

Target Market Determination

Controlled Money Account

Start Date: 1st August 2024

Date the determination was made

Version: 1.0

1 | Product Information

Product:

Controlled Money Account

An interest bearing at-call investment account in which controlled money is deposited by a law practice in accordance with the *Legal Profession Act 2007 (Qld)*.

Product Options:

The options available for the product

S50 Controlled Money Account

Associated Products:

The other facilities included with the product and covered by this determination

Bank Cheque

A non-cash payment facility used to make payment to a specified payee or bearer.

Electronic Payment

A non-cash payment facility used to make payment to another Auswide account or an account at another financial institution.

2 | Target Market

Target Market:

Class of consumers that comprise the target market for the product

Consumer

Description:

This describes consumers in the target market

Objectives & Needs

A Queensland law practice that may seek an at-call interest bearing account to hold controlled money exclusively for the benefit of the person on whose behalf the controlled money was received.

This product is not suitable for a law practice seeking a product to hold types of 'trust money' regulated under the *Legal Profession Act 2007 (Qld)* other than 'controlled money'.

Financial Situation

A Queensland law practice that has received 'controlled money' and has a written direction to deposit the controlled money in an account over which the law practice has or will have exclusive control and has the financial capacity to pay any applicable transaction fees as and when those amounts become due and payable .

Product Description:

This describes the product

An interest bearing account with the following key attributes:

- the ability to deposit controlled money and to withdraw controlled money at call via limited eligible access methods including cheque and electronic funds transfers; and
- the requirement to pay any applicable transaction fees but no requirement to pay a monthly account keeping fee.

In general, it is only available to a Queensland law practice for the purposes of the *Legal Profession Act 2007 (Qld)*.

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Appropriateness Statement:

This explains why the product is consistent with the likely objectives, financial situation and needs of the target market

The product is appropriate for the target market on the basis that the key attributes of the product listed in this determination directly address the objectives, financial situation and needs of consumers in the target market as described in this determination.

3 | Distribution

Distribution Conditions:

The conditions and restrictions on the distribution of the product

Marketing and Promotions

This condition applies to marketing and promotional materials that describe the product

Condition 1

A distributor must only market and promote the product through appropriately trained representatives using:

- in person provision of or recommendations to access marketing material (including in branch communications and through referrer networks); and
- any other issuer approved direct communication channels (including telephone, email and social media).

This condition is appropriate as promoting and marketing the product only through appropriately trained representatives and direct communication channels means that any marketing or promotion of the product is likely to be to the target market.

Retail Product Distribution Conduct (other than Marketing and Promotions)

This condition applies to all conduct (other than marketing and promotions) such as issuing, arranging and providing disclosure material

Condition 2

A distributor must only engage in retail product distribution conduct (other than marketing and promotions) through appropriately trained representatives using:

- in person communications (including in branch and through referrer networks);
- any other issuer approved direct communication channels (including telephone, email and social media) .

This condition is appropriate as ensuring that the product is distributed by appropriately trained representatives through direct channels is likely to ensure in conjunction with Condition 3 that the consumer is in the target market.

Condition 3

A distributor must only engage in retail product distribution conduct (other than marketing and promotions) if it has identified the key difference between:

- the product; and
- other deposit products issued by the issuer that are distributed by the distributor.

This condition is appropriate as it requires a distributor to confirm that the consumer is in the target market.

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4 | Review

Review Date:

The first review, and each ongoing review, must be completed within each consecutive 12 month period from the Start Date.

Review Triggers:

The events and circumstances that would reasonably suggest the determination is no longer appropriate

The issuer, and any distributor of this product, must cease retail product distribution conduct in respect of this product when the issuer determines a material event or circumstance has occurred in relation to:

Material Complaints material complaints (in number or significance) in relation to the terms of this product and / or the distribution conduct.

Product Performance evidence, as determined by the issuer, of the performance of the product, in practice, that may suggest that the product is not appropriate for the target market.

Distributor Feedback reporting from distributors, or consistent feedback from distributors on the target market which suggests that the determination may no longer be appropriate.

Substantial Product Change a substantial change to the product that is likely to result in the determination no longer being appropriate for the target market.

Substantial Legislative Change a substantial change to the laws governing accounts to hold "controlled moneys" in Queensland for Australian legal practitioners that is likely to result in the determination no longer being appropriate for the target market.

Significant Dealing a material pattern of dealings in the product or of distributor conduct that is not consistent with the determination.

Notification from ASIC a notification from ASIC requiring immediate cessation of product distribution or particular conduct in relation to the product.

Reporting Information:

The kinds of information needed to identify whether a review trigger has occurred, who must report this information and the reporting period

A distributor that engages in retail product distribution conduct in respect of this product must provide the following information in writing to the issuer within the times specified below:

Complaint Information Information about complaints received in relation to the product during the reporting period, and if complaints were received, a description of the number of complaints and the nature of the complaints received and other complaint information set out in paragraph RG 271.182 of Regulatory Guide 271 Internal dispute resolution.

The distributor must provide the information as soon as practicable, or in any event, within 10 business days after the end of each reporting period.

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Distributor Feedback	<p>Information discovered or held by the distributor that suggests that the determination may no longer be appropriate.</p> <p>The distributor must provide the information as soon as practicable, or in any event, within 10 business days after the end of each reporting period.</p>
Significant Dealing	<p>Information about any significant dealing in the product that is not consistent with the target market determination of which the distributor becomes aware.</p> <p>The distributor must provide the information as soon as practicable, or in any event, within 10 business days after becoming aware of the significant dealing.</p>
Information Requested by Issuer	<p>Information reasonably requested by the issuer.</p> <p>The distributor must provide the information by the date requested by the issuer.</p>
Reporting Period:	The reporting period for this determination is every 3 months commencing from the Start Date.
Notes: <i>Other information relevant to the distribution of the product</i>	Nil

5 Document Control

Version	Start Date	Comments
1.0	1 August 2024	Determination commenced as new product launched 1 August 2024.