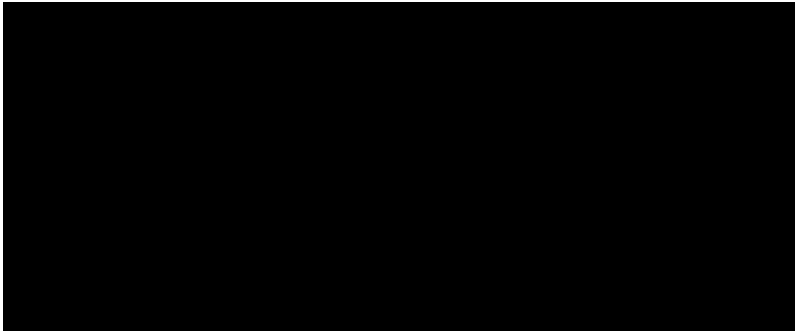


1 March 2024



Official Information Act #23.173 – Response

1. We refer to your request received on 5 February 2024 for information about Parking Services Limited. You have requested:
 - 1.1 The number of consumer complaints the Commerce Commission (the Commission) has received about Parking Services Limited in the financial years 2021-2022 and 2022-2023.¹
 - 1.2 The complaint issue and the outcome for each complaint.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

Our response

3. We have searched our database for complaints about Parking Services Limited.
4. All complaints received by the Commission are entered into our complaints database by reference to the name of the trader complained or enquired about.
5. In response to request at [1.1], we received a total of six complaints about Parking Services Limited in the period 1 July 2021 to 30 June 2022 to 1 July 2022 to 30 June 2023. This information is in **Appendix A** below.

¹ We note that previously we advised the Commission's financial year is 1 July – 30 June. We have proceeded on the basis that the relevant financial years are: 1 July 2021 to 30 June 2022 and 1 July 2022 to 30 June 2023.

6. In response to your request at [1.2], we have provided the complaint number, date received, outcome and issue for each complaint or enquiry. This information is in **Appendix B** below.
7. Complaint issues are allocated by our Screening and Analysis Team during the assessment described at paragraph [10] below. We have provided an explanation of each issue at **Appendix C** below.

The Commerce Commission complaint process

8. All complaints received by the Commission are logged in our complaints 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:
 - 8.1 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);
 - 8.2 the Commission's Enforcement Response Guidelines;² and
 - 8.3 the Commission's strategic priorities and resourcing constraints.
9. 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.
10. 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 with reference to our Enforcement Response Model.³
11. This process enables us to identify complaints that best reflect our current enforcement priorities.⁴ 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.

Further information

12. 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

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

³ Our Enforcement Response Model is discussed in more detail from page 3 of the Commission's Enforcement Response Guidelines, available here: https://comcom.govt.nz/_data/assets/pdf_file/0030/62589/Enforcement-Response-Guidelines-October-2013.pdf.

⁴ For further information, see: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-criteria/>

review this response. However, we would welcome the opportunity to discuss any concerns with you first.

13. 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.
14. Please do not hesitate to contact us at oa@comcom.govt.nz if you have any questions about this response.

Yours sincerely



OIA and Information Coordinator

Appendix A	
Financial year (01 July – 30 June)	Total complaints
2021 - 2022	1
2022- 2023	5
Total	6

Appendix B				
Financial Year 2021-2022				
Enquiry number	Date received	Trader	Outcome	Issue
ENQ0557163	12/08/2021	PARKING SERVICES LIMITED	No Further Action (NFA) ⁵	Breach notices
Financial Year 2022-2023				
Enquiry number	Date received	Trader	Outcome	Issue
ENQ0573323	21/12/2022	PARKING SERVICES LIMITED	NFA	Quality
ENQ0574269	18/01/2023	PARKING SERVICES LIMITED	NFA	Contractual issues
ENQ0575457	21/02/2023	PARKING SERVICES LIMITED	NFA	Undisclosed charges
ENQ0578544	24/04/2023	PARKING SERVICES LIMITED	NFA	Breach notices
ENQ0580115	3/06/2023	PARKING SERVICES LIMITED	NFA	Breach notices

⁵ The Commission may decide not to take further action in relation to a complaint for a number of reasons. These reasons include, but are not limited to, circumstances where we consider the complaint is better suited to private action by the complainant, the complaint is subject to the jurisdiction of another agency, or where there is no clear breach of the law. However, each complaint and enquiry provides information that is valuable to the Commission. This contributes to future priorities, potential issues for us to watch closely or emerging issues to refer to our policy agency, MBIE. In this regard, we will monitor complaints on information we receive as we look to future prioritisation.

Appendix C	
Issue	Detail
Breach notices	Where the complaint concerns a breach notice
Undisclosed charges	Where the complaint relates to or includes charges that were not disclosed to the consumer prior to purchasing the good or service.
Quality	Complaints about the quality of the carpark or service. Can include both misrepresentations of the quality and general complaints about the standard of good or service.
Contractual issues	Complaints regarding the contract between the consumer and Trader. Can include unfair contract terms, not fulfilling the contract etc.