

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	22/09/2025 4:36:04 PM AEST
Date Accepted for Filing:	22/09/2025 4:42:39 PM AEST
File Number:	QUD669/2025
File Title:	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION v RACQ INSURANCE LIMITED (ACN 009 704 152)
Registry:	QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 2 Originating process
(rules 2.2 and 15A.3)

No. of 2025

Federal Court of Australia
District Registry: Queensland
Division: General

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

RACQ INSURANCE LIMITED (ACN 009 704 152)

Defendant

A. DETAILS OF APPLICATION

This is an application by the plaintiff, the Australian Securities and Investments Commission (**ASIC**), for:

- (a) declaratory relief pursuant to section 12GBA(1) of the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**);
- (b) orders for pecuniary penalties pursuant to section 12GBB(3) of the ASIC Act;
- (c) orders for disclosure pursuant to section 12GLA(1) or 12GLB(1) of the ASIC Act,

in respect of false or misleading representations made in 573,407 renewal certificates of insurance and renewal reminder notices (**Renewal Documents**) issued by the defendant, RACQ Insurance Limited (**RACQ**), to customers during the period 25 September 2019 to 12 December 2024, in contravention of sections 12DB(1)(a) and/or 12DB(1)(g) of the ASIC Act.

Filed on behalf of (name & role of party)	Australian Securities and Investments Commission, Plaintiff
Prepared by (name of person/lawyer)	Iva Bacvic
Law firm (if applicable)	
Tel (02) 9911 5787	Fax 1300 729 000
Email Iva.Bacvic@asic.gov.au	
Address for service	Australian Securities and Investments Commission
(include state and postcode)	Level 20, 240 Queen Street, Brisbane QLD 4000



On the grounds stated in the accompanying Concise Statement dated 22 September 2025, ASIC seeks:

1. Declarations pursuant to section 12GBA(1) of the ASIC Act that RACQ, in trade or commerce, made false or misleading representations, in connection with the supply or possible supply of financial services, or in connection with the promotion by any means of the supply or use of financial services, in contravention of sections 12DB(1)(a) and 12DB(1)(g) of the ASIC Act, in that on 573,407 occasions during the period 25 September 2019 to 12 December 2024:
 - 1.1. RACQ issued Renewal Documents to customers of RACQ's motor vehicle insurance, caravan and trailer insurance, boat insurance, household insurance (comprising building, building and contents and/or contents insurance), pet insurance, and, until 1 November 2022, body corporate insurance policies that displayed an amount described as 'last period premium' alongside, or in close proximity to, an amount described as 'this period premium';
 - 1.2. in some cases, a change was made to a customer's policy that meant that the premium for the period changed from that originally offered by RACQ (the **Affected Customers**);
 - 1.3. on each occasion RACQ issued a Renewal Document to an Affected Customer, RACQ represented that:
 - 1.3.1. the 'last period premium' was the current price of the insurance policy;
 - 1.3.2. any change between the current price of the policy and the renewal price at which the policy was offered could be compared by considering the difference between the 'last period premium' and the 'this period premium'; and/or
 - 1.3.3. any change in price was transparent,(the **Last Period Premium Representations**);
 - 1.4. the Last Period Premium Representations were false or misleading representations with respect to the price of services, and that the services are of a particular standard, quality, value or grade, because:



- 1.4.1. the 'last period premium' amount was not the current price of the insurance policy;
 - 1.4.2. any change between the current price of the policy and the renewal price at which the policy was offered could not be compared by considering the difference between the 'this period premium' and the 'last period premium'; and/or
 - 1.4.3. pricing transparency was not achieved.
2. An order pursuant to section 12GBB(3) of the ASIC Act that RACQ pay to the Commonwealth a pecuniary penalty in respect of each of its contraventions of sections 12DB(1)(a) and/or 12DB(1)(g) of the ASIC Act.
 3. An adverse publicity order pursuant to section 12GLB(1) of the ASIC Act, or alternatively orders for disclosure pursuant to section 12GLA(1) of the ASIC Act, that RACQ send, at its own expense, a notice to each of the policyholders to which it made the representations referred to in paragraph 1 above.
 4. An order pursuant to section 43 of the *Federal Court of Australia Act 1976* (Cth) that RACQ pay ASIC's costs of and incidental to the proceeding.
 5. Such further or other orders as the Court considers appropriate.

Date: 22 September 2025

A handwritten signature in black ink, appearing to read 'Iva Bacvic', is written over a series of dots.

.....
 Iva Bacvic
 Legal Practitioner for the
 Australian Securities and Investments Commission

This application will be heard by the Federal Court of Australia at the Harry Gibbs Commonwealth Law Courts Building, 119 North Quay, Brisbane QLD 4000 at am/pm on

**B. NOTICE TO DEFENDANT**

TO: RACQ INSURANCE LIMITED (ACN 009 704 152)
Insurance Australia Group Limited
Tower Two Darling Park
Level 9
201 Sussex Street
Sydney NSW 2000

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. FILING

Date of filing:

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Registrar

This originating process is filed by Iva Bacvic, legal practitioner for the Plaintiff.

D. SERVICE

The Plaintiff's address for service is:

Place: Australian Securities and Investments Commission
Level 20, 240 Queen Street
Brisbane QLD 4000
Attn: Iva Bacvic
Email: Iva.Bacvic@asic.gov.au



It is intended to serve a copy of this Originating Process on the Defendant at Insurance Australia Group Limited, Tower Two Darling Park, Level 9, 201 Sussex Street, Sydney NSW 2000.