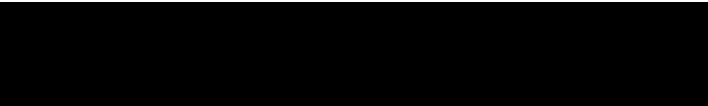


23 June 2020



Dear 

### **Official Information Act #19.173 - FTA complaints about online advertising**

1. We refer to your request received on 26 May 2020 for information about the number of Fair Trading Act 1986 (FTA) complaints received by the Commerce Commission (the Commission) in 2019 which relate to:
  - 1.1 online advertising; and
  - 1.2 online advertising by offshore entities.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

### **Our response**

3. Around a third of the FTA complaints received by the Commission in 2019 relate to online advertising; this is between 3,000-3,500 complaints.
4. On 4 June 2020, we asked if you could refine paragraph [1.2] your request in relation to 'offshore entities'. We advised it was unlikely to be feasible for the Commission to manually consider whether each entity is offshore, and we may otherwise have to decline this part of your request.
5. You have not refined this part of your request and we have decided to decline it under section 18(e) of the Official Information Act (OIA), on the basis that it is not information held by the Commission.
6. We are happy to have a discussion about the information we hold in relation to these complaints and how you could structure a request for further information.
7. If you are not satisfied with the Commission's response to your OIA request, section 28(3) of the OIA provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.

8. Please note the Commission will be publishing this response to your request in the Official Information Act register on our website.<sup>1</sup> Your personal details will be redacted from the published response.
9. Please do not hesitate to contact us at [oiia@comcom.govt.nz](mailto:oiia@comcom.govt.nz) if you have any questions about this request.

Yours sincerely

*Mary Sheppard*

OIA Coordinator

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<sup>1</sup> <https://comcom.govt.nz/about-us/requesting-official-information/oiia-register>