



M.H.O'ROURKE

Funeral Directors

30th July 2019

Fair Trading Regulation 2019

Better Regulation Division, Regulatory Policy

By Email: fr@finance.nsw.gov.au

cc. The Hon. Mr Kevin Anderson, MP and Minister for Better Regulation
13 Fitzroy Street,
Tamworth NSW 2340

cc. The Hon. Mr John Barilaro

Re: Regulatory Impact Statement, Proposed Fair Trading Regulation 2019

I am writing regarding the *Regulatory Impact Statement* published this month suggesting regulation changes that would affect the funeral industry.

Our firm provides several options to the families we serve and this ensures that the costs associated with each funeral service are appropriate to the individual's budget and provide the services they require. I provide a written quotation of the costs during the arrangement process and when requested to do so at any other time by anyone who requests one. Our business has not had complaints surrounding our pricing and all costs are explained to every client.

There does not appear to be any substantiated reason for the proposed changes and the *Regulatory Impact Statement* does not provide any evidence of the type of complaints received by the department. The document states the number of complaints received are approximately 0.05% of the number of funeral services performed and it is doubtful the subject matter of all of these complaints (however limited they may be) was purely surrounding price clarity.

The proposed changes will have a definite effect on rural and regional businesses. Competition with out of town businesses that have none of the facilities and staff, or any investment in the local community, will result in additional costs of compliance by smaller, locally owned businesses, and eventually may mean they are forced to cease trading as they can no longer compete with the larger national funeral service providers.

This policy would unfairly impact on my business that operates on the border of the ACT. Any business that is in NSW and bound by pricing transparency would have to deal with competitors who are not obliged to have that transparency. Further distorting the market and the competitiveness of NSW businesses.

I feel this really impacts more on regional and Small business. We saw the result of the unhappiness between the country and the city was evidenced across the State at the election. My Local Member was re-elected because he focused on the issues that matter to local regional people.

I also worry that huge businesses could conduct a funeral for a remote or regional area; but at the expense of those jobs, community engagement and further risk to service provision in regional areas. Particularly where the competitor has a cremator, our local cremator is in the ACT and owned my a large publicly listed company.

I am a member of the **Funeral Directors Association of NSW (FDA)**, I have been informed that there has been no consultation with them. This is more than disappointing, the proposed regulation changes will have on my business and the funeral industry in general and ultimately, I cannot see any benefit gained for the public and instead it will result in less competition and increased prices with a reduction in service options.

The additional costs in conducting my business and coping with an increase in 'red tape' means many businesses like mine will suffer.

Yours faithfully

Jason Codey
Manger
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