

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)
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File Number:	VID695/2025
File Title:	IN THE MATTER OF CHOOSI PTY LTD (ACN 147 630 886)
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads "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.



Originating process

No. VID of 2025

Federal Court of Australia
District Registry: VIC
Division: General

IN THE MATTER OF CHOOSI PTY LTD

Australian Securities and Investments Commission

Plaintiff

Choosi Pty Ltd (ACN 147 630 886)

Defendant

A. DETAILS OF APPLICATION

This application is made under ss 12GBA(1), 12GBB(1), 12GLB(1) and s 12GD(1) of the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**).

The plaintiff (**ASIC**) seeks declaratory relief, pecuniary penalty orders, adverse publicity orders and injunctive relief in respect of alleged contraventions by the defendant (**Choosi**) of ss 12DB and 12DF of the ASIC Act arising from the marketing of its funeral and life insurance comparison services.

On the facts stated in the Concise Statement, ASIC claims:

1. A declaration pursuant to s 21 of the *Federal Court of Australia Act 1976* (Cth) (**Federal Court Act**) or s 12GBA of the ASIC Act that between 1 July 2019 and 2 June 2025 (**Relevant Period**), by making the Funeral Comparison Representation and/or the Alternative Funeral Comparison Representation (as defined in the Concise Statement), in circumstances where all of the funeral insurance policies Choosi compared were issued by a single insurer, the defendant:

Filed on behalf of (name & role of party)	Australian Securities and Investments Commission, the plaintiff		
Prepared by (name of person/lawyer)	Nick Kelton, Lawyer		
Law firm (if applicable)			
Tel	+61 3 9280 4787	Fax	N/A
Email	nicholas.kelton@asic.gov.au		
Address for service (include state and postcode)	Level 7, 120 Collins Street, Melbourne, VIC 3000		



- a. made, in trade or commerce, in connection with the supply or possible supply of financial services, false or misleading representations that services are of a particular standard, quality or value in contravention of s 12DB(1)(a) of the ASIC Act;
 - b. made, in trade or commerce, in connection with the supply or possible supply of financial services, false or misleading representations that services have performance characteristics, uses or benefits in contravention of s 12DB(1)(e) of the ASIC Act; and
 - c. engaged in conduct, in trade or commerce, that was liable to mislead the public as to the nature, the characteristics, and/or the suitability for their purpose of financial services in contravention of s 12DF(1) of the ASIC Act.
2. A declaration pursuant to s 21 of the Federal Court Act or s 12GBA of the ASIC Act that during the Relevant Period, by making the Life Comparison Representation and/or the Alternative Life Comparison Representation (as defined in the Concise Statement), in circumstances where:
 - a. between 1 July 2019 and 20 July 2023, with the exception of one insurance policy, all of the life insurance policies Choosi compared were issued by a single insurer;
 - b. since 21 July 2023, all of the life insurance policies Choosi compared were issued by a single insurer,
 the defendant:
 - c. made, in trade or commerce, in connection with the supply or possible supply of financial services, false or misleading representations that services are of a particular standard, quality or value in contravention of s 12DB(1)(a) of the ASIC Act;
 - d. made, in trade or commerce, in connection with the supply or possible supply of financial services, false or misleading representations that services have performance characteristics, uses or benefits in contravention of s 12DB(1)(e) of the ASIC Act; and
 - e. engaged in conduct, in trade or commerce, that was liable to mislead the public as to the nature, the characteristics, and/or the suitability for their purpose of financial services in contravention of s 12DF(1) of the ASIC Act.
3. An order pursuant to s 12GBB(3) of the ASIC Act that the defendant pay to the Commonwealth such pecuniary penalty as the Court determines to be appropriate.
4. An order pursuant to s 12GLB(1)(a) of the ASIC Act that the defendant publish a written adverse publicity notice stating that it has been ordered to pay a pecuniary penalty in respect of the conduct described in the Concise Statement and such other matters as the Court determines to be appropriate.



5. An injunction pursuant to s 12GD of the ASIC Act prohibiting the defendant from making the Funeral Comparison Representation, Alternative Funeral Comparison Representation, Life Comparison Representation and/or Alternative Life Comparison Representation in the circumstances referred to in paragraphs 1 and 2 above.
6. Costs.
7. Such further or other order as the Court considers appropriate.

Date: 2 June 2025

Nick Kelton

Nick Kelton

Solicitor for the Australian Securities and Investments Commission

The application will be heard by at 306 William Street,
Melbourne at on

B. NOTICE TO DEFENDANT

TO: Choosi Pty Ltd
50 Norwest Boulevard
Norwest NSW 2153

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. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY



N/A

D. FILING

Date of filing:

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Registrar

This originating process is filed by Nick Kelton for the plaintiff.

E. SERVICE

The plaintiff's address for service is:

Place: Level 7, 120 Collins Street Melbourne, VIC 3000

Email: Nicholas.Kelton@asic.gov.au

It is intended to serve a copy of this originating process on each defendant.