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To whom it may concern

Enhanced data collection for managed investment schemes

Chartered Accountants Australia and New Zealand (**CA ANZ**), CPA Australia and the Institute of Public Accountants (**IPA**) (the Joint Accounting Bodies) welcome the opportunity to comment on the *Consultation on proposals to improve regulatory visibility of the managed investment scheme sector through enhanced data collection* consultation paper (**the "Consultation Paper", the "Paper"**).

We support the objective of improving regulatory visibility of the managed investment scheme (**MIS**) sector to support effective regulation of the sector. Recent MIS failures have demonstrated the importance of regulators having access to sufficiently timely and reliable information to identify emerging risks and respond appropriately. The Consultation Paper identifies limitations in the Australian Securities and Investments Commission's (**ASIC**) current visibility, including reliance on retrospective annual financial reporting, and proposes enhanced registration information and recurrent reporting to improve that visibility.

Our support is nevertheless subject to an important qualification: a better data framework should be designed around clearly identified regulatory and statistical purposes. It should not become an open-ended expansion of regulatory reporting or, indirectly, an expansion of the role of the regulator itself.

This is consistent with our earlier submissions on MIS reform. In February 2026, the Joint Accounting Bodies (together with the SMSF Association) supported targeted measures to strengthen MIS governance, compliance and oversight, while emphasising preventative measures and the importance of better defining the regulatory problem being addressed[1].

The Consultation Paper itself provides a useful foundation for this approach. The guiding principles contained in the Paper include least-cost collection, proportional regulation, demonstrated use cases, common definitions, co-design with industry and scalability. In our

[1] Gibson, H., Webb, R., Davison, M., & Burgess, P. (2026). *Joint Association Submission: Enhancing oversight and governance of managed investment schemes*. https://tinyurl.com/5yzhka86

view, adherence to those principles will be critical to ensuring the proposed framework improves regulation without creating unnecessary cost and complexity.

Our overall position

Rather than treating the proposed reforms principally as a question of how much additional information can be collected, we recommend that Treasury approach the framework through five design tests.

1. Regulatory purpose

Each information requirement should have a clearly identifiable regulatory or statistical purpose.

Where information is collected for ASIC, a clear case is required which explicitly connects datapoints to ASIC's statutory responsibilities as a financial services and markets regulator. Enhanced information can appropriately support functions such as licensing oversight, surveillance, disclosure, conduct regulation, enforcement and identification of emerging consumer harm.

Care should be taken, however, that the reporting framework does not evolve into *de facto* prudential supervision of MISs without an explicit policy decision by Government and Parliament to establish such a regime.

The distinction is important: detailed information on matters such as leverage, liquidity or concentration may be relevant to ASIC where it assists ASIC to identify misconduct, governance weaknesses, disclosure concerns or risks to investors. The existence of that information should not, of itself, imply an expectation that ASIC supervise an MIS's financial position in the same way a prudential regulator should supervise prudentially regulated entities.

2. Proportionality

The amount, frequency and granularity of information collected should reflect the regulatory value of the information and the risks associated with the entity or activity.

A uniform requirement to report every data item quarterly is unlikely to produce an optimal regulatory outcome. Information that changes frequently and provides meaningful regulatory signals may justify more frequent collection. Structural information that changes infrequently may be better collected at registration and subsequently by exception.

The same principle should apply when considering unregistered MISs. Greater baseline visibility may be appropriate, but the framework should recognise the distinction between registered retail schemes and wholesale arrangements rather than progressively subjecting both to substantially identical requirements.

However, given the investment or investor thresholds that permit an investor to participate in a wholesale MIS are low then there is an argument that wholesale arrangements, registered and unregistered, should have significantly greater ASIC reporting requirements.

3. No unnecessary duplication

New reporting should replace or rationalise existing collections wherever possible.

Government agencies should adopt a collect once and reuse model. Where substantively equivalent information already exists within ASIC, the Australian Bureau of Statistics (**ABS**), Australian Taxation Office (**ATO**), Australian Prudential regulation Authority (**APRA**) or any other Commonwealth agency and can lawfully be shared, government should first consider whether that information can be reused before requiring industry to report it again.

This is particularly relevant because the Consultation Paper itself identifies fragmented collections, inconsistent definitions and duplication as limitations of the present arrangements.

The introduction of the new framework therefore provides an opportunity not merely to add an MIS collection but to rationalise existing reporting across government.

4. Implementation should be driven by data availability

An apparently simple reporting field can impose significant implementation costs where a reporting entity does not presently capture the information in a structured or reliable form.

This is particularly relevant where investment occurs through platforms, nominees, custodians or other intermediaries. For example, the Consultation Paper seeks views on identifying the source of funds entering MISs, including investments originating through superannuation, self-managed superannuation funds (**SMSFs**), platforms and financial advisers.

Such information may be useful, but the reporting obligation should ordinarily sit with the entity that actually possesses reliable information. Responsible entities should not be required to infer characteristics of underlying investors that they cannot observe.

The final framework should therefore be co-designed with affected entities and subject to appropriate testing and transition before mandatory reporting commences.

5. Government must govern the data it collects

Enhanced data collection necessarily creates questions about access, sharing, storage, publication, confidentiality and ongoing relevance.

Treasury should establish clear governance regarding:

- which agency is responsible for each collection;
- the purpose for which each dataset may be used;
- inter-agency access and sharing;
- privacy and commercial confidentiality;
- publication of scheme-level information;
- retention and security; and

- periodic review and retirement of reporting fields.

In particular, information being useful to a regulator does not necessarily mean that it should be publicly disclosed.

Recommendations

Consistent with those principles, we recommend that Treasury:

1. Anchor the framework to defined regulatory and statistical purposes, with each material data requirement supported by a demonstrated use case.
2. Preserve the distinction between conduct regulation and prudential supervision, ensuring that enhanced reporting does not inadvertently create a quasi- or partial prudential regime for MISs.
3. Establish a coordinated whole of Government data collection model, allowing information to be collected once and reused across ASIC, ABS and other agencies where legally permissible.
4. Undertake a reporting rationalisation exercise before commencement, identifying existing and ad hoc collections that can be removed, consolidated or replaced.
5. Prioritise data with clear supervisory value, including information relevant to investment flows, leverage, liquidity, concentration, related-party arrangements and material interconnected exposures, where these data assist a defined regulatory function.
6. Match reporting frequency to the nature of the information, rather than applying quarterly reporting indiscriminately to all fields.
7. Keep reporting for unregistered wholesale MISs targeted and proportionate, beginning with sufficient information to establish visibility of the population and expanding recurrent reporting where justified by an identified use case.
8. Place obligations on the entity best positioned to provide reliable information, particularly where investments pass through platforms, nominees or other intermediaries.
9. Protect confidential, personal and commercially sensitive information, distinguishing information required by regulators from information suitable for publication.
10. Co-design and test the framework before full implementation, supported by appropriate transition arrangements and an effective post-implementation review.

Our responses to the questions in the Consultation Paper is contained in the **Attachment**.

If you would like to discuss any of the issues we raise in our submission, please contact Richard Webb, Superannuation Lead at CPA Australia, on 0425 726 889 or at richard.webb@cpaaustralia.com.au.

Sincerely,

CHARTERED ACCOUNTANTS AUSTRALIA + NEW ZEALAND

CPA AUSTRALIA

IPA INSTITUTE OF PUBLIC ACCOUNTANTS

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Attachment

Responses to consultation questions

Introduction

The Joint Accounting Bodies support improving regulatory visibility of the managed investment scheme sector to support effective regulation of the sector. The recent experience of the sector provides a sound basis for examining whether regulators have access to sufficiently timely, consistent and useful information to perform their existing functions effectively.

The opportunity presented by this consultation is nevertheless broader than creating another reporting regime. It is an opportunity to establish a more coherent approach to financial-sector data collection across government.

The framework should therefore start with the regulatory problem, identify the information necessary to address it, establish which entity can provide that information most reliably, and determine whether the information already exists elsewhere in government. Only then should a new reporting obligation be imposed.

Done well, enhanced MIS data can support earlier and better-informed regulatory action while reducing fragmentation in existing reporting. Done poorly, it could add a substantial recurring compliance burden, duplicate information already available to government, generate large quantities of low-value data and progressively blur the boundaries between different forms of financial regulation.

We therefore encourage Treasury to proceed with the reforms, but to maintain a disciplined focus on purpose, proportionality, regulatory role, implementation and data governance throughout their design.

Guiding principles

Question 1: Are the proposed guiding principles appropriate for guiding future data collection and sharing arrangements?

Yes. We support the proposed guiding principles, particularly least cost, demonstrated use case, proportionality, consistency, co-design and measurability. The Consultation Paper expressly incorporates these principles.

We recommend adding an explicit principle that the nature and granularity of data collected should remain aligned with the statutory functions of the agency for which it is collected.

A further principle should require agencies to consider whether information is already required elsewhere from other agencies or Government departments before creating a new reporting requirement.

Proposal 1: Improve baseline regulatory visibility of registered MISs through enhanced registration data

Question 2: What additional data, if any, should be collected at the point of registration? Conversely, are there data fields that are currently collected that should be removed or streamlined?

We support improving the quality and consistency of information collected at registration.

The Consultation Paper notes that the existing "proposed scheme details" field is free text and that information supplied is often general and inconsistent. Greater use of structured fields and common definitions therefore appears appropriate.

At a high level, registration information should allow ASIC to understand the nature and structure of the scheme, its broad investment strategy, significant related-party arrangements and other characteristics relevant to ASIC's regulatory responsibilities.

Consideration should be given to allowing ASIC to share data with APRA as required for the purposes of prudential regulation of any financial services business such as APRA regulated superannuation funds.

Question 3: Does providing additional data at the point of MIS registration significantly increase regulatory burden for REs? If so, how could this be mitigated?

We believe that there is a potential likelihood of the regulatory burden being increased for Responsible Entities (**REs**).

The magnitude of the burden will depend considerably on whether the information sought is already produced in the ordinary course of establishing and operating an MIS.

Burden can be mitigated through structured and reusable reporting, conditional fields, established definitions, appropriate transition and elimination of duplicated requirements.

Question 4: How should any obligation to keep registration information up to date be designed to minimise unnecessary burden?

A material-change approach, as proposed on page 15 of the Consultation Paper, is preferable. Information that remains unchanged should not be repeatedly resubmitted merely because a reporting date has occurred.

Proposal 2: Enhance regulatory visibility of the registered MIS sector through recurrent data collection, while streamlining existing reporting arrangements

Question 5: Should there be recurrent data collection for registered MISs? If not supportive of a recurrent data collection, is there an alternative way that ASIC could access timely, regular and reliable data on MISs to support a risk-based approach to oversight and enforcement?

Yes, in principle.

The Consultation Paper identifies the limitations associated with ASIC relying substantially on retrospective annual reporting and proposes recurrent reporting to provide more timely visibility of developments across the sector.

We support that objective provided the information collected can be linked to clearly defined regulatory use cases and overlapping reporting is removed.

Question 6: How often should recurrent data be collected? Is the proposed quarterly collection appropriate?

We do not consider quarterly reporting should automatically apply to every field.

Quarterly reporting may be appropriate for selected information that is both dynamic and of high regulatory value. Other information may be suitable for annual reporting, reporting on change or event-based notification.

Treasury should determine frequency field by field, based on regulatory value, volatility and reporting cost.

Question 7: Which data fields would be most valuable for identifying emerging risks?

Priority should be given to information that can reveal material changes in risk, concentration or interconnectedness.

This may include:

- significant inflows and outflows;
- leverage;
- liquidity and redemption conditions;
- material related-party exposures;
- cross-investment between schemes;
- material concentrations
- significant changes in investor or distribution channels; and/or
- significant changes in those charged with governance or structure.

These fields should only be collected at the level of detail necessary to support the identified regulatory purpose.

Question 8: Is it possible for the RE of a MIS to report on the source of investor funds, that is have funds come from an investor directly, a SMSF, a superannuation fund or wealth platform or via a wealth manager?

Where the responsible entity holds sufficiently reliable information, yes. Where it does not, it should not be required to infer it.

The Consultation Paper expressly seeks information about whether funds originate from beneficial owners, advisers, APRA-regulated funds, SMSFs or platforms.

Intermediated ownership makes this an important implementation issue. Investor type and the channel through which an investment reaches an MIS are not necessarily the same thing.

Government should therefore identify where the relevant information actually resides and design the collection accordingly.

Question 9: What are the barriers to this proposal, and what is industry's capacity to adapt its data reporting to changing government requirements, recognising this capacity will vary across the sector?

We are not in a position to comment comprehensively on the systems capability of responsible entities.

At a framework level, implementation risks can be reduced through common definitions, machine-readable specifications, appropriate testing and reasonable transition periods.

Question 10: Should Investor Directed Portfolio Services (IDPS) platform providers be included in the scope of a recurrent registered MIS collection? Would it be feasible for there to be a recurrent data collection at a portfolio level for all types of managed accounts? What would be an appropriate definition of 'managed account' to ensure relevant arrangements are properly captured?

Question 11: What would be appropriate data fields for agencies to collect at a portfolio level for managed accounts?

There is a reasonable case for including information held by platforms where it fills an identified information gap that cannot reliably be addressed through responsible entity reporting.

However, expanding the framework into recurrent portfolio-level reporting for managed accounts would materially extend the scope of the initiative. Treasury should demonstrate the need for such information and undertake targeted co-design with affected providers before settling any requirement.

We do not propose a detailed portfolio-level dataset.

Proposal 3: Collect limited and targeted additional data on the unregistered MIS sector:

- Proposal 3A: Require unregistered schemes to notify ASIC at scheme commencement or cessation
- Proposal 3B: Require unregistered MISs to provide limited and targeted recurrent data

Question 12: Should MISs offered exclusively to wholesale investors be required to notify ASIC when the MIS commences or terminates?

Yes, in principle.

A straightforward commencement and cessation notification requirement could provide basic visibility of the unregistered MIS population without imposing a registration regime on wholesale schemes.

Question 13: What baseline information should be in scope of the notification regime?

Baseline information should remain limited to information necessary to identify the scheme, its operator, its broad investment activities and other characteristics necessary to understand its place within the financial system.

The notification regime should not replicate the registration requirements applying to registered MISs.

Question 14 : Would it be feasible to collect limited and targeted recurrent data on unregistered MISs?

Question 15: What information would be most useful for assessing interconnectedness and transmission of risk between unregistered MISs, registered MISs, superannuation funds, platforms and private market investments, including private credit funds?

Limited recurrent reporting may be justified where Treasury can demonstrate a regulatory need, including to understand significant interconnected exposures.

However, reporting should be proportionate to that need. The existence of an unregistered MIS should not itself establish a case for extensive recurrent reporting.

Question 16: Stakeholders are invited to comment on whether the existing terminology for MIS— including 'registered' and 'unregistered'—remains appropriate. If not, what alternative terminology should be considered?

We do not see a compelling reason to alter established statutory terminology merely for the purposes of the data framework.

Publishing MIS data

Question 17: Are there international jurisdictions or organisations that provide effective public-facing dashboards for MIS data, and what features contribute to their usefulness?

We do not express a preference for a particular international model.

Question 18: To what extent would public access to MIS data improve market outcomes, including competition, pricing and investor outcomes? Are there any negative effects that could arise from public access?

Question 19: Are there specific data types that should be prioritised for public release based on their demonstrated value?

We support publication where information has a clear public-interest use, including information that assists investors and advisers to identify a scheme and understand its regulatory status.

Aggregate information about the MIS sector may also improve understanding by policymakers, researchers and market participants.

Publication should nevertheless be distinguished from regulatory collection. The case for government possessing information and the case for government publishing that information are separate tests.

Question 20: What categories of MIS data are commercially sensitive or confidential, and should not be made public?

Personal information and commercially or market-sensitive information should not ordinarily be publicly disclosed.

Potentially sensitive information includes detailed portfolio positions, transaction-level flows, commercially sensitive financing arrangements, non-public valuations and information concerning individual investors.

Framework for data collection

Question 21: Noting the various functions and data collection powers of the relevant agencies, is there a particular agency that would be best placed to lead any recurrent MIS data collection?

We consider the answer should follow from the purpose of the data rather than from institutional convenience.

Where information is collected principally to support ASIC's financial services regulatory functions, ASIC should be responsible for defining the regulatory use case and accountable for its use.

Where ASIC acts as a collection point for information required principally by another agency, such as the ABS, the reporting framework should clearly identify that purpose. Industry should nevertheless experience a coordinated reporting framework across all branches of Government rather than duplicative agency collections.

Importantly, making ASIC the collection point must not itself expand ASIC's regulatory mandate. Data collection architecture should follow regulatory responsibilities, not redefine them.

Question 22: Is a post-implementation review after three years appropriate? If not, what timeframe would better balance the need for stability with the need for ongoing assessment?

Yes. A three-year post-implementation review is reasonable.

We would also support an earlier operational review capable of identifying redundant fields, duplication, significant implementation problems or poor-quality information before these become embedded in the framework.

Question 23: What criteria or metrics should be used to assess whether the data collection framework is working as intended?

Success should be assessed against both regulatory benefits and compliance costs.

Relevant measures should include:

- usefulness of reported information for the stated regulatory purposes;
- timeliness and quality of data;
- reductions in duplicated collections;
- extent of lawful reuse between agencies;
- reporting and implementation costs;
- number of fields subsequently found to have limited regulatory value;
- regulatory responsiveness where information identifies material concerns; and
- effectiveness of privacy, security and data-governance arrangements.

The success of the framework should not be measured simply by the volume of information collected.