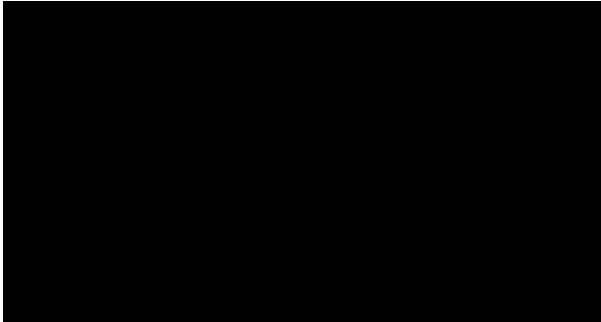


21 November 2023



#### **Official Information Act #23.100**

1. We refer to your request received on 6 November 2023 for data relating to companies that have breached the Credit Contracts and Consumer Finance Act 2003 (CCCFA).
2. You requested for the period 1 January 2021 to 1 November 2023 the following:
  - 2.1 the number of warnings issued by the Commerce Commission (the Commission) for CCCFA breaches;
  - 2.2 the number of cases where settlement or customer remediation has been agreed upon; and
  - 2.3 the number of cases in which the Commission has filed proceedings since January 2021 (e.g., Eagle M.A.N Group Limited).
3. We have treated this as a request for information under the Official Information Act 1982 (OIA).

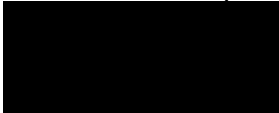
#### **Our response**

4. Enclosed at **Appendix A** are responses to your questions at [2]. We have included links to the information available on our website, noting that the majority of the requested information is publicly available within our [case register](#) (which may be of use to you in the future).

**Further information**

5. 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.
6. Please do not hesitate to contact us at [oiacomcom.govt.nz](mailto:oiacomcom.govt.nz) if you have any questions about this response.

Yours sincerely



OIA and Information Coordinator

Appendix A	
<p>The number of <b>warnings</b> for CCCFA breaches issued in the period 1 January 2021 and 1 November 2023</p> <p>Answer: 13</p>	<ol style="list-style-type: none"> <li>1. <a href="#">Auckland Council</a> – 23 February 2021</li> <li>2. <a href="#">Austin Motor Company Limited</a> – 26 March 2021</li> <li>3. <a href="#">Acorn Finance 2012 Limited</a> – 8 February 2022</li> <li>4. <a href="#">NZ Shop at Home Limited</a> – 16 June 2022</li> <li>5. <a href="#">Xtreme Deals Limited</a> – 17 August 2022</li> <li>6. <a href="#">Moola.co.nz Limited</a> – 31 August 2022</li> <li>7. <a href="#">Hippo Holdings Limited</a> – 21 December 2022</li> <li>8. <a href="#">Vickers Marketing Limited</a> – 2 February 2023</li> <li>9. <a href="#">Tiny Loans Limited</a> – 20 February 2023</li> <li>10. <a href="#">TNP Investments Pvt Limited (trading as Fair Value NZ)</a> – 13 March 2023</li> <li>11. <a href="#">The Hongkong and Shanghai Banking Corporation Limited</a> – 2 June 2023</li> <li>12. <a href="#">Canterbury Regional Council (trading as Environment Canterbury)</a> – 31 August 2023</li> <li>13. <a href="#">Zak Finance Limited</a> – 26 October 2023</li> </ol>
<p>The number of <b>cases</b> where settlement or customer remediation has been agreed upon in the period 1 January 2021 and 1 November 2023</p> <p>Answer: 11</p>	<ol style="list-style-type: none"> <li>1. <a href="#">UDC Finance Limited</a> – settlement with customer remediation agreed</li> <li>2. <a href="#">Moola.co.nz Limited</a> – settlement with customer remediation agreed</li> <li>3. <a href="#">Harmony Limited</a> - settlement agreement and enforceable undertakings to provide remediation</li> <li>4. <a href="#">Real Finance Limited</a> – enforceable undertakings to provide remediation</li> <li>5. <a href="#">Westpac Limited</a> – enforceable undertakings to provide remediation</li> <li>6. <a href="#">ASB Bank Limited</a> - settlement with customer remediation agreed</li> <li>7. <a href="#">ASB Bank Limited</a> – enforceable undertakings to provide remediation</li> <li>8. <a href="#">Mainland Finance Limited</a> – settlement agreement and enforceable undertakings to provide remediation</li> <li>9. <a href="#">Hippo Holdings Limited</a> – enforceable undertakings to provide remediation</li> <li>10. <a href="#">Xtreme Deals Limited</a> – enforceable undertakings to provide remediation</li> <li>11. <a href="#">Kookmin Bank</a> – settlement agreement and enforceable undertakings to provide remediation</li> </ol>
<p>Number of cases in which the Commission has filed <b>proceedings</b> under the CCCFA in the period 1 January 2021 and 1 November 2023 (eg, Eagle M.A.N Group Limited)</p> <p>Answer: 4</p>	<ol style="list-style-type: none"> <li>1. <a href="#">Ace Marketing</a> – DC banning order proceeding</li> <li>2. <a href="#">Pawnbrokers case-stated proceeding</a></li> <li>3. <a href="#">Eagle M.A.N Group Limited</a></li> <li>4. <i>Commerce Commission v Andrews</i> (not yet on case register because criminal proceedings appeal period still open)</li> </ol>