



complaint alleged that Spoilt Boutique’s “Orders & Returns” policy may mislead consumers about their CGA rights.

7. The Commission considered the complaint under section 13 of The Fair Trading Act 1986 (Act) ‘False or misleading representations’. It considered that the complaint raised concerns under section 13(i) of the Act:

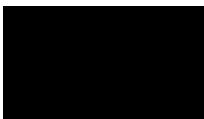
*No person shall, in trade, in connection with the supply or possible supply of goods or services or with the promotion by any means of the supply or use of goods or services,—*

[...]

*(i) make a false or misleading representation concerning the existence, exclusion, or effect of any condition, warranty, guarantee, right, or remedy, including (to avoid doubt) in relation to any guarantee, right of remedy available under the Consumer Guarantees Act 1993;*

8. The Commission brought the complaint to the attention of Spoilt Boutique by sending Spoilt Boutique an Information Passed To Trader (IPTT) letter. An IPTT letter is used to assist traders in better understanding and complying with their legal obligations. A copy of this letter dated 17 February 2020 is attached.
9. In accordance with your request that you do not wish to receive personal information, we have redacted any personal information in the attached letter as being out of scope.
10. 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 review this response. However, we would welcome the opportunity to discuss any concerns with you first.
11. 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.
12. 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




OIA and Information Coordinator