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A Marketer's Guide to

AU Marketing Compliance Insurance Rules



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INTRODUCTION

Insurance marketers in Australia must navigate strict Australian Securities and Investment Commission (ASIC) guidelines and detailed legal requirements.

Mistakes in claims, exclusions or disclosures can lead to significant compliance breaches.

This guide translates these complex rules so marketers can understand the key requirements, see practical examples and learn how to create compliant materials with confidence.



Disclaimer: This document is not intended as a substitute for legal or regulatory advice. It has been prepared using public and private information by IntelligenceBank, a provider of software that helps companies stay on brand and adhere to regulatory compliance. Organizations should always seek professional advice when establishing internal compliance protocols.



RULES EVERY AUSTRALIAN INSURANCE MARKETER MUST KNOW

These are the core legislative and regulatory frameworks that govern how insurance products must be communicated in Australia.

ASIC Regulatory Guidelines (RG 234 and others)

Provide specific rules for advertising financial products including insurance.

Requires:

- Prominent and legible disclaimers
- Accurate depictions of cover
- Avoiding emphasis techniques that overshadow important qualifications

Example: If an ad highlights a benefit strongly the related exclusions must be given equal visibility.

Corporations Act 2001

Covers financial product communications including insurance.

Requires:

- Balanced presentation of benefits and risks
- Clear explanation of significant features costs and conditions
- Avoidance of selective or partial information

Example: You cannot promote cover limits without making sub-limits or exclusions equally clear.



ACL

(Australian Consumer Law)

Applies to all insurance marketing and protects consumers from misleading or deceptive conduct.

Requires:

- Claims must be truthful and substantiated
- Benefits must not be overstated
- Exclusions and limitations must be clearly disclosed

Example: You cannot claim “full cover” if exclusions or sub-limits meaningfully restrict the benefit.

SPAM Act

Regulates electronic messages including email SMS and digital marketing.

Requires:

- Consent from recipients
- Accurate sender identification
- Functional unsubscribe mechanisms

Example: Promotional emails must include an unsubscribe link that works every time.

Privacy Act

Governs how personal information is collected and used in marketing.

Requires:

- Clear privacy notices on forms
- Transparent data use statements
- Valid consent for marketing communications

Example: Lead forms must specify how customer details will be used and stored.





ASIC GUIDELINES

(RG 234 AND RELATED GUIDANCE)

WHAT IT IS

ASIC’s marketing guidelines provide detailed expectations on how insurance promotions must be structured and presented.

WHY IT MATTERS

ASIC can issue penalties or require takedowns where advertising uses techniques that mislead consumers such as oversized benefits or obscured disclaimers.

WHAT MARKETERS MUST DO

- Use clear and prominent disclaimers
- Ensure visuals and emphasis techniques do not distort product understanding
- Use consistent messaging across all channels
- Avoid small print qualifiers that customers are unlikely to see

EXAMPLE

BAD



Large headline stating “Free roadside assistance” with a tiny qualification “only on premium policies.”

GOOD



Headline and qualification shown together with equal prominence.



CORPORATIONS ACT 2001

WHAT IT IS

The Corporations Act governs advertising for financial products including insurance and requires clear balanced information.

WHY IT MATTERS

Selective messaging such as highlighting benefits while obscuring restrictions is viewed as misleading under the Act. Regulators expect transparency and balance.

WHAT MARKETERS MUST DO

- Present risks and benefits side by side
- Disclose key costs and limitations
- Ensure product descriptions match the PDS
- Avoid claims that create unrealistic expectations

EXAMPLE

BAD



“Our home insurance covers everything inside.”

GOOD



“Cover includes listed items. Limits and exclusions apply. Check the PDS for details.”



ACL

(AUSTRALIAN CONSUMER LAW)

WHAT IT IS

ACL prohibits misleading or deceptive conduct and sets the foundation for truthful transparent insurance advertising.

WHY IT MATTERS

Misleading insurance claims are heavily scrutinised because they can expose consumers to financial hardship. ASIC and ACCC routinely take action where benefits are overstated or exclusions are hidden.

WHAT MARKETERS MUST DO

- Ensure all claims can be substantiated
- Avoid language that overstates cover
- Make exclusions and conditions easy to understand
- Present significant limitations with equal prominence to benefits

EXAMPLE

BAD



“You’re fully protected for travel delays.”

GOOD



“Cover available for some travel delays. Limits and exclusions apply. See the PDS.”



PRIVACY ACT

WHAT IT IS

The Privacy Act governs how insurers collect, store and use personal information in marketing.

WHY IT MATTERS

Consumers expect transparency. Failure to disclose how data will be used can breach the Act and damage the insurer's reputation.

WHAT MARKETERS MUST DO

- State clearly why data is being collected
- Outline how personal information will be used
- Obtain explicit consent for marketing communications
- Provide access to the Privacy Policy at all collection points

EXAMPLE

BAD



Collecting contact details in a quote form without stating purpose.

GOOD



"Your details will be used to provide your quote and send policy information. View our Privacy Policy."



SPAM ACT

WHAT IT IS

The SPAM Act regulates electronic marketing and requires consent, identification and a functioning opt-out.

WHY IT MATTERS

Unsolicited messages create legal risk and erode trust. ASIC regularly reviews digital marketing practices.

WHAT MARKETERS MUST DO

- Obtain express or inferred consent before sending messages
- Include clear sender identification
- Provide a visible working unsubscribe option
- Honour opt-out requests promptly

EXAMPLE

BAD



Sending promotional SMS messages to past customers who never opted into marketing.

GOOD



Only sending messages to people who have consented to receive updates.

Ready to Simplify Your Compliance Process?

Upholding marketing compliance doesn't have to be a headache. With the right software and processes in place, you can ensure your marketing materials are compliant, accurate and effective. IntelligenceBank's AI content compliance solutions are designed to help insurers like yours take a proactive approach to regulatory requirements while saving time and reducing risk. Rather than building a solution from scratch, teams can get up and running faster with compliance checks aligned to common regulatory expectations and designed to flag potential risks earlier in the review process.

[Contact us](#) today to learn more or book a demo.

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