

3 March 2021

[REDACTED]

By email only: [REDACTED]

Dear [REDACTED]

**Official Information Act #20.161 - prosecutions for breaches of publication of standard form contract terms / publication of costs of borrowing (car dealerships)**

1. We refer to your request received on 22 February 2021 for information about whether any car dealerships have been prosecuted for breaches of the publication of standard form contract terms and cost of borrowing on a New Zealand website.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

**Our response**

3. You can find information about Commerce Commission (**Commission**) prosecutions (and selected other enforcement responses) in the Case Register on our website.<sup>1</sup>
4. To assist your search(es) of the Case Register, we note that publication of standard form contract terms falls under section 9(J) of the Credit Contracts and Consumer Finance Act 2003 (**CCCFA**) and publication of costs of borrowing falls under section 9(K) of the CCCFA. You can filter the Case Register by Act and section (or in a number of other ways).
5. The Commerce Commission (**Commission**) has a range of enforcement responses, outlined in the Enforcement Response Guidelines on our website.<sup>2</sup> If you are interested in other enforcement responses taken by the Commission in relation to

<sup>1</sup> <https://comcom.govt.nz/case-register>

<sup>2</sup> [https://comcom.govt.nz/\\_data/assets/pdf\\_file/0030/62589/Enforcement-Response-Guidelines-October-2013.pdf](https://comcom.govt.nz/_data/assets/pdf_file/0030/62589/Enforcement-Response-Guidelines-October-2013.pdf)

sections 9(K) or 9(J) of the CCCFA not published in the Case Register, you can make a further request for information.<sup>3</sup>

6. If you make a further request for information, could you please specify the time period you are interested in.
7. Please note the Commission will be publishing this response to your request in the OIA register on our website.<sup>4</sup> Your personal details will be redacted from the published response.
8. Please do not hesitate to contact us at [ويا@comcom.govt.nz](mailto:ويا@comcom.govt.nz) if you have any questions about this request.

Yours sincerely

*Mary Sheppard*

OIA Coordinator

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<sup>3</sup> We note that judgments, enforceable undertakings and warning letters are published to the Case Register; other (lower level) enforcement responses listed in our Guidelines are not.

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