

24 January 2020



Dear 

Official Information Act #19.108 - Mobile Trader fines

1. We refer to your request received on 1 January 2020 for information about cases taken by the Commerce Commission (Commission) in relation to mobile traders, specifically:
 - 1.1 the financial penalties (fines, fees and damages) imposed in each of the cases;
 - 1.2 the amount of penalties paid by the mobile trader companies; and
 - 1.3 any amounts that have been passed to the Ministry of Justice (MoJ) for collection.
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 paragraph [1.1] of your request.
4. As advised, we have transferred paragraphs [1.2] and [1.3] of your request to the MoJ under section 14(b)(i) of the OIA. The Commission does not collect financial penalties and we do not hold information about outstanding payments. The MoJ is the agency responsible for collecting financial penalties.

Financial penalties

5. In August 2015, the Commission released a report containing the findings of a year-long project into mobile traders.¹ Since then, the Commission has prosecuted 13 mobile traders. The information you have requested about the financial penalties imposed in each of the cases is contained in the table below.

Mobile Trader	Date	Fines	Statutory damages	Court costs
Mobile Shop Limited (trading as Mobile Shop)	26 April 2018	\$330,000.00	\$10,800.00	\$720.00
Appenture Marketing Limited (trading as Appenture)	04 February 2018	\$114,000.00	Unknown	
Macful International Limited	17 August 2017	\$126,000.00	\$22,575.00	
Zee Shop Limited (trading as Zee Shop)	11 August 2017	\$108,000.00		\$130.00
Best Buy Limited	06 July 2017	\$83,362.50	\$37,180.00	
Budget Warehouse Limited (trading as Budget Warehouse)	30 June 2017	\$100,000.00	\$33,419.00	
Sales Concepts Limited	14 March 2017	\$145,000.00		
Bestdeals 4 You Limited (trading as Bestdeals)	21 February 2017	\$47,250.00	\$11,775.00	
Flexibuy Limited (trading as Flexi Buy)	28 December 2016	Vikram Mehta sentenced 2 years imprisonment		
	19 February 2016	\$50,000.000	\$3,408.00	
Smart Shop Limited (trading as SmartStore)	30 September 2016	\$135,000.00		\$130.00

¹ <https://comcom.govt.nz/business/consumer-reports/mobile-trader-project-201415>

Mobile Trader	Date	Fines	Statutory damages	Court costs
Ace Marketing Limited	29 September 2016	\$150,000.00	\$46,224.00	
Goodring Company Limited	10 June 2016	\$98,000.00		
Betterlife Corporation Limited	10 June 2016	\$73,500.00		

Further information

6. Greenfield Global Limited (trading as KiwiOwn) refunded customers nearly \$110,000.00 in credit and default fees following a Commission's investigation. KiwiOwn received a warning letter from the Commission on 20 December 2017.²
7. One mobile trader has been sent five infringement notices totalling \$5,000.00.³
8. The Commission will be publishing this response to your request on our website. Your personal details will be redacted from the published response.
9. Please do not hesitate to contact us at oa@comcom.govt.nz if you have any questions about this request.

Yours sincerely

Mary Sheppard

Mary Sheppard
OIA Coordinator

² <https://comcom.govt.nz/case-register/case-register-entries/greenfield-global-limited-ta-kiwiown>

³ [https://comcom.govt.nz/news-and-media/media-releases/2018/biggest-truck-shop-fine-so-far,-total-fines-reach-nearly-\\$1.6-million](https://comcom.govt.nz/news-and-media/media-releases/2018/biggest-truck-shop-fine-so-far,-total-fines-reach-nearly-$1.6-million)