



Internal review of Digital ID Regulator decisions

Version 1 May 2026

The Australian Competition and Consumer Commission (ACCC) is the Digital ID Regulator (Regulator).

Entities that are unhappy with a decision that a delegate of the Regulator has made under the *Digital ID Act 2024* (Cth) (the Act) may be able to request an internal review of that decision.

The purpose of this factsheet is to provide guidance for entities in Australia's Digital ID System on what decisions are internally reviewable and how to apply for an internal review.

Additional guidance that has been developed by the ACCC is also available on the [Digital ID System website](#).

This factsheet is intended for general guidance purposes only and may contain generalisations. It does not constitute legal or other professional advice and should not be relied on as a statement of the law in any jurisdiction. You should seek your own legal advice about the Digital ID legislation and how it applies to your particular circumstances.

What decisions can be reviewed?

Section 137 of the Act lists the decisions of the Regulator that are reviewable decisions.

A reviewable decision may relate to:

- refusing, suspending or revoking an accreditation, or an approval to participate in the Australian Government Digital ID System (AGDIS)
- imposing or varying a condition on an accreditation, or on an approval in the AGDIS
- a direction given to the affected entity.

What decisions can be internally reviewed?

A decision may be internally reviewable if it has been made by a delegate of the Regulator.

Section 164(1) of the Act relevantly sets out that a delegate may be a person who is delegated the powers of the Regulator and holds a position of either:

- a member of the Commission (within the meaning of the *Competition and Consumer Act 2010*), or
- a Senior Executive Service (SES) or acting SES in the ACCC.

If a reviewable decision is made by a delegate of the Regulator, the affected entity may apply in writing to the Regulator for an internal review of the decision.

Only certain reviewable decisions may currently be made by a delegate.

The decision letter sent to you will indicate if the decision is internally reviewable.

What decisions cannot be internally reviewed?

A decision is not internally reviewable if the decision is not listed as a reviewable decision (see s 137 of the Act) or the decision was not made by a delegate of the Regulator.

Where the reviewable decision is made by the Regulator (not a delegate), the decision letter sent to you will outline your review right to apply to the Administrative Review Tribunal (ART), to request an external merits review of the decision.

A decision will not be reviewable if it is made for reasons of security (within the meaning of the *Australian Security Intelligence Organisation Act 1979* (Cth)) in relation to an entity that is not an Australian entity (see s 137(3) of the Act).

How do you request an internal review of a decision?

An application for an internal review must be made within 28 days after the day on which the reviewable decision comes to your notice (see s 138(2) of the Act).

An application must be in writing and should clearly state that an internal review is being requested and specify which decision(s) it relates to (if more than one decision is listed in your decision letter).

An application can be made by email to digitalidregulator@acc.gov.au

If the 28 day timeframe for lodging an internal review has expired, you may consider applying to the ART for an external merits review. It is recommended that you obtain independent legal advice regarding your options in this regard.

Who can request an internal review?

An application for an internal review must be made by the affected entity (as described in s 137 of the Act).

An application should be submitted on behalf of the affected entity by someone who has been nominated as an Authorised Officer for your entity with the Regulator.

To nominate an Authorised Officer, complete and submit with your application, the Organisation and Authorised Officer form available on the [Digital ID System website](#).

Is there a fee to conduct an internal review?

There are no fees or charges payable for an internal review to be conducted by the Regulator.

What is the internal review process?

An internal review is a merit review process, where a new decision-maker reconsiders the relevant facts, law and policy. The decision-maker will:

- review the decision
- affirm, vary or revoke the decision, and
- if the decision is revoked, make such other decision (if any) the decision-maker thinks appropriate.

The decision-maker may be the Regulator, or its delegate (see s 139(3) of the Act) who:

- was not involved in the making of the original decision, and
- holds a position or performs duties at a higher level than the original decision-maker.

The decision-maker will consider any information that was available to the original decision-maker and any additional information you choose to submit with your application.

The decision-maker may contact you for more information if required.

An internal review will be completed within 90 days after receiving an eligible application for review.

Review Outcome

The review outcome and written statement of reasons will be provided to you as soon as practicable after a decision is made. This will outline the facts and legislation relied upon to arrive at the decision.

The letter will advise you of any further review options available to you.

If the decision outcome changes the conditions relating to your accreditation or your participation in Australia's Digital ID System, the relevant Digital ID Register(s) will be updated to reflect this change.

What other review options may be available to you?

Administrative Review Tribunal

An application may be made to the ART for review of the following decisions:

- a reviewable decision that was not made by a delegate of the Regulator, or
- an internal review decision.

The decision letter will include information about further review rights including external merits review by the ART.

Information on applying to the Tribunal for a review of a decision is available on the ART [website](#).

Judicial Review

You may apply to the Federal Court for judicial review of certain decisions of the Regulator.

A judicial review is only concerned with the legality of the decision and not the merits of the decision. The Federal Court will consider questions of law, such as:

- whether the Regulator had the power to make the decision
- whether the decision-maker took an irrelevant consideration into account or failed to take a relevant consideration into account
- whether the decision was so unreasonable that no reasonable decision maker could have made it.

Information on the process to apply to the Federal Court for judicial review of a decision is on the Federal Court of Australia [website](#).

Further queries?

If you have questions about the internal review process, contact us at digitalidregulator@accc.gov.au.

Date	Version	Description of the changes
May 2026	Version 1	Initial version