

# New Funeral Goods & Services Information Standard

Commencing 1 February 2020

## FAQ for Funeral Directors

### 1. Why was the current information standard revised?

The information standard was revised as part of the process of making the Fair Trading Regulation 2019, which replaces the Fair Trading Regulation 2012. The revised information standard aims to introduce greater price transparency for consumers as well as to create a level playing field and a more competitive market for businesses.

### 2. What are the main changes compared to the current information standard?

The new information standard is substantially different. All funeral directors will need to prominently display itemised pricing information for certain goods and services at their place of business and on their website. The price of the least expensive package for the burial or cremation of a body must also be displayed.

### 3. Where can I get a full copy of the new information standard?

The information standard is prescribed under Division 2, Part 2 of the *Fair Trading Regulation 2019*. The Regulation is available via the NSW Fair Trading website.

### 4. If I do not have a website, do I need to create one to display pricing?

No. If you do not have a website you must still display prices at each place of business. You must also provide your prices when meeting with potential customers offsite (such as at a person's home).

### 5. Do I need to provide an itemised price of all goods and services I offer?

You must display prices for each of the funeral goods and services you offer which fall under the definition of 'funeral information' in the information standard. If you offer other goods and services, you can display the prices of these as well, however this is not a requirement.

### 6. Can I maintain my package prices?

Yes. Prices of any funeral packages you offer can also be displayed. However, these must be in addition, rather than in place of, the itemised price list of goods and services.

### 7. Can I still provide a "basic funeral service"?

The requirement to provide a basic funeral notice if you offer such a service has been removed. This does not prevent you from continuing to offer a basic funeral. The itemised prices of goods and services contained within the basic funeral will need to be displayed.

### 8. What is meant by least expensive package?

If you offer 'funeral packages' then this is your least expensive package for a burial and/or cremation. Pricing information for individual goods and services that are included in the package would still need to be included separately as per the information standard.

### 9. I offer many different types of coffins. Am I required to provide an itemised price for each coffin?

The information standard also allows you to provide an itemised list of coffins you offer, or you can only provide the price range of coffins you offer. There are a number of alternatives that would meet the requirements of the information standard. For example, you could provide pricing information for your three top sellers and also give a total price range for all your coffins.

### 10. Is there a prescribed format for how prices are to be displayed?

No. However, Fair Trading has developed guidance material to assist directors when considering how to display their information.

### 11. What is meant by 'prominently display'?

How you 'prominently display' your pricing information is a matter for you to decide based on your business operating model. If you have a website the information should be either displayed on the home page or a

notice as to how to access the information should be on the home page. The prices must be displayed in a way that is visible to the reader.

**12. Can I qualify my pricing for certain services?**

Yes. The funeral information standard does not require fixed pricing for each service. You can display your prices in several ways. For example: you can offer the viewing of the body at a flat rate within a certain timeframe or on a per hour basis with excess fees for viewing outside of business hours.

**13. Am I required to display a flat rate for transport from the place of death to the mortuary?**

The funeral information standard provides discretion in how you break down and display your prices for transportation. However, you are required to provide the total amount before entering into an agreement.

**14. What non pricing related information must be disclosed?**

You must disclose the location of the mortuary or crematorium you use. If you do not own this facility you must disclose the name of the owner or manager. You must also display details about how a body is to be transported prior to burial or cremation.

**15. What format can I provide funeral information?**

You can provide consumers with your pricing information digitally via email or by directing them to your website. However, it may be appropriate to provide a hard copy of the funeral information via post or in person particularly where the consumer does not have access to the internet.

**16. If a person calls asking for a copy of my funeral information how much time do I have to provide it?**

The information must be provided within 48 hours after receiving the request or within another period agreed between you and the person.

**17. Do I have to wait after providing general pricing information before providing a prospective a consumer with an actual quote?**

No. If the consumer requests the information prior to obtaining a formal quotation, then this must be provided within 48 hours. There is no 'waiting' period once you have provided the consumer with the prescribed information. They can be provided with a quote and enter into an agreement at any time after the information is provided.

**18. I do not offer a full funeral service and do not have a place of business. Does the information standard still apply to me?**

Yes. A funeral director is defined as any person who, in the conduct of the person's business, arranges the collection, transport, storage, preparation or embalming of bodies for the purposes of the burial or cremation of bodies. If you do any of these you are considered a funeral director and must comply.

**19. What am I required to provide to the customer before entering into an agreement?**

Before entering into an agreement with a customer it is a requirement to provide an itemised price for the following: each of the particular goods and services that will be supplied to the customer under the agreement, the cost of any disbursements and the total amount payable under the agreement.

**20. Can I seek an exemption from the application of the funeral information standard?**

No. The information standard applies equally to all funeral directors operating in NSW.

**21. Do I need to provide a price for my professional service fees?**

The information standard does not make it a requirement to display your professional service fee, but you may choose to display the fee on your website or place of business. However, before entering into an agreement it is a requirement to disclose the price of all goods and services that will be supplied, including the professional service fee (if applicable).

**22. What are the penalties for non-compliance?**

A court can impose a penalty of up to \$5500 for each offence. Fair Trading Investigators can also issue penalty infringement notices of \$550 for individuals and \$1100 for corporations for each offence.