

30 May 2025

Dr Stephen King
c/o Department of Finance
Australian Government

RE: Submission to the Statutory Review of the Data Availability and Transparency Act 2022

Dear Dr King,

The Queensland Cyber Infrastructure Foundation (QCIF) Ltd welcomes the opportunity to contribute to the Statutory Review of the Data Availability and Transparency Act 2022 (DAT Act).

QCIF is a not-for-profit organisation committed to advancing research excellence and driving innovation through state-of-the-art data infrastructure and digital solutions. We support researchers across Australia by delivering expert guidance and training in a broad range of data and digital capabilities—impacting hundreds of research and development projects and benefiting thousands of end-users.

As a National Collaborative Research Infrastructure Strategy (NCRIS) node, QCIF plays a pivotal role in national platforms such as the Australian BioCommons and the Australian Research Data Commons (ARDC) and its Nectar Research Cloud.

Our members include Griffith University, James Cook University, Queensland University of Technology, University of the Sunshine Coast, Central Queensland University, and the University of Southern Queensland.

Despite our deep integration within Australia's data and digital ecosystem, QCIF is currently ineligible to participate in the DATA Scheme. This limitation restricts our ability to support both university and non-university data custodians and end-users—even though we have a strong track record in deploying advanced, secure digital capabilities. These include KeyPoint, a Trusted Research Environment, and Federated Machine Learning and Analysis platforms, which prioritise information security, privacy, and cyber security.

QCIF offers the following feedback in relation to the Review's Terms of Reference, particularly those relevant to our role and expertise.

Does the DAT Act support improved public sector data availability and transparency, including sharing public sector data in a controlled way?

While the DATA Scheme is still in its early stages, it has made some progress in promoting the controlled sharing of public sector data. The DAT Act and its supporting legislation have brought much-needed attention to the importance of data sharing, underpinned by explicit safeguards that aim to build public trust in how government and research sectors handle data.

To date, 17 Commonwealth and 10 State/Territory entities have been accredited under the DATA Scheme. This demonstrates a strong commitment by governments to transparency and responsible data access. The framework's clear requirements for data sharing, privacy protections, and penalties for non-compliance are commendable and provide a solid foundation for trust and accountability.

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However, as noted in the Issues Paper, only eight data sharing agreements have been registered under the DATA Scheme—all between government departments or agencies. This is in stark contrast to the estimated 11,000 data sharing agreements that exist outside the Scheme. This disparity suggests that the full potential of the DAT Act has yet to be realised.

To address this, the implementation of the DAT Act must expand to include a broader range of partners, including organisations like QCIF. As a trusted provider of secure, privacy-conscious digital infrastructure and services, QCIF is well-positioned to support the goals of the DAT Act. Closer integration with complementary Commonwealth initiatives—such as the National Collaborative Research Infrastructure Strategy (NCRIS)—would further strengthen the Scheme's reach and impact

Has the operation of the DAT Act advanced its objects?

The DAT Act has made progress toward its objectives, particularly through the accreditation of entities and the establishment of data sharing agreements under the DATA Scheme. These developments have led to an increase in data requests and a more structured approach to data sharing across government entities.

However, the societal impact remains limited. With only a small number of accredited entities and data sharing agreements, the reach and effectiveness of the Scheme are constrained. Furthermore, public and consumer awareness of the DATA Scheme appears minimal. Outside of government and research circles, there is little visibility into how the Scheme operates or how it serves the public interest. This lack of awareness may hinder broader support and engagement, which are essential for the Scheme's long-term success.

How does the operation of the DAT Act compare and interact with other existing mechanisms for facilitating access to, sharing and use of public sector data?

Currently, much of the data sharing across the public sector continues to occur outside the DATA Scheme, relying on pre-existing agreements and institutional relationships. For smaller universities, the cost-benefit equation of becoming an accredited user under the DATA Scheme may not be favourable, particularly given the administrative and compliance overheads involved.

This is where QCIF could play a pivotal role. As a trusted provider of secure, high-quality data services to the national research community, QCIF is well-positioned to become an Accredited Data Service Provider (ADSP) under the Scheme. QCIF already delivers services such as secure data access, de-identification, and complex data integration—capabilities that align directly with the objectives of the DAT Act.

However, current legislative restrictions prevent QCIF from participating in the DATA Scheme. This exclusion places QCIF, its member institutions, and its partners—many of which are smaller universities—at a distinct disadvantage. It limits their ability to access and use public sector data effectively, thereby constraining their research and innovation potential.

This inequity runs counter to one of the core objectives of the DAT Act: to reduce barriers and enable effective access to, sharing, and re-use of public sector data. Enabling organisations like QCIF to participate would help level the playing field and ensure that all research institutions, regardless of size, can contribute to and benefit from data-enabled innovation.

Should the DAT Act remain in force past its current sunset date of 1 April 2027?

Yes, there is a clear need for the DAT Act to remain in force beyond its current sunset date. The legislation provides a vital framework for the secure, transparent, and responsible sharing of public sector data—an essential enabler of evidence-based policy, research, and innovation.



However, the current restrictions within the Act limit its effectiveness and equity. In particular, the exclusion of capable, trusted non-government entities—such as QCIF—from participating in the DATA Scheme undermines the Act’s potential to serve the broader research and innovation ecosystem.

We recommend that the continuation of the DAT Act be accompanied by targeted amendments. These should focus on:

- **Expanding eligibility** to include trusted research infrastructure providers and other non-government organisations with demonstrated capabilities in secure data handling.
- **Strengthening alignment** with existing national research and development programs, including those beyond the higher education sector.
- **Enhancing equity** and access to ensure that smaller institutions and regional research organisations are not disadvantaged.

With these improvements, the DAT Act can better fulfil its objectives and deliver greater societal benefit through inclusive, secure, and impactful data sharing.

Yours sincerely,



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