the Hon Katy Gallagher

Minister for Finance  
Minister for Women  
Minister for the Public Service  
Minister for Government Services  
Senator for the Australian Capital Territory

REF: MS25-000949

Mr Andrew Lalor  
Acting National Data Commissioner  
One Canberra Avenue  
FORREST ACT 2603

*Andrew*  
Dear Mr Lalor

I write to you in your capacity as acting National Data Commissioner to outline my expectations during your tenure, consistent with your functions and powers as an independent statutory officer under the *Data Availability and Transparency Act 2022* (the Act). Your appointment coincides with the completion of the statutory review of the Act (the review) and consideration of the Government's response.

I expect you to exercise your statutory functions and powers transparently and effectively, aligning your approach with the principles of regulator best practice outlined in the *Regulatory Policy, Practice and Performance Framework* and act in accordance with the principles of regulator best practice outlined in *Resource Management Guide 128: Regulator Performance*.

The Government expects regulators to support economic growth and productivity by striking an effective balance between risk management and the need for efficiency, growth and dynamism, doing so in a fiscally prudent manner consistent with the current constrained fiscal environment.

The Department of Finance (the Department) administers the Act and determines its policy and legislative settings. These settings were considered by the review and the Department is leading the development of the Government response to the review. The Department's responsibilities are distinct from your role as the regulator of the DATA Scheme.

As I consider the future of data sharing settings across the Commonwealth and more broadly, I expect you to continue to exercise your functions and powers consistently with current arrangements, and not pre-empt any decisions by Government, noting my response to the review will provide direction.

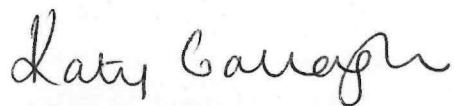
I expect you to support the development of the Government response, while maintaining the independence of the National Data Commissioner. The knowledge and practical operation of the DATA Scheme within the Office of the National Data Commissioner will be valuable to the Department in preparing and implementing the Government response to the review. I expect you to provide data, analysis and practical insights on the operation of the Scheme and identify areas for improvement to inform policy deliberations.

You will maintain confidence and continuity as the regulator of the DATA Scheme while the Government develops its response and after the Government's approach has been settled. You will communicate clearly with Scheme entities, key stakeholders and your staff to provide stability and reassurance during this period.

I also expect you to prepare your office and its stakeholders for any reforms arising from the review. You should take steps to ensure organisation and system readiness, identify priority areas for implementation planning or system adjustment, and engage with Scheme entities once the Government has settled its approach.

I look forward to receiving your response in the form of a Statement of Intent within three months outlining how you intend to meet these expectations. I ask that you make this Statement and your Statement of Intent available on your website. Please also continue to provide me regular updates on accreditation activities and data sharing agreements.

Yours sincerely



**Katy Gallagher**

9.12.25