



Enterprise & Regulatory Reform Bill – Midata

Main Purpose and benefits of Legislation

In the current economic climate where value for money is a high priority for consumers, it is important that consumers are given the information they need to make informed decisions about the goods and services they buy, empowering them to push for better quality and service for their money.

The midata programme has been working with leading businesses to encourage them to release back to their customers the data they hold on them in an electronic, machine readable format so that consumers are able to use this information to make better purchasing decisions.

Consumers currently have the right to access the information businesses hold about them but not necessarily in a format that will allow them to easily compare prices or to analyse their purchasing behaviour.

Giving consumers, and potentially micro-businesses, the right to view and download their own transaction/consumption data in an electronic format will stimulate the development of new tools that can be used to manage this information in a smart way will drive greater transparency and competition in the markets involved.

We believe there are also clear benefits to UK businesses from releasing transaction data as it presents opportunities to enhance their engagement with their customers, and improve understanding and data accuracy.

While the Government would prefer businesses to release data voluntarily, through participation in the existing midata programme¹, we have introduced a power that would enable the introduction of regulations that could compel businesses to do this – initially the focus is on four sectors core but the power has scope to extend the measure to other sectors if necessary subject to the assessment of a number of factor set out in the bill. The Government's intention would be to only use power if the voluntary programme does not make sufficient progress.

The midata programme is part of the growth agenda and the Government believes the proposed legislation can help build the foundation of a competitive economy which will build trust between businesses and their customers, promote competition and stimulate innovation.

¹ For more information on the midata programme please see:
<https://www.gov.uk/government/news/the-midata-vision-of-consumer-empowerment>

The main elements in the Bill are:

- A power which will enable the Secretary of State to make regulations to compel suppliers of certain goods and services to provide to their customers, upon request their personal historic transaction and/or consumption data in an electronic format.
- The power will focus on certain “core” sectors, namely, energy, mobile phones, current accounts and credit cards but will also allow for other sectors to be regulated, if appropriate once certain factors have been considered.
- The Information Commissioner is listed as a potential enforcer and the Secretary of State will have the authority to fund and designate other persons to act as enforcers.

Wider Context

The “midata” programme is an initiative that came out of the *Consumer Empowerment Strategy: Better Choices: Better Deals*, published on 13 April 2011.

A follow up report published in December 2012 “*Better Choices: Better Deals – Report on progress on the Consumer Empowerment Strategy*” covers the progress that has been made in the 18 months since the Consumer Empowerment Strategy was launched.

BIS developed a vision for midata with the help of leading businesses, regulators and consumer organisations under the guidance of an independent midata programme chair, Professor Nigel Shadbolt.

A review of the overall progress of the voluntary programme will take place by the summer of 2013 to inform whether and how the power described above might be used.

BIS published a consultation on the proposal to introduce a power to regulate in July 2012. After carefully considering the responses and engaging with a wide range of stakeholders, the Government response was published on 19 November 2012.

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