

05 March 2026

The Hon Dr Jim Chalmers MP
Treasurer of Australia

Mr. Joseph Longo
Chair
Australian Securities and Investments Commission

Mr. Scott Gregson
Chief Executive Officer
Australian Securities and Investments Commission

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Review of ASIC Updates and Fee-Free ASIC Access for Community Legal Centres

Dear Treasurer, Mr Longo and Mr Gregson

We write as a coalition of Community Legal Centres (CLCs) across Australia to raise concerns about the recent ASIC updates that have changed the information available through purchased ASIC company extracts. Additionally, we wish to reiterate our ongoing concerns about how ASIC search fees undermine access to justice for the communities we serve. These issues present growing barriers for vulnerable individuals seeking to enforce their legal rights.

ASIC Updates – Removal of Company Officeholder Addresses

We are particularly concerned that the recent removal of directors' residential addresses from ASIC company extracts will create an additional barrier for our clients seeking to enforce their legal rights. ASIC has confirmed through its formal update that company extracts purchased via the ASIC website will no longer contain the residential addresses of company officeholders. We understand that this change was implemented due to privacy and concerns.¹

¹ Ben Butler 'Treasurer asks ASIC to restrict public access to company directors' home addresses', *ABC News* <<https://www.abc.net.au/news/2026-02-03/company-director-addresses-restricted-asic-jim-chalmers/106299932>>

While we recognise the importance of privacy protections, the method and consequences of this reform will create substantial barriers to access to justice for the vulnerable communities we assist, including young workers, migrant workers, workers on temporary visas and women experiencing family violence. These changes were implemented without prior notice or meaningful consultation, despite the significant effects on advisers, creditors, and employees. The reason this is a problem is that this abrupt rollout has removed longstanding mechanisms used to identify directors, verify addresses, and assess phoenix activity.

The ASIC update states that the change was introduced as part of a privacy and safety concerns, and that only regulators and government departments will continue to have unrestricted access. No equivalent access exists for CLCs, despite our role in helping workers and consumer victims enforce their legal rights and the limited access our clients have to regulators to undertake this action on their behalf.

Our CLCs frequently act for clients who are pursuing claims in relation to:

- underpayment and wage theft,
- discrimination,
- sexual harassment,
- sham contracting,
- workplace bullying and harassment,
- accessorial liability against directors and other officeholders,
- other breaches of the *Fair Work Act (2009)* (**FWA**),
- debt recovery against insolvent or phoenix companies and their officers,
- consumer action,
- personal injury, and
- residential tenancies.

The removal of publicly accessible address data now makes it significantly harder for workers, who already bear the burden of enforcement, to identify and personally serve directors responsible for the above contraventions.

Many of our clients obtain advice from us but are not able to obtain full representation due to resource limitations. These changes will impact their ability to pursue matters as self-represented litigants. Reversing the decision to remove directors' addresses would therefore also support this cohort.

In an attempt to settle matters before proceeding to litigation, CLCs often send letters of demand to director/s' personal addresses to ensure that the matter has been brought to their attention and they understand their own personal liability. To progress these matters, personal service of documents upon directors or other officers is often legally required, and residential addresses have historically been obtained through ASIC extracts. Private enforcement mechanisms are the primary way that employee's rights under the FWA are upheld, including through accessorial liability under section 550 of the FWA. Removing access to directors' residential addresses materially undermines the practical ability to utilise those enforcement mechanisms, creating inconsistency between corporate regulation and workplace law frameworks. Directors of insolvent companies are often unresponsive or evasive to personal service at registered office addresses. Residential service is sometimes the only viable avenue to send letters of demand and serve court documents. Removal of this pathway may incentivise misconduct leaving no alternative avenue to locate and serve directors and hold them legally responsible for exploitative conduct towards vulnerable community members.

While we acknowledge that access remains available for 'legitimate business and legal purposes,'² it remains unclear what specific criteria will define these purposes or what documentation not-for-profit organisations, such as CLCs, will need to provide in order to meet this condition.

ASIC has confirmed that regulators and government agencies will continue to have access to this information. However, CLCs—who provide free legal assistance to vulnerable members of the community—will be unable to access it, despite playing a crucial role in helping individuals enforce their legal rights. Moreover, it is unclear how self-represented applicants will be able to easily advance their claims against directors and other officeholders. This risks creating a two-tiered system in which vulnerable individuals must pursue rights against directors without access to the most basic information required for procedural fairness.

The lack of access to directors' addresses raises critical procedural fairness issues under the FWA, especially when:

- Applicants must personally serve originating applications or compliance documents
- Directors must be properly notified of claims to satisfy jurisdictional prerequisites

² Ben Butler 'Treasurer asks ASIC to restrict public access to company directors' home addresses', *ABC News* <<https://www.abc.net.au/news/2026-02-03/company-director-addresses-restricted-asic-jim-chalmers/106299932>>

- Workers must identify responsible individuals in accessorial liability actions (section 550 FWA)
- Time sensitive applications depend on proper service (e.g. dismissal applications must be made within 21 days).

Without reliable access to company officers' residential addresses, workers risk losing the mechanism to enforce their rights due to defective service, not because the merits of their case fall short. This undermines the FWA's foundational principles of fairness and justice.

An alternative could be to allow directors to be deemed to be served where claims are sent to the registered company address. This would require legislative changes and would not adequately address the issue of sending letters of demand. However, it would lower the cost involved for vulnerable litigants by avoiding the cost of a process server to find and personally serve directors.

Fee Barriers: Request for fee-free- searches for Community Legal Centres

Many CLC clients cannot afford repeated ASIC searches, especially where multiple entities or directors are involved and where multiple searches are required over the course of a matter. Previously, relevant stakeholders such as tax agents could obtain this information at no cost, but no fee-free pathway exists for CLCs assisting people experiencing financial hardship. Journalists can also access information on ASIC's business registers for free as part of their work, but lawyers providing free legal services to vulnerable clients cannot.

Search fees function as a barrier to justice, hindering the claims that CLCs assist with, including those outlined above. Since CLCs are not funded to cover client disbursements, if neither the CLC nor the client can afford the cost, an ASIC search may not be conducted.

Treasury must create a fee-free ASIC search framework for CLCs, similar to mechanisms already in place for journalists or statutory agencies. It is in the public interest to allow this access for free.

Recommended Reform:

In light of the above, our coalition of CLCs respectfully requests Treasury and ASIC to:

- 1. Reverse the decision to remove Company Officeholder Addresses and re-establish previous search functions.**

Alternatively

2. Establish a secure, verified ASIC access pathway for CLCs

This pathway should allow access to directors' and other officers' current residential addresses for legitimate legal purposes, including sending letters of demand, service of legal documents and enforcement of legal claims and judgements against the director/officer

and

3. Create a fee-free ASIC search category for Community Legal Centres

Ensuring equitable access to corporate information for marginalised and financially disadvantaged individuals.

4. Commit to future consultation with CLCs

Especially for reforms affecting data access critical to enforcement and procedural fairness.

We support reforms that enhance privacy and safety; however, the current approach unintentionally harms vulnerable members of our community who depend on CLCs to enforce their legal rights. The lack of access to officers' residential information, combined with the financial barriers posed by search fees, presents an access-to-justice issue and raises serious procedural fairness concerns under existing frameworks.

We urge Treasury to establish practical access pathways and remove cost barriers so that the reforms do not inadvertently shield offenders or obstruct legitimate enforcement.

We welcome the opportunity to engage further and provide our frontline experiences.

Yours sincerely,



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Circle Green
Community Legal

 **Inner City
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 **Working Women's
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