

EXPOSURE DRAFT



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Competition and Consumer (Scams Prevention Framework—External Dispute Resolution) Authorisation 2025

I, Daniel Mulino, Assistant Treasurer and Minister for Financial Services, having considered the matters set out in subsection 58DB(2) of the *Competition and Consumer Act 2010*, make the following authorisation.

Dated 2025

Dr Daniel Mulino **[DRAFT ONLY—NOT FOR SIGNATURE]**
Assistant Treasurer
Minister for Financial Services

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Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Scams Prevention Framework—External Dispute Resolution) Authorisation 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 September 2026.	1 September 2026

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer Act 2010* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

AFCA scheme has the same meaning as in section 761A of the *Corporations Act 2001*.

banking sector means the covered banking services designated as a regulated sector of the Australian economy under the *Competition and Consumer (Scams Prevention Framework—Regulated Sectors) Designation 2025*.

digital platforms sector means the covered digital platform services designated as a regulated sector of the Australian economy under the *Competition and Consumer (Scams Prevention Framework—Regulated Sectors Designation 2025*.

telecommunications sector means the covered telecommunications services designated as a regulated sector of the Australian economy under the

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Part 1 Preliminary

Section 4

Competition and Consumer (Scams Prevention Framework—Regulated Sectors) Designation 2025.

the Act means the *Competition and Consumer Act 2010*.

Part 2—Authorised external dispute resolution schemes

5 Authorisation of external dispute resolution scheme for banking, digital platforms and telecommunications sectors

Under subsection 58DB(1) of the Act, the AFCA scheme, being an external dispute resolution scheme, is authorised for the purposes of Part IVF of the Act and for each of the following regulated sectors:

- (a) the banking sector;
- (b) the digital platforms sector;
- (c) the telecommunications sector.

Note 1: Paragraph 58DB(1)(a) of the Act allows the Minister to authorise an external dispute resolution scheme if the scheme is already authorised under a Commonwealth law for another purpose. The AFCA scheme is already authorised for the purposes of the *Corporations Act 2001* (see Part 7.10A of that Act and the *AFCA Scheme Authorisation 2018*).

Note 2: An effect of the authorisation under this section is that ASIC's functions and powers relating to the AFCA scheme will also apply for the purposes of Part IVF of the Act and each regulated sector (see subsection 58DB(1) of the Act).

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Part 10 Application and transitional provisions

Section 50

Part 10—Application and transitional provisions

50 Application of authorisation

This instrument applies in relation to complaints made to the operator of the AFCA scheme on or after 1 January 2027 (whether the consumer complaint, or the matter resulting in the complaint, arose before, on or after 1 January 2027).