

Registry Data Policy Unit
Digital Policy and Corporations Division
The Treasury
Langton Crescent PARKES ACT 2600

13/02/2026

Via [Consult hub](#)

Dear Treasury,

Registry Stabilisation and Uplift Project – draft legislation consultation

Thank you for the opportunity to provide a submission on the Registry Stabilisation and Uplift draft legislation, including the *Treasury Laws Amendment (Business Registries Stabilisation and Uplift) Bill (Bill)* and Treasury Laws Amendment (Business Registries Stabilisation and Uplift) Regulations 2025 (**Regulations**).

The Australian Institute of Company Directors Limited (**AICD**)'s mission is to be the independent and trusted voice of governance, building the capability of a community of leaders for the benefit of society. The AICD's membership of more than 53,000 includes directors and governance leaders of not-for-profits, large and small businesses and the public sector.

The AICD welcomes the registry stabilisation and uplift project, which presents an important opportunity to improve Australia's business registers and address long-standing concerns about the availability of officeholder personal information. The AICD has consistently supported the linking of director identification numbers (**Director IDs**) to the Register to strengthen its integrity and reliability.

The AICD believes that the verification that results through Director IDs being linked to the Register is an important reform that will give certainty to director identity. Once that linkage occurs, the AICD believes that there is no need for other personal information such as residential addresses and dates of birth to be available to the general public, as long as the public has access to the director's service address. The AICD looks forward to the removal of all directors' personal information from the Register taking place when Director IDs are linked, to help address the significant risks caused by having this information publicly available.

The AICD also commends ASIC's decision on 2 February 2026 to remove residential address information of company officeholders from company extracts purchased through the ASIC website and the proposal in the Treasury [background paper](#) to remove further director personal information from public availability once Director IDs are linked to the Register. The removal of residential addresses presents an important interim measure to mitigate the unacceptable safety risks associated with the availability of this information.

The AICD's submission is particularly concerned with directors' personal information that appears on the Register and who should have access to it, given the effects of the availability of this information on the approximately 3 million Australians who have Director IDs. We have also commented on other provisions, such as enforcement provisions, that affect our members.

1. Executive Summary

Directors' personal information must not be publicly available once Director IDs are linked

- The AICD welcomes the recent announcement by ASIC that company extracts purchased through the ASIC website will no longer contain the residential addresses of company officeholders as a first step towards removing sensitive director personal information from the publicly accessible elements of the Register.
- The AICD believes that it is fundamental that Government addresses the ongoing availability to the public of other director personal information on the Register – primarily dates and places of birth – when the Director ID is linked to the Register.

Legislation should specify accessible information

- The AICD believes that the legislation should make it clear that the publicly accessible elements of the Register and company searches will only contain details of an individual director's name, Director ID and an address for service – with no ability for members of the public to access residential address or date of birth details. The legislation should also prohibit company searches from containing any other personal information once linkage with Director IDs has occurred.
- Placing the limitation on the information available ensures that the fundamental privacy and security concerns of directors are addressed and not left to ASIC's discretion.

Service address provisions – subsections 205D (1), (2) and (3) of the Bill

- Residential addresses should continue to be removed from public availability on a permanent basis, recognising the important interim step taken by ASIC on 2 February.
- Given ASIC's recent decision, supported by the Government, we suggest that, if an address for directors is to be provided in company searches, the address default to the company's registered office *unless* the director provides ASIC with a service address in line with the process contemplated in subsection 205D of the Bill. This would maintain the enhanced protection realized from the recent decision and eliminate the risk that many of Australia's 3 million directors do not take the step of nominating a service address.

Tiered access

- We would support the Register being searchable on a no fee basis, similar to the approach taken by the UK Companies House provided the information publicly available of directors is limited to the name of the director, the Director ID and the director's service address.

Public interest test for access to information (proposed new section 1274AB)

- The AICD opposes the inclusion of the proposed new disclosure power in section 1274AB of the Bill, which would allow ASIC to provide and publish information not otherwise available on the Register or through a company search (eg directors' residential address).

- The AICD believes the draft legislation should be amended to include a clear list of who is entitled to have 'special use access' to additional director personal information, as this is the only way to give directors clarity and security. A broadly drafted public interest test that is at ASIC's discretion will lead to a lack of clarity and potentially inconsistent results.
- In addition to who should have access, the Bill should also specify the precise details of what can be accessed.

Ability to redact information (proposed new section 1272AC)

- While the AICD does not have any major concerns with the drafting of proposed section 1274AC of Bill, the challenge will be how it is implemented by ASIC.
- Clear policy parameters will be required. The AICD's expectation is that the redaction of residential addresses will occur as a matter of course where there is such an application. The AICD also believes that, at a minimum, redaction of residential addresses on documents lodged after the commencement of the legislation (eg ASIC Form 484 'Change to company details') should happen automatically for anyone who has already had their address suppressed by ASIC (eg a silent elector).
- Given the Government's acceptance that the public availability of directors' residential address details creates privacy and security risks, it would be consistent with that approach for ASIC to redact such residential address details from all documents lodged post commencement of the Bill (eg Form 484). This would ensure that residential address details were not able to be obtained via an alternative means to a company search.
- The same argument can be made for other personal information (eg date of birth) contained in documents lodged with ASIC (eg Form 484).
- Alternatively, it may be more efficient to simply amend legislation so as to remove the ability to purchase any document lodged with ASIC that contains sensitive personal information of directors.

Community advocates

- The [Explanatory Material's](#) suggestion that community advocates could have 'special use access' to a director's residential address is of major concern. We do not see circumstances where such groups should have such access, noting that the company on which the director serves will have a publicly available registered business address.
- The fact that this is even being contemplated reinforces the need for a definitive list in the legislation of who could be provided access to this highly sensitive information.

Journalist disclosure

- The AICD does not believe all journalists should have access to directors' personal information. In the AICD's view, the privacy and physical safety risks associated with disclosing personal information to a large cohort of journalists outweigh any public interest in providing the information.
- The AICD accepts that journalists investigating complex, public interest stories may require residential addresses. Accordingly, the AICD recommends that journalists be given this information following an application to ASIC to demonstrating the basis of the need for the residential address.

Awareness Campaign

- Given that the new provisions mark a major change for both companies and directors and contain strict liability offences with significant penalties and the ability to disqualify directors, it is critical that there is a major awareness raising campaign to alert the approximately 3 million affected directors.
- The AICD would support any public awareness campaign, consistent with our approach to the initial rollout of Director IDs.

2. Key Points

Directors' personal information must not be publicly available once Director IDs are linked

The AICD welcomes the 2 February 2026 announcement by ASIC that company extracts purchased through the ASIC website will no longer contain the residential addresses of company officeholders as a first step towards removing director personal information on the Register.

The AICD believes that it is critical that Government addresses the ongoing availability of other director personal information on the Register through company searches – primarily dates and places of birth at the same time as the Director ID being linked in full on the Register.

Even with residential addresses removed from public company searches, the disclosure of directors' personal information relating to dates and places of birth gives rise to significant privacy, cyber, identity-theft and personal safety risks. Failure to remove personal information from the publicly accessible elements of the Register at the same time as the linkage with Director IDs will create heightened risks of misuse by third parties online, with the Director ID likely to be targeted similar to other common trust markers (such as a tax file number). It should be a priority for Government to address these privacy and security risks as part of the Registry reform process.

Australia is an outlier amongst comparable jurisdictions in making this personal information of directors and officers so broadly available. The AICD has compared Australia's position to six other jurisdictions with similar corporate and legal systems (New Zealand, the United Kingdom, the United States of America, Canada, Hong Kong and Singapore). No other jurisdiction in this list discloses the full date of birth of directors to the public. A table setting out the different approaches taken in each of these jurisdictions is included at Annexure A.

The Australian status quo exposes directors and officers to unacceptable risks and is at odds with the Government's focus on protecting individual personal information and cyber security resilience in the community.

Availability of personal information on the Register

The [background paper](#) provides that once Director IDs are linked to the Register:

- if companies provide ASIC with details of directors' service addresses, the service address will appear; and
- dates of birth will be removed from the publicly accessible elements of the Register.

This commitment is welcomed and is fundamental to addressing the issue of director personal information being publicly available, but the AICD believes that it should be expressly provided for in the Bill and not simply be a policy proposal from Treasury. As proposed, ASIC will have the power to provide personal

information (eg a director residential address) where it believes it is appropriate (proposed new 1427AB) and there is also no express provision about the removal of dates of birth.

The AICD believes that the legislation should make it clear that the publicly accessible Register and company searches will only contain details of an individual director's name, Director IDs and an address for service. The same should apply to company secretaries, although they will not have Director IDs. The background paper makes it clear that access to the Register will only require some very basic authentication (email address or security key) and may involve payment of a nominal fee. The basic authentication is acceptable, as long as the information provided is restricted in this manner. The AICD also believes that this basic information should be provided for free to the public.

The legislation should also prohibit the publicly accessible elements of the Register and company searches from containing any other personal information. This is particularly important now that the list of personal information that must be provided by directors has been broadened and includes full names, places and dates of birth, residential and service addresses and email addresses. Again, this should apply to both directors and also company secretaries.

Finally in relation to the availability of information, the AICD believes that Regulation 9.1.02 should be amended to clarify that prescribed information does not include a director's address or date of birth. This is to ensure that company searches cannot provide this information. This could be dealt with by way of a note in the Regulation.

Placing the limitation on the information available to the public on the Register and through company searches in legislation would ensure that the fundamental privacy and security concerns are addressed and not left to ASIC's discretion.

Service address provisions – subsections 205D (1), (2) and (3) of the Bill

Now that residential addresses of company officers have been removed from company searches of the Register we suggest that, if an address for directors is to be provided in company searches, the address default to the registered office for the company unless the director provides ASIC with a service address in line with the process contemplated in subsection 205D of the Bill.

Residential addresses should continue to be removed from public access due to safety and privacy concerns.

Often a director may wish to nominate the registered office of the company as their service address. Where the director is a director of multiple companies, there should be the option to provide a different service address for each organisation.

Tiered access

The [background paper](#) proposes that there will be tiered access to director personal information.

The general public will only have access to the details provided through company searches of the Register and will need to go through a basic authentication process (email address or security key) and may need to pay a nominal fee. The AICD is comfortable with a basic authentication process, subject to the information publicly available on the Register being limited to directors' names, Director IDs and the service address. As set out above, the AICD also believes that company searches containing this limited information should be provided for free.

Treasury has outlined its intention to create a special class of user entitled to 'special use access' who will be able to access significantly more personal information. The AICD understands that details of who will be in

the class are still being decided and that regulators, insolvency practitioners, financial institutions, journalists, victim representatives and litigants are all being considered by Treasury.

Public interest test (proposed new section 1274AB)

The Bill provides for the selection of those entitled to 'special use access' by giving ASIC discretion to publish or disclose personal information, if ASIC reasonably believes that:

- the benefits of doing so outweigh any risks of doing so; and
- to do so is in the public interest.

The AICD opposes the inclusion of this proposed new disclosure power, which would allow ASIC to provide and publish information not otherwise available to the public on the Register through a company search (eg directors' residential addresses, dates of birth and email addresses).

The AICD believes that the Bill should be amended to remove this test and instead should include a clear list of who is entitled to have 'special use access'. This is the only way to give directors clarity and security about who can access their personal information. Enabling ASIC to undertake a public interest test gives ASIC a wide discretion that risks information being inappropriately disclosed.

The inclusion of a public interest also risks broadening the categories of those who can access the information beyond what is currently contemplated in the [background paper](#). This means that the AICD, directors and other interested parties cannot advance a position in relation to the merits or risks of certain classes of people being given access. This is inappropriate in the circumstances where new legislation that can have significant and serious consequences is being introduced.

It would be far simpler to have a clear list in the Bill (or Regulation) as to who is entitled to special access to personal information and what that information encompasses, with a potential 'catch all' clause allowing ASIC to use its discretion in line with policy considerations in exceptional cases (to mitigate the risk that the list excludes individuals with a strong public interest in accessing the relevant information).

The AICD suggests the following:

- Government regulators: consistent with current arrangements, have access to all relevant personal information held by ASIC (ie. full name, date and place of birth, residential address, email address);
- Insolvency practitioners and financial institutions: if authenticated, be granted the same access as above;
- Victim representatives, the legal representatives of litigants: on application to ASIC demonstrating the need for the relevant personal information, be granted access; and
- Journalists: applications to be considered on a case by case basis, with journalists required to demonstrate the basis for needing the relevant information (see detailed comments below in 'Journalist disclosure' section').

Under no circumstances should a document that is not currently available to the public (for example, residential addresses provided under section 203D(3) but not available because of section 1274(2)(a)(iaa)) be made available under the new legislation.

Similarly, many thousands of documents have already been lodged with ASIC on the express understanding that the information in them is confidential to ASIC and is not available to the public (eg documents listed in section 1274(2)(A) and the legislation needs to ensure that this position is maintained.

Ability to redact information (proposed new section 1274AC)

The Bill contemplates that ASIC will have broad ranging powers to redact information from the Register, having regard to a complex multi-factorial test.

While the AICD does not have any major concerns with the drafting of proposed section 1274AC of Bill, the challenge will be how its implemented by ASIC.

Given this is new territory for ASIC, there will be practical challenges in the absence of guidance to ASIC on how it should exercise the new power. Clear policy parameters - for example, in what circumstances ASIC would be expected to redact the residential address of directors from historical documents – will be required.

In that example, the AICD would expect that ASIC would, except in exceptional cases, always grant a director's request for redaction. This is in line with the ASIC's recent policy decision (publicly supported by the Treasurer) to remove residential addresses from public access, given the safety and privacy concerns around residential addresses being available to the general public.

Given the Government's acceptance that the public availability of directors' residential address details creates privacy and security risks, it would be consistent with that approach for ASIC to redact such residential address details from documents lodged post commencement of the Bill (eg Form 484). This would ensure that residential address details were not able to be obtained via and alternative means to a company search.

Ideally, redaction of residential addresses on documents lodged after the commencement of the legislation should happen automatically. The same argument can be made for other personal information (eg date of birth) contained in documents lodged with ASIC (eg Form 484). At an absolute minimum, ASIC should continue its practice of redacting documents pertaining to silent electors (and others not on the electoral role).

If this proposal is challenging to implement in practice, it may be simpler to remove the ability to purchase forms containing personal director details (eg residential address, date of birth).

Such policy direction is probably best captured in the [Explanatory Materials](#) to the Bill rather than legislative drafting.

The AICD also notes that less reliance on this provision will be required if there is a list in the Bill (or Regulation) of the special classes who would be entitled to access the personal information held by ASIC and what specific information is to be provided to each class.

Publication power - Community advocates

The [Explanatory Materials](#) accompanying the Bill states that “Another intended possibility is that ASIC could use the [publication] power to disclose information like an officer’s usual residential address to journalists or community advocates.” The AICD considers that there is no sound policy rationale for allowing community advocates access to residential addresses - it is an unacceptable use of directors’ personal information. It is problematic for numerous reasons including:

- Likely breaches of privacy;
- Potential personal safety concerns; and
- Placing ASIC in a position where it would be making value judgments about the appropriateness of community advocates’ concerns.

The fact that this is even being contemplated reinforces the need for a clear list in the legislation of who could be provided access to this highly sensitive information.

Journalist disclosure

Noting the linkage of Director IDs to the register (confirming verified individual director identity) the AICD does not see a policy rationale for broad access to director personal information, in particular residential address information, for journalists. In the AICD’s view, the privacy risks associated with disclosing personal information to a large cohort of journalists outweigh public interest in providing such information.

However, the AICD accepts that there may be instances where journalists investigating complex, public interest stories may seek access to personal information held on ASIC registers. This position stands in contrast to more general requests for access to residential address, for example for the purpose of approaching directors for media comment. Accordingly, the AICD recommends that journalists should need to apply to ASIC and demonstrate the need for the residential address. Where access is provided, the use of personal information should be subject to undertakings on privacy, including not publishing or disclosing residential addresses (or identifying imagery).

The AICD is not aware of any other profession in Australia where sensitive personal information such as a residential address and date of birth is made generally available to media. Improved protections are required, particularly in light of concerns with the physical dangers that may arise because of broadcasting the home addresses of directors.

We are not aware of comparable jurisdictions, such as the UK, granting such privileged access to journalists.

Beneficial ownership

While the AICD in principle supports a model for integrating beneficial ownership information into the Register, we note that this may be a complex exercise. In many cases the directors of a company acting as trustee are not in fact the beneficiaries of the trust concerned and have no link to the trust other than as directors of a trustee company. Accordingly, it may be difficult to replicate the verification processes underpinning the Director ID system to cover beneficial owners.

We look forward to providing further comment on Treasury’s detailed proposals as they develop.

Whole of government approach

The new Director ID obligations create an obligation on directors to keep information up to date with **both** ASIC and the ABRS. There is a risk that if the director details held by the ABRS do not correspond with those held by ASIC, ASIC will be unable to link Director IDs, which will result in the company failing to meet its obligations and potentially incurring significant penalties.

The AICD understands that in the circumstances where ASIC discovers a discrepancy in information it holds with information held by the ABRS, it will contact the director involved to try to resolve the issue. This should be formally confirmed by ASIC so that there can be comfort that companies will not incur liabilities inadvertently and without being able to take preventative action.

Directors should be able to advise that their preferred communication method is not email given the potential consequences that can flow from lack of receipt of communications from ASIC.

Enforcement

The proposed provisions mark a change for both companies in terms of new obligations and consequences of failing to meet those obligations. In particular, the AICD notes the new offence for companies that fail to provide Director IDs to ASIC. This will be a strict liability offence and will attract up to 60 penalty units, even if the fault lies with directors failing to provide the Director IDs to the company.

There is also the new ability to disqualify persons from managing companies where they are a director who has not complied with their obligation to apply for a Director ID (section 206FA). In relation to this proposal, the AICD emphasises the importance of the procedural fairness requirements in section 206FA, including the notice provisions and the requirement to give the director an opportunity to be heard on the question of whether they should be disqualified. Given the application of this provision to three million directors, including directors of not for profits and community organisations, it is important that directors are given every opportunity to rectify not having a Director ID before punitive enforcement is pursued. Similarly, we have concerns around company secretaries incurring personal liability for what may be an administrative oversight.

Awareness Campaign

Given the new offences and consequences around Director IDs, it is critical that there is a major awareness raising campaign to alert the approximately three million affected directors. The AICD would support any campaign and would be happy to be involved in its design and rollout.

3. Next Steps

If you would like to discuss any aspect of our submission further, please contact Christian Gergis, Head of Policy (cgergis@aicd.com.au) or Ilana Waldman, Senior Policy Adviser (iwaldman@aicd.com.au).

Yours sincerely,



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Annexure A

	Australia		NZ		UK		USA		Canada		Hong Kong		Singapore	
	Reg	Pub	Reg	Pub	Reg	Pub	Reg	Pub	Reg	Pub	Reg	Pub	Reg	Pub
Full name	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Date of birth	Yes	Yes	Yes	No	Yes	Month + Year	Yes	No	Yes	No	Yes	Month + Year	Yes	No
Residential address	Yes	No	Yes	Yes ¹	Yes	Optional ²	No ³	No	Yes	No	Yes	No	Yes	No
Service address	No ⁴	No	Yes	Yes	Yes	Optional	No	No	Yes	Yes	No	No	No	No
Phone number(s)	No	No	Yes	No	No	No	No	No	No	No	No	No	Yes	No
Email address(es)	No	No	Yes	No	No	No	No	No	No	No	No	No	Yes	No
Director ID No	No ⁵	No ⁶	No	No	No ⁷	No	No	No	No	No	Yes	Partial no. only	Yes	No

¹ The Ministry of Business, Innovation and Employment in NZ is currently exploring the implementation of a DIN and on 19 June 2018 published a discussion document on the Publication of Directors' Residential Address on the Companies Register. The preferred option in this paper provides for directors to provide an address for service on the Companies Register rather than their residential address
<https://www.mbie.govt.nz/infoNoservices/business/businessNolaw/supportingNotheNointegrityNoofNotheNocorporateNogovernanceNosystem/publicationNodirectorsNoresidentialNoaddressesNoonNocompaniesNoregister/discussionNodocument.pdf>

² Can opt to provide a "service address" in place of residential address for the public register. Essentially a service address appears on the public record and this may be the company's registered office or any other business address. However, for directors to remove the residential address from historical records they can do this from April 2018 and must make application to the Companies House. If option exercised, public authorities and credit reference agencies may apply to the Companies House for access to the residential information, but access will only be granted if certain criteria is met.

³ Typically no need to provide an address, although some regulatory forms require a work or PO address.

⁴ Exception – an individual may have an alternative address substituted for residential address if (a) residential address is not on the electoral roll for personal safety reasons; or (b) name is not on an electoral roll and ASIC determines that including the residential address would put at risk their personal safety or the personal safety of family members: ss 205D(2). Applying for a silent enrolment from the Australian Electoral Office https://www.aec.gov.au/Enrolling_to_vote/Special_Category/Silent_Electors.htm

⁵ Current Treasury consultation contemplates linking Director IDs to the Register.

⁶ Current Treasury consultation contemplates linking Director IDs to the Register and publishing those details.

⁷ Director ID numbers exist in the UK as an internal index only, directors can have multiple IDs, the number is not used to quote on any company documents relating to the director.