

Ms Angelene Falk
Information Commissioner
The Office of the Australian Information Commissioner

19 November 2019

By email only [REDACTED]

Dear Ms Falk,

Privacy (Credit Reporting) Code 2014 (CR Code) – amended variation application

Further to recent discussions between our respective offices, pursuant to section 26T of the *Privacy Act 1988* (Cth) (Privacy Act), the Australian Retail Credit Association (ARCA) applies to vary the following paragraphs of the CR Code:

- Paragraph 6 – Consumer credit liability information, amendments to the header text and sub-paragraphs 6.2(a) to (d) (inclusive).
- Paragraph 8 – Repayment history information, amendments to the header text
- Paragraph 12 – Serious credit infringements, amendments to the header text.

A copy of the proposed varied CR Code is **attached** in ‘clean’ and ‘track change’ versions.

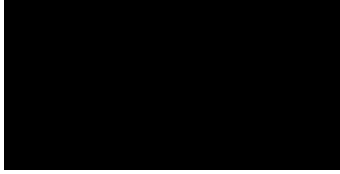
These amended variations are supplementary to ARCA’s variation application, lodged 18 April 2019.

Each of these amendments are purely technical in nature. We are aware that certain terms used in the CR Code purport to quote relevant provisions of Part IIIA of the Privacy Act, however, in some instances, the terms used are not identical. These amendments will ensure identical terminology between the CR Code and the Privacy Act.

This issue appears an oversight in the drafting of the CR Code, and does not have any material impact on the meaning or intended effect of the provisions in the CR Code. For this reason, given these changes will not impact on relevant stakeholders, we consider that consultation in respect to these proposed amendments would be unnecessary.

If you have any questions or concerns please contact ARCA's Legal & Regulatory Affairs Manager, Elsa Markula, [REDACTED].

Yours sincerely



Mike Laing
Executive Chair

cc. Ms Sarah Croxall, Director, Regulation and Strategy Branch, OAIC
Mr David Moore, Adviser, Regulation and Strategy Branch, OAIC