

11 December 2020

[REDACTED]

By email only: [REDACTED]

Dear [REDACTED]

Official Information Act #20.105 - Buy Now Pay Later

1. We refer to your request received on 16 November 2020 for information about the number of complaints received by the Commerce Commission (**Commission**) about 'Buy Now Pay Later' (**BNPL**) payment providers in the last 12 months, how that number compares to the previous year, and what the complaints relate to.
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 and have searched our database for complaints received about the following BNPL providers during the periods you have requested:
 - 3.1 Flexigroup (New Zealand) Limited, trading as Oxipay;¹
 - 3.2 Genoapay Limited;
 - 3.3 Ezypay New Zealand Pty Limited;
 - 3.4 Afterpay NZ Limited;
 - 3.5 Laybuy Holdings Limited;
 - 3.6 Zip Co NZ Limited;²

¹ Oxipay is now known as Humm.

² Previously known as PartPay Limited.

- 3.7 PartPay Limited;³ and
- 3.8 Flexigroup (New Zealand) Limited, trading as Humm.⁴
4. The Commission received seven complaints about BNPL providers in the last 12 months, during the period from 16 November 2019 to 16 November 2020.
5. The Commission received nine complaints about BNPL providers during the previous year, from 15 November 2018 to 15 November 2019.
6. The issues complained about across both periods (15 November 2018 - 16 November 2020) are as follows:⁵
- 6.1 Delay in refund: 2 complaints
 - 6.2 Overcharging: 1 complaint
 - 6.3 Automatic payments (not processed): 1 complaint
 - 6.4 Late payments: 1 complaint
 - 6.5 Difficulties accessing account: 1 complaint
 - 6.6 Concerns around alleged anticompetitive behaviour: 1 complaint
 - 6.7 Retailer fees for refunds: 1 complaint
 - 6.8 Debt collection: 1 complaint
 - 6.9 Concerns around alleged non-compliance with relevant legislation: 1 complaint
 - 6.10 Default fees: 1 complaint
 - 6.11 Payment (timing and inability to make manual payments): 1 complaint
 - 6.12 Concern trader name does not accurately reflect service provided: 1 complaint
 - 6.13 Unauthorised payments: 1 complaint
 - 6.14 Creation of fraudulent accounts: 1 complaint
 - 6.15 Concerns that information about outstanding payments is misleading: 1 complaint

³ PartPay now known as Zip.

⁴ Previously known as Flexigroup Limited, trading as Oxipay.

⁵ Some complaints are about more than one issue and have been recorded against all issues complained about.

- 6.16 Communication issues: 1 complaint
- 6.17 System errors: 1 complaint
- 7. Please note the Commission will be publishing this response to your request in the OIA register on our website.⁶ Your personal details will be redacted from the published response.
- 8. Please do not hesitate to contact us at uia@comcom.govt.nz if you have any questions about this request.

Yours sincerely

Mary Sheppard
OIA Coordinator

⁶ <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>