

#76

COMPLETE

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Page 3

Q1 Overall, do you agree or disagree with [standard 1] and proposed commentary? **Agree**

Q2 Please provide any comments on [standard 1] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 4

Q3 Overall, do you agree or disagree with [standard 2] and proposed commentary? **Agree**

Q4 Please provide any comments on [standard 2] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 5

Q5 Overall, do you agree or disagree with [standard 3] and proposed commentary? **Neither agree nor disagree**

Q6 Please provide any comments on [standard 3] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 6

Q7 Overall, do you agree or disagree with [standard 4] and proposed commentary? **Agree**

Q8 Please provide any comments on [standard 4] and the proposed commentary.

Our specific feedback on this Standard (if any) is mostly covered by the joint Associations submission which The Association is a signatory to.

We are comfortable with evidencing not being prescriptive so that advisers can take advantage of differing technologies for evidencing purposes.

Page 7

Q9 Overall, do you agree or disagree with [standard 5] and proposed commentary? **Neither agree nor disagree**

Q10 Please provide any comments on [standard 5] and the proposed commentary.

Our specific feedback on this Standard is mostly covered by the joint Associations submission which The Association is a signatory to.

The intention of the standard is admirable.

It would be useful for the participants to understand what is "prudent" from the perspective of people who give financial advice - as prudence will become a benchmark and when used in other professions the characteristics of a prudent person is explained.

It would also be expected that at the time of testing whether an adviser fitted this description when giving the advice, the benchmark of the test is not of what an expert person would have done, rather it should be what a prudent adviser would be expected to do.

Page 8

Q11 Overall, do you agree or disagree with [standard 6] and proposed commentary? **Agree**

Q12 Please provide any comments on [standard 6] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 9

Q13 Overall, do you agree or disagree with [standard 7] and proposed commentary? **Agree**

Q14 Please provide any comments on [standard 7] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 10

Q15 Overall, do you agree or disagree with [standard 8] **Agree** and proposed commentary?

Q16 Please provide any comments on [standard 8] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 12

Q17 Overall, do you agree or disagree with [standard 9] **Neither agree nor disagree** and proposed commentary?

Q18 Please provide any comments on [standard 9] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 13

Q19 Overall, do you agree or disagree with [standard 10] and proposed commentary? **Disagree**

Q20 Please provide any comments on [standard 10] and the proposed comentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 14

Q21 Overall, do you agree or disagree with [standard 11] and proposed commentary? **Disagree**

Q22 Please provide any comments on [standard 11] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 15

Q23 Overall, do you agree or disagree with [standard 12] and proposed commentary? **Disagree**

Q24 Please provide any comments on [standard 12] and the proposed commentary.

Our specific feedback on this Standard (if any) is covered by the joint Associations submission which The Association is a signatory to.

Page 16

Q25 Is there anything missing from the draft Code? **Unsure**

Q26 If you answered yes, what is missing?

Our specific feedback (if any) is covered by the joint Associations submission which The Association is a signatory to. Also see our answer to Q28

Q27 Do you have any feedback on the examples, or suggestions on other examples that should be included in the draft Code?

Our specific feedback (if any) is covered by the joint Associations submission which The Association is a signatory to.

Q28 Is there anything else you want to say?

1. The Association is in favour of the intending outcomes of the Code Working Group and also the pending Legislation.

2. We also acknowledge that having Nominated Representatives could alleviate one of the issues in the current arena around the advice parameters when staff members may unwittingly and/or occasionally slip across the boundary of information to advice.

This is a real concern for all businesses that are involved in providing regulated retail advice now and in the future.

3. An unintended outcome is that the words Financial Adviser are embedded in legislation and is a label that a Financial Adviser will need to use to fulfil their obligations (which we agree with), however Nominated Representative does not appear to have that obligation and so entities will take advantage of this by rebadging their nominated representatives - e.g. "Mortgage Specialist", "Insurance Consultant" etc. Consumer education and disclosure will be important so that the public understand who they are dealing with.

4. Disclosure and transparency should apply through the system and not just to the front end Adviser.

We continue to be concerned is that the new Code is focussing solely on the individual providing advice and not the institutions and how they can drive/force certain behaviours that are inconsistent with the Code, put the Adviser in a situation of potentially being conflict with the Code and also potentially lead to poorer client outcomes.

The parameters of the Code is around the provision of regulated financial advice and the Association has concerns around activity by other industry participants that may not be directly part of that advice, yet can influence the client outcomes through their commercial requirements and pressure.

While this may not be an area for further discussion we believe that is an area that requires discussion and attention at a broader level

Page 17

Q29 Name

Simon Manning

Q30 Your role or professional title

CEO

Q31 Individual or organisational submission

This is a submission on behalf of an organisation (eg employer)

Q32 If you give financial advice...

I am not an AFA, RFA or QFE adviser

Q33 My organisation or I give the following types of advice...

Fire and general insurance, Business insurance, Investments, Mortgages, Other personal lending, Financial planning, Life and/or health insurance

Q34 Organisation Name

The AMP Advisers & Adviser Businesses Association Inc

Q35 Type of organisation

Industry body

Q36 Size of organisation

Large firm (50+ staff)

Q37 If there are other things we should know about you or your business that would provide context to your answers, please provide details below.

Further to our answer to question 36. Our staffing is 6 but we represent an Adviser Membership of approximately 200 Advisers, each giving financial advice. Hence we have selected the option "Large Firm".

Q38 Please indicate whether your submission contains any information that is confidential or whether you do not wish your name or any other personal information to be included in a summary of submissions.

Respondent skipped this question

Q39 Please provide your contact details (email and/or phone number) This is the only question that requires an answer. This information would not be released publicly. We may get in touch with you in order to help us understand particular points from your submission.

s 9(2)(a)

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