



ASIC
Australian Securities &
Investments Commission

REGULATORY GUIDE 280

Sustainability reporting

March 2025

About this guide

This guide is for entities required to prepare a sustainability report under Ch 2M of the Corporations Act (reporting entities). This may include companies (including registered corporations under the *National Greenhouse and Energy Reporting Act 2007*), registered schemes, registrable superannuation entities and retail corporate collective investment vehicles.

It explains how ASIC will exercise specific powers under legislation (primarily the Corporations Act), how ASIC interprets the law and the principles underlying ASIC's approach. It also provides practical guidance to entities about complying with their sustainability reporting obligations.

Reporting entities may ask for information from entities within their value chain, including small businesses and farmers. These entities should refer to ASIC's website about [sustainability reporting](#) and what it means for them.

About ASIC regulatory documents

In administering legislation ASIC issues the following types of regulatory documents.

Consultation papers: seek feedback from stakeholders on matters ASIC is considering, such as proposed relief or proposed regulatory guidance.

Regulatory guides: give guidance to regulated entities by:

- explaining when and how ASIC will exercise specific powers under legislation (primarily the Corporations Act)
- explaining how ASIC interprets the law
- describing the principles underlying ASIC's approach
- giving practical guidance (e.g. describing the steps of a process such as applying for a licence or giving practical examples of how regulated entities may decide to meet their obligations).

Information sheets: provide concise guidance on a specific process or compliance issue or an overview of detailed guidance.

Reports: describe ASIC compliance or relief activity or the results of a research project.

Document history

This guide was issued in March 2025 and is based on legislation and regulations as at the date of issue.

Disclaimer

This guide does not constitute legal advice. We encourage you to seek your own professional advice to find out how the Corporations Act and other applicable laws apply to you, as it is your responsibility to determine your obligations.

Examples in this guide are purely for illustration; they are not exhaustive and are not intended to impose or imply particular rules or requirements.

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A Overview

Key points

Under Ch 2M of the *Corporations Act 2001* (Corporations Act), entities must prepare and lodge a sustainability report if they:

- are required to prepare an annual financial report under Ch 2M; and
- meet the relevant sustainability reporting thresholds under s292A.

For these entities, sustainability reporting forms part of their annual reporting obligations.

The objective of sustainability reporting is to improve the quality, consistency and comparability of climate-related financial disclosures to enable users of that information to make informed decisions.

ASIC is responsible for administering and, where appropriate, enforcing the sustainability reporting requirements.

Our focus is on ensuring users are provided with high-quality, decision-useful, climate-related financial disclosures that comply with the Corporations Act and AASB S2 *Climate-related disclosures* ([AASB S2](#)).

This regulatory guide covers:

- the preparation of the sustainability report;
- specific issues about the contents of the sustainability report;
- sustainability-related financial disclosures outside the sustainability report; and
- ASIC's administration of the sustainability reporting requirements, including our review of sustainability reports and the exercise of our relief powers.

Sustainability reporting

RG 280.1 Under Ch 2M of the Corporations Act, entities must prepare a sustainability report if they:

- (a) are required to prepare an annual financial report under Ch 2M; and
- (b) meet one of the sustainability reporting thresholds under s292A (see RG 280.32–RG 280.48).

Note: In this guide, a 'sustainability report' refers to an annual sustainability report required under s292A.

RG 280.2 Reporting entities may include:

- (a) companies, including registered corporations under the *National Greenhouse and Energy Reporting Act 2007* (NGER Act);

- (b) registered schemes;
- (c) registrable superannuation entities (RSEs); and
- (d) retail corporate collective investment vehicles (CCIVs).

Note 1: In this guide, a ‘reporting entity’ refers to an entity that is required to prepare a sustainability report under s292A. Where a registered scheme is required to prepare a sustainability report under s292A, the responsible entity of the registered scheme is responsible for the performance of those obligations: s285(3). Where an RSE is required to prepare a sustainability report under s292A, the RSE licensee is responsible for the performance of those obligations: s285(3A) and s345AAA.

Note 2: In this guide, an ‘RSE licensee’ has the same meaning given under s10 of the *Superannuation Industry (Supervision) Act 1993* (SIS Act).

RG 280.3 A reporting entity’s sustainability report for a financial year consists of:

- (a) climate statements;
- (b) notes to the climate statements; and
- (c) the directors’ declaration about the climate statements and the notes (directors’ declaration): see s296A.

Note: For more information about notes to the climate statements, see RG 280.96–RG 280.97. For more information about the directors’ declaration, see RG 280.57–RG 280.60.

RG 280.4 The climate statements are:

- (a) statements that are required by AASB S2 *Climate-related disclosures* ([AASB S2](#)), made by the Australian Accounting Standards Board (AASB) under s336A (see s296A(1)(a), s296A(2) and s296D); or
- (b) where s296B(1) applies, a statement that there are no material financial risks or opportunities relating to climate for the entity and a statement explaining how the entity determined that it has no material financial risks or opportunities relating to climate (see s296B(1), s296B(6) and RG 280.73–RG 280.77).

RG 280.5 AASB S2 is based on IFRS S2 *Climate-related disclosures* ([IFRS S2](#)) and the parts of IFRS S1 *General requirements for disclosure of sustainability-related financial information* ([IFRS S1](#)) that are relevant for preparing climate-related financial disclosures. IFRS S1 and IFRS S2 have been issued by the International Sustainability Standards Board (ISSB).

Note: AASB S1 *General requirements for disclosure of sustainability-related financial information* ([AASB S1](#)) has been issued by the AASB as a voluntary sustainability standard. In this guide, AASB S1 and AASB S2 are collectively referred to as ‘sustainability standards’.

RG 280.6 Reporting entities must have the sustainability report audited in accordance with Div 3 of Pt 2M.3: see s301A. The audit requirements are being phased in between 1 January 2025 and 30 June 2030: see note 1 of RG 280.185.

Note: The Australian Auditing and Assurance Standards Board (AUASB) has published a [timetable](#) (PDF 364 KB) for phasing in these auditing requirements.

RG 280.7 The sustainability report for a financial year must be lodged with ASIC no later than:

- (a) three months after the end of the relevant financial year—for reporting entities that are disclosing entities, RSEs and registered schemes; and
- (b) four months after the end of the relevant financial year—for all other reporting entities: see s319(3).

Note: Any member of the public can search ASIC's register to access a copy of a sustainability report lodged by a reporting entity.

RG 280.8 If the reporting entity is a company, disclosing entity, RSE or registered scheme, it must provide the sustainability report and the auditor's report on the sustainability report to members: see s314(1)(a) and s314AA(1).

Note 1: For RSEs, see the definition of 'member' under s1017BB(6). For all other reporting entities, see the definition of 'member' under s9.

Note 2: If a reporting entity is a company limited by guarantee, and a member elects to receive a copy of the company's sustainability report or the auditor's report on the sustainability report for a financial year, the company must provide a copy of these reports to the member: see s314(1AAA), s316(5) and s316A.

RG 280.9 If the reporting entity is a public company, it must lay the sustainability report and the auditor's report on the sustainability report before members at the reporting entity's annual general meeting (AGM): see Note 1 to s250N(3).

Note: In this guide, 'AGM' refers to an annual general meeting of a company that s250N requires to be held.

RG 280.10 If a reporting entity is not required to provide the sustainability report to members, it must ensure that the sustainability report is publicly available on its website on and after the day on which the sustainability report is lodged with ASIC: see s316B(1).

Objective of sustainability reporting

RG 280.11 The objective of sustainability reporting is to improve the quality, consistency and comparability of climate-related financial disclosures of reporting entities. This facilitates confident and informed decision making by investors and other users of that information.

Note: The sustainability reporting requirements in the Corporations Act have been designed to establish an 'enduring framework for future sustainability-related financial disclosures'. At present the only mandatory component of a sustainability report is climate-related financial disclosures: see paragraph 4.12 of the [Explanatory Memorandum](#) to the *Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Bill 2024* (FMI Bill).

- RG 280.12 This objective is broadly reflected in s224 of the *Australian Securities and Investments Commission Act 2001* (ASIC Act). It outlines that an objective of the sustainability standards is to facilitate:
- (a) financial and other related information that (among other things) is relevant and reliable, facilitates comparability, is readily understandable, and allows users to make and evaluate decisions about allocating scarce resources (see s224(a) of the ASIC Act); and
 - (b) the Australian economy, by reducing the cost of capital, enabling reporting entities to compete effectively overseas, and having sustainability standards that are clearly stated and easy to understand (see s224(b) of the ASIC Act).
- RG 280.13 This objective is also reflected in paragraph BC3 of the Basis for Conclusions accompanying [AASB S2](#) and paragraphs 4.9 and 4.10 of the [Explanatory Memorandum](#) to the FMI Bill.
- RG 280.14 AASB S2 was developed after consultation with stakeholders, including both preparers and users of the relevant information.
- RG 280.15 AASB S2 requires reporting entities to disclose information about climate-related risks and opportunities (if material) that is useful for primary users of general purpose financial reports. Appendix A of AASB S2 defines these primary users as ‘existing and potential investors, lenders and other creditors’.
- Note: Sections 296B(1) and 296D(1)(a) refer to the concept of ‘material financial risks or opportunities relating to climate’. These are to be determined in accordance with AASB S2: see s296B(6) and s296D(2). Under AASB S2, an entity must disclose material information about the climate-related risks or opportunities that could reasonably be expected to affect the entity’s prospects. The information is material if omitting, misstating or obscuring that information could reasonably be expected to influence decisions that primary users of general purpose financial reports make on the basis of those reports: see paragraphs 17–19, B13–B19 and B21–B37 of Appendix D of AASB S2.
- RG 280.16 The Explanatory Memorandum to the FMI Bill at paragraph 4.4 also states that:
- [b]usinesses, investors, regulators and the public will have a clear and common understanding of obligations for entities to disclose climate-related financial risks and opportunities, in line with international standards.

Climate-related risks and opportunities

- RG 280.17 Climate change, and the response of governments, businesses and societies, may give rise to climate-related risks but may also present climate-related opportunities: see Table 1.

Table 1: Climate-related risks and opportunities

Climate-related risks and opportunities	Definition in Appendix A of AASB S2
Climate-related physical risks	<p>Risks resulting from climate change that can be event-driven (acute physical risk) or from longer term shifts in climatic patterns (chronic physical risk). Acute physical risks arise from weather-related events such as storms, floods, droughts or heatwaves, which are increasing in severity and frequency. Chronic physical risks arise from longer-term shifts in climatic patterns including changes in precipitation and temperature, which could lead to sea-level rise, reduced water availability, biodiversity loss and changes in soil productivity.</p> <p>These risks could carry financial implications for an entity, such as costs, resulting from direct damage to assets or indirect effects of supply chain disruption. The entity's financial performance could also be affected by changes in water availability, sourcing and quality; and extreme temperature changes affecting the entity's premises, operations, supply chains, transportation needs and employee health and safety.</p>
Climate-related transition risks	<p>Risks that arise from efforts to transition to a lower-carbon economy. Transition risks include policy, legal, technological, market and reputational risks. These risks could carry financial implications for an entity, such as increased operating costs or asset impairment due to new or amended climate-related regulations. The entity's financial performance could also be affected by shifting consumer demands and the development and deployment of new technology.</p>
Climate-related opportunities	<p>The potential positive effects arising from climate change for an entity. Efforts to mitigate and adapt to climate change can produce climate-related opportunities for an entity.</p>

RG 280.18 Climate change also presents systemic risks (both physical and transitional) to the financial system that regulators of financial stability risks (such as prudential regulators and central banks) need to manage.

Note: These financial stability risks were highlighted by the G20 Financial Stability Board at a meeting on 24 September 2015, when it proposed a Taskforce on Climate-related Financial Disclosures, a precursor to the ISSB. Consideration of these financial stability risks has contributed to the demand for consistent and comparable climate-related financial disclosures. See also paragraph 4.8 of the [Explanatory Memorandum](#) to the FMI Bill.

ASIC's role

RG 280.19 ASIC is responsible for administering, and where appropriate, enforcing, the sustainability reporting requirements under the Corporations Act.

RG 280.20 In administering these sustainability reporting requirements, our focus is on fostering high-quality, consistent and comparable climate-related financial disclosures to enable users of that information to make informed decisions. This facilitates fair and efficient capital markets.

- RG 280.21 Our role does not generally extend to assessing the ambition or merit of an entity's climate-related strategy or targets, provided these comply with the entity's disclosure obligations under the Corporations Act and any other laws that ASIC administers. These are generally strategic matters to be determined by an entity's directors and management acting in the entity's best interests.
- RG 280.22 Users of the sustainability report will in turn assess these matters in their own decision making with respect to the entity, such as in decisions to invest in or lend to, or continue to invest in or lend to, an entity, and/or decisions in relation to the exercise of voting rights in that entity.
- RG 280.23 ASIC recognises that there will be a period of transition as reporting entities continue to build their capability, as reflected in the phasing in of requirements and the temporary operation of modified liability settings. Accordingly, we will take a proportionate and pragmatic approach to supervision and enforcement as the requirements are being phased in: see Table 2 and RG 280.152–RG 280.155.
- RG 280.24 ASIC has the discretionary power to grant relief to a reporting entity from the requirement to comply with its sustainability reporting and audit obligations under Pt 2M.2, Pt 2M.3 and/or Pt 2M.4 (other than Div 4), provided the relevant jurisdictional threshold in s342(1) is met: see RG 280.156–RG 280.183.
- RG 280.25 ASIC can also use its directions power if we consider that a statement made in a sustainability report is incorrect, incomplete or misleading in any way: see s296E(1) and RG 280.204–RG 280.214.

Outline of regulatory guide

- RG 280.26 This regulatory guide addresses:
- (a) at Section B, preparing the sustainability report, including:
 - (i) the entities that must prepare a report and when;
 - (ii) the obligation to keep sustainability records;
 - (iii) directors' duties; and
 - (iv) the temporary modified liability settings;
 - (b) at Section C, the content of a sustainability report, including:
 - (i) statements of no material financial risks or opportunities relating to climate under s296B(1);
 - (ii) statements with forward-looking climate information;
 - (iii) cross-referencing other documents in a sustainability report;

- (iv) labelling of sustainability-related information in sustainability reports;
 - (v) notes to the climate statements;
 - (vi) climate-related scenario analysis;
 - (vii) scope 3 greenhouse gas emissions; and
 - (viii) the proportionality mechanisms and exceptions under [AASB S2](#);
- (c) at Section D, how the sustainability reporting requirements interact with other reporting obligations and disclosures, including:
- (i) the operating and financial review (OFR) requirement under s299A;
 - (ii) disclosure documents under Ch 6D; and
 - (iii) Product Disclosure Statements (PDS) under Pt 7.9;
- (d) at Section E, our role in administering the sustainability reporting requirements, including our approach to:
- (i) supervision and enforcement during the early years of sustainability reporting;
 - (ii) relief from the sustainability reporting and audit requirements;
 - (iii) reviewing sustainability reports; and
 - (iv) exercising our directions power under s296E.

RG 280.27 This guide does not purport to provide exhaustive guidance on the preparation of, and content required in, a sustainability report. It explains our interpretation of the sustainability reporting requirements under the Corporations Act and how we will administer and enforce the sustainability reporting requirements.

RG 280.28 Preparers and users of sustainability reports should also refer to guidance from other sources. For example:

- (a) Appendix B of AASB S2 provides guidance on the application of the core content requirements in AASB S2;
- (b) the ISSB has published accompanying guidance and education materials to support the application of [IFRS S2](#). The accompanying guidance is accessible after signing in as a registered user on the [IFRS registration webpage](#). These may also be useful for reporting entities in complying with AASB S2; and
- (c) the AASB and AUASB are considering developing guidance and education materials in relation to the sustainability reporting and assurance requirements.

RG 280.29 Reporting entities should also, where required, consider seeking professional advice to ensure compliance with the sustainability reporting requirements under the Corporations Act.

RG 280.30 This guide is primarily for preparers of sustainability reports and their advisers. This includes current reporting entities and those entities required to report in the future. The guide may also be relevant for:

- (a) users of sustainability reports and their advisers;
- (b) non-reporting entities that wish to disclose sustainability-related financial information, such as climate-related financial information, to stakeholders; and
- (c) entities raising capital through the issue or sale of securities under Ch 6D, preparing disclosures for the purposes of complying with Ch 6 or Pt 5.1, or preparing disclosures for the purposes of complying with Pt 7.9.

Note: Reporting entities may ask for information from entities within their value chain, including small businesses and farmers. These entities should refer to ASIC's website about [sustainability reporting](#) and what it means for them.

RG 280.31 The sustainability reporting requirements intersect with other key requirements in the Corporations Act—many of which are covered by existing regulatory guidance. This regulatory guide should be considered together with any other relevant regulatory guidance, as indicated throughout: see also the 'Related information' section at the end of this guide.

B Preparing the sustainability report

Key points

Under Ch 2M, entities must prepare a sustainability report and keep sustainability records if they:

- are required to prepare an annual financial report under Ch 2M; and
- meet one of the sustainability reporting thresholds under s292A.

Entities that are not required to prepare a sustainability report or keep sustainability records include:

- foreign companies registered under Div 2 of Pt 5B.2 and entities incorporated in a foreign jurisdiction;
- small proprietary companies with no Ch 2M reporting obligations;
- other entities that are not subject to Ch 2M, such as registered charities; and
- entities that have obtained relief from the requirement to prepare an annual financial report for the relevant financial year.

In discharging their duty of care and diligence, directors of reporting entities should consider the extent to which climate-related risks could reasonably be expected to affect the reporting entity's prospects.

For sustainability reports prepared for the financial years commencing between 1 January 2025 and 31 December 2027, modified liability settings apply, in specific circumstances, to statements made about:

- scope 3 greenhouse gas emissions (including financed emissions);
- scenario analysis; and
- transition plans.

For sustainability reports prepared for a financial year commencing between 1 January 2025 and 31 December 2025, modified liability settings apply, in specific circumstances, to statements relating to climate that, at the time they are made, are about the future.

Who must prepare a sustainability report

RG 280.32 Entities must prepare a sustainability report if they are required to prepare an annual financial report under Ch 2M (Ch 2M entities) *and* if they meet one of the following sustainability reporting thresholds under s292A:

- (a) the corporate size threshold—the entity (and the entities it controls if any) meets two of the three corporate size thresholds for consolidated revenue, value of consolidated gross assets or the number of employees under s292A(3);
- (b) the emissions threshold—the entity is a registered corporation that has emissions reporting obligations under the NGER Act (see s292A(5)); or

- (c) the value of assets threshold—the entity is a registered scheme, RSE or retail CCIV and it (and the entities it controls if any) meets the criteria for the value of assets under s292A(6).

Note 1: In this guide, ‘Ch 2M entities’ are entities that are required to prepare an annual financial report for a financial year under 292.

Note 2: For detailed information about the sustainability reporting thresholds that may apply, see Table 2.

RG 280.33 Table 2 summarises the commencement date of sustainability reporting requirements for entities meeting various thresholds: see s1707B.

Table 2: Commencement of sustainability reporting requirements

Commencement date	Relevant thresholds
For annual reporting periods commencing on or from 1 January 2025 to 30 June 2026 (Group 1)	<p>Entities, other than registered schemes, RSEs or retail CCIVs that meet at least two of the following three criteria:</p> <ul style="list-style-type: none"> the consolidated revenue of the entity (and the entities it controls) is equal to or greater than \$500 million; the value of the consolidated gross assets at the end of the financial year of the entity (and the entities it controls) is equal to or greater than \$1 billion; or the entity (and the entities it controls) has, at the end of the financial year, 500 or more employees. <p>Entities, other than registered schemes, RSEs or retail CCIVs, that:</p> <ul style="list-style-type: none"> are registered corporations under the NGER Act or are required to make an application to be registered under s12(1) of the NGER Act; and are a member of a group (as defined in s8 of the NGER Act) that meets, for a financial year, the threshold in s13(1)(a) of the NGER Act.
For annual reporting periods commencing on or from 1 July 2026 to 30 June 2027 (Group 2)	<p>Entities that meet at least two of the following three criteria:</p> <ul style="list-style-type: none"> the consolidated revenue of the entity (and the entities it controls) is equal to or greater than \$200 million; the value of the consolidated gross assets at the end of the financial year of the entity (and the entities it controls) is equal to or greater than \$500 million; or the entity (and the entities it controls) has, at the end of the financial year, 250 or more employees. <p>Entities that are registered corporations under the NGER Act or are required to make an application to be registered under s12(1) of the NGER Act.</p> <p>Registered schemes, RSEs and retail CCIVs where the value of assets at the end of the financial year of the entity (and the entities it controls) is equal to or greater than \$5 billion.</p> <p>Note: For retail CCIVs, the \$5 billion threshold applies to the whole CCIV (i.e. the sum of the value of assets at the end of the financial year of all sub-funds).</p>
For annual reporting periods commencing on or from 1 July 2027 (Group 3)	<p>Entities, including registered schemes, RSEs or retail CCIVs, which meet at least two of the following three criteria:</p> <ul style="list-style-type: none"> the consolidated revenue of the entity (and the entities it controls) is equal to or greater than \$50 million; the value of the consolidated gross assets at the end of the financial year of the entity (and the entities it controls) is equal to or greater than \$25 million; or the entity (and the entities it controls) has, at the end of the financial year, 100 or more employees.

RG 280.34 The sustainability reporting requirements crystallise at the end of the financial year. Entities should establish adequate systems to assess whether they may be required to prepare a sustainability report, even if they do not meet the sustainability reporting thresholds at the commencement of that financial year. For example, an acquisition may complete, a corporate restructure may occur, or market or economic conditions may shift, resulting in a change to the entity's reporting status.

Note: The systems that an entity should establish to assess whether the entity may be required to prepare a sustainability report for a financial year will depend on the entity's size and circumstances and the likelihood that the entity will meet a sustainability reporting threshold for that financial year.

Determining sustainability reporting thresholds

RSEs, registered schemes and retail CCIVs

RG 280.35 A sustainability report is required to be prepared for a financial year by:

- (a) an RSE licensee on behalf of an RSE, if the RSE licensee is required to prepare an annual financial report under Ch 2M on behalf of the RSE for a financial year and the RSE satisfies any of the sustainability reporting thresholds (see s285(3A) and s345AAA);
- (b) a responsible entity on behalf of a registered scheme, if the responsible entity is required to prepare an annual financial report under Ch 2M on behalf of the registered scheme for a financial year and the registered scheme satisfies any of the sustainability reporting thresholds (see s285(3)); and
- (c) a retail CCIV on behalf of each relevant sub-fund, if the retail CCIV is required to prepare an annual financial report under Ch 2M for a financial year and satisfies any of the sustainability reporting thresholds (see s1232C(1)(aa)).

RG 280.36 Any of the sustainability reporting thresholds may apply to an RSE, registered scheme or retail CCIV. The value of assets threshold only applies to RSEs, registered schemes and retail CCIVs. However, the corporate size threshold and the emissions threshold may also apply independently to RSEs, registered schemes and retail CCIVs.

Note: Paragraph 4.44 of the [Explanatory Memorandum](#) to the FMI Bill states that an RSE, registered scheme or retail CCIV 'that meets the corporate size thresholds in s292A(3) must prepare a sustainability report, even if it does not meet the requirements of s292A(5) (regarding NGER registered corporations) or 292A(6) (regarding asset thresholds)'.

- RG 280.37 RSEs, registered schemes and retail CCIVs may be required to prepare a sustainability report for the financial year commencing from:
- (a) 1 July 2026—if they satisfy the value of assets threshold under s292A(6), the emissions threshold under s292A(5), or the corporate size threshold in s296B(2) for ‘Group 2’ entities (see Table 2); or
 - (b) 1 July 2027—if they do not satisfy the value of assets threshold but satisfy the corporate size threshold under s292A(3) for ‘Group 3’ entities (see Table 2).

Note: RSEs, registered schemes and retail CCIVs are not part of the ‘Group 1’ reporting cohort: see Table 2.

Companies and other reporting entities

- RG 280.38 Ch 2M entities that are not RSEs, registered schemes or retail CCIVs must prepare a sustainability report if they satisfy either the corporate size threshold or emissions threshold: see s292A(3) and s292A(5).
- RG 280.39 These Ch 2M entities may include companies, authorised deposit-taking institutions and investor-directed portfolio service providers. They may also include RSE licensees, responsible entities, corporate directors of retail CCIVs and trustees of unregistered managed investment schemes that are required to prepare a sustainability report in their own capacity.

Note: RSE licensees and responsible entities of registered schemes may be required to prepare a sustainability report on behalf of an RSE or registered scheme respectively: see RG 280.35. However, as may be the case for trustees of unregistered schemes, RSE licensees and responsible entities may also be required to prepare a sustainability report in their own capacity, if they are required to prepare an annual financial report under Ch 2M and meet either the corporate size threshold or emissions threshold.

- RG 280.40 The value of assets threshold does not apply to these Ch 2M entities: see RG 280.32(c) and Table 2. This is because the value of assets threshold applies exclusively to entities that are RSEs, registered schemes or retail CCIVs: see s292A(6)(a).

Control

- RG 280.41 An entity must prepare a sustainability report if it is a Ch 2M entity, and the entity *and any entities it controls* satisfies either the corporate size threshold or value of assets threshold.
- RG 280.42 In determining whether an entity controls another under s292A(3) or s292A(6), AASB 10 *Consolidated financial statements* ([AASB 10](#)) should be considered. These are the accounting standards that determine this matter: see s292A(7)(a).

Revenue, assets and employees

RG 280.43 In determining whether a Ch 2M entity has satisfied the corporate size threshold:

- (a) an entity should refer to the financial statements prepared in accordance with Ch 2M. If the entity has controlled entities, the entity should refer to the consolidated financial statements prepared in accordance with [AASB 10](#);
- (b) total assets should be as reported in the standalone statement of financial position or consolidated statement of financial position (as appropriate);

Note: This is the same position for calculating assets under the value of assets threshold.

- (c) revenue should be determined by reference to the definitions of income and revenue provided in AASB 15 *Revenue from contracts with customers* ([AASB 15](#)). Depending on the business model, entities may also consider other accounting standards that give rise to the recognition of revenue, such as AASB 9 *Financial instruments* ([AASB 9](#)), AASB 11 *Joint arrangements* ([AASB 11](#)), AASB 17 *Insurance contracts* ([AASB 17](#)), AASB 140 *Investment property* ([AASB 140](#)) and AASB 141 *Agriculture* ([AASB 141](#)); and
- (d) it may be helpful as a starting point, in calculating the number of employees, to refer to paragraph (a) in the definition of ‘employees and others providing similar services’ contained in Appendix A of AASB 2 *Share-based payment* ([AASB 2](#)).

Note: The concepts of ‘revenue’, ‘assets’ and ‘employees’ have the same meaning as the equivalent concepts in s45A(3). These same concepts are used to determine whether a company is a large proprietary company under s45A(3).

Consolidated entities or group members of stapled groups

RG 280.44 In certain circumstances, a subsidiary that is part of a consolidated entity or an entity that is part of a stapled group is not required to prepare a sustainability report. This applies when:

- (a) a parent entity elects to prepare a sustainability report for the consolidated entity for the financial year and is also required by the accounting standards to prepare financial statements for the consolidated entity for the financial year (see s292A(2)); or
- (b) a stapled entity in the stapled group prepares a sustainability report on behalf of the stapled group relying on [ASIC Corporations \(Reporting by Stapled Entities\) Instrument 2023/673](#).

Note: See Section E on sustainability reporting relief for further information on RG 280.44(b) and the relief granted to facilitate sustainability reporting for stapled entities.

- RG 280.45 For the purposes of Ch 2M and s292A(2), the accounting standards only require a parent entity to prepare financial statements for the consolidated entity for the financial year if it must prepare an annual financial report under s292 and s295(1): see also s295(2)(b). Accordingly, the parent entity must be a Ch 2M entity that is required to prepare consolidated financial statements to have the option of preparing a consolidated sustainability report under s292A(2).
- RG 280.46 For example, a foreign parent entity does not have the option of preparing a consolidated sustainability report under s292A(2) on behalf of the consolidated entity for a financial year. Australian subsidiaries of the foreign parent that are reporting entities must still prepare an individual sustainability report under s292A. This is because the foreign parent is not a Ch 2M entity and is not required under the accounting standards to prepare financial statements for the consolidated entity for the financial year for the purposes of Ch 2M.

Note: Section E provides guidance on how ASIC exercises its power to grant sustainability reporting relief. The section includes guidance for reporting entities seeking consolidated sustainability reporting relief.

Non-reporting entities

- RG 280.47 Ch 2M entities that do not meet the sustainability reporting thresholds under s292A are not required to prepare a sustainability report.
- RG 280.48 Entities that do not have to prepare an annual financial report under Ch 2M are also not required to prepare a sustainability report. This includes:
- (a) foreign companies registered under Div 2 of Pt 5B.2 of the Corporations Act and entities incorporated in a foreign jurisdiction;
 - (b) small proprietary companies with no Ch 2M reporting obligations;
 - (c) registered charities that are not required to prepare an annual financial report under Ch 2M. These entities have separate financial reporting obligations under the *Australian Charities and Not-for-profits Commission Act 2012*; and
 - (d) entities that rely on relief granted by ASIC from the requirement to prepare an annual financial report under Ch 2M for the relevant financial year.

Note: This is because only entities that are required to prepare an annual financial report under Ch 2M are required to prepare a sustainability report: see s292A(1)(a).

Obligation to keep sustainability records

RG 280.49 Entities required to prepare a sustainability report for a financial year must keep written sustainability records: see s285(1)(b) and s286A.

Note 1: Sustainability records must be retained for seven years after the sustainability report to which they relate is completed: see s286A(2).

Note 2: For entities required to prepare a sustainability report for a financial year, failure to keep sustainability records is a strict liability offence: see s286A(4).

Note 3: The sustainability reporting requirements crystallise at the end of the financial year: see RG 280.34.

RG 280.50 These are documents and working papers that explain the methods, assumptions and evidence from which the sustainability report (apart from the directors' declaration) is made up: see definition of 'sustainability records' in s9 of the Corporations Act.

RG 280.51 Sustainability records may include:

- (a) minutes of board or committee meetings;
- (b) internal reports or analysis;
- (c) reports commissioned by third parties, such as consultants or experts;
- (d) greenhouse gas emissions inventories;
- (e) source documentation and extracts from the general ledger evidencing climate-related impacts on the reporting entity's financial position, performance and cash flows for the reporting period;
- (f) working papers or documents evidencing inputs for, and assumptions used in, the sustainability report; and
- (g) any assessment undertaken for the purposes of making the statement under s296B(1).

Note: These are examples only of sustainability records that reporting entities may keep. The types of sustainability records that a reporting entity is required to keep will depend on the nature of the reporting entity and their broader circumstances.

RG 280.52 Reporting entities should ensure that the sustainability records:

- (a) support the reporting entity's climate-related financial disclosures relating to governance, strategy, risk management and metrics and targets. This is the core content required under s296D(1) of the Corporations Act;

Note: It should also include sustainability records that support any climate-related financial information required by s296C(1)(a) and s296D(1) that has been included by cross-reference in the sustainability report. This is because this information is taken to become part of the complete set of climate-related financial disclosures: see paragraphs 63 and B46 of Appendix D of [AASB S2](#).

- (b) include any financial records necessary to support the reporting entity's disclosures described at RG 280.52(a);

- (c) are available on request by ASIC to support a statement made in the sustainability report; and

Note: ASIC may use its compulsory information-gathering powers to obtain sustainability records for regulatory and enforcement purposes. If sustainability records are not provided, we may conclude that the reporting entity has not undertaken the work required to support that statement and the statement is unsubstantiated (in the absence of evidence to the contrary).

- (d) are provided to auditors promptly, if requested to inform the auditor's report on the sustainability report.

RG 280.53 Reporting entities must comply with the requirements for keeping, and providing copies of, sustainability records kept in electronic form. For example:

- (a) if sustainability records about particular matters are kept outside Australia, sufficient written information about those matters must be kept in Australia to enable the substantive provisions of the sustainability report to be prepared (see s289A(1)–(2));
- (b) an entity may store sustainability records electronically, if they are capable at any time of being reproduced in written form or a reproduction is kept in written form approved by ASIC (see s9 and s1306(1)–(2)); and
- (c) electronic records must be convertible into hard copy and made available within a reasonable time to a person who is entitled to inspect the records (see s288(1)).

Directors' duties

Duty of care and diligence

RG 280.54 Directors have a duty to exercise their powers with the care and diligence that a reasonable person would exercise in the circumstances.

Note 1: In this guide, 'directors' refers to directors of companies, directors of responsible entities, directors of retail CCIVs and directors of RSE licensees.

Note 2: See the specific obligations in s180(1) of the Corporations Act for directors of companies, s601FD(1)(b) of the Corporations Act for directors of responsible entities, s180(1) and s1224D(2)(a) of the Corporations Act for directors of retail CCIVs, and s52A(2)(b) of the SIS Act for directors of RSE licensees.

Note 3: Directors of reporting entities also have other duties. For example, directors of companies also have a duty to act in good faith in the best interests of the corporation: see s181(1)(a) of the Corporations Act. Directors of RSE licensees (s52A(2)(c) of the SIS Act), directors of responsible entities (s601FD(1)(c) of the Corporations Act) and directors of retail CCIVs (s1224D(1)(b)–(c) of the Corporations Act) have a duty to act in the best financial interests of members.

RG 280.55 Directors of reporting entities should:

- (a) have an understanding about the reporting entity's sustainability reporting obligations;
- (b) have an understanding about climate-related risks or opportunities that could reasonably be expected to affect the reporting entity's prospects, including its access to cash flows, its access to finance and cost of capital over the short, medium and long term: see paragraph 2 of [AASB S2](#);
- (c) require the establishing of systems that identify, assess and monitor any material financial risks and opportunities relating to climate (including any changes);
- (d) require the establishing of controls, policies and procedures for overseeing, managing and preparing the sustainability report. This may include identifying relevant business units and employees responsible for providing key inputs. It may also include identifying how climate-related financial information (including any climate-related data) is obtained and used to inform the disclosures in the sustainability report;
- (e) require the establishing of controls, policies and procedures for keeping sustainability records; and
- (f) apply a critical lens to the disclosures proposed in the sustainability report, such as questioning the appropriateness or completeness of methodologies, inputs and assumptions used to support disclosures, the extent that there may be any material omissions having regard to their knowledge of the reporting entity's business, whether the disclosures have been properly characterised, and whether additional information should be disclosed.

Note 1: For reporting entities that are RSEs, registered schemes or retail CCIVs, the directors of the entity required to prepare the sustainability report on their behalf should consider the matters described in this paragraph: see also RG 280.35.

Note 2: Information Sheet 183 *Directors and financial reporting* ([INFO 183](#)) contains principles for directors in relation to financial reporting. INFO 183 contains similar principles that may be helpful for directors of reporting entities, including that directors should apply an inquiring mind to the information proposed in the annual financial report.

Note 3: Entities regulated by the Australian Prudential Regulation Authority should also refer to Prudential Practice Guide CPG 229 *Climate change financial risks* ([CPG 229](#)).

RG 280.56 Directors of reporting entities may rely on the special knowledge or expertise of others in relation to sustainability reporting. This might include experts, advisers and other suitably qualified persons (both internal and external). However, directors still need to make an independent assessment of the information or advice provided, using their own skills and judgement, and rely on such information or advice available at the time in good faith: see s189(b).

Directors' declarations

RG 280.57 A sustainability report must include the directors' declaration about climate statements and the notes.

Note 1: The directors providing the directors' declaration are those of the entity that is required to prepare the sustainability report. For RSEs, registered schemes and retail CCIVs, these are the directors of the entity required to prepare the sustainability report on behalf of the RSE, registered scheme or retail CCIV: see also RG 280.35.

Note 2: For more information about notes to the climate statements, see RG 280.96–RG 280.97.

RG 280.58 For the financial years commencing between 1 January 2025 and 31 December 2027, directors of reporting entities are required to declare that, in their opinion, the entity has taken reasonable steps to ensure that the sustainability report (other than the directors' declaration) is in accordance with the Corporations Act and [AASB S2](#): see s296A(6) as modified by s1707C(2). This modified declaration reflects that:

- (a) the sophistication and maturity of a reporting entity's controls, policies, procedures and systems for sustainability reporting are expected to develop over time; and
- (b) directors are expected to develop their understanding, experience and capabilities in relation to sustainability reporting over time.

RG 280.59 For the financial years commencing on or after 1 January 2028, directors of reporting entities are required to declare whether, in the directors' opinion, the sustainability report (other than the directors' declaration) is in accordance with the Corporations Act (including s296C and s296D) and AASB S2: see s296A(6).

Note: This directors' declaration aligns more closely with the directors' declaration in relation to the financial statements at s295(4)(d)(i).

RG 280.60 The directors' declaration must be made in accordance with a resolution of the directors, specify the date on which the declaration is made, and be signed by a director: see s296A(7).

Modified liability settings

RG 280.61 Under the modified liability settings, no legal action other than criminal action, or action by ASIC, can be brought against a person in relation to 'protected statements' made in:

- (a) the sustainability report; or
- (b) the auditor's report on the sustainability report.

Note: In this guide, a 'person' refers to a body politic or corporate as well as an individual: see s2C of the *Acts Interpretation Act 1901*. These include directors of entities that have prepared sustainability reports under s292A.

- RG 280.62 For example, an investor may not bring a civil action alleging that a protected statement in a sustainability report is misleading or deceptive.
- RG 280.63 Table 3 sets out the types of protected statements and their modified liability periods.

Table 3: Protected statements

Protected statement	Location and purpose of statement	Modified liability period
A statement relating to climate and, at the time it is made, is about the future.	Statement is made in: <ul style="list-style-type: none"> the sustainability report for the purposes of complying with a sustainability standard; or the auditor's report for the purposes of complying with the Corporations Act or the auditing standards. 	Report prepared for financial years commencing between 1 January 2025 and 31 December 2025 .
A statement made about: <ul style="list-style-type: none"> scope 3 greenhouse gas emissions; scenario analysis; or a transition plan. 	Statement is made in: <ul style="list-style-type: none"> the sustainability report for the purposes of complying with a sustainability standard; or the auditor's report for the purposes of complying with the Corporations Act or the auditing standards. 	Report prepared for financial years commencing between 1 January 2025 and 31 December 2027 .

Note: For the definitions of items used in Table 3, see the Key terms. See also s1707C(1) and s1707D(3)–(4).

- RG 280.64 Protected statements relating to climate, that at the time they are made are about the future, are likely to include those that are described at RG 280.79(a)–RG 280.79(b) and RG 280.79(d).
- RG 280.65 Protected statements about scope 3 greenhouse gas emissions, scenario analysis and transition plans are likely to include statements about the inputs and assumptions that inform these disclosures.

Note 1: In this guide, 'scope 3 greenhouse gas emissions' refers to indirect greenhouse gas emissions (not included in scope 2 greenhouse gas emissions) that occur in the value chain of an entity, including both upstream and downstream emissions. Scope 3 greenhouse gas emissions include the scope 3 categories in the Greenhouse Gas Protocol Corporate Value Chain (Scope 3) Accounting and Reporting Standard (2011): see Appendix A of [AASB S2](#).

Note 2: In this guide, 'scenario analysis' refers to a process for identifying and assessing a potential range of outcomes of future events under conditions of uncertainty: see Appendix A of [AASB S1](#).

Note 3: In this guide, 'transition plan' refers to an aspect of an entity's overall strategy that lays out the entity's targets, actions or resources for its transition towards a lower-carbon economy, including actions such as reducing its greenhouse gas emissions: see Appendix A of [AASB S2](#).

RG 280.66 Statements in a sustainability report are only protected statements if they are made for the purposes of complying with a sustainability standard: see Table 3. If a reporting entity discloses sustainability-related information in the sustainability report beyond what is required under the sustainability standards, the modified liability settings will not apply to those voluntary sustainability-related disclosures.

Note: For example, the reporting entity discloses voluntary sustainability-related information required under another sustainability reporting standard or framework.

Protected statements outside the sustainability report or auditor's report on the review or audit of the sustainability report

RG 280.67 The modified liability settings also apply when a statement is:

- (a) *required to be made* under a Commonwealth law; and
- (b) the same as a protected statement, or differs from a protected statement only in so far as it contains updates or corrections to the protected statement (see s1707D(1)(b)).

RG 280.68 Examples of when a protected statement may be *required to be made* under a Commonwealth law include:

- (a) a protected statement, and any updated or corrected version of the protected statement, that is required to be disclosed by a reporting entity in compliance with its continuous disclosure obligations under s674 and s675;
- (b) a protected statement that is required to be included in the OFR under s299A(1);
- (c) a protected statement that is required to be included in a disclosure document, such as under s710;
- (d) a protected statement that is required to be included in a PDS, such as under s1013D or s1013E. For example, where a financial product has an investment component, a protected statement may be relevant to the environmental considerations taken into account in the selection, retention or realisation of the investment (see s1013D(1)(l)); and
- (e) a protected statement that is required to be updated or corrected under a direction given by ASIC under s296E(1)(g).

RG 280.69 The modified liability settings do not extend to statements made outside of a sustainability report where:

- (a) the statement is made voluntarily. For example, where a protected statement is reproduced in an investor presentation or in promotional material, it will not be covered by the modified liability settings, unless that disclosure is required under a Commonwealth law;

- (b) the statement is included by cross-reference in the sustainability report. This is because the statement is made in another report prepared by the reporting entity and has only been included by cross-reference in the sustainability report: see also RG 280.86–RG 280.88;
- (c) the statement is a summary of the protected statement or expands on the content of a protected statement. The modified liability settings only apply to a disclosure required under a Commonwealth law that is the same as a protected statement (i.e. a reproduction of the protected statement); or
- (d) the statement comprises updates or corrections to a protected statement, unless those updates or corrections are included in a revised version of a protected statement that is required to be made under a Commonwealth law.

C Content required in the sustainability report

Key points

Climate statements must be prepared in accordance with s296D(1) and [AASB S2](#), unless s296B(1) applies.

Under s296B(1), if a reporting entity does not have material financial risks or opportunities relating to climate for a financial year, the climate statements for a financial year are:

- a statement that there are no material financial risks or opportunities relating to climate for the entity; and
- a statement explaining how the entity determined that it has no material financial risks or opportunities relating to climate.

Forward-looking climate information in climate statements should be based on reasonable grounds.

Forward-looking climate information in climate statements must comply with Appendix D of AASB S2, which sets out the characteristics of useful climate-related financial information.

Reporting entities should ensure that the sustainability report is lodged at the same time as the annual financial report for the relevant financial year.

Reporting entities are encouraged to lodge with ASIC, at the same time as the sustainability report, any other report they have prepared that is cross-referenced in the sustainability report.

Climate-related financial information in sustainability reports should be clearly identifiable and not obscured.

Reporting entities must use a minimum of two climate scenarios that are referable to temperature increases set out in the *Climate Change Act 2022* (Climate Change Act) in assessing their climate resilience, and material financial risks and opportunities relating to climate, under the Corporations Act and AASB S2.

Under the Corporations Act and AASB S2, reporting entities are required to disclose their absolute gross scope 3 greenhouse gas emissions (including financed emissions) generated during the reporting period.

AASB S2 contains proportionality mechanisms that ensure that reporting entities of various sizes can apply the standard. It also contains exceptions to the application of certain specified requirements.

Overview of required content

RG 280.70 A reporting entity's sustainability report for a financial year consists of the:

- (a) climate statements;
- (b) notes to the climate statements; and

- (c) directors' declaration about the climate statements and notes (see s296A).

Note: For more information about notes to the climate statements, see RG 280.96–RG 280.97. For more information about the directors' declaration, see RG 280.57–RG 280.60.

- RG 280.71 Unless s296B(1) applies, the climate statements are those statements made in accordance with s296A(2) and [AASB S2](#) (see also RG 280.4(a)). These climate statements must also comply with the content requirements in s296D.
- RG 280.72 If s296B(1) applies to a reporting entity, the climate statements for a financial year are a statement that there are no material financial risks or opportunities relating to climate for the entity and a statement explaining how the entity determined that it has no material financial risks or opportunities relating to climate: see s296B(1) and RG 280.73–RG 280.77.

Statements of no material financial risks or opportunities relating to climate

- RG 280.73 For some reporting entities, the climate statements for the financial year are:
- (a) a statement that there are no material financial risks or opportunities relating to climate (see s296B(1)(c)); and
 - (b) a statement explaining how the entity determined that it has no material financial risks or opportunities relating to climate (see s296B(1)(d)).
- RG 280.74 Reporting entities may lodge climate statements under s296B(1) if:
- (a) they determine that there are no material financial risks or opportunities relating to climate for a financial year; and
 - (b) they are in 'Group 3' (see s296B(1) read together with s296B(2)–(5), and Table 2).
- RG 280.75 Reporting entities are to determine whether there are any 'material financial risks or opportunities relating to climate' for a financial year in accordance with AASB S2: see s296B(6). Under AASB S2, an entity must disclose material information about the climate-related risks or opportunities that could reasonably be expected to affect the entity's prospects. The information is material if omitting, misstating or obscuring that information could reasonably be expected to influence decisions that primary users of general purpose financial reports make on the basis of those reports: see paragraphs 17–19, B13–B19 and B21–B37 of Appendix D of AASB S2.

- RG 280.76 For each financial year that a reporting entity lodges a climate statement under s296B(1), it must:
- (a) assess, in accordance with [AASB S2](#), whether there are any material financial risks or opportunities relating to climate (see s296B(1), s296B(6) and RG 280.74(a)–RG 280.75); and
 - (b) maintain adequate sustainability records to substantiate the assessment that the entity has no material financial risks or opportunities relating to climate for a financial year (see RG 280.49–RG 280.53).
- RG 280.77 Reporting entities that lodge a climate statement under s296B(1) should establish robust processes to ensure they meet their sustainability reporting obligations under s296A(1) for any subsequent financial year that they determine there are material financial risks and opportunities relating to climate.

Statements with forward-looking climate information

- RG 280.78 Material financial risks and opportunities relating to climate may manifest for many reporting entities over the short, medium and long term. A reporting entity’s climate-related strategies, targets and plans may also apply over similar timeframes.
- RG 280.79 Section 296D(1) of the Corporations Act requires a reporting entity to disclose, in accordance with AASB S2, a range of information in the climate statements that may include, or constitute, forward-looking information. For example:
- (a) climate-related risks and opportunities that could reasonably be expected to affect the reporting entity’s prospects (see paragraph 11 of AASB S2);
 - (b) the anticipated effects of climate-related risks and opportunities on the reporting entity’s business model and value chain, strategy and decision making, and financial position, financial performance and cash flows (see paragraphs 13, 14(a)–(b), 15(b), 16(b)–(d) and 17–21 of AASB S2);
 - (c) climate-related scenario analysis (see paragraph 22 of AASB S2 and paragraphs B1–B15 of Appendix B of AASB S2); and
 - (d) any planned use of carbon credits to offset greenhouse gas emissions to achieve any net greenhouse gas emissions target (see paragraph 36(e) of AASB S2 and paragraph B70 of Appendix B of AASB S2).
- RG 280.80 AASB S2 requires that a reporting entity ‘use all reasonable and supportable information that is available to the entity at the reporting date without undue cost or effort’ in disclosing the forward-looking climate information described at RG 280.79(a)–RG 280.79(c). This reflects that the quality and availability

of data to support forward-looking climate information is expected to evolve over time and that disclosing forward-looking climate information over the medium and long term may be more uncertain than disclosing forward-looking information over the short term: see paragraphs 15(b), 16(c) and 16(d) of AASB S2.

RG 280.81 Forward-looking climate information that is required under the Corporations Act and [AASB S2](#) is:

- (a) decision useful for existing and potential investors, lenders and other creditors, and other users of this information (see RG 280.11 and RG 280.22); and
- (b) supports regulators in considering the future financial stability implications of climate change (see RG 280.18).

RG 280.82 Under the Corporations Act and the ASIC Act, some representations about future matters will be taken to be misleading unless there are reasonable grounds for making the representations: see s769C of the Corporations Act and s12BB of the ASIC Act.

Note 1: Regulatory Guide 170 *Prospective financial information* ([RG 170](#)) provides guidance on the disclosure of prospective financial information, such as in disclosure documents and PDSs.

Note 2: The question of whether a representation about a future matter has been based on reasonable grounds is to be determined at the point in time that the representation is made.

RG 280.83 Forward-looking information in climate statements must comply with Appendix D of AASB S2, which sets out both the fundamental and enhancing qualitative characteristics of useful climate-related financial information. These are:

- (a) relevance and faithful representations (fundamental characteristics at D4–D15); and
- (b) comparability, verifiability, timeliness and understandability (enhancing characteristics at D16–D33).

RG 280.84 Reporting entities must maintain adequate sustainability records that explain the methods, assumptions and evidence for all forward-looking information in the climate statements (see RG 280.49–RG 280.53). If requested by the auditor of the sustainability report or ASIC, this will enable the reporting entity to:

- (a) demonstrate the information, evidence and any expert advice (if relied on) that is available at the time to support the statements; and
- (b) provide further detail about, or background to, the inputs and assumptions used, particularly for areas of significant estimation uncertainty and judgement.

- RG 280.85 Reporting entities that are disclosing entities must comply with their continuous disclosure obligations under s674 and s675, including for forward-looking information in the climate statements. Sections 674 and 675 may apply if (among other things) facts and circumstances change in relation to forward-looking climate information in climate statements that:
- (a) is not generally available; and
 - (b) a reasonable person would expect to have a material effect on the price or value of enhanced disclosure securities (ED securities) of the entity (s674 and s675). For these purposes, this is information that would, or would be likely to, influence persons who commonly invest in securities in deciding whether to acquire or dispose of the ED securities (s677).

Note: In this guide, 'ED securities' has the same meaning given under s111AD.

Cross-referencing

- RG 280.86 [AASB S2](#) permits a reporting entity's sustainability report to cross-reference to information in another report prepared by the reporting entity, if it complies with paragraphs 63 and B45–B47 of Appendix D of AASB S2.

Note 1: AASB S2 does not permit a reporting entity's sustainability report to cross-reference to information in a report prepared by another entity.

Note 2: The modified liability settings do not apply to information included by cross-reference in the sustainability report: see s1707D and RG 280.69(b).

- RG 280.87 If a reporting entity's sustainability report cross-references to information in another report prepared by the reporting entity, it is strongly encouraged to lodge the other report with its sustainability report (if it has not already been lodged with ASIC).

- RG 280.88 This is because:
- (a) information included by cross-reference is taken to form part of the complete set of climate-related financial disclosures (see paragraph B46 of Appendix D of AASB S2);
 - (b) information included by cross-reference must be available on the same terms and at the same time as the climate-related financial disclosures (see paragraph B45 of Appendix D of AASB S2); and
 - (c) users of the sustainability report, both present and future, should have access to both the sustainability report and any cross-referenced report.

Labelling

RG 280.89 Under the Corporations Act, a sustainability report is:

- (a) an annual sustainability report required under s292A (see definition of ‘sustainability report’ in s9 of the Corporations Act);

Note: The sustainability report is the fourth report required as part of a reporting entity’s annual report, alongside the annual financial report, directors’ report and auditor’s report: see s285(1).

- (b) a report that consists of the contents required under s296A(1). The contents of the sustainability report currently include the climate statements for a financial year, notes to the climate statements, and the directors’ declaration about the climate statements and notes (see RG 280.70 and RG 280.96–RG 280.97);
- (c) a report that must be audited in accordance with Div 3 of Pt 2M.3 (see s301A);
- (d) the only report that is the subject of transitional modified liability settings under s1707D, other than the limited circumstances described in s1707D(1)(b) (see RG 280.61–RG 280.69);
- (e) a report that must be lodged with ASIC (see s319(1)); and
- (f) the only report that is the subject of ASIC’s directions power under s296E.

RG 280.90 However, historical market practice for some entities has involved the preparation of a ‘sustainability report’ containing information relating to sustainability that may include, but not be limited to, climate-related financial information.

RG 280.91 Entities may wish to disclose voluntary and other mandatory sustainability-related information to meet the information needs of users. For example, entities may wish to voluntarily disclose sustainability-related financial information, other than climate-related financial information, by applying all, or parts of, [AASB S1](#).

Note 1: In this guide, ‘sustainability-related information’ refers to information about sustainability. It is not limited to sustainability-related financial information. It may also include sustainability-related information disclosed under other sustainability reporting standards (other than AASB S1 or [AASB S2](#)) or frameworks.

Note 2: In this guide, ‘sustainability-related financial information’ refers to information about the entity’s sustainability-related risks and opportunities that could reasonably be expected to affect the entity’s cash flows, its access to finance or cost of capital over the short, medium and long term, including information about the entity’s governance, strategy and risk management in relation to those risks and opportunities, and related metrics and targets.

- RG 280.92 Reporting entities should ensure that climate-related financial information is clearly identifiable and not obscured by additional information: see paragraph 62 of Appendix D of [AASB S2](#). This practice:
- (a) reduces the risk that users of climate-related financial information are misled about the extent to which the information in the sustainability report is required to be disclosed under AASB S2; and
 - (b) supports the objectives of sustainability reporting, by facilitating consistent and comparable climate-related financial disclosures (see RG 280.11).
- RG 280.93 Reporting entities may prepare a standalone report that only contains the climate-related financial information required under the Corporations Act and AASB S2. It would be helpful for users if the sustainability report were to contain a prominent description explaining that the climate-related financial information is required under s292A of the Corporations Act and AASB S2.
- RG 280.94 However, ASIC will administer these laws on the basis that reporting entities may include additional sustainability-related information in the sustainability report, provided that the climate-related financial information required under the Corporations Act and AASB S2 is clearly identified and not obscured: see paragraph 62 of Appendix D of AASB S2. For example, reporting entities could use an index table, included in a prominent location in the sustainability report, that identifies the climate-related financial information required under s292A of the Corporations Act and AASB S2 (e.g. through cross-references to paragraph numbers in the sustainability report).
- Note: Both the directors' declaration and sustainability-related auditing requirements apply to the climate-related financial information required under the Corporations Act and AASB S2: see s296A(6), s301A, s1707C(2), s1707E and s1707F.
- RG 280.95 The sustainability report and the annual financial report should be lodged at the same time and relate to the same reporting period: see paragraph 64 of Appendix D of AASB S2. This will enable users to understand the connections between information disclosed in both reports as soon as each report is lodged.

Notes to climate statements

- RG 280.96 The sustainability report for a financial year consists of (among other things) the notes to the climate statements: see s296A(1)(b). Under s296A(3), the notes to the climate statements must include:
- (a) any disclosures that the Minister may require, by legislative instrument, regarding the preparation and content of the climate statements (see s296A(3)(a) and s296A(4));

- (b) any notes required by the sustainability standards made for the purposes of s296A(3)(b) in relation to the preparation and content of the climate statements or other matters concerning environmental sustainability; and
- (c) any notes containing other information necessary to ensure that the statements and notes together meet the requirements under s296D (see s296A(3)(c)).

RG 280.97 However, we do not expect that reporting entities will need to include notes to climate statements in a sustainability report. This is because:

- (a) the Minister has not made, by legislative instrument, any requirements to include notes to statements relating to financial matters concerning environmental sustainability;
- (b) [AASB S2](#) does not currently require any notes in relation to the preparation and content of the climate statements or other matters concerning environmental sustainability; and
- (c) climate statements that are prepared in accordance with AASB S2 will generally be sufficient to meet the requirements under s296D.

Climate-related scenario analysis

RG 280.98 Reporting entities must use climate-related scenario analysis to assess their climate resilience using an approach that is commensurate with the entity's circumstances: see paragraph 22 of AASB S2 and paragraphs B1–B18 of Appendix B of AASB S2.

Note 1: In this guide, 'climate resilience' refers to the capacity of an entity to adjust to climate-related changes, developments or uncertainties. Climate resilience involves the capacity to manage climate-related risks and benefit from climate-related opportunities, including the ability to respond and adapt to climate-related transition risks and climate-related physical risks. An entity's climate resilience includes both its strategic resilience and its operational resilience to climate-related changes, developments and uncertainties: see Appendix A of AASB S2.

Note 2: Reporting entities must also disclose whether and how they use climate-related scenario analysis to inform their identification of material financial risks and opportunities relating to climate: see paragraph 25(a)(ii) and 25(b) of AASB S2.

RG 280.99 Reporting entities must use a minimum of two climate scenarios that are referable to temperature increases set out in the Climate Change Act. The two mandated climate scenarios are currently:

- (a) an increase in global average temperature well exceeding 2 degrees Celsius above pre-industrial levels (higher global warming scenario) (see s296D(2B)(a) of the Corporations Act and s3(a)(ii) of the Climate Change Act); and

- (b) an increase in global average temperature of 1.5 degrees Celsius above pre-industrial levels (lower global warming scenario) (see s296D(2B)(b) of the Corporations Act and s3(a)(i) of the Climate Change Act).

Note: The [Revised Supplementary Explanatory Memorandum](#) to the FMI Bill clarifies that an increase of 2.5 degrees Celsius or higher would well exceed 2 degrees Celsius above pre-industrial levels: see paragraph 2.17. However, there is a risk that reporting entities do not comply with s296D(2B)(b) if they use a climate scenario based on an increase that is less than 2.5 degrees Celsius.

RG 280.100 The key objective of these requirements is to ensure that users have the benefit of information about the reporting entity’s climate resilience and material financial risks and opportunities relating to climate that are informed by a scenario that:

- (a) contemplates rapid global decarbonisation in the near term (lower global warming scenario); and
- (b) contemplates more pronounced climate impacts over the medium to long term (higher global warming scenario).

Note: For further information, see s296D, paragraphs 2.13, 2.15, 2.17 and 2.19 of the [Revised Supplementary Explanatory Memorandum](#) to the FMI Bill and paragraph 22 of [AASB S2](#).

RG 280.101 These scenarios combined provide insight into the potential climate resilience and material financial risks and opportunities relating to climate of the reporting entity under both high-end physical risk and high-end transition risk: see paragraphs 22, 25(a)(ii) and 25(b) of [AASB S2](#).

Scope 3 greenhouse gas emissions

RG 280.102 Under the Corporations Act and [AASB S2](#), reporting entities are required to disclose their absolute gross scope 3 greenhouse gas emissions (including financed emissions) generated during the reporting period: see s296C(1)(a), s296D(1)(b)(iii), paragraph 29(a)(i)–(iii) and (vi) of [AASB S2](#), and paragraphs B23–B29 and B32–B63 of Appendix B of [AASB S2](#).

Note 1: In this guide, ‘financed emissions’ refers to the portion of gross greenhouse gas emissions of an investee or counterparty attributed to the loans and investments made by an entity to the investee or counterparty. These emissions are part of Scope 3 Category 15 (investments) as defined in the Greenhouse Gas Protocol Corporate Value Chain (Scope 3) Accounting and Reporting Standard (2011): see Appendix A of [AASB S2](#).

Note 2: If a reporting entity’s activities include asset management, commercial banking or insurance, additional information about its financed emissions is required to be disclosed under paragraphs B58–B63 of Appendix B of [AASB S2](#).

RG 280.103 A reporting entity is permitted to use estimation in measuring its scope 3 greenhouse gas emissions: see paragraphs B39 and B43–B45 of Appendix B of [AASB S2](#). For example, AASB S2 notes that:

- (a) ‘[a]n entity’s measurement of scope 3 greenhouse gas emissions is likely to include the use of estimation rather than solely comprising direct measurement’ (see paragraph B38 of Appendix B of AASB S2); and

Note: In this guide, ‘direct measurement’ refers to ‘the direct monitoring of greenhouse gas emissions and, in theory, provides the most accurate evidence’ and ‘estimation’ refers to ‘approximate calculations of data based on assumptions and appropriate inputs’: see paragraphs B44–B45 of Appendix B of AASB S2.

- (b) ‘[i]t is expected that scope 3 greenhouse gas emissions data will include estimation due to the challenges associated with direct measurement of scope 3 greenhouse gas emissions’ (see paragraph B44 of Appendix B of AASB S2).

RG 280.104 A reporting entity is permitted to use primary and secondary data, or a combination of both, in measuring the scope 3 emissions of the reporting entity (see paragraph B46–B49 of Appendix B of AASB S2). For example, AASB S2 notes that:

- (a) ‘[p]rimary data for [s]cope 3 greenhouse gas emissions includes data provided by suppliers or other entities in the value chain related to specific activities in an entity’s value chain. For example, primary data could be sourced from meter readings, utility bills or other methods that represent specific activities in the entity’s value chain’: see paragraph B48 of Appendix B of AASB S2; and
- (b) ‘[s]econdary data is often supplied by third-party providers and includes industry-average data (for example, from published databases, government statistics, literature studies and industry associations)’: see paragraph B49 of Appendix B of AASB S2.

Note 1: In this guide, ‘primary data’ has the same meaning as ‘primary data’ in paragraphs B46 and B48 of Appendix B of AASB S2.

Note 2: In this guide, ‘secondary data’ has the same meaning as ‘secondary data’ in paragraphs B46 and B49 of Appendix B of AASB S2.

RG 280.105 AASB S2 requires a reporting entity ‘to use all reasonable and supportable information that is available to the entity at the reporting date without undue cost or effort when the entity selects the measurement approach, inputs and assumptions it uses in measuring scope 3 greenhouse gas emissions’: see paragraph B39 of Appendix B of AASB S2 and RG 280.108(a).

RG 280.106 ASIC notes that:

- (a) the accuracy of estimation techniques may improve over time, as the quality and availability of data for reporting scope 3 greenhouse gas emissions (and the cost and effort in obtaining it) improves; and

- (b) the extent of a reporting entity's reliance on the use of secondary data (such as industry averages) to measure its scope 3 greenhouse gas emissions may evolve over time, as the availability and quality of data (and the likely cost and effort in obtaining it) improves.

RG 280.107 Reporting entities have transition relief from the requirement to disclose scope 3 greenhouse gas emissions and comparative information in the first annual reporting period in which they apply [AASB S2](#): see paragraphs C3 and C4(b) of Appendix C of AASB S2.

Proportionality mechanisms and exceptions under AASB S2

RG 280.108 AASB S2 contains proportionality mechanisms that ensure that reporting entities of various sizes can apply the standard. These mechanisms include:

- (a) the concept of 'reasonable and supportable information available to the entity at the reporting date without undue cost or effort'. These apply to specific disclosure requirements in AASB S2;

Note: See paragraphs 11, 18(a), 22 and 30 of AASB S2, paragraphs B1, B8–B15, B36 and B39 of Appendix B of AASB S2, and paragraph B8 of Appendix D of AASB S2.

- (b) the ability for a reporting entity to take an approach to climate-related scenario analysis that is 'commensurate with its circumstances as at the time the entity carries out the analysis'; and

Note: See paragraph 22 of AASB S2 and paragraphs B2 and B17 of Appendix B of AASB S2.

- (c) the ability for a reporting entity to take an approach to disclosing the anticipated financial effects of a climate-related risk or opportunity that is 'commensurate with the skills, capabilities, and resources that are available to the entity'.

Note: See paragraph 18(b) of Appendix B of AASB S2.

RG 280.109 AASB S2 also contains exceptions to the application of certain specified requirements. In limited circumstances (as described in AASB S2), these include where:

- (a) applying it would be impracticable (i.e. if the entity cannot apply it after making every reasonable effort);

Note: See the definition of 'impracticable' in Appendix A of AASB S2, paragraph B57 of Appendix B of AASB S2, and paragraphs 83, B51–B54 and B58–B59 of Appendix D of AASB S2.

- (b) there is measurement uncertainty (i.e. when amounts reporting the climate-related financial disclosures cannot be measured directly but only estimated);

Note: See paragraph 19(b) of AASB S2 and paragraphs 77–81 of Appendix D of AASB S2.

- (c) the current or anticipated financial effects of a climate-related risk or opportunity are not separately identifiable;

Note: See paragraph 19(a) of AASB S2.

- (d) the reporting entity does not have the skills, capabilities or resources to provide quantitative information about the anticipated financial effects of a climate-related risk or opportunity; and

Note: See paragraph 20 of AASB S2.

- (e) information about a climate-related risk or opportunity is commercially sensitive.

Note: See paragraphs 73 and B34–B37 of Appendix D of AASB S2.

- RG 280.110 Reporting entities should take particular care to ensure adequate sustainability records are kept that substantiate the reporting entity's application of these aspects of [AASB S2](#) (if applicable). Given their subjectivity, we may scrutinise the approach of reporting entities in this area.
- RG 280.111 We may, by written notice, direct a reporting entity to provide information or documents that could support or substantiate a statement in a sustainability report, if we consider that statement is incorrect, incomplete or misleading in any way: see s296E(1)(f) and RG 280.204–RG 280.214.

D Sustainability-related financial disclosures outside the sustainability report

Key points

Entities are encouraged to adopt the definitions for terms in Appendix A of [AASB S1](#) and [AASB S2](#), if those terms are also used in disclosure outside the sustainability report.

Entities are also encouraged to apply the principles for disclosing useful sustainability-related financial information at paragraphs D4–D33 of Appendix D of AASB S1 and AASB S2, when disclosing sustainability-related financial information outside the sustainability report.

These practices facilitate the disclosure of high-quality sustainability-related financial information outside the sustainability report.

A listed entity must disclose sustainability-related financial information in the OFR, if this is information that members reasonably require to make an informed assessment of the entity's operations, financial position, business strategies and prospects for future financial years: see s299A.

An issuer must disclose sustainability-related financial information in a prospectus if investors and their professional advisers would reasonably require this information to make an informed assessment under s710.

A PDS must include sustainability-related financial information if a person would reasonably require this information in making a decision (as a retail client), or if this information would have a material influence on the decision of a reasonable person (as a retail client), whether to acquire the financial product: see s1013D and s1013E.

Overview of sustainability-related financial information

- RG 280.112 The introduction of sustainability reporting obligations under Ch 2M represents a significant shift in periodic corporate reporting obligations in Australia: see RG 280.1–RG 280.10.
- RG 280.113 The sustainability reporting practices of reporting entities are likely to influence non-reporting entities in the preparation of sustainability-related financial disclosures in a range of contexts. We consider that, over time:
- (a) accounting, sustainability and audit professionals (both current and future) will undertake and maintain training in the interpretation and application of the sustainability standards, including its defined terms;
 - (b) the application of the sustainability standards will become common practice across the financial and corporate sector;

- (c) investors and lenders will reasonably expect that sustainability-related financial information, including climate-related financial information, is provided in a consistent and comparable way in accordance with the sustainability standards;
- (d) private sector reporting and information management systems should be developed to align to, and support compliance with, the sustainability standards; and
- (e) the public sector and other agencies will report under a variation of the sustainability standards.

RG 280.114 Accordingly:

- (a) reporting entities are encouraged to adopt the definitions for terms in Appendix A of [AASB S1](#) or [AASB S2](#), if those terms are also used in disclosure outside the sustainability report; and

Note 1: For example, entities should consider applying the same definitions in Appendix A of AASB S2 for terms such as climate resilience, scope 1, 2 and 3 greenhouse gas emissions, climate-related physical and transition risks and internal carbon price.

Note 2: Reporting entities may disclose sustainability-related financial information outside the sustainability report, such as in directors' reports (containing the OFR), disclosure documents under Ch 6D, PDSs under Pt 7.9 and in promotional material. Examples of promotional material may include investor presentations (such as for AGMs and annual member meetings) and other market disclosures directed to investors.

- (b) reporting entities are encouraged to apply the principles for disclosing useful sustainability-related financial information at paragraphs D4–D33 of Appendix D of [AASB S1](#) and [AASB S2](#), when disclosing sustainability-related financial information outside the sustainability report.

Note: Examples of these principles include that:

- (a) '[s]ustainability-related financial information shall be neutral ... [i]nformation is neutral if it is not slanted, weighted, emphasised, de-emphasised or otherwise manipulated to make it more likely that primary users will receive that information favourably or unfavourably' (see D12 of Appendix D of AASB S1);
- (b) 'opportunities are not overstated and risks are not understated' (see paragraph D14 of Appendix D of AASB S2); and
- (c) 'estimates, approximations and forecasts are clearly identified as such' (see paragraph D15(c) of Appendix D of AASB S2).

RG 280.115 Non-reporting entities are also encouraged to adopt these defined terms and apply these principles in similar contexts, although they are not required to prepare a sustainability report. This is because these defined terms and principles are expected to become widely understood and prevalent, when disclosing sustainability-related financial information.

RG 280.116 These practices facilitate the disclosure of higher quality sustainability-related financial information outside the sustainability report. For example, a reporting entity that applies these principles for disclosing useful sustainability-related financial information:

- (a) is more likely to faithfully represent that information from the sustainability report; and
- (b) is less likely to distort the balance, tenor and prominence of that information from the sustainability report.

Note: ASIC's reviews of sustainability-related disclosures will extend to information from sustainability reports reproduced in other documents lodged with ASIC, such as disclosure documents or PDSs. We will likely carefully scrutinise information that includes or references information from a sustainability report.

RG 280.117 ASIC supports the disclosure of sustainability-related financial information outside the sustainability report where:

- (a) the information supports confident and informed investors; and
- (b) the entity determines that it is in its interests and those of its stakeholders to do so.

Note: Sustainability-related financial information may be required to be disclosed under laws other than those that ASIC administers. This guide does not intend to address how any sustainability-related financial information should be disclosed under those laws. For example, nothing in this guide should be construed to affect, exclude or interpret Schedule 2 of the *Competition and Consumer Act 2010* (Australian Consumer Law).

RG 280.118 Over time, the widespread integration of the sustainability standards in Australia's capital markets will enable reporting entities to provide higher quality sustainability-related financial disclosures.

Sustainability-related financial information in the OFR

RG 280.119 A directors' report must comply with the general disclosure requirements under s299.

RG 280.120 For listed entities, the directors' report must also contain information that members would reasonably require to make an informed assessment of the entity's:

- (a) operations (see s299A(1)(a));
- (b) financial position (see s299A(1)(b)); and
- (c) business strategies, and prospects for future financial years (see s299A(1)(c)).

RG 280.121 The part of the directors' report containing the information required under s299A is known as the OFR. ASIC has issued detailed guidance on the OFR in Regulatory Guide 247 *Effective disclosure in an operating and financial review* ([RG 247](#)).

- RG 280.122 The objectives of the OFR requirements are to provide members with an overarching narrative and analysis that supplements the financial report and, where required, the sustainability report to the extent required to satisfy s299A. It assists members in understanding the operations, financial position, business strategies and prospects of an entity.

Sustainability-related financial information in the OFR—general

- RG 280.123 Listed entities must disclose sustainability-related financial information, including climate-related financial information, if it would be reasonably required by members in making an informed assessment of the entity's operations, financial position, business strategies and prospects for future financial years: see s299A.

Note: A Ch 2M entity must also disclose sustainability-related financial information if this is information required by s299.

- RG 280.124 If s299A requires this disclosure, the listed entity is encouraged to:
- (a) adopt the definitions for terms in Appendix A of [AASB S1](#) or [AASB S2](#), if those terms are also used in the OFR (see RG 280.114(a) and RG 280.115); and
 - (b) apply the principles for disclosing useful sustainability-related financial information at paragraphs D4–D33 of Appendix D of AASB S1 and AASB S2, when disclosing sustainability-related financial information in the OFR (see RG 280.114(b)–RG 280.115).

Note: These principles are useful for Ch 2M entities, if they must disclose any sustainability-related financial information required to comply with s299.

Sustainability-related financial information in the OFR—reporting entities

- RG 280.125 A sustainability report is a separate report to both the directors' report and annual financial report under s314(1)(a). Therefore, the sustainability report cannot form part of a directors' report, including the OFR under s299A(1)(c).

Note 1: See also paragraph 4.22 of the [Explanatory Memorandum](#) to the FMI Bill.

Note 2: Some reporting entities are not listed entities and are not required to prepare an OFR.

Note 3: However, a reporting entity may include information by cross-reference in the sustainability report from another report it has prepared, such as from the OFR in the directors' report, if the information included by cross-reference in the sustainability report complies with paragraphs 63 and B45–B47 of Appendix D of AASB S2: see RG 280.86–RG 280.88.

RG 280.126 Sustainability reports must be laid before members at the listed reporting entity's AGM, alongside the annual financial report and directors' report: see Note 1 to s250N(3) and s317.

Note: In this guide, a 'listed reporting entity' refers to a reporting entity that is also a listed entity.

RG 280.127 This reflects a legislative intention that the financial report, sustainability report and directors' report are provided to members together as part of a reporting entity's annual reporting.

Strategy, risk and opportunity disclosure

RG 280.128 The Corporations Act may require a listed reporting entity to disclose strategy, risk and opportunity-related information in both the OFR and sustainability report. This is because the disclosure of:

- (a) business strategies and prospects for future financial years is required under s299A(1)(c). This may include opportunities and material business risks to prospects: see [RG 247](#);
- (b) information about climate-related financial risks and opportunities is required under s296D(1)(a); and
- (c) information about the climate-related strategy of the reporting entity in relation to those risks and opportunities and climate-related metrics and targets is required under s296D(1)(c)(i).

RG 280.129 To the extent required to satisfy s299A, the OFR may play an expanded role in situating the specific climate-related strategies and material financial risks and opportunities relating to climate that are disclosed in a listed reporting entity's sustainability report, within the broader context of the listed reporting entity's corporate strategy (including risks and opportunities) and prospects for future financial years.

Sustainability-related financial information in disclosure documents under Ch 6D

RG 280.130 A prospectus prepared under s710 (s710 prospectus) must:

- (a) comply with the general disclosure requirements under s710;
- (b) comply with the specific disclosure requirements under s711;
- (c) be clear, concise and effective under s715A; and
- (d) not be misleading or deceptive (see s728, s1041E, s1041H and s769C).

RG 280.131 We provide guidance about preparing disclosures in s710 prospectuses in:

- (a) Regulatory Guide 228 *Prospectuses: Effective disclosure for retail investors* ([RG 228](#)); and
- (b) Regulatory Guide 254 *Offering securities under a disclosure document* ([RG 254](#)).

Requirement to include or reference sustainability reports for certain issuers of disclosure documents under Ch 6D

- RG 280.132 A reporting entity that is an issuer of a transaction-specific prospectus must comply with the disclosure requirements under s713. The prospectus must either inform people of their right to obtain a copy of the most recently lodged sustainability report with ASIC, or include, or be accompanied by, a copy of that sustainability report: see s713(4)(a)(ia) and s713(4)(b).
- RG 280.133 A reporting entity that is an issuer of an offer information statement (OIS) must comply with the disclosure requirements under s715. The OIS must:
- (a) include a copy of the most recently prepared sustainability report with the OIS (see s715(1)(ia)). This should be the most recently prepared sustainability report that has been lodged with ASIC; and
 - (b) this sustainability report must comply with [AASB S2](#) and be audited (see s715(2A)).

Note: In this guide, an 'offer information statement' has the same meaning given under s9.

Issuers of s710 prospectuses—general

- RG 280.134 An issuer must disclose sustainability-related financial information in a s710 prospectus if investors and their professional advisers would reasonably require this information to make an informed assessment of:
- (a) the rights and liabilities attaching to the securities offered; and
 - (b) the assets and liabilities, financial position and performance, profits and losses and prospects of the entity issuing the securities (see s710(1)).
- RG 280.135 If s710 requires this disclosure:
- (a) the issuer is encouraged to adopt the definitions for terms in Appendix A of [AASB S1](#) or AASB S2, if those terms are also used in the s710 prospectus (see RG 280.114(a) and RG 280.115);
 - (b) the issuer is encouraged to apply the principles for disclosing useful sustainability-related financial information at paragraphs D4–D33 of Appendix D of AASB S1 and AASB S2, when disclosing sustainability-related financial information in the s710 prospectus (see RG 280.114(b)–RG 280.115);
 - (c) the issuer should consider disclosing any sustainability-related financial information required under s710 in the body of the prospectus itself (rather than merely as an annexure) to facilitate clear, concise and effective disclosure under s715A. However, the level of detail required may depend on the nature of the issuer's business model and broader circumstances;

- (d) the issuer should consider providing an overarching narrative and analysis in the investment overview section explaining the significance of this sustainability-related financial information within the broader context of the issuer's corporate strategy, business model and prospects. Investors and their professional advisers will benefit from understanding how sustainability-related financial information required under s710 affects or is likely to affect the entity's prospects, when balanced against other matters required to be disclosed under s710; and
- (e) the issuer should consider disclosing any sustainability-related financial disclosures required under s710 in further detail in the business model and investment risk sections of the s710 prospectus.

Issuers of s710 prospectuses—reporting entities

RG 280.136 If s710 requires an issuer to disclose climate-related financial information, and the issuer is a reporting entity that has lodged a sustainability report with ASIC for the most recent financial year, the issuer should:

- (a) include a statement of this fact in the s710 prospectus. Investors and their professional advisers can refer to that sustainability report if they require further information. This also facilitates clear, concise and effective disclosure (see s715A); and
- (b) summarise any climate-related financial information from the sustainability report in the s710 prospectus with regard to the matters described at RG 280.134–RG 280.135. The issuer should not distort the balance, tenor or prominence of the climate-related financial information disclosed in the sustainability report (see also RG 280.114(b) and RG 280.116(b)).

RG 280.137 The principles described at RG 280.134–RG 280.136 are also useful in preparing disclosures in a bidder's statement lodged with ASIC under s633 or s635, or in an explanatory statement registered under s412(6), particularly if securities are offered for consideration to target securityholders: see s636(1)(g).

Sustainability-related financial information in PDSs

RG 280.138 A PDS prepared under Pt 7.9 must:

- (a) comply with the main content requirements in s1013D;
- (b) comply with the general disclosure obligation under s1013E, subject to s1013C(2), s1013F and s1013FA;
- (c) comply with any other content requirements under Subdiv C of Pt 7.9 (as applicable) (see s1013C(1)(a)(iii));

- (d) be clear, concise and effective (see s1013C(3)); and
- (e) not be misleading or deceptive (see s1041E and s1041H).

RG 280.139 We provide guidance about preparing disclosures in PDSs, including in:

- (a) Regulatory Guide 168 *Disclosure: Product Disclosure Statements (and other disclosure obligations)* ([RG 168](#));
- (b) Regulatory Guide 66 *Transaction-specific disclosure for PDSs* ([RG 66](#)); and
- (c) Regulatory Guide 65 *Section 1013DA disclosure guidelines* ([RG 65](#)).

Note 1: Issuers that utilise the shorter PDS regime under Schs 10D–10F of the *Corporations Regulations 2001* (Corporations Regulations) should refer to Information Sheet 155 *Shorter PDSs—Complying with requirements for superannuation products, simple managed investment schemes and simple sub-fund products* ([INFO 155](#)). For example, issuers of superannuation products often utilise the shorter PDS regime.

Note 2: In this guide, a ‘superannuation product’ has the same meaning as ‘superannuation product’ under s9.

Requirement to include, reference, or provide a copy of, sustainability reports for certain PDSs

RG 280.140 There are specific requirements relating to including, referring to, or providing sustainability reports in connection with the PDS of:

- (a) managed investment products that are ED securities;
- (b) continuously quoted securities; and
- (c) superannuation products that relate to an RSE.

RG 280.141 Where a PDS relates to managed investment products that are ED securities, and the registered scheme is a reporting entity that has lodged a sustainability report with ASIC, the PDS must either:

- (a) inform people of their right to obtain a copy of the most recently lodged sustainability report (see s1013I(3)(a)(ia)); or
- (b) include, or be accompanied by, a copy of the most recently lodged sustainability report (see s1013I(3)(b)).

Note: If the PDS informs people of their right to obtain a copy of the most recently lodged sustainability report, and a person asks for a copy of that sustainability report, the issuer must give the person a copy of the sustainability report free of charge as soon as practicable, and in any event within five days, of receiving the request: s1013I(4).

RG 280.142 A transaction-specific PDS for a continuously quoted security does not have to disclose any climate-related financial information under s1013D–1013F if:

- (a) that information is included in the most recent sustainability report lodged with ASIC by the issuer on behalf of a reporting entity (see s1013FA(2)(a)(ia)); and

- (b) the PDS states that as a disclosing entity, the issuer is subject to regular reporting and disclosure obligations, and informs people of their right to obtain a copy of the sustainability report (see s1013FA(2)(b)).

Note: If the PDS informs people of their right to obtain a copy of the most recently lodged sustainability report, and a person asks for a copy of that sustainability report, the issuer must give the person a copy of the sustainability report free of charge: s1013FA(2).

RG 280.143 An issuer of a superannuation product that relates to an RSE must, on request in writing by a person who is a concerned person, provide:

- (a) a copy of a sustainability report prepared on behalf of the RSE for a specified financial year (if one has been prepared); and
- (b) a copy of the auditor's report on that sustainability report (see s1017C(3AA)).

Note: In this guide, a 'concerned person' has the same meaning as under s1017C(9).

Sustainability-related financial information in PDSs— general

General content requirements

RG 280.144 Under s1013D, a PDS must include information about certain matters if a person would reasonably require this information in making a decision, as a retail client, whether to acquire the financial product. This may require sustainability-related financial information to be disclosed. For example:

- (a) when disclosing any significant benefits to which a holder of the product will or may become entitled (see s1013D(1)(b)), the PDS may be required to include information about material financial opportunities relating to climate;
- (b) when disclosing the significant risks associated with holding the product (see s1013D(1)(c)), the PDS may be required to include information about material financial risks relating to climate; and
- (c) when disclosing the significant characteristics and features of a product (see s1013D(1)(f)), the PDS may be required to include information about the use of climate-related targets that are a significant feature of a product.

RG 280.145 In addition to information required by s1013D, a PDS must also disclose other sustainability-related financial information that might reasonably be expected to have a material influence on the decision of a reasonable person, as a retail client, whether to acquire the product: see s1013E, which is subject to s1013C(2), s1013F and s1013FA.

- RG 280.146 Where a PDS is required to include sustainability-related information under s1013D or s1013E:
- (a) the issuer is encouraged to adopt the definitions for terms in Appendix A of [AASB S1](#) or [AASB S2](#), if those terms are also used in the PDS (see RG 280.114(a) and RG 280.115);
 - (b) the issuer is encouraged to apply the principles for disclosing useful sustainability-related financial information at paragraphs D4 to D33 of Appendix D of AASB S1 and AASB S2, when disclosing sustainability-related financial information in the PDS (RG 280.114(b)–RG 280.115); and
 - (c) in some circumstances, the PDS may incorporate this information by reference from another document, such as a sustainability report (see reg 7.9.15DA).

Note: We have provided guidance on incorporating information by reference in PDSs: see [RG 168](#).

Products with an investment component

- RG 280.147 If a product has an investment component, the PDS must include a statement about whether the issuer takes into account labour standards or environmental, social or ethical considerations in the selection, retention or realisation of the investment: see s1013D(1)(l) and reg 7.9.14C(a)–(d) of the Corporations Regulations.

Note: In this section, ‘investment products’ refers to financial products that have an investment component, such as superannuation products, managed investment products, CCIV sub-fund products and investment life products.

- RG 280.148 If an issuer takes into account any of the considerations described at RG 280.147, the PDS must also include:
- (a) a statement about the standards that the issuer considers to be labour standards and those considerations that the issuer regards as environmental, social or ethical standards (see regs 7.9.14C(c)(i) and 7.9.14C(d)(i)); and
 - (b) a statement about the extent to which labour standards, environmental, social or ethical considerations are taken into account in the selection, retention or realisation of the investment (see s1013D(1)(l) and regs 7.9.14C(c)(ii) and 7.9.14C(d)(ii)).

Note 1: Section 1013D(1)(l) does not apply to PDS disclosures of general insurance products: see reg 7.9.15D and RG 168.

Note 2: For issuers utilising the shorter PDS regime, the statement described in this paragraph must be included in summary form: see Schs 10D–10F of the Corporations Regulations.

- RG 280.149 An issuer of an investment product must comply with guidelines developed by ASIC under s1013DA where the PDS makes a claim that labour standards or environmental, social or ethical considerations are taken into account in the selection, retention or realisation of the investment: see [RG 65](#).
- RG 280.150 If an issuer of an investment product takes into account environmental considerations that are climate-related in the selection, retention or realisation of the investment:
- (a) the statement described at RG 280.148(a) should make this clear. This will facilitate consistent and comparable climate-related financial disclosures; and
 - (b) the statement described at RG 280.148(b) should summarise both the methodology applied, and the weighting given, in taking these climate-related considerations into account. It is likely that this will be necessary in providing the statement of the extent to which environmental considerations are taken into account.

Climate-related financial information in PDSs—reporting entities

- RG 280.151 If s1013D or s1013E requires disclosure of climate-related financial information in the PDS, and the issuer has lodged a sustainability report with ASIC in relation to a reporting entity to which the PDS relates, we consider that the PDS should inform people:
- (a) of this lodgement; and
 - (b) where the sustainability report can be accessed, if it has been made publicly available. This will enable retail investors to refer to the sustainability report if they wish to obtain further information.

E ASIC's administration of the sustainability reporting requirements

Key points

ASIC will take a proportionate and pragmatic approach to supervision and enforcement as the sustainability reporting requirements are being phased in.

ASIC has the discretionary power to grant relief to a reporting entity from the requirement to comply with its sustainability reporting and audit obligations under Pt 2M.2, Pt 2M.3 and/or Pt 2M.4 (other than Div 4), provided the relevant jurisdictional threshold in s342(1) is met.

In assessing whether to grant relief from the sustainability reporting and audit requirements under Ch 2M, ASIC will consider the underlying policy objectives of the sustainability reporting requirements, the users of the sustainability report, and established policy and precedents in relation to sustainability reporting and financial reporting.

Specific considerations apply for some applications for relief, including those relating to extensions of time to lodge sustainability reports, consolidated sustainability reporting relief and audit relief.

ASIC has granted some relief from the sustainability reporting obligations in legislative instruments. These include relief in [ASIC Corporations \(Reporting by Stapled Entities\) Instrument 2023/673](#) and [ASIC Corporations \(Electronic Lodgment of Financial and Sustainability Reports\) Instrument 2016/181](#).

In administering the sustainability reporting requirements, we may review sustainability reports and audit files to monitor compliance with the sustainability reporting and audit requirements under the Corporations Act.

ASIC may exercise its directions power, under s296E, if we consider that a statement made in a sustainability report is incorrect, incomplete or misleading.

ASIC's approach to supervision and enforcement during the early years of sustainability reporting

RG 280.152 We will take a proportionate and pragmatic approach to supervision and enforcement as the requirements are being phased in: see RG 280.23 and Table 2.

RG 280.153 We will consider granting relief from the sustainability reporting and audit requirements, provided the relevant jurisdictional threshold is met in s342(1): see RG 280.156–RG 280.183. We will also continue to consider how we can support reporting entities through guidance.

- RG 280.154 Where we identify that a statement in a sustainability report is incorrect, incomplete or misleading in any way, we will engage directly with reporting entities to understand the basis for the relevant disclosures. If concerns remain, we may provide entities with the opportunity to make changes or otherwise direct changes to be made utilising our directions power: see s296E and RG 280.204–RG 280.214.
- RG 280.155 We are more likely to commence an enforcement investigation where we see misconduct of a serious or reckless nature, or where a reporting entity fails to prepare a sustainability report for the financial year.

Note 1: For more guidance on our general approach to enforcement, see Information Sheet 151 *ASIC's approach to enforcement* ([INFO 151](#)).

Note 2: See note 1 of RG 280.2 for the definition of 'reporting entity'.

ASIC's power to grant sustainability reporting and audit relief

- RG 280.156 Under Pt 2M.6, we may grant relief to a reporting entity from the requirement to comply with its sustainability reporting and audit obligations under Pt 2M.2 'Financial and sustainability records', Pt 2M.3 'Financial and sustainability reporting' and/or Pt 2M.4 'Appointment and removal of auditors' (other than Div 4).
- RG 280.157 We may grant relief from these provisions:
- (a) on a class basis via legislative instrument (s341(1)). An entity that meets the eligibility criteria under the relevant legislative instrument may elect to rely on this relief; or
 - (b) on an individual basis (s340(1)), following an application for relief lodged on behalf of the reporting entity with ASIC.

Note: ASIC may impose conditions on the relief it grants.

- RG 280.158 Our power to grant relief from the sustainability reporting and audit requirements is only available when we are satisfied that a relevant jurisdictional threshold in s342(1) has been met. This requires ASIC to be satisfied that complying with the relevant requirements of Pt 2M.2, Pt 2M.3 and Pt 2M.4 would:
- (a) make the sustainability report or other reports misleading;
 - (b) be inappropriate in the circumstances; or
 - (c) impose unreasonable burdens.
- RG 280.159 However, we have a statutory discretion not to grant relief, even if a relevant jurisdictional threshold in s342(1) has been met: see s340(1).

ASIC's general approach to sustainability reporting and audit relief

- RG 280.160 ASIC will consider the following when assessing whether to grant relief from the sustainability reporting and audit requirements under Ch 2M:
- (a) the underlying policy objectives of the sustainability reporting requirements (see Section A). These include improving the quality, consistency and comparability of climate-related financial disclosures to enable users of that information to make informed decisions about the material financial risks and opportunities relating to climate for reporting entities. We are unlikely to grant relief that is inconsistent with AASB S2 as this would likely reduce the consistency and comparability of climate-related financial disclosures;
 - (b) the users of the sustainability report, their information needs, and how those users are likely to be impacted if relief is granted; and
 - (c) established policy and precedents in relation to sustainability reporting and financial reporting. This includes, but is not limited to, our regulatory guidance in:
 - (i) Regulatory Guide 51 *Applications for relief* ([RG 51](#));
 - (ii) Regulatory Guide 43 *Financial reports and audit relief* ([RG 43](#));
 - (iii) Regulatory Guide 115 *Audit relief for proprietary companies* ([RG 115](#)); and
 - (iv) this regulatory guide.

RG 280.161 However, we will not necessarily grant sustainability reporting relief merely because a reporting entity has been granted, or has the benefit of, comparable financial reporting relief. Applicants seeking sustainability reporting relief should specifically address why it is appropriate for ASIC to grant the sustainability reporting relief sought.

Note: An entity is not required to prepare a sustainability report if it is not required to prepare an annual financial report: see RG 280.196–RG 280.197.

RG 280.162 Applications for relief from the sustainability reporting requirements must be submitted *prior to* the deadline for lodging the sustainability report, as our relief powers are prospective only and cannot be exercised after the due date for lodgement has passed.

Relief in the early years of sustainability reporting

RG 280.163 The sustainability reporting requirements are new for Australia. Both market practice and policy developments relating to climate-related financial disclosures will also continue to evolve both domestically and internationally.

- RG 280.164 While our regulatory policy develops and sustainability reporting practices are maturing, we expect to adopt the following approach in the early years of sustainability reporting:
- (a) duration of relief—we are more likely to grant individual relief from the sustainability reporting obligations on a short-term basis. In most cases, any granting of individual relief is unlikely to exceed one reporting period in duration (i.e. 12 months); and
 - (b) use of no-action letters—we will consider giving a no-action letter where appropriate, having regard to our existing approach as set out in Regulatory Guide 108 *No-action letters* ([RG 108](#)).
- RG 280.165 We encourage applicants to seek relief as early as possible. During the early years of sustainability reporting, applications for relief will often involve new policy or novel considerations. A longer processing time will generally apply for such applications: see [RG 51](#). We may consider granting interim relief or a no-action letter during the processing period.

Note: See RG 51 for further guidance on new policy considerations.

Legislative instruments granting relief for sustainability reporting

- RG 280.166 ASIC has granted some relief from the sustainability reporting obligations in legislative instruments.
- RG 280.167 Table 4 sets out some of the legislative instruments that provide sustainability reporting relief.

Table 4: Sustainability reporting relief available under an ASIC legislative instrument

Entity	ASIC instrument
Stapled entities	<p>ASIC Corporations (Reporting by Stapled Entities) Instrument 2023/673 provides relief to facilitate the preparation of consolidated or combined financial reports by stapled entities.</p> <p>The sustainability reporting relief in this instrument allows the stapled entity to prepare a sustainability report that includes climate-related financial disclosures on behalf of all the members of the stapled group. The relief applies where the sustainability report is prepared as if all the members in the stapled group are a single entity.</p>
Listed disclosing entities	<p>ASIC Corporations (Electronic Lodgment of Financial and Sustainability Reports) Instrument 2016/181 allows entities listed on ASX, NSX or SSX to lodge annual reports electronically with the relevant market operator without lodging separate reports with ASIC.</p> <p>The relief applies to the lodgment of sustainability reports.</p>

Stapled entities relief

RG 280.168 [ASIC Instrument 2023/673](#) facilitates sustainability reporting for stapled entities. The instrument is relevant where a stapled entity or another member of the stapled group:

- (a) relies on ASIC Instrument 2023/673 for financial reporting relief; and
- (b) is required to prepare a sustainability report under s292A.

Note: See ASIC Instrument 2023/673 for the definition of ‘stapled group’.

RG 280.169 Under ASIC Instrument 2023/673, a stapled entity that elects to prepare a sustainability report on behalf of the stapled group must do so on the basis that all members of the stapled group are a single entity. A stapled entity can make this election regardless of whether all of the other stapled entities in the stapled group meet the sustainability reporting thresholds under s292A.

Note: Where a stapled entity elects to prepare a sustainability report under [ASIC Instrument 2023/673](#), other members of the stapled group that would otherwise be required to prepare a sustainability report under s292A are relieved from that requirement.

RG 280.170 The stapled entity that prepares the sustainability report must also keep sustainability records that explain the methods, assumptions and evidence in relation to the sustainability report: see s286A and RG 280.49–RG 280.53.

RG 280.171 Given that interests in a stapled group can only be traded together, users of sustainability reports will benefit from a sustainability report prepared on behalf of the entire stapled group. If a stapled entity relies on ASIC Instrument 2023/673, each stapled issuer in the stapled group does not need to prepare an individual sustainability report.

Individual relief

RG 280.172 Before applying for individual sustainability reporting relief, reporting entities should consider the extent that sustainability reporting relief is available under an existing legislative instrument: see Table 4 for a non-exhaustive list.

RG 280.173 An applicant proceeding to seek individual relief from any sustainability reporting or audit requirements must satisfy ASIC that requiring the applicant to comply with the relevant requirements in Pt 2M.2, Pt 2M.3 and Pt 2M.4 would:

- (a) make the sustainability report or other reports misleading (see s342(1)(a));
- (b) be inappropriate in the circumstances (s342(1)(b)); or
- (c) impose unreasonable burdens (s342(1)(c)).

RG 280.174 Our general approach to relief is set out at RG 280.160–RG 280.162. In considering individual relief, we will also take into account the relevant circumstances of the applicant, such as its size.

RG 280.175 Specific guidance about how we may interpret each of the jurisdictional thresholds in s342(1) in the context of sustainability reporting is set out at RG 280.176–RG 280.183.

Note: Applicants should also refer to [RG 43](#), which provides guidance on the application of these preconditions in the context of financial reporting and audit relief.

Compliance would make the sustainability report or other reports misleading

RG 280.176 To satisfy the jurisdictional threshold in s342(1)(a), the applicant must demonstrate that strict compliance would make the sustainability report or other reports misleading.

Compliance would be inappropriate in the circumstances

RG 280.177 The jurisdictional threshold in s342(1)(b) will generally only be satisfied if there is an anomaly in the law, or when compliance with the law gives rise to consequences not intended by the legislature: see *Re Mazda Australia Pty Ltd and ASC* (1992) 8 ACSR 613.

RG 280.178 When assessing applications for relief, we will consider the features and policy objectives of sustainability reporting that are relevant to the application: see RG 280.11.

RG 280.179 For example, the objectives of sustainability reporting recognise the value of disclosing climate-related financial information by entities that:

- (a) have reached a size of economic significance to the Australian economy. These are Ch 2M entities that have met the corporate size threshold in s292A(3) or the value of assets threshold in s292A(6) (see RG 280.32(a), RG 280.32(c) and Table 2); or
- (b) are one of Australia's largest emitters of scope 1 and scope 2 greenhouse gas emissions and therefore likely to have high climate-related transition risks which could carry financial implications. These are Ch 2M entities that have met the emissions threshold in s292A(5) (see RG 280.32(b) and Table 2).

Note: See Appendix A of [AASB S2](#) for the definition of scope 1 and scope 2 greenhouse gas emissions.

RG 280.180 Accordingly, the jurisdictional threshold in s342(1)(b) is unlikely to be satisfied merely because:

- (a) a reporting entity is privately owned, closely held by only a small number of members, or has limited known external users; or

- (b) users of the climate-related financial information already have access to it.

Compliance would impose an unreasonable burden

RG 280.181 The jurisdictional threshold in s342(1)(c) is only satisfied when the entity seeking relief demonstrates that:

- (a) complying with the sustainability reporting requirements is or is likely to be burdensome; and
- (b) the burden is *unreasonable*. Applicants must demonstrate that the burden is disproportionate to the value of the disclosures for users of the sustainability report.

Note: [RG 43](#) contains similar principles for determining when the jurisdictional threshold in s342(1)(c) has been satisfied, where an entity has sought relief from the financial reporting requirements under Ch 2M.

RG 280.182 We will carefully scrutinise any argument that the ordinary costs of complying with a reporting entity's sustainability reporting obligations constitute an unreasonable burden: see also [RG 51](#). This is because:

- (a) the costs of preparing a sustainability report (including any costs from obtaining expert assistance), obtaining an audit of that report, and maintaining adequate sustainability records are all foreseeable administrative costs ordinarily incurred from complying with the sustainability reporting requirements;
- (b) [AASB S2](#) contains proportionality mechanisms that ensure that entities of various sizes can apply the standard (see RG 280.108);
- (c) AASB S2 contains exceptions to the application of certain specified requirements (see RG 280.109);
- (d) the Corporations Act only requires disclosure of *material* financial risks and opportunities relating to climate, assessed in accordance with AASB S2 (see s296B(1) and s296D(1)); and
- (e) if s296B(1) applies to a reporting entity, it may prepare simplified climate statements if it does not have material financial risks or opportunities relating to climate for a financial year (see RG 280.73–RG 280.77).

RG 280.183 Accordingly, an applicant operating its business on an ordinary commercial basis is unlikely to satisfy ASIC that the administrative costs of complying with the sustainability reporting requirements alone would impose an unreasonable burden.

Specific considerations for some applications

Extension of time to lodge a sustainability report

RG 280.184 We will only grant an extension of time to lodge a sustainability report in rare circumstances. This is consistent with our approach for financial reporting: see [RG 43](#).

RG 280.185 Reporting entities should establish sustainability reporting processes that enable them to meet their reporting deadlines under the Corporations Act. This includes ensuring that the external auditor has sufficient time to complete the audit.

Note 1: For financial years commencing before 1 July 2030, the sustainability report will be required to be reviewed or audited to the extent required by the AUASB. From 1 July 2030, the sustainability report will be required to be audited. See s301A, s1707E and s1707F.

Note 2: The AUASB has published a [timetable](#) (PDF 364 KB) for phasing in these auditing requirements.

RG 280.186 The following circumstances are examples where an extension of time is unlikely to be granted:

- (a) if directors are absent from Australia—suitable alternative arrangements should be made to enable the sustainability report to be authorised by a resolution of directors and signed by a director. In any event, any application would need to be signed by a director (see s340(3)(a) and (b));
- (b) if an auditor states it cannot complete the audit work within the timeframe set down in the Corporations Act;
- (c) if an entity has not had sufficient time to prepare the sustainability report due to inadequate planning or staff absences; and
- (d) if an entity wishes to await the outcome of future transactions or agreements before lodging the sustainability report.

Note: [RG 43](#) also contains similar examples about where an extension of time is unlikely to be granted in relation to an application for relief from the financial reporting requirements.

RG 280.187 If we decide to grant an extension of time to lodge a sustainability report, the extension will generally only be for a short, discrete period. It will take into account the impact on users of the sustainability report and the objectives of sustainability reporting: see Section A and RG 280.160.

RG 280.188 As our power to grant relief under s340 is prospective, we cannot grant retrospective relief, such as an extension of time to lodge a sustainability report, if the deadline for lodging the sustainability report has passed.

Note: See [RG 51](#) and [RG 43](#) for further information about retrospective relief.

Consolidated sustainability reporting relief

- RG 280.189 A parent entity may elect to prepare a sustainability report for the consolidated entity for a financial year if it is required by the accounting standards to prepare financial statements for the consolidated entity for the financial year: see s292A(2), RG 280.44(a) and RG 280.45–RG 280.46.
- RG 280.190 We have also provided relief to enable a stapled entity to prepare a sustainability report in relation to all stapled group members under ASIC Instrument 2023/673: see RG 280.168–RG 280.171.
- RG 280.191 Where neither of the above paragraphs apply, an entity may seek individual relief from ASIC to prepare and lodge a consolidated sustainability report.
- RG 280.192 Applications for individual relief to facilitate consolidated sustainability reporting should address:
- (a) the entities that would be included in the consolidated sustainability report if relief was granted;
 - (b) why the entities are not entitled to rely on s292A(2) or any ASIC relief in respect of the relief sought (if relevant);
 - (c) the rationale for a consolidated sustainability report;
 - (d) how the information in the consolidated sustainability report is proposed to be presented; and
 - (e) how the relief sought may affect the needs of users of the sustainability report.

Audit relief

- RG 280.193 An entity that is required to prepare a sustainability report for a financial year must have the sustainability report audited and obtain an auditor's report: see s301A.

Note 1: For financial years commencing before 1 July 2030, the sustainability report will be required to be reviewed or audited to the extent required by the AUASB. From 1 July 2030, the sustainability report will be required to be audited. See s301A, s1707E and s1707F.

Note 2: The AUASB has published a [timetable](#) (PDF 364 KB) for phasing in these auditing requirements.

- RG 280.194 Applicants seeking relief from the audit requirements must demonstrate how one of the jurisdictional thresholds in s342(1) has been met. We will not grant audit relief for a sustainability report merely because audit relief has been granted in relation to the reporting entity's financial report.
- RG 280.195 For proprietary companies applying for audit relief on the basis that the audit requirements impose an unreasonable burden, the criteria in s342(2)–(3) must also be addressed.

Note: See [RG 115](#) for further guidance on this topic.

Interaction with existing ASIC relief from the requirement to prepare a financial report

- RG 280.196 Entities that rely on relief from the requirement to prepare an annual financial report under an ASIC instrument are not required to prepare a sustainability report: see s292A(1)(a).
- RG 280.197 However, if an ASIC instrument provides some other form of financial reporting relief, such as relief to defer financial reporting obligations for a financial year, sustainability reporting requirements will continue to apply unless relief in relation to those requirements is also granted.

How to apply for relief

- RG 280.198 Entities seeking to apply for sustainability reporting relief should:
- (a) refer to [RG 51](#) for information about the application process and what information needs to be included;
 - (b) ensure that any application under s340(1) complies with the formality requirements under s340(3) to enliven ASIC's powers to consider the application;
 - (c) submit their application for relief through the [ASIC Regulatory Portal](#); and
 - (d) ensure that the relevant fee for considering the application for relief is paid as soon as practicable once the application is lodged.
- RG 280.199 A fee is charged for each substantive matter raised in an application and for each entity affected. If you are applying for both financial reporting and sustainability reporting relief, this will generally involve separate substantive decisions and therefore a separate fee will be charged for each decision, for each entity.

Review of sustainability reports

- RG 280.200 We may review sustainability reports lodged with us on behalf of reporting entities.

Note: ASIC's reviews of sustainability-related financial disclosures will extend to information from sustainability reports reproduced in other documents lodged with ASIC, such as disclosure documents or PDSs. We will likely carefully scrutinise information that includes or references information from a sustainability report.

- RG 280.201 We may also review audit files prepared by an auditor of a sustainability report to monitor compliance with the Corporations Act and any assurance standards.
- RG 280.202 This may include reviews undertaken:
- (a) proactively by way of thematic surveillance;

- (b) reactively as part of an investigation or in response to reports of misconduct we receive from users of the sustainability report or members of the general public; and/or
- (c) on any other basis we determine necessary to ensure compliance with the laws we administer and to support fair and efficient markets and confident and informed investors.

RG 280.203 Our aim is to improve the quality of sustainability reporting and to ensure sustainability reports have been prepared in accordance with the law. We also aim to promote the improvement and maintenance of audit quality.

Note: See also Information Sheet 224 *ASIC financial reporting and audit surveillances (INFO 224)*.

ASIC's directions power

RG 280.204 If we consider that a statement in a sustainability report is incorrect, incomplete or misleading, we may direct the entity that has prepared the sustainability report to:

- (a) confirm that the statement is correct or complete;
- (b) explain the statement;
- (c) provide information or documents that substantiate or support the statement;
- (d) correct, complete or amend the statement; and/or
- (e) publish the corrected, completed or amended statement, or give the statement to specified persons, in accordance with the direction.

RG 280.205 If required information has been omitted from the sustainability report, we may consider that one or more statements in the sustainability report are incorrect, incomplete or misleading.

Hearings and submissions

RG 280.206 Before we direct an entity to correct, complete or amend a statement in a sustainability report, or to publish or provide that statement to specified persons, we will provide the entity with an opportunity to:

- (a) appear, or be represented, at a hearing before ASIC that takes place in private; and
- (b) make submissions to ASIC on the matter (see s296E(4)).

Note 1: The entity may also choose to provide written submissions for the ASIC delegate to consider.

Note 2: If the entity has prepared the sustainability report on behalf of a reporting entity, ASIC may also invite the reporting entity to attend the hearing: see also RG 280.35.

RG 280.207 Hearings are conducted by an ASIC staff member with the appropriate delegation given under Div 6 of Pt 3 of the ASIC Act. Our delegate decides

whether to exercise ASIC's powers after considering the evidence and submissions put by the entity that prepared the sustainability report, and other relevant matters.

- RG 280.208 For more information about how we conduct administrative hearings, see Information Sheet 1 *Administrative hearings* ([INFO 1](#)) and Regulatory Guide 8 *Administrative hearings: Principles and conduct* ([RG 8](#)).

Compliance with a direction

- RG 280.209 ASIC will make its direction by written notice: see s296E(1).
- RG 280.210 The entity must comply with our direction within the time it specifies, which must be a reasonable time: see s296E(2)(a).
- RG 280.211 Our direction may set out certain conditions. For example, we may require a listed reporting entity to lodge a statement on the relevant market announcements platform, explaining the nature and circumstances of the change required by the direction.
- RG 280.212 Failure to comply with a direction is a strict liability offence: see s296E(8). If a reporting entity fails to comply, ASIC may consider taking other regulatory action, including enforcement.
- RG 280.213 We may vary or revoke a direction: see s296E(5) and (6). If so, we will provide written notice of the revocation to the entity that has prepared the sustainability report.
- RG 280.214 If ASIC gives, varies or revokes a direction to an entity to correct, amend or complete a statement in a sustainability report, we must publish a notice of this action on our website as soon as practicable: see s296E(7).

Key terms

Term	Meaning in this document
AASB	Australian Accounting Standards Board
AASB 10	AASB 10 <i>Consolidated financial statements</i> , issued by the AASB
AASB S1	AASB S1 <i>General requirements for disclosure of sustainability-related financial information</i> , which is a voluntary sustainability standard issued by the AASB Note: AASB S1 is based on IFRS S1, issued by the ISSB.
AASB S2	AASB S2 <i>Climate-related disclosures</i> . AASB S2 is the sustainability standard made by the AASB under s336A of the Corporations Act Note: AASB S2 is based on IFRS S2, issued by the ISSB.
AGM	An annual general meeting of a company that s250N requires to be held Note: This is the definition in s9 of the Corporations Act.
annual report	A report lodged annually by an entity under Ch 2M. For reporting entities, the annual report generally includes: <ul style="list-style-type: none"> • an annual financial report; • a directors' report; • a sustainability report; and • auditor's reports on the financial report and on the sustainability report For non-reporting entities, the annual report will not include a sustainability report or audit report on the sustainability report
ASIC	Australian Securities and Investments Commission
ASIC Act	<i>Australian Securities and Investments Commission Act 2001</i>
ASIC Instrument 2023/673 (for example)	An ASIC instrument (in this example numbered 2023/673)
AUASB	Australian Auditing and Assurance Standards Board
auditor's report	Means: <ul style="list-style-type: none"> • an auditor's report on an annual financial report required under s308; • an auditor's report on a half-year financial report required under s309; or • an auditor's report on an annual sustainability report required under s301A Note: This is the definition in s9 of the Corporations Act.

Term	Meaning in this document
Australian Consumer Law	Schedule 2 of the <i>Competition and Consumer Act 2010</i>
CCIV	<p>A corporate collective investment vehicle—a company that is registered as a corporate collective investment vehicle under the Corporations Act</p> <p>Note: This is the definition in s9 of the Corporations Act.</p>
Ch 2M (for example)	A chapter of the Corporations Act (in this example numbered 2M)
Ch 2M entities	Entities that are required to prepare an annual financial report under s292
Climate Change Act	<i>Climate Change Act 2022</i>
climate-related financial disclosures or information	Information about an entity's climate-related risks and opportunities that could reasonably be expected to affect the entity's cash flows, its access to finance or cost of capital over the short, medium or long term, including information about the entity's governance, strategy and risk management in relation to those risks and opportunities, and related metrics and targets
climate-related metrics	<p>Cross-industry metrics in relation to greenhouse gases, climate-related transition risks, climate-related physical risks, climate-related opportunities, capital deployment, internal carbon prices and remuneration</p> <p>Note: See paragraph 29 of AASB S2.</p>
climate-related opportunities	<p>The potential positive effects arising from climate change for an entity. Efforts to mitigate and adapt to climate change can produce climate-related opportunities for an entity</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
climate-related physical risks	<p>Risks resulting from climate change that can be event-driven (acute physical risk) or from longer-term shifts in climatic patterns (chronic physical risk). Acute physical risks arise from weather-related events such as storms, floods, drought or heatwaves, which are increasing in severity and frequency. Chronic physical risks arise from longer-term shifts in climatic patterns including changes in precipitation and temperature which could lead to sea level rise, reduced water availability, biodiversity loss and changes in soil productivity</p> <p>These risks could carry financial implications for an entity, such as costs resulting from direct damage to assets or indirect effects of supply-chain disruption. The entity's financial performance could also be affected by changes in water availability, sourcing and quality; and extreme temperature changes affecting the entity's premises, operations, supply chains, transportation needs and employee health and safety</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>

Term	Meaning in this document
climate-related risks	<p>The potential negative effects of climate change on an entity. These risks are categorised as climate-related physical risks and climate-related transition risks</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
climate-related targets	<p>The quantitative and qualitative climate-related targets a reporting entity has set to monitor progress towards achieving its strategic goals, and any targets it is required to meet by law or regulation, including any greenhouse gas emissions targets</p> <p>Note: See paragraph 33 of AASB S2.</p>
climate-related transition risks	<p>Risks that arise from efforts to transition to a lower-carbon economy. Transition risks include policy, legal, technological, market and reputational risks. These risks could carry financial implications for an entity, such as increased operating costs or asset impairment due to new or amended climate-related regulations. The entity's financial performance could also be affected by shifting consumer demands and the development and deployment of new technology</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
climate resilience	<p>The capacity of an entity to adjust to climate-related changes, developments or uncertainties. Climate resilience involves the capacity to manage climate-related risks and benefit from climate-related opportunities, including the ability to respond and adapt to climate-related transition risks and climate-related physical risks. An entity's climate resilience includes both its strategic resilience and its operational resilience to climate-related changes, developments and uncertainties</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
climate statements	<p>Has the meaning given in s9 and s296A and s296B of the Corporations Act</p>
concerned person	<p>In relation to a superannuation product, means a person who is, or was within the preceding 12 months, a member of the superannuation entity, or is a beneficiary of the superannuation entity</p> <p>Note: This is the definition in s1017C(9)(a) of the Corporations Act.</p>
consolidated sustainability report	<p>A sustainability report:</p> <ul style="list-style-type: none"> • that is prepared in relation to a consolidated entity under s292A(2); or • prepared in reliance on ASIC relief that permits the report to be prepared in relation to the reporting entity and other entities in the reporting entity's corporate group

Term	Meaning in this document
continuously quoted securities	Includes securities that are in a class of securities that were quoted ED securities at all times in the three months before the date of the prospectus or PDS Note: See s9 of the Corporations Act for the full definition.
Corporations Act	<i>Corporations Act 2001</i> , including regulations made for the purposes of the Act
Corporations Regulations	<i>Corporations Regulations 2001</i>
directions power	ASIC's directions power under s296E
direct measurement	Refers to the direct monitoring of greenhouse gas emissions and, in theory, provides the most accurate evidence Note: This is the definition in paragraph B44 of Appendix B of AASB S2.
directors	Refers collectively to directors of: <ul style="list-style-type: none"> • companies; • responsible entities; • retail CCIVs; and • RSE licensees
directors' declaration	Has the meaning given in s296A(6), or s296A(6) as modified by s1707C (as applicable) of the Corporations Act
ED securities	Enhanced disclosure securities—has the meaning given in s111AD of the Corporations Act
estimation	Approximate calculations of data based on assumptions and appropriate inputs Note: This is the definition in paragraph B45 of Appendix B of AASB S2.
financed emissions	The portion of gross greenhouse gas emissions of an investee or counterparty attributed to the loans and investments made by an entity to the investee or counterparty. These emissions are part of scope 3 Category 15 (investments) as defined in the Greenhouse Gas Protocol Corporate Value Chain (scope 3) Accounting and Reporting Standard (2011) Note: This is the definition in Appendix A of AASB S2.
financial report	The documents referred to in ss 292, 293, 294, 294A, 294B or 302 of the Corporations Act—that is, financial statements, notes to the financial statements and the directors' declaration about the statements and notes Note: This is reflected in the definition of 'financial report' in s9 of the Corporations Act.

Term	Meaning in this document
FMI Bill	<i>Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Bill 2024</i>
general purpose financial reports	<p>Reports that provide financial information about a reporting entity that is useful to primary users in making decisions relating to providing resources to the entity. Those decisions involve decisions about:</p> <ul style="list-style-type: none"> • buying, selling or holding equity and debt instruments; • providing or selling loans and other forms of credit; or • exercising rights to vote on, or otherwise influence, the entity's management's actions that affect the use of the entity's economic resources <p>General purpose financial reports include—but are not restricted to—an entity's general purpose financial statements and sustainability-related financial disclosures</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
greenhouse gas emissions	Refers to scope 1 greenhouse gas emissions, scope 2 greenhouse gas emissions and scope 3 greenhouse gas emissions
IFRS S1	<i>IFRS S1 General requirements for disclosure of sustainability-related financial information</i> , issued by the ISSB
IFRS S2	<i>IFRS S2 Climate-related disclosures</i> , issued by the ISSB
INFO 151 (for example)	An ASIC information sheet (in this example numbered 151)
internal carbon price	<p>Price used by an entity to assess the financial implications of changes to investment, production and consumption patterns, and of potential technological progress and future emissions-abatement costs. An entity can use internal carbon prices for a range of business applications. Two types of internal carbon prices that an entity commonly uses are:</p> <ul style="list-style-type: none"> • a shadow price, which is a theoretical cost or notional amount that the entity does not charge but that can be used to understand the economic implications or trade-offs for such things as risk impacts, new investments, the net present value of projects, and the cost and benefit of various initiatives; and • an internal tax or fee, which is a carbon price charged to a business activity, product line, or other business unit based on its greenhouse gas emissions (these internal taxes or fees are similar to intracompany transfer pricing) <p>Note: This is the definition in Appendix A of AASB S2.</p>

Term	Meaning in this document
investment product	Financial products that have an investment component, such as superannuation products, managed investment products, CCIV sub-fund products and investment life products
ISSB	International Sustainability Standards Board
material financial risks or opportunities relating to climate	Sections 296B(1) and 296D(1)(a) refer to the concept of 'material financial risks or opportunities relating to climate'. These are to be determined in accordance with AASB S2: see s296B(6) and s296D(2). Under AASB S2, an entity must disclose material information about the climate-related risks or opportunities that could reasonably be expected to affect the entity's prospects. The information is material if omitting, misstating or obscuring that information could reasonably be expected to influence decisions that primary users of general purpose financial reports make on the basis of those reports: see paragraph 17–19, B13–B19 and B21–B37 of Appendix D of AASB S2
net greenhouse gas emissions target	The entity's targeted gross greenhouse gas emissions minus any planned offsetting efforts (e.g. the entity's planned use of carbon credits to offset its greenhouse gas emissions) Note: This is the definition at paragraph B68 of Appendix B of AASB S2.
NGER Act	<i>National Greenhouse and Energy Reporting Act 2007</i>
non-reporting entity	An entity that is not required to prepare a sustainability report under Ch 2M for a financial year
OFR	An operating and financial review—the part of the directors' report that must contain the information required under s299A of the Corporations Act
OIS	An offer information statement that is lodged with ASIC Note: This is the definition in s9 of the Corporations Act.
PDS	A Product Disclosure Statement—a document that must be given to a retail client in relation to the offer or issue of a financial product in accordance with Div 2 of Pt 7.9 of the Corporations Act Note: See s9 of the Corporations Act for the full definition.
person	Refers to a body politic or corporate as well as an individual: see s2C of the <i>Acts Interpretation Act 1901</i> . These include directors of entities that have prepared sustainability reports under s292A
primary data	Has the same meaning as 'primary data' in paragraph B46 and B48 of Appendix B of AASB S2

Term	Meaning in this document
Pt 2M.3 (for example)	A part of the Corporations Act (in this example numbered 2M.3) unless otherwise specified
reporting entity	<p>An entity that is required to prepare a sustainability report under s292A</p> <p>Note: Where a registered scheme is required to prepare a sustainability report under 292A, the responsible entity of the registered scheme is responsible for the performance of those obligations: s285(3). Where an RSE is required to prepare a sustainability report under s292A, the RSE licensee is responsible for the performance of those obligations: s285(3A) and s345AAA</p>
retail CCIV	<p>A CCIV that satisfies the retail CCIV test in s1222K of the Corporations Act or is notified as a retail CCIV under s1222L of the Corporations Act</p> <p>Note: This reflects the definition in s1222J of the Corporations Act.</p>
RG 43 (for example)	An ASIC regulatory guide (in this example numbered 43)
RSE	A registrable superannuation entity (e.g. a superannuation fund)
RSE licensee	Has the meaning given in s10 of the SIS Act
s292A (for example)	A section of the Corporations Act (in this example numbered 292A), unless otherwise specified
s710 prospectus	A prospectus prepared under s710 of the Corporations Act
scenario analysis	<p>A process for identifying and assessing a potential range of outcomes of future events under conditions of uncertainty</p> <p>Note: This is the definition in Appendix A of AASB S1.</p>
scope 1 greenhouse gas emissions	<p>Direct greenhouse gas emissions that occur from sources that are owned or controlled by an entity</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
scope 2 greenhouse gas emissions	<p>Indirect greenhouse gas emissions from the generation of purchased or acquired electricity, steam, heating or cooling consumed by an entity</p> <p>Purchased and acquired electricity is electricity that is purchased or otherwise brought into an entity's boundary. Scope 2 greenhouse gas emissions physically occur at the facility where electricity is generated</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>

Term	Meaning in this document
scope 3 greenhouse gas emissions	<p>Indirect greenhouse gas emissions (not included in scope 2 greenhouse gas emissions) that occur in the value chain of an entity, including both upstream and downstream emissions. Scope 3 greenhouse gas emissions include the scope 3 categories in the Greenhouse Gas Protocol Corporate Value Chain (Scope 3) Accounting and Reporting Standard (2011)</p> <p>Note: This is the definition in Appendix A of AASB S2.</p>
secondary data	Has the same meaning as 'secondary data' in paragraph B46 and B49 of Appendix B of AASB S2
SIS Act	<i>Superannuation Industry (Supervision) Act 1993</i>
superannuation product	<p>Has the same meaning as:</p> <ul style="list-style-type: none"> • a 'superannuation interest' in s10 of the SIS Act; and • a 'superannuation product' in s9 of the Corporations Act
sustainability records	<p>Includes documents and working papers needed to explain the methods, assumptions and evidence from which the required contents of a sustainability report under s296A(1), except the directors' declaration mentioned in s296A(1)(e), are made up</p> <p>Note: This is the definition in s9 of the Corporations Act.</p>
sustainability-related disclosures or information	Information about sustainability. It is not limited to sustainability-related financial information. It may also include sustainability-related information disclosed under other sustainability reporting standards (other than AASB S1 or AASB S2) or frameworks
sustainability-related financial disclosures or information	<p>Information about the entity's sustainability-related risks and opportunities that could reasonably be expected to affect the entity's cash flows, its access to finance or cost of capital over the short, medium and long term, including information about the entity's governance, strategy and risk management in relation to those risks and opportunities, and related metrics and targets</p> <p>Note: This is the definition in Appendix A of AASB S1.</p>
sustainability report	<p>An annual sustainability report required under s292A of the Corporations Act</p> <p>Note: This is the definition in s9 of the Corporations Act.</p>
sustainability reporting thresholds	The thresholds set out in ss292A(3), 292A(5) and 292A(6) of the Corporations Act
sustainability standards	AASB S1 (issued as a voluntary sustainability standard) and AASB S2 (made under s336A)
transaction-specific PDS	A PDS prepared under s1013FA of the Corporations Act in relation to a continuously quoted security

Term	Meaning in this document
transition plan	<p data-bbox="767 293 1401 427">An aspect of an entity's strategy that lays out the entity's targets, actions or resources for its transition towards a lower-carbon economy, including actions such as reducing its greenhouse gas emissions</p> <p data-bbox="767 434 1401 468">Note: This is the definition in Appendix A of AASB S2.</p>

Related information

Headnotes

climate-related financial disclosures, climate-related financial information, climate-related opportunities, climate-related risks, climate-related scenario analysis, climate statements, corporate size threshold, cross-referencing, directions power, directors' declaration, directors' duties, disclosure documents, emissions threshold, forward-looking climate information, labelling, material financial risks or opportunities relating to climate, modified liability, notes to the climate statements, OFR, operating and financial review, PDS, Product Disclosure Statement, proportionality mechanisms and exceptions, prospectus, protected statements, scope 1 greenhouse gas emissions, scope 2 greenhouse gas emissions, scope 3 greenhouse gas emissions, sustainability records, sustainability-related financial disclosures, sustainability-related financial information, sustainability reporting, sustainability reporting and audit relief, sustainability reporting thresholds, value of assets threshold

Legislation

Acts Interpretation Act 1901, s2C

Australian Charities and Not-for-profits Commission Act 2012

Australian Securities and Investments Commission Act 2001, Pt 3 Div 6; ss12BB, 224

Climate Change Act 2022, s3(a)

Competition and Consumer Act 2010, Sch 2 (Australian Consumer Law)

Corporations Act 2001, Chs 2M, 6, 6D and 7; Pt 2M.2, Pt 2M.3 Div 3, Pt 2M.4 Divs 3, 4 and 5, Pt 2M.6, Pt 5.1, Pt 5B.2 Div 2, Pt 7.9 Subdiv C; ss9, 45A(c), 111AD, 180(1), 181(1)(a), 189(b), 250N(3), 285, 286A, 288(1), 289A(1)–(2), 292, 292A, 294B, 295, 296A, 296B, 296C, 296D, 296E, 299, 299A, 301A, 302, 314(1)(a), 314(1AAA), 314AA(1), 316(5), 316A, 316B(1), 317, 319, 336A, 340, 341, 342, 345AAA, 412(6), 601FD(1)(b), 601FD(1)(c), 633, 635, 636(1)(g), 674, 675, 677, 710, 711, 713, 715, 715A, 728, 769C, 1013C(1)–(3), 1013D, 1013DA, 1013E, 1013F, 1013FA, 1013I(3)–(4), 1017BB(6), 1017C(3AA), 1017C(9), 1041E, 1041H, 1224D(1)(b), 1224D(1)(c), 1224D(2)(a), 1232C(1)(aa), 1306(1), 1306(2), 1707B, 1707C, 1707D, 1707E, 1707F

Corporations Regulations 2001, regs 7.9.14C, 7.9.15D, 7.9.15DA

[Explanatory Memorandum](#) to the *Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Bill 2024*

National Greenhouse and Energy Reporting Act 2007, ss8, 12(1), 13(1)(a)

[Revised Supplementary Explanatory Memorandum](#) to the *Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Bill 2024*

Superannuation Industry (Supervision) Act 1993, ss10, 52A(2)(b), 52A(2)(c)

Cases

Re Mazda Australia Pty Ltd and ASC (1992) 8 ACSR 613

Legislative instruments and pro formas

[ASIC Corporations \(Electronic Lodgment of Financial and Sustainability Reports\) Instrument 2016/181](#)

[ASIC Corporations \(Reporting by Stapled Entities\) Instrument 2023/673](#)

Standards

[AASB 2](#) *Share-based payment*

[AASB 9](#) *Financial instruments*

[AASB 10](#) *Consolidated financial statements*

[AASB 11](#) *Joint arrangements*

[AASB 15](#) *Revenue from contracts with customers*

[AASB 17](#) *Insurance contracts*

[AASB 140](#) *Investment property*

[AASB 141](#) *Agriculture*

[AASB S1](#) *General requirements for disclosure of sustainability-related financial information*

[AASB S2](#) *Climate-related disclosures*

[IFRS S1](#) *General requirements for disclosure of sustainability-related financial information*

[IFRS S2](#) *Climate-related disclosures*

Regulatory guides

[RG 8](#) *Administrative hearings: Principles and conduct*

[RG 43](#) *Financial reports and audit relief*

[RG 51](#) *Applications for relief*

[RG 65](#) *Section 1013DA disclosure guidelines*

[RG 66](#) *Transaction-specific disclosure for PDSs*

[RG 108](#) *No-action letters*

[RG 115](#) *Audit relief for proprietary companies*

[RG 168](#) *Disclosure: Product Disclosure Statements (and other disclosure obligations)*

[RG 170](#) *Prospective financial information*

[RG 228](#) *Prospectuses: Effective disclosure for retail investors*

[RG 247](#) *Effective disclosure in an operating and financial review*

[RG 254](#) *Offering securities under a disclosure document*

Information sheets

[INFO 1](#) *Administrative hearings*

[INFO 151](#) *ASIC's approach to enforcement*

[INFO 155](#) *Shorter PDSs—Complying with requirements for superannuation products, simple managed investment schemes and simple sub-fund products*

[INFO 183](#) *Directors and financial reporting*

[INFO 224](#) *ASIC financial reporting and audit surveillances*

Other

[CPG 229](#) *Climate change financial risks*