



**Actuaries
Institute.**

25 June 2026

Insurance Unit
Financial System Division
The Treasury
Langton Crescent
Parkes ACT 2600

Via [Treasury Consultation Hub](#)

Dear Sir/Madam,

Consultation: Genetic testing protections in life insurance – draft regulations

The Actuaries Institute (Institute) welcomes the opportunity to provide feedback to the consultation on the draft regulations to support the legislated ban on the use of genetic test results in life insurance underwriting. This covers the exposure draft of the *'Insurance Contracts Amendment (Genetic Testing Protections in Life Insurance) Regulations 2026'* (Draft Regulations) and the Explanatory Materials.

The Institute is the peak professional body for actuaries in Australia. Our members work in a wide range of fields including insurance, superannuation and retirement incomes, banking, enterprise risk management, data science and AI, climate change impacts and government services. The Institute has a longstanding commitment to contribute to public policy discussions where our members have relevant expertise.

The comments made in this submission are guided by the Institute's [Public Policy principles](#) that any policy measures or changes should promote public wellbeing, consider potential impacts on equity, be evidence-based and support effectively regulated systems.

The Institute reiterates its support for the legislated ban on the use of adverse predictive genetic test results in life insurance underwriting. An effective ban will give the Australian community certainty and assurance on the way forward and support medical advances that can benefit society in many, potentially profound, ways.

We make the following observations regarding the Draft Regulations.

- **Broad support for the Draft Regulations**

The Draft Regulations include a list of conditions for which genetic testing information is classified as “protected genetic information”. Consistent with the legislation, unless a clinical diagnosis has been made by the time a life insurance contract is entered into, a predisposition to any of the conditions listed can neither be used in the underwriting process nor considered a pre-existing condition when assessing admissibility of a claim. This provides further clarity on conditions to which the ban applies, provided they have not been clinically diagnosed.

- **We would welcome a discussion with Treasury on how best to regularly collect and monitor population-level genetic testing data.**

While we support the legislation and accompanying regulations, we reiterate the potential long-term risks to fairness across all life insurance customers and to the sustainability of the insurance industry. The collection and analysis of appropriate data is critical to monitoring and assessing the impact, effectiveness and any unintended consequences of the legislation. Mechanisms for the collection of this data should be established as soon as practicable. Establishing an appropriate evidence base on genetic testing uptake and the associated health outcomes will also deliver broader societal benefits. We welcome further consultation with Government and other stakeholders as to the data collection measures that should be considered.

The Institute may be contacted regarding this submission. If you would like to do so, please contact us via (02) 9239 6100 or public_policy@actuaries.asn.au.

Yours sincerely

(Signed) Elayne Grace
Chief Executive Officer