



Australian
National
University

5 November 2020

National Data Commissioner
Office of the National Data Commissioner
Department of the Prime Minister and Cabinet
1 National Circuit
Barton
Canberra ACT 2600
Via Online form

Dear Commissioner

RE: Data Availability and Transparency Bill exposure draft

Thank you for the opportunity for The Australian National University to provide a submission on the exposure draft of the Data Availability and Transparency Bill.

The Australian National University (ANU) has a particular interest in the development and implementation of this legislation. We are a significant collector and user of data for research purposes and look forward to the clarification and guidance this Bill will provide and the platform that it will create.

Service provider

We welcome confirmation given during the Go8 consultation that universities can be ADSPs. We would also welcome clarification if it was clear that an ADSP as an institution can effectively act on behalf of its' own staff and students as data users.

We also welcome clarification that the monopolies legislation will ensure that no commercial service provider can effectively hold public data to ransom.

The scope of the Commissioner

The University would like clarification on what scope the guidelines that will follow the implementation of the Bill gives the Commissioner with respect to defining corporate ANU as a Commonwealth entity under the Bill.

Democratising data

As you may expect from a research perspective we would have welcomed a stronger element of compulsion on sharing data on data custodians and we welcome the creation of a register by the Data Commissioner to ensure a due record of requests and approvals in its annual report. We would like to suggest a move towards data custodians being required to publish their overall strategy with regard to data sharing. This would benefit both custodians and universities in terms of overall efficiency of the process and may also act as stimulus to effective data sharing.

Conclusion

The ANU congratulates your office on their efforts to address the issue of data availability and transparency. We believe the intended steps towards standardisation will substantially enhance access to public data for research purposes. We would be pleased to provide further comment on this legislation and related regulations as they evolve.

Please feel free to contact the University via the Government Relations office at government@anu.edu.au if you require further clarification on the contents of this submission or to request further details.