

23 March 2021

By email only: [REDACTED]

Dear [REDACTED]

Official Information Act #20.149 - Budgeting Services

1. We refer to your request received on 2 February 2020 for information about whether the Commerce Commission (**Commission**) has received any complaints about budgeting services charging for the work they do.
2. We have treated this as a request for information under the Official Information Act 1982 (**OIA**).
3. On 5 February 2021, we sought to clarify the scope of your request to ensure you receive the most relevant information. We advised:
 - 3.1 our complaints database contains fields for the name of the trader complained about, name of the complainant, date received, complaint description, relevant legislation (added by the Commission), and complaint outcome;
 - 3.2 in order to identify complaints about budgeting services charging for the work they do, we would keyword search one or more of these fields and manually review the results for relevance to your request; and
 - 3.3 we proposed to search the 'trader name' field, and invited you to provide the name(s) of the specific trader(s) that you are interested in.
4. In response, on 23 February 2021, you advised that you would like to know whether the Commission has received any complaints about:
 - 4.1 Financial Holdings Limited (**FHL**);
 - 4.2 Otahuhu Budgeting Services; or

- 4.3 Papatoetoe Family Budgeting Services.
5. On 24 February 2021, we:
- 5.1 advised we would search our database for complaints received by the Commission about the three traders named at paragraph [4];
 - 5.2 confirmed we cannot search for complaints about 'budgeting services' generally (for the reasons outlined in our email of 5 February 2021 and at paragraph [3] above);
 - 5.3 queried whether you are interested in complaints about these three traders generally, or specific complaints about these three traders charging for budgeting services;
 - 5.4 asked you to provide the timeframe you are interested in.
6. We also advised that we would be treating your clarified request as a new request with a due date of 23 March 2021, pursuant to section 15(1AA) of the OIA.
7. In response, on 25 February 2021, you advised that you would like to know whether the Commission has received any complaints:
- 7.1 from other budgeting services about FHL and Moneygroup using the District Courts to enforce debts that are not legal; or
 - 7.2 about budget services charging clients for their services.

Our response

8. We have decided to grant paragraphs [4.1] to [4.3] and [7.1] of your request.
9. We have decided to decline paragraph [7.2] of your request on the basis that it lacks due particularity, under section 12(2) of the OIA. We cannot search our database for complaints about 'budgeting services', for the reasons outlined in our email of 5 February 2021 and at paragraph [3] above.
10. In response to paragraph [4.1] of your request, the Commission has received 43 complaints about FHL.¹ We note FHL is not a budgeting service and confirm that none of the complaints received are about it charging for budgeting services.
11. In response to paragraphs [4.2] and [4.3] of your request, the Commission has not received any complaints about Otahuhu Budgeting Services or Papatoetoe Family Budgeting Services.²
12. In response to paragraph [7.1] of your request, the Commission has not received any complaints from other budgeting services (or otherwise) about FHL or a trader

¹ At 18 March 2021.

² At 18 March 2021.

“Moneygroup” (or “Money Group”) using the District Court to enforce debts (or debts alleged not to be legal).³

13. Please note the Commission will be publishing this response to your request in the OIA register on our website.⁴ Your personal details will be redacted from the published response.
14. Please do not hesitate to contact us at ويا@comcom.govt.nz if you have any questions about this request.

Yours sincerely

Mary Sheppard
OIA Coordinator

³ At 10 March 2021.

⁴ <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>