



AUSTRALIAN  
FUNERAL  
DIRECTORS  
ASSOCIATION

Australian Funeral Directors  
Association Limited  
Level 1, 700 High Street  
(PO Box 291)  
KEW EAST VIC 3102

Office of Regulatory Policy  
Department of Justice and Attorney General  
GPO Box 3111  
BRISBANE QLD 4001

7 October 2021

Dear Attorney General and Minister for Justice,

### **Funeral Price Transparency Consultation**

**Option One** – Regulation under Queensland's *Fair-Trading Act 1989*

**Option Two** – Amending the Queensland voluntary code of conduct

**Option Three** – Maintaining the status quo

The Australian Funeral Directors Association (AFDA) is pleased to provide our submission to the Office of Regulatory Policy - Department of Justice and Attorney General to assist in its review of price transparency in the Queensland funeral industry.

Formed in 1935, AFDA is the largest national funeral service organisation with Member Firms in every state and territory. AFDA is a public company, limited by guarantee, that is administered by an elected Board with a National Office and six Divisional Offices.

AFDA is widely recognised as the authoritative voice on all funeral industry matters and its key objective is to optimise the funeral experience and ensure quality delivery of service to the wider community by enhancing and promoting professional funeral standards.

AFDA has 148 members with principal head offices with an additional 487 premises/branches totalling 635 funeral premises nationally. AFDA also has 71 Affiliate Members who are suppliers to the industry. AFDA members represent the majority of funeral directors in Australia and care for over 94,000 deaths nationally. AFDA QLD has 39 members with principal head offices with an additional 110 premises/branches totalling 149 funeral premises, and cared for over 23,000 of the 31,000 deaths in Queensland in 2020.

AFDA members are subject to comprehensive minimum standards to become, and retain membership including complying with a Code of Conduct and a Code of Ethics and achieving a yearly minimum of continuing professional development for staff.

AFDA agrees that consumers should be able to make informed choices about the kind of funeral they want at a price they can afford. We believe that the strong regulatory regime governing funeral directors, as well as AFDA's comprehensive self-regulation of the industry, protects consumers and enables them to make informed decisions. AFDA wishes to highlight the following:

- As can be seen by the number of AFDA members, premises and national spread, both metropolitan and regional, the industry exhibits high levels of competition which enable consumer choice about the services and funeral providers they want to engage, at a price point that meets their capacity and willingness to pay.

- The price of funeral goods and services reflects the cost base of funeral providers and the wide variation in prices reflects the range of services and quality that consumers can choose from.
- Regulation of the industry and the industry's self-regulation through AFDA are highly effective in protecting consumers, as evidenced in the small number of complaints received each year relating to funeral directors nationally.

As referenced in the Options Paper – Funeral Price Transparency, the Independent Pricing and Regulatory Tribunal (IPART) “Review of Competition, Costs, and Pricing in the NSW Funeral Industry” recently published their final report. In that report they made the following findings:

- **Customer satisfaction** - “Most people are satisfied with the funerals they purchase, and formal complaints are few.”
- **Pricing transparency** - “We reviewed funeral providers websites and found that many are not providing all the information they are legally required to display”. AFDA audited all AFDA NSW/ACT members and confirm that all members are providing the required information on their websites.
- **Regulation** - “in our view, the current level of regulation – which focus on providing information – allows consumers to find the best outcomes for themselves.”
- **Cost and Competition** – “We found that most people in NSW have access to a choice of funeral products and services that meet their needs and are affordable.”
- That NSW funeral markets are workably competitive.

**In taking an industry leadership position on the importance of price transparency, AFDA and AFDA QLD support Option One – Regulation under Queensland’s *Fair-Trading Act 1989*.**

AFDA supports assisting the customer experience to be easier in what is already a difficult time for families. In supporting Option One, it brings Queensland in line with NSW’s Information Standard to ensure funeral directors provide customers with:

- funeral information, including prices, about goods and services offered by the funeral director relating to burials and cremations
- an itemised quote before entering into a contract or agreement.

While amending the QLD Voluntary Code of Conduct is an option, the fact that it remains voluntary creates an unlevel playing field and does not achieve the desired outcome of consumers having the ability to easily compare pricing and services provided when making their choice.

Additionally, AFDA and AFDA QLD Division do not support Option Three as there is a national movement towards greater transparency, higher standards, and an equal playing field where all, including online funeral brokers, provide greater pricing and service transparency, clarity of who owns the business, and if subcontractors are engaged, who they are. Maintaining the status quo, or continuing with the QLD Voluntary Code of Conduct, will not achieve the desired outcome of what is in the best interests of families. Relying on pressure from consumers and consumer groups to drive change is unnecessary when AFDA and our members wish to take

a leadership role when it comes to making funeral arrangements easier for families at their time of need.

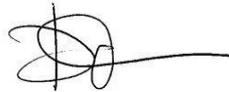
**AFDA recognises the most effective way to achieve consistent state-wide funeral price transparency is to support Option One - Regulation under Queensland's *Fair-Trading Act 1989*, but with commitment from the QLD government that the regulations will be policed on an ongoing basis and appropriate action taken for those found not to be following the regulation standards.**

We are happy to assist the Office of Regulatory Policy - Department of Justice and Attorney General further by providing any additional information you require.

Yours faithfully



Adrian Barrett  
National President



Dale Gilson  
Chief Executive Officer