

EXPOSURE DRAFT

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Inserts for

Financial Services (Improved Consumer Protection) (No. 1) Regulations 2019: funeral expenses facilities

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Schedule 1	1 April 2020.	1 April 2020

Schedule 1—Funeral expenses facilities

Corporations Regulations 2001

1 Subregulation 1.0.02(1)

Insert:

friendly society funeral product: see subregulation 7.6.01(7).

funeral services entity: see subregulation 7.6.01(7).

2 Regulation 7.1.07D

Repeal the regulation.

3 After paragraph 7.6.01(1)(t)

Insert:

- (ta) a financial service provided by a person in the following circumstances:
 - (i) the financial service is providing financial product advice in relation to a friendly society funeral product, or dealing in a friendly society funeral product;
 - (ii) the person is a funeral services entity, or an employee, director or other officer of a funeral services entity;
 - (iii) the financial service is provided in the funeral services entity's ordinary course of business as a funeral services entity;

4 Subregulation 7.6.01(7)

Insert:

friendly society funeral product means a financial product that is an account (however described):

- (a) provided by:

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- (i) a body that is a friendly society for the purposes of the *Life Insurance Act 1995*; or
 - (ii) a body that is registered or incorporated as a friendly society under a law of a State or Territory; or
 - (iii) a body that is permitted, by a law of a State or Territory, to assume or use the expression *friendly society*; or
 - (iv) a body that, immediately before the date that is the transfer date for the purposes of the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*, was registered or incorporated as a friendly society under a law of a State or Territory; and
- (b) the sole purpose of which is to save money for the purpose of meeting the whole or a part of the expenses of and incidental to the funeral, burial or cremation of a person on the death of that person.

funeral services entity means an entity of one of the following kinds:

- (a) a body corporate;
- (b) a partnership;
- (c) an unincorporated body;
- (d) an individual;
- (e) for a trust that has only 1 trustee—a trustee;
- (f) for a trust that has more than 1 trustee—the trustees together;

that carries on a business in this jurisdiction of supplying:

- (g) services for the care and preparation of human bodies for burial or cremation; and
- (h) services for the arrangement, supervision or conduct of a funeral, burial or cremation; and
- (i) products in connection with the services mentioned in paragraphs (g) and (h).