

6/12/2023

Anna Schneider Rumble
Retirement, Advice and Investment Division
The Treasury
1 Langton Crescent
PARKES ACT 2600

Via email to financialadvice@treasury.gov.au

Dear Anna,

AustralianSuper submission to Delivering Better Financial Outcomes – reducing red tape and other measures

AustralianSuper welcomes the opportunity to provide a written submission in relation to the exposure draft legislation Treasury Laws Amendment (2024 Measures No.1) Bill 2024: Quality of Advice Tranche 1.

AustralianSuper is Australia's largest superannuation fund and is run only to benefit members. AustralianSuper has over 3.3 million members and manages over \$300 billion of members' assets. Our vision is to be Australia's leading superannuation fund, in the world's best system for members.

Financial advice has significant potential to guide Australians to make the most of their retirement savings and household wealth. Superannuation funds have a critical role to play in assisting members to access financial advice, either by providing advice directly, or by facilitating access to third party financial advisers. It is important that the regulatory settings of the industry evolve to improve the accessibility of advice, while also retaining the hard-fought improvements in professionalism.

We welcome the release of draft legislation relating to Recommendation 7 and Recommendation 8 of the Quality of Advice Review.

We consider that the form provided to the trustee for the payment of advice fees from a member's account should include information that will confirm the extent to which the advice meets the sole purpose test (i.e. the extent to which the advice relates to the members interest in the fund). If this is not mandated as a content requirement in the requisite form, trustees should have the discretion to request this information from financial advisers in this form. This is important to ensure that the subject matter of the advice, to the extent that it is charged to a member's account, relates to the superannuation interest in the fund and, consistent with the intention of Recommendation 7, is compliant with the sole purpose test.

The draft legislation also ensures that financial advice fees charged under section 99FA of the *Superannuation Industry (Supervision) Act 1993* are tax-deductible for the fund and are not treated as superannuation benefits of the member. We welcome the clarification and certainty that these amendments provide to industry and members.

The final impact of this legislation will depend on the form of the legislation giving effect to other recommendations of the Quality of Advice Review, in particular regarding statements of advice and intra-fund advice. We look forward to the release of this legislation.

We would be pleased to provide additional information or to discuss this submission in further detail. If that would be of assistance, please do not hesitate to contact me, Ross Ackland, Head of Guidance and Advice (rackland@australiansuper.com) or Nick Coates, Head of Government Relations and Public Policy (ncoates@australiansuper.com).

Regards

A handwritten signature in black ink, appearing to read 'SHANE HANCOCK', with a stylized flourish at the end.

Shane Hancock
Head of Member Products, Guidance and Advice