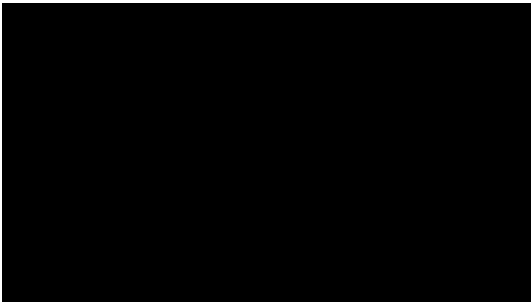


9 August 2024



### **Official Information Act #24.022 – Response**

1. We refer to your request received on 31 July 2024 for information about faulty smoke alarms in New Zealand. You would like to know if the Commerce Commission (Commission) has received any complaints about faulty smoke alarms sold in New Zealand within the last 24 months.<sup>1</sup>
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

### **Our response**

#### *Number of complaints*

3. In response to your request, we searched our database for relevant complaints. We can advise that the Commission received five complaints in total about smoke alarms in the relevant period, including your enquiry, ENQ0597581.
4. In addition to your complaint, two other complaints could also be classified as complaints about faulty smoke alarms.

#### *The Commission's complaint process*

5. The Commission operates a complaints function to provide the public with a method of raising concerns directly with the Commission. It is also one of the ways the Commission identifies matters that it may choose to investigate and assists the Commission with prioritisation decisions and identifying sectors and industries that may require education and outreach. When a consumer or a business contacts the

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<sup>1</sup> 1 January 2022 to 31 July 2024 (the relevant period).

Commission, either through our call centre, the webform on the Commission website or direct to one of our staff, with a complaint about a trader, this is lodged in the Commission's complaint database.

6. All complaints received by the Commission are entered into our complaint database and assessed by our Screening and Analysis Team on the basis of the information available at the time. When conducting this initial assessment, the Screening and Enquiries Team considers:
  - 6.1 the likelihood of a breach of the relevant legislation (the Fair Trading Act 1986, Credit Contracts and Consumer Finance 2003, and the Commerce Act 1986);
  - 6.2 the Commission's Enforcement Response Guidelines;<sup>2</sup> and
  - 6.3 the Commission's strategic priorities and resourcing constraints.
7. The Commission has the power to act on complaints but is not required to take action in relation to all possible breaches of the legislation that we enforce.
8. If a complaint is appropriate for further consideration, it is reviewed by a panel of managers and subject matter experts from within the Competition, Fair Trading and Credit Branches. The panel decides which complaints are to be prioritised for further assessment by the Branch.
9. This process enables us to identify complaints that best reflect our current enforcement priorities. The outcomes of the process are not final and we may revisit any complaint at a later stage, should we wish to reconsider the issues it presents.
10. We value all information received and will keep the information you have provided in our complaint database. We use our database to identify business practices concern and to help us decide what to investigate in the future.

#### **Further information**

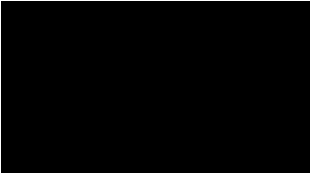
11. Please note the Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.

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<sup>2</sup> Available at: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-response-guidelines/>

12. Please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz) if you have any questions about this response.

Yours sincerely



OIA and Information Coordinator