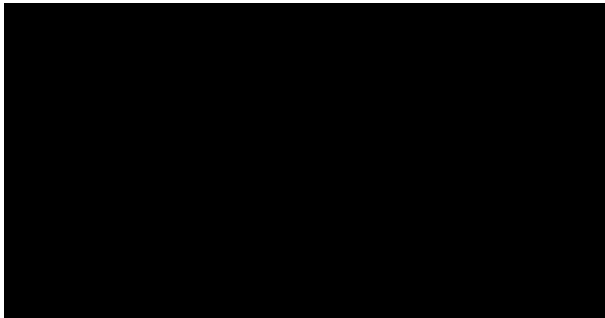


10 July 2023



#### **Official Information Act #22.205 – Response**

1. We refer to your request received on 14 June 2023 for information regarding insurance companies and their insurance policies. You would like to know if the Commission has:
  - 1.1 any guidelines for the insurance industry on how insurance companies can amend their policies from meter squared replacement to sum insured; and
  - 1.2 if the Commission has received any complaints about this process.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

#### **Our response**

3. The Commission does not hold any information responsive to your request at [1.1].
4. The [Insurance and Financial Services Ombudsman Scheme](#) (IFSO) resolves complaints about insurance and financial services and may be able to help. The IFSO also has an online enquiry or complaint [form](#) which you can use to make to make an enquiry or complaint about your insurer. You may also find this IFSO [Information Sheet](#) on “Sum Insured” useful.

#### *Number of complaints*

5. In response to your request at [1.2], we searched our database for relevant complaints. While we could not find any complaints directly on point, the Commission has received two recent complaints which may be of interest to you.
6. We provide summaries of these complaints in **Appendix A** below.

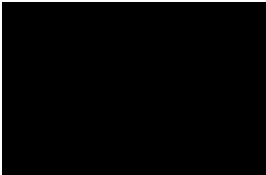
7. Please note:

- 7.1 The Commission's current database was implemented in 2017. At the time of implementation, complaints records from 1 January 2012 onwards were transferred to our current database.
- 7.2 Limited complaint records from before 2012 were transferred to the current database. These do not reflect a complete picture of the complaints received by the Commission before 2012.
- 7.3 Other than complaints transferred to the current database, we are not able to access complaint records from our previous database(s).

**Further information**

- 8. Please note the Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.
- 9. Please do not hesitate to contact us at [oia@comcom.govt.nz](mailto:oia@comcom.govt.nz) if you have any questions about this response.

Yours sincerely



OIA and Information Coordinator

Appendix A			
Enquiry number	Date received	Complaint	Outcome
ENQ0577339	29/03/2023	<p>Complainant alleged Trader is misleading customers regarding vehicle insurance under section 9 of the Fair Trading Act.</p> <p>Complainant had been in contact with the Trader's sales department to increase the sum insured for their vehicle. Based on the trader's written guidance and discussion with the sales team, they increased their sum insured.</p> <p>Following an accident, the car was subsequently written off and the car was assessed as being worth a lot less than the sum insured amount.</p> <p>Complainant is unhappy with the disparity in information between the sales and claims teams that is being provided to consumers.</p>	No further Action (NFA) <sup>1</sup>
ENQ0579830	26/05/2023	<p>Complainant alleges Trader changed the vehicle insurance policy wording from "total sum insured" to "purchase price".</p> <p>Two years later the complainant's vehicle has been stolen. The trader is now offering the complainant the current market value price rather than total sum insured.</p>	Awaiting assessment <sup>2</sup>

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<sup>1</sup> The Commission may decide not to take further action in relation to a complaint for a number of reasons. These reasons include, but are not limited to, circumstances where we consider the complaint is better suited to private action by the complainant, the complaint is subject to the jurisdiction of another agency, or where there is no clear breach of the law. However, each complaint and enquiry provides information that is valuable to the Commission. This contributes to future priorities, potential issues for us to watch closely or emerging issues to refer to our policy agency, MBIE. In this regard, we will monitor complaints on information we receive as we look to future prioritisation.

<sup>2</sup> The complaint has not completed the assessment process yet. Complaints received by the Commission are assessed for possible breaches against the Acts that the Commission enforces.