



**Stockbrokers and Investment
Advisers Association**

Building prosperity for Australian investors

23 October 2026

Email: MISregulation@Treasury.gov.au

The Treasury
Langton Crescent
PARKES ACT 2600

Dear Sir/Madam

Consultation on proposals to improve regulatory visibility of the managed investment scheme sector through enhanced data collection

The Stockbrokers and Investment Advisers Association (SIAA) is the professional body for the stockbroking and investment advice industry. Our members are Market Participants and wealth management firms that provide securities and investment advice, execution services and equity capital-raising for Australian investors, both retail and wholesale, and for businesses. Practitioner Members are suitably qualified professionals who are employed in the securities and derivatives industry.

SIAA members represent the full range of advice providers from full-service and online brokers to execution-only participants and provide wealth advice and portfolio management services. Many of our full-service broker members offer managed discretionary account services.

The history of the stockbroking profession in Australia can be found [here](#).

Thank you for the opportunity to provide feedback to Treasury's consultation on proposals to improve regulatory visibility of the managed investment scheme sector through enhanced data collection. Our feedback is limited to Treasury's proposal to extend data collection requirements to managed discretionary accounts structured as unregistered management investment schemes.

Managed discretionary accounts

While SIAA supports the government's objective of addressing the harms arising from the Shield and First Guardian scheme collapses, we strongly urge Treasury to exclude managed discretionary account providers from any proposed expansion of the data collection framework.

Managed discretionary accounts are a distinct service separate from traditional unitised managed investment scheme products. Imposing additional granular or recurrent data reporting requirements on managed discretionary account providers would be administratively burdensome, inefficient and disproportionate to the risks involved in managed discretionary accounts.

Managed discretionary accounts are subject to their own regulatory framework

While, a managed discretionary account meets the legal definition of a managed investment scheme under the Corporations Act, ASIC provides conditional relief from the registration requirements to managed discretionary account providers because of the recognition that they perform a more limited function than responsible entities of traditional registered managed investment schemes. This relief means that managed discretionary accounts provided to retail investors are not treated like registered managed investment schemes by the regulator and are subject to their own regulatory framework of highly robust, direct investor safeguards, including mandatory personal advice, strict custody rules and licensing oversight.

ASIC reissued its regulatory relief instrument for managed discretionary accounts as recently as 30 September 2026. As managed discretionary accounts are subject to their own regulatory framework, they should not be included in proposals that would increase their regulatory obligations.

Assets are held in individual client accounts – they are not pooled in a fund

Unlike standard unitised managed investment scheme vehicles where investor funds are pooled into a single entity, managed discretionary account investors retain direct beneficial ownership of their underlying assets. Decisions are tailored individually based on a specific investment program and formal statement of advice.

Because managed discretionary accounts do not feature the opaque pooling of risk or unit pricing complexities seen in the fund structures whose failures prompted this consultation, extending a managed investment scheme-centric data collection framework to individualised discretionary accounts represents a fundamental regulatory mismatch.

The proposed data fields referred to in the Consultation Paper will not work for managed discretionary accounts because the assets are held by the individual clients of the managed discretionary account provider. There is no ‘model data’ to provide to the regulator in the way there is for managed investment schemes. There is no overall fund.

Imposing increased data collection obligations will be duplicative and burdensome

We agree any new framework should minimize unnecessary duplication across existing reporting lines. Many managed discretionary account providers operate via regulated, institutional investment platforms such as Investor Directed Portfolio Services or superannuation platforms. These platforms already capture, record, and report comprehensive transaction logs, fee breakdowns, asset valuations, and annual tax statements.

Requiring managed discretionary account providers to independently compile and report this same data will be duplicative and administratively burdensome. Regulators can already achieve the desired visibility by monitoring institutional platform operators rather than individual managed discretionary account providers.

The operational costs associated with extracting, formatting, and validating custom granular datasets on an ongoing basis would be completely disproportionate to the risk profile of the sector. These costs will inevitably be passed on to retail investors, driving up the cost of professional, personalised wealth management and reducing advice accessibility for everyday Australians.

Conclusion

SIAA recommends Treasury confine its enhanced data collection initiatives to standard registered and unregistered pooled managed investment schemes and that managed discretionary account services should remain explicitly exempt.

If you require additional information or wish to discuss this submission in greater detail, please do not hesitate to contact SIAA's policy manager, Michelle Huckel, using the contact details in the covering email.

Yours faithfully

A handwritten signature in dark ink, reading "Maria Lykouras". The signature is written in a cursive, flowing style.

Maria Lykouras
Chief Executive Officer