

20 February 2026

██████████
Senior Executive Leader, Regulatory Reform and Implementation
Australian Securities and Investments Commission
Submitted by email: ri.consultation@asic.gov.au

Dear ██████████

Feedback on ASIC's proposed change to stamp duty disclosure requirements

HESTA welcomes the opportunity to provide feedback on ASIC's proposal for interim changes to stamp duty disclosure under RG97, specifically its proposal to average stamp duty costs over seven years.

About HESTA

HESTA is a profit-to-member industry super fund investing more than \$101 billion¹ on behalf of more than one million members, who work predominantly in the health and community services sector. Our purpose is to invest in and for people who make the world better.

HESTA believes members' interests are best served through accurate, clear and consistent financial disclosure of all investment fees and costs, which supports greater transparency. This helps members to make a well-informed investment decision by allowing them to meaningfully compare each fund's fees and costs.

Consistent disclosure of stamp duty across property and infrastructure investments supports member understanding and choice

Stamp duty is a government tax that is incurred by all property and infrastructure investments in Australia and cannot be avoided or minimised, regardless of whether a fund invests directly or through listed and pooled vehicles. Under the current RG97 reporting framework, disclosure of stamp duty is inconsistent within the property and infrastructure asset class.

¹ As at 11 February 2026

Specifically, stamp duty is disclosed as a transaction cost for direct property and infrastructure holdings, but not for investments made through listed or pooled vehicles such as real estate investment trusts (REITs).

This inconsistency in disclosure means that direct property and infrastructure investments appear to have higher fees and costs than listed or pooled vehicles, even though both incur stamp duty. As a result, current and potential members of superannuation funds may be misinformed or misled when comparing investment options as the reported difference reflects required disclosure practices rather than true underlying costs.

For superannuation funds, stamp duty is a significant and unavoidable cost that is factored into assessments of prospective property and infrastructure investments and is a key consideration in the design and construction of fund portfolios. This is important because funds actively seek to optimise member returns and maintain fee and cost competitiveness, yet inconsistent stamp duty disclosure can influence investment decisions by encouraging allocation of capital towards options with lower reported costs.

ASIC's proposed 7-year rolling average does not fix the key issue of inconsistent reporting

In reviewing ASIC's proposal to introduce a 7-year rolling average for stamp duty as an interim measure, HESTA does not believe this would address the underlying issue of inconsistent reporting.

HESTA therefore recommends that stamp duty disclosure for direct property and infrastructure holdings under RG97 be excluded as a transactional cost reportable under fees and costs for direct investment holdings. Making this change would provide consistency of reporting across property and infrastructure investments, deliver neutrality in investment decision-making and give members a clearer and more meaningful basis to compare investment fees and costs for property and infrastructure investments.

HESTA supports ASIC's forthcoming RG97 review of investment fees and costs, and recommends stamp duty reporting be considered at this time

HESTA welcomes ASIC's upcoming broader review of RG97 fees and costs and believes that any interim changes to stamp duty should be deferred and addressed as part of this comprehensive review.

We believe considering the impact of stamp duty holistically together with all investment fees and costs will be beneficial for ASIC to assess current disclosure practices, identify areas of inconsistent reporting and support ASIC to make a well-informed decision on changes to stamp duty disclosure.

Additionally, feedback received from this consultation will be valuable in informing the development of ASIC's broader review.

HESTA supports the positions of peak associations: Association of Superannuation Funds of Australia (ASFA) and Super Members Council (SMC). Should you have any questions, please contact [REDACTED], Head of Strategy, at [REDACTED]

Yours sincerely

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[REDACTED]

Head of Strategy