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Fair Trading Regulation 2019
Better Regulation Division, Regulatory Policy
By Email: ftr@finance.nsw.gov.au

cc. The Hon. Mr Kevin Anderson, MP and Minister for Better Regulation
13 Fitzroy Street, Tamworth NSW 2340
Email: tamworth@parliament.nsw.gov.au

Dear Sir or Madam

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.

I believe that the suggested regulation changes do not in any way represent the concerns of my community or customers. 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.

Businesses already exist that provide comparative quotes for families and I would have expected that there would be some evidence base for the proposed regulations but I don't believe the information in the presented documentation points to a need for the proposed regulatory changes. 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.

Upon querying my professional association, the **Funeral Directors Association of NSW (FDA)**, I have been informed that there has been no consultation with them. This is more than disappointing, and is reprehensible. The proposed regulation changes will have a severe impact on my business and the funeral industry in general and ultimately, I cannot see any benefit gained for the public. Instead, it will result in less competition and increased prices, coupled 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.

I encourage the department to reconsider the proposed changes and ensure the regulation does not proceed without engagement with key industry stakeholders, including the FDA, who understand the needs of smaller, family owned, regional and remote businesses who will be required to implement any proposed changes.

Yours faithfully

Andrew France

