

Fee Disclosure Statement

Checklist

Ask yourself the following questions.

	Steps	Yes/No	
1	Have you made a list of all existing retail only clients?		<ul style="list-style-type: none"> Remember, the obligation to provide an FDS also applies to licensees to whom rights under an ongoing fee arrangement have been assigned.
2	Have you excluded clients who are not subject to an ongoing fee arrangement?		<ul style="list-style-type: none"> See Fact Sheet 2 for an explanation of what an ongoing fee arrangement is.
3	Have you identified the services offered to the client, services utilised by the client and the cost of such services for those clients with who you have an ongoing fee arrangement?		<ul style="list-style-type: none"> List for each client: <ul style="list-style-type: none"> services they were entitled to receive; services actually received; and fees paid under the arrangement. Consider if commissions were received by you as a result of an arrangement with the product provider or the client? If the latter, include in your FDS.
4	Have you worked out your first disclosure day?		<ul style="list-style-type: none"> Whatever approach you decide to take to identify the disclosure day, make sure that it is documented and consistent across your client book.
5	Have you planned and diarised when you will need to provide FDSs.		<ul style="list-style-type: none"> Make the most of ASIC's no-action position when it comes to determining the FDS due date.
6	Have you decided what the FDS will look like?		<ul style="list-style-type: none"> It doesn't have to be complicated or fancy.
7	Have you told your clients what the FDS is all about?		<ul style="list-style-type: none"> If you send an FDS to a client without context it could be very confusing.
8	Have you thought about, and planned, how you manage your FDS obligations for each year going forward?		<ul style="list-style-type: none"> Consider how you might reset your disclosure day for administrative convenience. Amend your compliance program and compliance diary to make sure you stay on track.

Source: *Holley Nethercote Commercial & Financial Services Lawyers* - May 2013