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SUBMISSION

Submission to Senate Economics Committee — Ban on genetic tests in life insurance

21 January 2026

File: 2026/04

Senate Standing Committees on Economics

PO Box 6100

Parliament House

Canberra ACT 2600

Via email: economics.sen@aph.gov.au

21 January 2026

Dear Sir/Madam

Treasury Laws Amendment (Genetic Testing Protections in Life Insurance and Other Measures) Bill 2025

The Association of Superannuation Funds of Australia (ASFA) is pleased to provide this submission in response to the consultation on the Bill in regard to the use of genetic tests in life insurance. ASFA does not have any comments in regard to any other the other matters contained in the Bill.

About ASFA

ASFA has been operating since 1962 and is the peak policy, research and advocacy body for Australia's superannuation industry. ASFA represents the APRA regulated superannuation industry with over 100 organisations as members from corporate, industry, retail and public sector funds, and service providers.

We develop policy positions through collaboration with our diverse membership base and use our deep technical expertise and research capabilities to assist in advancing outcomes for Australians.

ASFA has a keen focus on matters that impact the outcomes achieved by individuals through the superannuation system, their experiences with the system, and issues relevant to the industry's operational effectiveness.

ASFA's general position on the proposed ban

ASFA strongly supports the introduction of a total legislative ban on requesting access to and use of adverse genetic test results in life insurance underwriting. It commends the Government for moving from a statement of policy intention to the development of comprehensive legislation on the topic. The Bill is a measured response which has taken on feedback from stakeholders and which is workable for consumers, superannuation funds and insurance companies.

Genetic testing can provide people with the information they need to make informed choices about their health. Genetic testing can empower people to take control of their health, make important decisions and take preventive action if that is what is right for them. Individuals should be able to undertake genetic testing without the fear of this compromising their ability to obtain life insurance cover on reasonable terms at the level they would like to have. Sector research released in 2021 indicated that around 10 per cent of individuals who disclosed a genetic test result had insurance cover offered on less favourable terms or had cover declined. The benefits of increased levels of genetic testing in terms of disease detection and treatment justify a ban on the disclosure of adverse genetic test results in the context of life insurance underwriting.

Genetic testing has become more common, more accessible and more clinically useful. There is anecdotal and other evidence that individuals can be reluctant to have genetic testing undertaken because of the implications for how they will be treated for purposes of life insurance. Now is the time to legislate in this area.

The Bill provides a comprehensive definition of current methods of genetic testing. ASFA also supports the provision in the Bill providing for the ability to make regulations prescribing what information is protected genetic information. This will allow the meaning of protected genetic information to be kept up to date and reflect medical technological developments. ASFA also supports the proposed five yearly review of the legislation in order to keep the legislation relevant to contemporary standards and procedures.

In terms of transitional arrangements ASFA supports the proposal for the legislation to come into effect six months after Royal Assent in order to allow funds and insurers to change administrative procedures and to reprice insurance offerings where necessary.

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If you have any queries or comments in relation to our submission, please contact Ross Clare on ▮▮▮▮▮▮▮▮ or by email ▮▮▮▮▮▮▮▮▮▮▮▮▮▮

Yours sincerely

James Koval

Chief Policy & Advocacy Officer