



Department of **Local Government,  
Industry Regulation and Safety**



# Funeral Pricing Code

## Consultation Summary Report

Review of the Fair Trading (Funeral Pricing Code of Practice)  
Regulations 2022 (WA)



April 2026



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# Background

The Fair Trading (Funeral Pricing Code of Practice) Regulations 2022 (WA) (the Code) were introduced on 1 May 2023 to address problems experienced by consumers unable to compare funeral products due to a lack of clear information about the overall price and cost of individual goods and services.

## Key requirements of the Code

The Code requires funeral directors to provide upfront prices to consumers on their website and at all places of business.

Before entering into a funeral agreement, the customer must also have been given an itemised quote.

This helps consumers find price information without needing to engage with the funeral director and to make more informed decisions when organising and purchasing a funeral.

## Review of the Code

In July and August 2025, the Department of Local Government, Industry Regulation and Safety (the department) consulted with consumers, the funeral industry and other key stakeholders on the operation of the Code.

Consultation was designed to determine whether the Code is operating as intended and whether it should continue in force beyond the current 1 May 2026 expiry date.

This report briefly explains the regulation of funeral pricing, how we consulted with consumers and industry, what feedback we received and what we intend to do.

The department thanks all respondents for taking the time to contribute to the consultation.



# Regulation of funeral pricing in Western Australia

In addition to the Code, funeral directors in Western Australia (WA) are required to comply with other laws about pricing.

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## **Australian Consumer Law (the ACL):**

Under the ACL:



- funeral directors must not engage in misleading and deceptive conduct;
- goods and services sold must be fit for purpose;
- where a price is given to a consumer, the total price must be stated;
- there is no requirement that businesses display prices to consumers upfront; and
- funeral directors must provide consumers with an itemised bill within seven days of the request (if consumers require an itemised bill, it must be requested within 30 days of receiving an invoice).



## **Fair Trading (Prepaid Funerals Code of Practice) Regulations 2020 (WA):**

- applies to prepaid funeral contracts; and
- requires funeral directors to itemise the costs for all goods and services included in a prepaid contract, plus the total price including GST.



## **Funeral licence conditions issued to funeral directors by the Metropolitan Cemeteries Board, under the *Cemeteries Act 1986* (WA):**

Funeral directors must:

- provide a written estimate of all funeral charges and disbursements at the time of taking instructions from a client; and
  - be clear on what is and is not included in their fees.
-

## How we consulted

### Survey

In July and August 2025, the department conducted a survey on its website seeking stakeholder feedback on issues relevant to the review of the Code.

The survey asked consumers, funeral directors and other key stakeholders various questions directed at assessing:

- the Code's effectiveness;
- any issues with the operation of the Code; and
- whether any changes needed to be made.

Stakeholders were asked questions relevant to their experiences.

- **Consumers** – Did consumers find that funeral directors complied with the Code's key requirements?
- **Funeral directors** – Did funeral directors understand the Code's requirements, and did they find the requirements difficult to comply with?
- **Other key stakeholders** – Did stakeholders observe whether consumers and/or funeral directors had any difficulties with the Code?

Responses were examined and analysed using the computer engagement platform, 'Citizen Space'.

**A total of 81 people responded to the survey.**



**60**

responses were received from the **consumers**



**16**

responses were received from **funeral industry**



**5**

responses were received from **other key stakeholders**

### Meetings

Meetings were also held with the Metropolitan Cemeteries Board (MCB) and online with the Australian Competition and Consumer Commission (ACCC). The MCB supported the Code's continuation and offered some practical suggestions to improve the operation of the Code. The ACCC supported the general approach taken by the survey.

### Enquiries and complaints

In addition, we examined and analysed the enquiries and complaints made before and after the Code came into effect (between 1 January 2021 and 30 April 2023; and 1 May 2023 and 31 August 2025). Enquiries and complaints included issues about pricing, billing, payment enquiries, quality of service and other matters related to organising a funeral.

# What consumers and industry told us

## Consumers

### Consumer awareness of the Code

Of the 60 consumers who responded:

.....

**17%** consumers aware

.....

**83%** consumers not aware

.....

This means the majority of consumers who responded to the survey were not aware of their consumer rights under the Code.

Consumers who are:

- unaware of the Code;
- do not know about the provisions of the Code; and
- do not know the obligations of funeral directors;

cannot easily exercise their consumer rights and make decisions about the purchase of funeral goods and services.

## Compliance with the Code

.....

**37%** Of the 60 consumers who responded to the survey 37 per cent entered into a funeral agreement

.....

The 37 per cent who had entered into a funeral agreement since the Code was introduced on 1 May 2023 were asked whether the funeral director complied with the Code.

- Approximately half of the consumers who had entered into a funeral agreement since the Code was introduced agreed that the funeral director had complied with the mandatory code requirements to provide:
  - the upfront price of goods and services;
  - upfront general information; and
  - the price of a basic (least expensive) funeral package.
- The other half reported problems in at least one of the three areas listed.

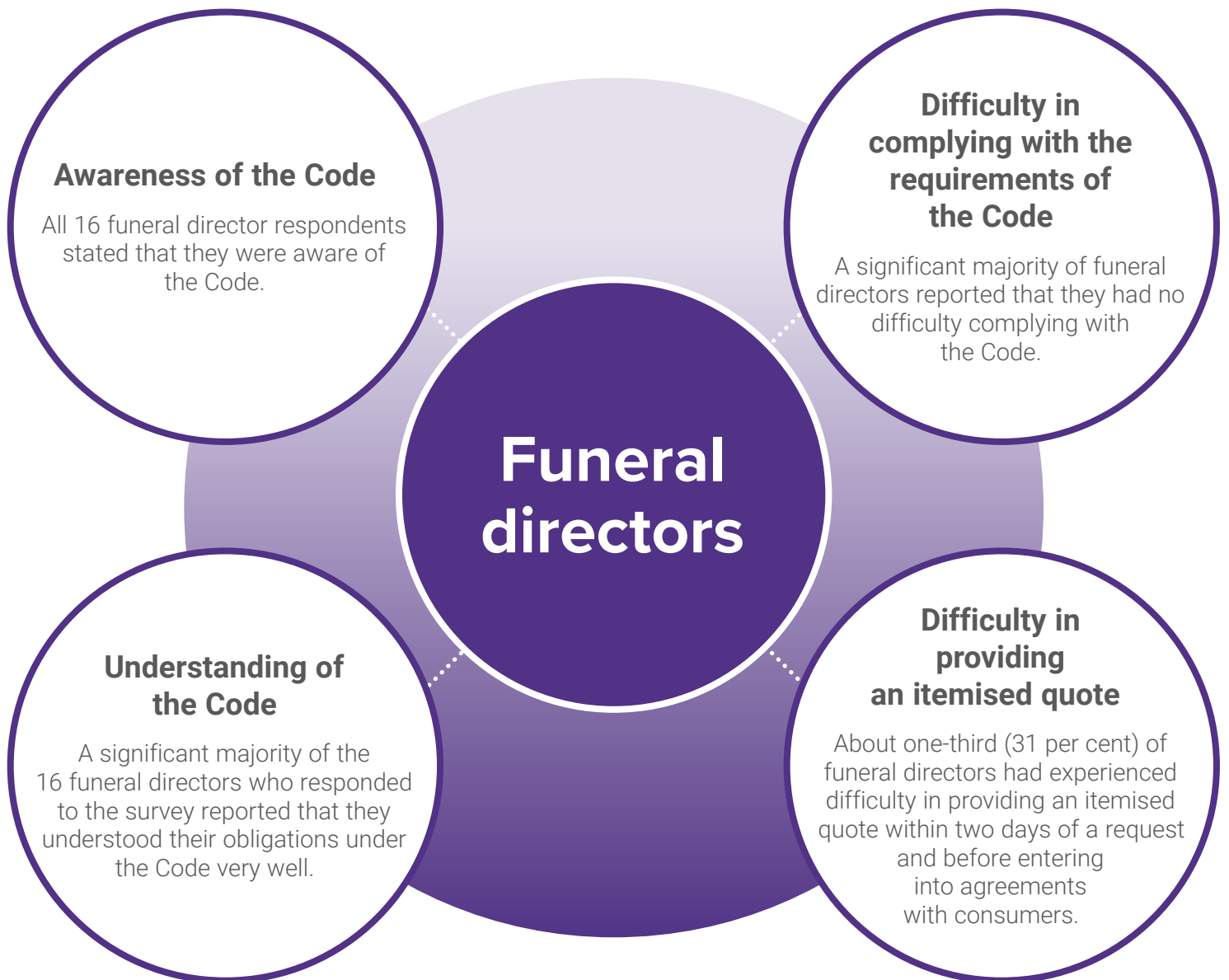
- Fifty per cent of consumers who had entered into a funeral agreement had difficulties in finding information about prices without having to speak to a funeral director.

A few consumers who entered into a funeral agreement after the Code was introduced reported that they had experienced problems in relation to:

- lack of information about prices before making a decision;
- bundled packages for goods and services that were not priced separately and included items that they did not need;
- information about pricing provided too late;
- information that was too hard to understand; and/or
- questions about pricing receiving unsatisfactory answers.

## Funeral industry

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Although the majority the funeral directors who responded to the survey claimed 'no difficulty' in complying with the Code, the feedback from some consumers indicates that not all funeral directors are complying with the Code.– Additional guidance could assist both funeral directors to understand their obligations and consumers to understand their rights.

# What we found

## Continuation of the Code

Overall, the feedback received from



**81**  
stakeholders

indicates that the Code should continue in its current form.

The majority of stakeholders who were aware of the Code found it helpful and effective. For example, one funeral director stated:

“

The introduction of the Funeral Pricing Code has given clarity to an area of the industry that has sometimes been confusing.

It gives direction on expectations to funeral directors and offers consumers clear direction. ”

Some funeral directors did not fully support the need for regulation and reported high levels of accountability in the industry without the need for a Code. For example, one funeral director commented:

“

The regulations are an ‘over-reaction’ and honest funeral directors provide services that far exceed the requirements of the Code. ”

## Awareness of the Code

Consumer Protection found that the level of awareness of the Code varied considerably between groups of respondents.

Funeral directors who responded to the survey reported a high-level of awareness of the Code and stated that they understood their obligations under the Code. The majority reported no difficulty complying with the Code.

In contrast, the majority of consumers who responded were unaware of the Code prior to the survey being published. Only 17 per cent of consumers who responded to the survey were aware of the Code prior to the survey.

The department found that consumers consistently called for more education about the Code.

## Disclosure of fees

Respondents who provided feedback made valuable comments and suggestions for improvements. For example, there were several reports that some funeral directors are not currently complying with the provisions of the Code by not fully disclosing the items being charged within their ‘professional fee’ or subcontracting to limit price disclosure.

## Compliance and enforcement

A substantial number of respondents, both consumers and industry, felt that compliance with the Code could be improved with additional information and education.

## What we have done

### Continuation of the Code

On the basis of the review and respondents' feedback, we recommended to the Minister that the Code's expiry date of 1 May 2026 be removed so that the Code's requirements continue to apply. The Code's expiry date was removed by an amendment to the regulations on 5 March 2026.

## What we will do

### Awareness of the Code

As a significant number of consumers who responded to the survey were not aware of the Code, there is a risk that consumers generally are unaware of their rights under the Code. The department will therefore consider various strategies to improve consumer awareness of the Code including in relation to the matters referenced below.

### Promoting compliance

We will provide guidance to ensure that there is clear information to consumers and industry about what steps the department takes to ensure compliance with the Code when a complaint from a consumer is received. The department will also review various compliance aids (for example the funeral price list template and education materials on the department's website) to ensure that the Code's requirements are clearly explained to industry participants.

This review will involve key stakeholder organisations to ensure that all guides and templates are easy to understand.

### Disclosure of fees

It should be noted that the Code does not make a distinction about whether fees are 'professional fees' provided directly by the funeral director, charged by subcontractors, or charged by other service providers such as celebrants.

Clause 3 of the Code, as set out below, states that **all fees** charged to a consumer must be disclosed before entering into an agreement.

#### Clause 3 – Provision of specific information to consumers before entering into agreement for provision of funeral services

Before entering into an agreement with a person for the supply of goods and services for a burial or cremation, a funeral director must provide the following information to the person –

- (a) the price of each of the particular goods and services that will be supplied to the person under the agreement;
- (b) the cost of any disbursements that will be payable by the person under the agreement;
- (c) the total amount payable under the agreement.

Guidance materials provided by Consumer Protection will be reviewed to ensure that it is clear that all fees – including disbursements and fees paid to subcontractors – must be disclosed.

### Thank you

Once again, the department thanks all respondents for taking the time to contribute to the consultation on the review of the Code.

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