



**Royal Commission  
and ASIC reforms  
implementation  
dates**

**5 April 2021**

- » Unfair contract terms in insurance contracts provisions commence

**1 July 2021**

- » Trustees of registrable superannuation entities should have no other duty requirement commences
- » Ongoing fee arrangement measures commence, including:

- Consent required for deduction of ongoing fees from accounts
- Annual requirement to give fee disclosure statement
- Obligation to keep records of compliance

Transition arrangements apply in cases where existing arrangements are still in effect

- » Requirement to include a statement (in FSG) relating to where the licensee's provision of personal advice to a retail client is not "independent", "impartial", or "unbiased" commences
- » Provision to allow a non-ongoing advice fee to be deducted from a member's MySuper interest under the prescribed circumstances commences

**5 October 2021**

- » Design and Distribution Obligations enforced
- » New internal dispute resolution systems commence (RG 271 replaces RG 165)
- » Duty to take reasonable care not to make a misrepresentation (insurers can adopt the new duty at any time from 1 January 2021. However, all general and life insurance contracts entered into on or after 5 October 2021 will be subject to the new duty)
- » Deferred sales model for add-on insurance commences
- » Hawking of financial products provisions extended (now covers insurance and superannuation as well)

**30 June 2021**

- » Closing date for new and existing licensees to lodge applications to offer the following services during transition periods:
  - Claims handling and settlement\*
  - Debt management

\* ASIC has set its own deadline of 7 May 2021 to ensure that applicants who need to rectify and resubmit their application have time to do so.

**1 October 2021**

- » New breach reporting obligations commence
- » Reference Checking and Information Sharing Protocol for both AFS and Credit licensees commences

**1 January 2022**

- » All claims handling and settlement services can now only be conducted by licensees with ASIC-approved applications

**Primary sources**

- » Financial Sector Reform (Hayne Royal Commission Response No. 2) Act 2021 (Cth) – Assented to 2 March 2021
- » Financial Sector Reform (Hayne Royal Commission Response) Act 2020 (Cth) – Assented to 17 December 2020
- » Financial Sector Reform (Hayne Royal Commission Response—Protecting Consumers (2019 Measures)) Act 2020 (Cth) – Assented to 17 February 2020