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Part 7.9 of the Corporations Act 2001 (Cth) (Corporations Act) establishes a product disclosure regime that imposes an obligation on providers of financial products to produce and disseminate a statement that highlights important information for persons to engage with, better understand and compare financial products. While some Product Disclosure Statements (PDSs) must be lodged with the Australian Securities and Investments Commission and provided when recommending, offering or selling financial products, many simply need only be retained by the provider of the financial products. The PDSs provided by superannuation funds generally fall within this purview, which means that public superannuation fund product disclosure is largely facilitated through notice, retention and access requirements as specified in s 1015D of the Corporations Act. The purpose of this article is to discuss these legislative requirements, specifically the requirement to comply with any reasonable request from any person for a copy of the statement and consider the concept of reasonableness in the current state of disclosure. The article does so by analysing fund compliance with s 1015D of the Corporations Act, noting that failure to comply is not only an offence punishable by a fine and/or imprisonment but evidence of a dysfunctional regime.

Contemporary corporate law scholarship and recent judicial opinions have commented extensively on the public aspects of the familiar statutory duties found in ss 180–4 of the Corporations Act 2001 (Cth). This article draws on that wealth of material, particularly Edelman J's decision in *Australian Securities and Investments Commission v Cassimatis (No 8)*, to analyse the 'publicness' of the separate statutory duties imposed on directors of corporate trustees who manage registered managed investment schemes, and superannuation funds. This analysis highlights many public aspects of the 'fund duties', including provisions for public enforcement, public sanctions, and increased standing rights for private litigants. The text, context, and purposes of the 'fund duties' also reveal potential to further develop the duties in line with public expectations. For now, though, this article argues the 'fund duties' are at least as 'public' as the duties in ss 180–4.

It is now widely recognised that climate change impacts the financial prospects of companies. In response, many of Australia's largest companies have committed to reduce their emissions of greenhouse gases. Internationally, regulatory bodies, including the Australian Securities and Investments Commission and the Securities and Exchange Commission, are taking notice and issuing regulatory guidance aimed at dissuading companies from greenwashing financial products. However, the regulation of emissions reduction commitments and enforcement of misleading and deceptive conduct provisions against greenwashed financial products remains incredibly unclear. This article examines whether the current Australian regulatory framework is suitable to regulate these commitments. The analysis reveals that although misleading or deceptive conduct provisions require companies to have a reasonable basis to make their commitment, the limited information disclosed by companies about their climate-related business strategies poses difficulties for identifying greenwashed emissions reduction commitments. This article posits that minor amendments to corporate disclosure obligations should be adopted to ensure that emissions reduction commitments are appropriately regulated.

This article considers the substantive and procedural challenges facing a novel private climate litigation strategy: derivative action proceedings for breaches of the directors' duty of care and diligence. Using the ClientEarth claim against Shell as its guiding example, this article compares the likelihood that directors' duties could be used as a tool for climate action in Australia and the UK. It argues that procedural issues surrounding questions of good faith and whether such proceedings are in the corporation's best interests overshadow the potentially widening scope of directors' duties vis-à-vis identifying and managing climate-related risks. Despite ClientEarth's unsuccessful 'test case', it has provided a roadmap and foundation for future climate litigation, which is valuable within the broader system of environmental law and policy.