

TASMANIA

PREPAID FUNERALS REGULATIONS 2025
STATUTORY RULES 2025, No. 4

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PREPAID FUNERALS REGULATIONS 2025

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Prepaid Funerals Act 2004*.

Dated 31 January 2025.

B. BAKER
Governor

By Her Excellency's Command,

FELIX ELLIS
Minister for Housing, Planning and Consumer Affairs

1. Short title

These regulations may be cited as the *Prepaid Funerals Regulations 2025*.

2. Commencement

These regulations take effect on
4 February 2025.

3. Interpretation

In these regulations –

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Act means the *Prepaid Funerals Act 2004*;

Catholic Development Fund means the Catholic Development Fund as administered by the Archbishop of the Roman Catholic Church in Tasmania;

life policy means a life policy, within the meaning of section 9 of the *Life Insurance Act 1995* of the Commonwealth, issued by a company registered under section 21 of that Act.

4. Exemption of deposit scheme and class of prepaid funeral agreements from certain provisions of Act

- (1) For the purpose of section 28(2)(b) of the Act –
 - (a) a life policy is a deposit scheme which is exempt from the application of the Act or any provision of the Act; and
 - (b) the Catholic Development Fund is a deposit scheme which is exempt from the application of the Act or any provision of the Act.
- (2) For the purpose of section 28(2)(c) of the Act –
 - (a) if any money paid under a prepaid funeral agreement is to be invested in a life policy, that agreement is one of a class of prepaid funeral agreements which is exempt from the application of section 5(1)(d), section 8(1) and section 9 of the Act; and

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- (b) if any money paid under a prepaid funeral agreement is to be paid to the Catholic Development Fund, that agreement is one of a class of prepaid funeral agreements which is exempt from the application of section 5(1)(d), section 8(1) and section 9 of the Act.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 3 February 2025.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) exempt certain deposit schemes and certain classes of prepaid funeral agreements from the application of certain provisions of the *Prepaid Funerals Act 2004*; and
- (b) are made consequentially on the repeal of the *Prepaid Funerals Regulations 2015* under section 11 of the *Subordinate Legislation Act 1992*.