

12 February 2021



By email only: 

Dear 

### Official Information Act #20.134 - Holiday surcharges

1. We refer to your request received on 6 January 2021 for the number of complaints received by the Commerce Commission (**Commission**) about public holiday surcharges being charged on days that are not public holidays.
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 your request.
4. We have searched our complaints database and identified 40 complaints falling within the scope of your request, where a complainant alleges they were charged a public holiday surcharge on a day that was not a public holiday.<sup>1</sup>
5. We identified these complaints by searching our complaints database with the following keywords and manually reviewing the results for relevance to your request:<sup>2</sup>
  - 5.1 “public holiday”; or
  - 5.2 “statutory”; or
  - 5.3 “Christmas”; or

<sup>1</sup> As you did not specify a date range, we did not use date filter on our search; the earliest complaint returned was 10 April 2012 and latest 15 January 2021.

<sup>2</sup> Please note this relies on the terms used by complainants in making a complaint to the Commission.

- 5.4 “Easter”; or
  - 5.5 “ANZAC”; or
  - 5.6 “Waitangi”; or
  - 5.7 “Anniversary”; or
  - 5.8 “New Year”; or
  - 5.9 “Labour”; or
  - 5.10 “Queen”; or
  - 5.11 “Good Friday”; or
  - 5.12 “Boxing”; and
  - 5.13 “surcharge”; or
  - 5.14 “tax”.
6. Please note the Commission will be publishing this response to your request in the OIA register on our website.<sup>3</sup> Your personal details will be redacted from the published response.
7. Please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz) if you have any questions about this request.

Yours sincerely

*Mary Sheppard*  
OIA Coordinator

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<sup>3</sup> <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>