

ESTIMATES BRIEF – Hot Issue**DATA POLICY****Budget Estimates – May 2026****Data Availability and Transparency (DAT) Act - Operations and Review****Subject/Issue**

On 3 March 2026, the Minister for Finance tabled the final report of the independent Statutory Review (Review) of the *Data Availability and Transparency Act 2022* (the Act).

Recent media has commented on the Review findings on the Act and perceived ineffectiveness of the Australian Government Data Catalogue (the Catalogue).

Key facts and figures

- The Review was initiated by the Minister for Finance on 20 March 2025 and led independently by Dr Stephen King.
 - The final report was provided to the Minister on 11 November 2025 and tabled in Parliament on 3 March 2026.
- The Review considered the effectiveness of the Act and whether its operation supports improvements in public sector data availability, sharing and transparency.
 - It makes 15 recommendations to improve the Act, as well as non-legislative changes aimed at creating a clear, efficient, and consistent framework for public sector data sharing.
- Overall, the Review found that:
 - the Act has not been effective and significant amendments are needed to remove legislative complexity and improve its operation
 - if these amendments are not made, the Act should be allowed to sunset, and
 - the accreditation framework established under the Act is valuable and supports trust in the data system.
- A government response to the Review is under development.

Operation of the Act

- Since the Act commenced in April 2022, the Office of the National Data Commissioner (ONDC) has implemented an accreditation framework, made legislative rules to support data sharing under the scheme established by the Act (DATA Scheme), and built Dataplace (a data sharing platform) and the Catalogue to support data sharing.

DATA POLICY

- As at 31 March 2026, 64 data sharing requests have been made through Dataplace. Of these, 39 have been submitted as DATA Scheme requests, while the other 25 relate to general requests. These requests have led to 27 instances of data sharing.
- The National Data Commissioner has accredited 41 entities under the Scheme, as either a data user (27), accredited data service provider (4) or both a user and service provider (10).
- There has been recent media interest regarding the Catalogue. This includes a Canberra Times article on 10 March 2026 and a Sky News interview with Mr Samuel Spencer on 13 April 2026.
- On 10 March 2026 The Canberra Times reported article reported 'significant' costs (\$16.5m) associated with the National Data Catalogue and suggested it offers limited value as most of the data assets are already available through other online sources. The report quoted Mr Sam Spencer, a data services provider and academic, claiming records within the Catalogue contain metadata issues and incomplete metadata attributes.
 - The referenced cost of \$16.5m covered were not limited to the cost to build the Catalogue and also included costs to run the Data Inventory Pilot Program, which supported 44 Australian Government agencies to establish or enhance their agencies' data inventory.
- The Catalogue serves as a single-entry point to discover and seek access to open, restricted, and conditional Australian Government data assets. It connects to other existing catalogues, such as data.gov.au and GeoScience Australia's open data portals.
 - To date, the Catalogue has increased the transparency and accessibility of nearly 300 high-value restricted or conditional assets, which were not previously publicly discoverable.
- The Catalogue is integrated with the broader Dataplace platform, allowing requests for data to be made directly from the Catalogue and for parties to manage their data-sharing activities.
- The identified gaps in metadata are a result of linking to existing catalogues, such as data.gov.au, that were populated prior to publication of a metadata standard. A number of efforts are under way across the Australian Government to improve metadata quality.

DATA POLICY**Background**

Section 142 of the Act requires a periodic review of the Act's operation to be undertaken. A review of the of the Act was required to start by 1 April 2025 and be completed within 12 months.

The terms of reference require the report to be given to the Minister in the second half of 2025 and the Minister must table the report in the Parliament within 15 sitting days after receiving the report.

Without legislative intervention, the Act will sunset on 1 April 2027.

The Minister for Finance initiated the Review on 20 March 2025, and Dr Stephen P. King was appointed as the independent reviewer on 27 March 2025. Dr King is a Commissioner at the Productivity Commission and a Professor of Practice at Monash University.

Australian Government Data Catalogue

The Catalogue is a single portal to connect users to Australian Government data assets including open-source data as well as assets that have conditional or restricted access requirements.

The Catalogue is one component of broader efforts to improve the transparency and accessibility of public sector data and to uplift the data maturity of Australian Government entities in line with the Data and Digital Government Strategy and associated Implementation Plans.

The Catalogue contains over 36,000 records from 70 agencies. Many of these records are from open sources such as data.gov.au and Geoscience Australia.

The Catalogue allows users to find and request Australian Government data assets that are openly available, or available under conditional arrangement, such as the Single Touch Payroll dataset and the Medicare Benefits Schedule data collection.

In addition to media interest, Mr Spencer recently presented at the privately run Aus Gov Data Summit on the theme 'When bad data governance becomes national news', followed by contact with a number of officials across a range of agencies, looking to promote his company, Aristotle's, 'Unofficial' Australian Government Data Catalogue'.

Supporting information**Questions on Notice**

- Details of Dr King's engagement were provided in response to Senator Paterson's Question on Notice to the Minister for Finance on 22 July 2025 (PQoN 64).
- QoN 122. Reviews. 2025-26 Supplementary Budget estimates 16/10/2025. Responded 18/12/2025.

Freedom of Information (FOI) Requests

- FOI 25-26/193 – Briefs prepared by Digital ID and Data Policy Division for February 2026 Additional Estimates. Published on 21/4/2026.

Recent Ministerial Comments

- Nil.

DATA POLICY

Relevant Media Reporting

- [‘Fundamental flaws’ holding back govt data sharing scheme](#), Justin Hendry, InnovationAus, 4 March 2026.
- [Government data sharing law falls flat](#), Ry Crozier, iTnews, 4 March 2026.
- [The government's data catalogue has over 36,000 entries. Just 1% of them are new](#), Lucinda Garbutt-Young, The Canberra Times, 10 March 2026.
- Australians exposed by data ‘failure’, Cheng Lei, Sky News Radio Australia, 13 April 2026, 3:31PM

Date sent to MO: 4/05/2026
Cleared by (SES): Laura Johnson
Telephone No: 02 6215 3316
Group/Division: Governance and Resource Management Group / Digital ID and Data Policy
Contact Officer: s22
Telephone No: s22
Consultation: Nil
PDR Number: SB26-000094