

29 November 2021



### **Official Information Act #21.080 - Commission Priorities**

1. We refer to your request received on 8 November 2021 for information about Commerce Commission (**Commission**) priorities for the new year. In particular, when considering a focus on industry impacts on vulnerable consumers, whether retirement villages and/or aged care will form part of that programme<sup>1</sup> and, if so, what area(s) the Commission will be looking at.
2. We have treated this as a request for information under the Official Information Act 1982 (**OIA**).

### **Our response**

3. We have decided to grant your request.
4. The Commission's work programme for 2022 does not identify retirement villages and/or aged care as specific areas of focus.
5. The Commission is interested in, across our work programme, the impact that businesses can have on vulnerable consumers. Because Retirement Village customers are elderly, this group of consumers could be considered vulnerable at certain points in time.
6. In terms of consumer impact and outcomes, we can confirm that Retirement Villages is one of the areas within our work programme that we are looking to better understand.

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<sup>1</sup> <https://comcom.govt.nz/about-us/our-priorities>

7. The Commission may investigate when we believe there is a potential breach of the Fair Trading Act 1986 (**FTA**). Our enforcement criteria include consideration of the extent of detriment arising from the conduct, its seriousness, and the public interest in investigating.
8. If you have questions about what this might mean for Retirement Village operators, there is information on our website about the FTA<sup>2</sup> and the enforcement criteria that guides our investigation choices.<sup>3</sup>
9. We can take other steps to fulfil our role under the FTA. For instance, we engage with businesses to raise understanding of legal obligations and consumer rights. We also produce fact sheets and other educational tools that are used by businesses, consumers, and their advocates.
10. If we choose to make inquiries about Retirement Villages and any other services offered to the elderly, we hope that you will be open to meeting with staff in our Fair Trading Branch.
11. We note that information about the Commission's priorities for the new year will be published shortly and will be available on our website.
12. The Commission will be publishing this response to your request in the OIA register on our website.<sup>4</sup> Your personal details will be removed from the published response.
13. Please do not hesitate to contact us at [oia@comcom.govt.nz](mailto:oia@comcom.govt.nz) if you have any questions about this request.

Yours sincerely



Alexandra Murray  
OIA and Information Coordinator

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<sup>2</sup> <https://comcom.govt.nz/business/your-obligations-as-a-business>

<sup>3</sup> <https://comcom.govt.nz/about-us/our-policies-and-guidelines/investigations-and-enforcement/enforcement-criteria>

<sup>4</sup> <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>