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Att: Dr Sean Turner  
Committee Secretary  
Senate Standing Committees of Economics  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Sent via email: [economics.sen@aph.gov.au](mailto:economics.sen@aph.gov.au)

19 February 2026

Dear Committee members,

MYOB welcomes the opportunity to provide a submission to the Senate Economics Legislation Committee's (the Committee) inquiry into the Treasury Laws Amendment (Supporting Choice in Superannuation and Other Measures) Bill 2025 (the Bill). Our submission relates to schedules 1 and 2 of the Bill.

## About MYOB

MYOB is a trusted software partner to small and medium sized businesses across Australia and New Zealand. Starting out as accounting software, MYOB has grown to become an innovative and trusted cloud-based business management platform that integrates all the key workflows of running a business—from finance and accounting, to supply chain, inventory and employment management. Our software supports businesses of all shapes and sizes from sole traders to enterprises with over 1,000 employees.

To support employing small businesses with their onboarding, HR and employee benefits, MYOB acquired Flare in 2023. Today, MYOB via Flare onboards around half of all job starters across Australia. Around 140,000 employing businesses use our platform to ensure their employer obligations are fulfilled and to give their employees access to the kinds of employee benefits typically only associated with large corporate employers.

Prior to digital onboarding, getting a new employee started was time consuming and confusing. There were multiple paper-based forms that all needed to be completed, then sent to different recipients. Compliance was an issue with employers either being unaware of their obligations or deliberately avoiding their obligations under the cover of complexity. Employees may not have completed their forms, have left out vital information, or may have had their details incorrectly transcribed by their employer. Digitising onboarding addresses all these issues to the benefit of employers, employees and the overall integrity of the system.

Digital onboarding saves employers an average of 1.4 hours in admin per new employee; decreasing the administrative burden on businesses and removing the privacy and security risks associated with storing employees' sensitive and personal information (often in paper form). Critically, employees who use the Flare platform to nominate a super fund are more likely to return a choice. 89 per cent of new starters complete the super choice form when presented via Flare, compared to only 33 percent when given a physical form.

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Additionally, only around 40 percent of employers are aware of their stapling obligations. Flare not only facilitates more workers nominating a super fund (and retaining an existing fund), but it also builds the employers' stapling obligations into the user flow—increasing compliance and leading to better consumer outcomes.

To overcome structural impediments to accessing employees' stapled fund information, Flare has partnered with 20 superannuation funds to provide member engagement and verified existing fund identification as part of onboarding.

Digital onboarding is a critical aspect to the successful delivery of Payday Super starting 1 July 2026. MYOB is the largest provider of digital onboarding in the country. Our technology helps new employees provide their choice of super details with fewer errors and less contribution rejections. MYOB's size means that changes to laws governing payroll, superannuation, taxation and industrial relations can be implemented at scale. However, this also means that when there are issues with legislation, the problem can be compounded.

## General comments

MYOB supports this Bill's intention to reduce the number of unintended duplicate super accounts in the system. We are actively building our capability to present stapled fund information in-product at the time of onboarding; however, we are concerned that without structural changes to ATO policies and systems, implementation of this legislation will have unintended consequences that will materially harm workers and undermine the Bill's intent. These technical barriers combined with a ban on verified existing fund identification services will lead to an estimated 300,000 unintended duplicate accounts created per year.

Conversely, by exempting verified existing fund identification services from a ban on advertising and permitting the use of SuperMatch 2 in onboarding solutions, we estimate we could remove 320,000 unintended duplicate accounts from the system.

## Schedule 1 – Employee onboarding reforms

MYOB supports these amendments to the *Superannuation Guarantee (Administration) Act 1992*.

## Schedule 2 – Ban on advertising superannuation funds during onboarding

MYOB is concerned Schedule 2 would cause material financial harm to workers and undo the commendable progress the Australia Government has made in strengthening choice and competition in Australia's superannuation system, while reducing the share of Australians with more than one superfund. These concerns are detailed further below.

### **992AB (1) General prohibition**

Given technical challenges associated with surfacing employees' stapled fund information (explained further below), many DSPs have innovated directly with superannuation funds to offer a 'next best' solution whereby existing accounts can be shown in onboarding platforms. This means that if an

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employee is a member of Super Fund A, and the onboarding platform has an agreement in place, that product can be shown in the onboarding flow as an 'existing account' through a secure API connection between the super fund and the onboarding platform.

MYOB data shows that 90 percent of new starters receive their SGC into an existing fund or opt to have their contributions paid into their employer's Default offering.

These services simplify the process for Australians to bring an existing fund with them when they change jobs. These services also help consumers by ensuring their contact details are kept up to date, that beneficiaries are nominated, and that they have digital access to fund mobile apps or online portals to more easily engage with their fund and retirement savings.

Since 2019, the share of Australians with more than 1 super fund account has decreased from 40% to 21%. According to ATO testimony in Senate Estimates on 12 February 2026, there are now so few people with multiple funds that those left with multiple funds are doing so knowingly.

### Nominate a super fund

Choose where your employer will pay your super contributions.

Not ready to join a new fund, or want to nominate another super fund?  
[Skip featured funds >](#)

<div style="text-align: right; font-size: 0.8em; font-weight: bold;">Existing Member <span style="color: green;">✔</span> Featured</div> <div style="text-align: center; margin-bottom: 10px;"> </div> <p><b>Aware Super</b></p> <ul style="list-style-type: none"> <li>✔ 8.83% p.a<sup>1</sup> return over 10 years to 30 June 2025 (High Growth option)</li> <li>✔ Profit-for-member fund that aims to keep fees low with a focus on great service</li> <li>✔ SuperRating's Fund of the Year 2025<sup>2</sup></li> </ul> <div style="text-align: center; margin-top: 10px;"> <div style="background-color: #0070c0; color: white; padding: 5px 15px; border-radius: 3px;">Continue with existing fund</div> </div> <p style="font-size: 0.7em; margin-top: 10px;">General advice only. Consider your objectives, financial situation, or needs, which have not been accounted for in this information and read the PDS and TMD at <a href="#">important documents</a> before acting.</p> <p style="font-size: 0.7em;">1 SuperRatings Fund Crediting Rate Survey, June 2025. Based on the SR50 Growth (77-90) Index. Returns are after tax and investment management expenses but before the deduction of administration fees. Past performance is not an indicator of future performance.</p> <p style="font-size: 0.7em;">2 Awards are just one factor to consider when deciding on a product. See <a href="http://aware.com.au/awards">http://aware.com.au/awards</a></p> <p style="font-size: 0.7em;">Issued by Aware Super Pty Ltd. (ABN 11 118 202 672, AFSL 293340), the trustee of Aware Super (ABN 53 226 460 365).</p>	<div style="text-align: right; font-size: 0.8em; font-weight: bold;">Employer Default <span style="color: blue;">✔</span> Featured</div> <div style="text-align: center; margin-bottom: 10px;"> </div> <p><b>AustralianSuper</b></p> <ul style="list-style-type: none"> <li>✔ One in seven working Australians are with AustralianSuper<sup>1</sup>.</li> <li>✔ Digital tools and resources for super management and future planning.</li> <li>✔ Access to a wide range of investment options.</li> </ul> <div style="text-align: center; margin-top: 10px;"> <div style="background-color: #0070c0; color: white; padding: 5px 15px; border-radius: 3px;">Choose this fund</div> </div> <p style="font-size: 0.7em; margin-top: 10px;">1. Source: Australian Bureau of Statistics (Labour force) December 2023 and AustralianSuper Member Data.</p> <p style="font-size: 0.7em;">You should consider the Product Disclosure Statement and Target Market Determination before deciding to invest in or apply to become a member of the fund.</p> <p style="font-size: 0.7em;">Sponsored by AustralianSuper Pty Ltd. AustralianSuper Pty Ltd ABN 64 006 457 987 AFSL 233788, Trustee of AustralianSuper ABN 65 714 394 898.</p>
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**Other fund options**

- Select this option if you'd like to add your current fund, self-managed super fund, or your employer's default fund.
- If you are unsure of your current super fund details, you can find out at [www.my.gov.au](http://www.my.gov.au)
- For guidance on what to look for in a super fund, refer to the [MoneySmart](#) website.

Explore other fund options

Figure 1: Verified existing accounts can be displayed during onboarding via a secure API connection.

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Given these services complement the intent of this legislation, MYOB strongly believes verified existing fund services should be excluded from the ban in the Bill.

**992AB (2) – Exception – product is the employee’s stapled fund and 992AB (3) – Exception – product is the employer’s default fund**

*Technical barriers to implementation*

Due to the way business software interacts with ATO data, and the data policies and platforms the ATO manages, the ability for software providers to access and display the stapled fund is difficult. There are a range of technical challenges that require further scoping and resourcing to overcome. If these cannot be addressed, software providers will be unable to display the stapled fund for most new starters.

For a digital service provider (DSP) to display an employee’s stapled fund, three things need to occur:

1. The DSP would need to be authorised by the employer to perform stapled fund lookups on their behalf – something that our approximately 140,000 employing business customers would each need to individually authorise prior to 1 July 2026.
2. An ‘employment link’ would need to be established, showing that the employee and the employer have an employment relationship that allows the employer to lookup their employee’s stapled fund
3. A successful stapled fund result would need to be returned by the ATO’s stapling service.

Each of these steps has a range of issues explained further below:

Employer Authorisation: The ATO requires employers to authorise DSPs within ATO systems (Access Manager) to act on their behalf to collect and return superannuation details for an employee via their stapled fund service. This authorisation must occur at the director/owner level, who may or may not be deeply engaged with employee onboarding processes.

The process to authorise can take up to 20 minutes per employer and first requires the establishment of a ‘standard’ strength<sup>1</sup> myID on a smart device.

Similar “opt-in” campaigns run by MYOB have historically returned an enrolment rate of 10%. Further, for larger small businesses with multiple employees, the individual responsible for payroll may not be the director or owner. This adds additional layers of authorisation required.

Employment Link: The establishment of the employment link has been an ongoing issue for DSPs. Prior to the introduction of Single Touch Payroll (STP), the Tax File Number (TFN) Declaration form was widely used to establish the employment link. As part of changes introduced to support STP Phase 2, the ATO depreciated its standalone TFN declaration service and replaced it with the ability for the TFN declaration to be submitted as part of the first STP pay event. The introduction of STP resulted in most DSPs altering their product flows to collect the TFN during the first STP pay event. This bill, combined

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<sup>1</sup> Standard myID strength requires ID to be verified with two Australian documents such as a passport, drivers license, birth certificate, visa, ImmiCard, Medicare card or citizenship certificate.

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with the faster payment timeframes required by Payday Super, will mean most DSPs would need to retrofit their platforms to pre-STP requirements.

The timing of when the employee-employer link can be established in ATO systems has created an impasse that has limited the use of the existing stapled fund API by DSPs, whereby the ATO can only create the employee-employer link using the TFN declaration API (that the vast majority of DSPs have not developed) or via the first pay event.

Under current ATO policy settings and technical architecture, DSPs cannot reliably initiate stapled fund requests for most employee onboarding events. This is not a product or implementation issue; it is a structural constraint driven by the current authority requirements imposed by the ATO.

Stapling Service Result: the ATO has conveyed to DSPs that their stapling service only returns a result around 60 percent of the time.

#### *Impact of technical barriers*

Low levels of employer authorisations, difficulties in establishing the employer-employment link and the low result return rate of the ATO's stapling service will have a cumulative effect in limiting DSP's ability to display an employee's stapled account during onboarding and will mean most new starters will not be shown their stapled account during onboarding.

If the stapled account cannot be shown, advertised funds cannot be shown, and only the employer's default fund could be displayed. When presented with either the default fund, or the option to open a new browser window, navigate to the MyGov website, login, complete two factor authentication, look up the stapled fund, then transcribe that information into the onboarding platform, our data clearly shows more new starters would select the frictionless default fund nomination rather than bring an existing fund with them.

This would have the impact of creating more unintended duplicate accounts. Given MYOB onboards approximately 1.2 million new starters every year, we estimate this would number approximately 300,000 duplicate accounts created every year.

## Nominate a super fund

Choose where ABC Construction will pay your super contributions.

< Stapled fund

### Explore other options

[Enter your existing fund details](#) >  
Link to a super fund you already have by entering your fund name, USI, and membership number.

[Choose your employer's default fund](#) >  
Pick the default fund chosen by your employer.

[Enter your self-managed super fund \(SMSF\) details](#) >  
If you manage your own super fund, enter your SMSF details, including the fund name, USI, and membership number.

*Figure 2: Banning verified existing member services would lead to approximately 300,000 unintended duplicate accounts created each year.*

### 992AB (4) – Exception – certain other MySuper products

MYOB supports restricting advertising to MySuper products that have passed the most recent performance test. We believe this strikes the right balance between offering choice and information with consumer protections to guard against harm. Given the technical challenges outlined above, and the associated consumer impacts, MYOB does not support subsections (d) and (e).

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## Recommendations

### 1. Delay commencement of Schedule 2 to 1 January 2028

The scoping and implementation of solutions to address the technical barriers outlined above require both time and investment from the ATO and software providers. This work is already underway but cannot be feasibly achieved prior to 1 July 2026. We recommend delaying commencement of the legislation to 1 January 2028 to allow time for this scoping and implementation to occur.

### 2. Either amend 992AB (2) to include “Exception – product is the employee’s existing fund” or amend 992AB(1)(a)(i) and (ii) to read “... new to employee superannuation product”

This would allow existing account engagement services to continue, helping to reduce the number of unintended duplicate accounts in the system, and reduce the number of “uncontactable” fund members.

### 3. Failing 2, amend 992AB (2) to read “...product is the employee’s stapled fund (within the meaning of the Superannuation Guarantee (Administration) Act 1992) or existing fund.

There are also non-legislative options available to government to ease some of the issues explored herein and strengthen efforts to maximise Australians’ retirement savings:

### 4. Develop and consult on draft practical compliance guidelines

An enforcement approach similar to what was introduced following the passage of the Government’s Payday Super legislation would be welcomed. A delay in the commencement of enforcement would allow more time to work through the technical issues outlined above.

### 5. Broaden access to SuperMatch to allow integration into DSP software

Given the Government’s focus on helping Australians remove and consolidate unintended duplicate accounts to avoid unnecessary fees and charges, we believe the ATO Commissioner should investigate broadening access of SuperMatch. Usage in employer solutions is currently prohibited under the Terms and Conditions of SuperMatch, but this could be updated by the ATO in alignment with the policy intent of this Bill. With around half of all new starters onboarded by MYOB, this would be a safe, secure and efficient way for individuals to locate and consolidate lost super and remove duplicate super accounts.

We welcome any further questions you may have about our platform, or the concerns raised here. Thank you for your continued engagement on this important policy issue.

Yours sincerely,

**Paul Robson**  
Chief Executive Officer  
MYOB