



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI



Regulatory Charter

Consumer and Commercial Regulatory System

December 2021

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Executive summary

The consumer and commercial regulatory system regulates the interactions that businesses and consumers have before, during, and after the point of sale of a good or service. The system comprises the rules, institutions and practices used to regulate conduct and promote or change behaviours in the interactions between consumers and businesses.

What consumers and businesses can expect the system to deliver

The system works towards the long-term interests of consumers by seeking to maximise the following objectives:

- Consumers and businesses have the information they need to transact with confidence
- Consumers and businesses are protected from high levels of detriment
- Consumers and businesses have access to appropriate redress if things go wrong.

Who is responsible for delivery

The **Ministry of Business, Innovation and Employment (MBIE)** has primary responsibility for maintaining, monitoring, evaluating and improving the system.

The **Commerce Commission** is responsible for enforcing certain consumer and commercial laws.

A number of other organisations have specific roles across the system.

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1 What this regulatory Charter does

Why have regulatory charters?

Promoting good regulatory stewardship is a key element of the Government's regulatory approach, with government agencies monitoring the performance and maintaining the quality of the regulatory systems they oversee.

MBIE has stewardship obligations to monitor the performance of the regulatory systems it oversees, including the consumer and commercial regulatory system. Under the *State Sector Act 1988*, the chief executives of each government department are responsible for overseeing the legislation administered by the department. The *2017 Government Expectations for Good Regulatory Practice* set out the Government's expectations for regulatory stewardship by government agencies, which include a responsibility to monitor, review and report on regulatory systems.

A regulatory system comprises the rules, institutions, and practices that combine to achieve a desired set of behaviours or outcomes. A Charter is a tool designed to help manage oversight of a regulatory system.

What's in this regulatory Charter?

This Charter:

- sets clear expectations for what the regulatory system is intended to achieve
- outlines the key principles underlying the design of the regulatory system
- describes the respective roles and functions of agencies in various parts of the regulatory system.

The Charter does not evaluate policy or make recommendations for change in the regulatory system. However, reviews of regulatory settings may result in updates to the objectives and actors in this Charter.

Objectives of this Charter

The objective of this Charter is to promote active management of the consumer and commercial system by reinforcing shared ownership of the system, assisting core government agencies with policy and regulatory functions, and assisting them to identify and address risks and opportunities in a timely and appropriate manner.

Core agencies are committed to working collaboratively and collectively across their respective roles and functions to ensure that the system is working effectively to benefit the long-term interests of consumers of New Zealand.

The Charter sets out the current landscape of the consumer and commercial regulatory system. It is designed to support cooperation between actors, and ensure that any changes made within the

system contribute to desired outcomes for the system as a whole. It also aims to provide clarity about the system’s scope and objectives. This is important because assumptions about what the system does or does not include may unnecessarily duplicate regulatory settings in other systems or ignore loopholes where some issues are not addressed.

Setting clear expectations about how the system is intended to perform enables risks, gaps and opportunities in the system to be identified in ongoing monitoring and evaluation.

Development of the Charter

This Charter has been developed by the Ministry of Business, Innovation and Employment (MBIE).

Other agencies and organisations who play important roles in the consumer and commercial regulatory system, including groups which provide consumer advocacy and advice, have been consulted in the development of this Charter.

Ownership of the Charter

Ownership of the Charter sits with the General Managers of the Commerce, Consumers and Communications branch, Business and Consumer branch and Market Integrity branch within MBIE.

Charter review

Responsibility for maintaining and reviewing this Charter document sits with MBIE. Review of this document should occur at least every five years. A review should include assessments of whether:

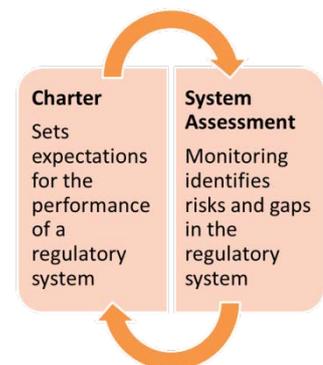
- system objectives, policy or context have changed over time
- the Charter document should be updated to reflect these changes
- as a result of system assessments, progress has been made in addressing identified risks and closing gaps.

Regulatory system assessment

As part of MBIE’s wider regulatory systems programme, all of its 16 regulatory systems take part in a regulatory system assessment.

Regulatory system assessments provide an insight into how well a regulatory system is working at a particular point in time within the existing policy and institutional framework. These assessments are not an analysis of what the rules should be; that is the role of policy reviews. Neither are they a full assessment of the strategies and capabilities of a government agency involved in a system; that is the role of a Performance Improvement Framework review. The assessments are conducted by a small team of MBIE staff not directly involved in the system, sometimes supplemented by a member from another agency.

Figure 1: Charters and system assessments complement each other



2 Scope and objectives of the Consumer and Commercial Regulatory System

Scope of the system

The consumer and commercial system comprises the rules, institutions and practices used to regulate conduct and promote or change behaviours in the interactions of consumers and businesses.

The consumer and commercial system focuses on the interactions that businesses and consumers have before, during, and after the point of sale of a good or service. It does so by providing important consumer protections and business obligations, but also provides a framework for interactions between private individuals, and between businesses, to some extent.

Activities that are regulated in connection with the supply of goods and services include:

- promotion (including advertising and labelling)
- lending
- offering of add-ons (including extended warranties and insurance)
- quality and safety processes
- entering contracts for buying and selling
- post-sale consumer rights and mechanisms of redress.

The consumer and commercial system can be thought of as a “core” or “foundational” regime for consumer protection which applies economy-wide. It is limited to generic consumer and commercial matters and does not seek to regulate sector-specific consumer issues. This is because the system may not be sufficient to deal with sector-specific consumer problems, which are often better addressed with specific regulation if sector-specific issues are complex or technical. An example is the protections for tenants in the housing and tenancy regulatory system, where there are consumer issues that apply uniquely to the tenancy market.

This Charter does not describe all roles and actors involved in other sector-specific consumer regulation. While they may contribute to the objectives of the consumer and commercial system, we have drawn boundaries around the consumer and commercial system so that it has a defined and manageable scope. Section 3 of this Charter acknowledges the links between the consumer and commercial system and sector-specific systems, identifies shared responsibilities, and describes how actors work together across systems.

Why regulate the consumer and commercial system?

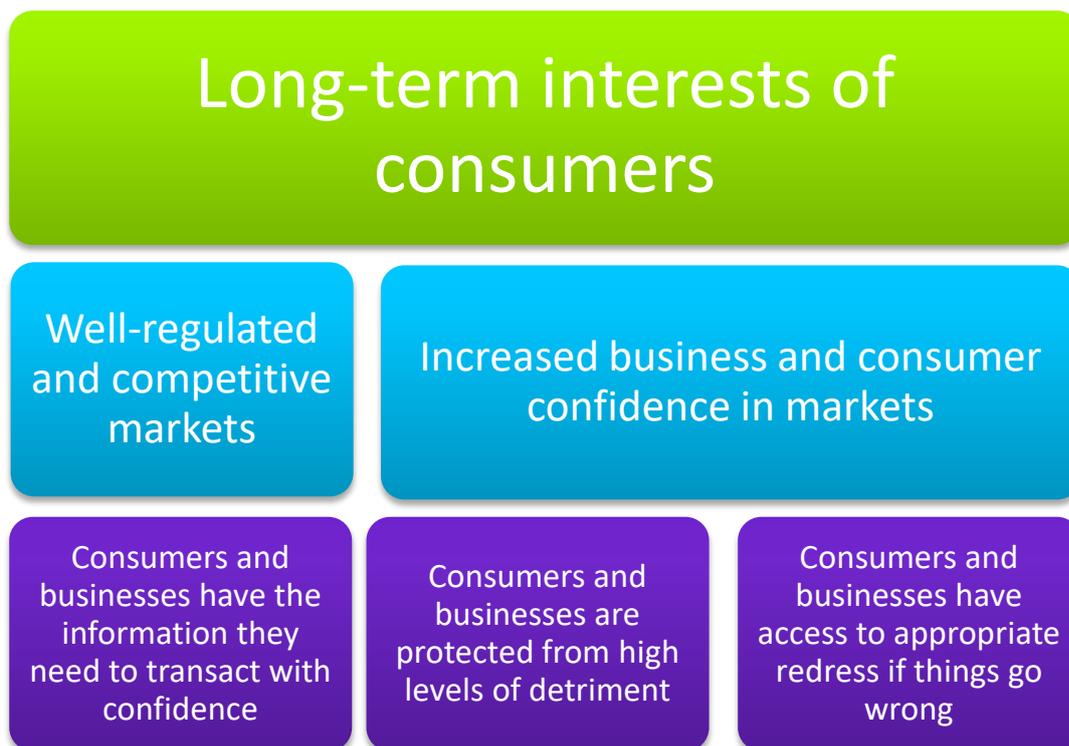
The consumer and commercial system aims to promote the long-term interests of consumers. It also helps to provide a level playing field for businesses, by ensuring that all businesses understand their obligations towards consumers and that these obligations are taken seriously.

In doing so, the system plays a role in helping to grow New Zealand for all New Zealanders. It does this by contributing to long-term objectives of increasing business and consumer confidence in all markets, and contributing to well-regulated and competitive markets.

The system has a role in attempting to alleviate economic inequalities. Consumer policy often seeks to protect the most vulnerable consumers – those who may have the least amount of bargaining power, who find it harder to access redress, and who may have the least amount of resources to devote to accessing information to transact with confidence. In this way, the system contributes to lifting the capabilities of all New Zealanders.

The system can make a positive difference to the long-term interests of consumers through regulation focused on three specific objectives:

Figure 2: Objectives of the consumer and commercial regulatory system



Consumers and businesses have the information they need to transact with confidence

- The system is in place to work towards this objective because there are potential information asymmetries between businesses and consumers, for example where a business has more information about a good than a consumer does. Accessing and understanding information also incurs costs, as it often requires time, effort and money.

- These two factors can contribute to suboptimal decision making (consumers are unable to assess the quality and value for money of the goods and services they are purchasing, and competing options), higher transaction costs, and distorted competition in markets.
- Without a system in place to work towards ensuring that all parties have the information they need, businesses may lack the incentives to provide adequate information to consumers. In other situations, consumers may lack incentives to provide businesses with all the necessary information, for example when taking out insurance.
- When consumers understand and use information, they are able to assess quality and value for money, compare options, assess whether businesses are trading fairly, identify when they are being misled, and assess that the terms of the sale are fair and clear (for example, they can identify whether a second hand car has an existing security interest).
- The system also helps businesses to understand their obligations and how the system works, which means that businesses can better serve their customers.
- While providing consumers with information is one way of advancing consumer interests, behavioural economics suggests that more information does not always result in rational decision-making. Information provision may not target the underlying causes of consumer choices, which could be due to a lack of financial capability or underlying economic deprivation. This is why the system uses other levers in the toolkit, both to help improve the ability of consumers to understand information, and to advance consumer interests in other ways in line with the two objectives below.

Consumers and businesses are protected from high levels of detriment

- The system works towards this objective because consumers may face harm from consuming certain goods and services. In the absence of regulation, businesses may not have incentives to ensure that the goods and services they sell are safe, or provide information warning consumers about safety. In some situations, there may be commercial gains from not providing safeguards for consumers.
- The system aims to protect consumers from high levels of detriment from actions outside of their control. Detriment could include physical harm from certain goods, such as children's toys or cigarette lighters, or could be in the form of substantial financial hardship. For example, consumers may face serious financial consequences if they are unable to repay loans. The consumer and commercial system provides protections for consumers in both situations, through product safety standards in the former, and in the latter, by requiring that businesses act responsibly when offering and entering into loans with consumers.

Consumers and businesses have access to appropriate redress if things go wrong

- Without a regulatory system set up to facilitate redress, consumers may have limited ability to hold businesses to account when things go wrong after the point of sale. Access to appropriate redress not only protects consumers after a problem occurs, but can also provide incentives for businesses to proactively meet consumers' expectations.

- Mechanisms for redress should be fit for purpose and consistent with best practice in terms of the dispute resolution principles of user-focus and accessibility, independence and fairness, efficiency, effectiveness and accountability.¹
- In relation to accessibility, best practice will require that information about the mechanisms can readily be found and understood by consumers, that there are no undue barriers to entry and that it is easy to use.
- It is also important that businesses have access to redress when dealing with other businesses. For businesses, the *Contract and Commercial Law Act 2017* provides for refunds or compensation for some common contractual issues.
- The system's ability to achieve this objective for all transactions may become increasingly limited in the context of the rise of cross-border e-commerce. As the territorial scope of the system is largely limited to enforcement within New Zealand, there may be an increasing need to work with other countries and their regulators towards achieving our system objectives.

Legislation in the consumer and commercial regulatory system

The legislation administered under the consumer and commercial regulatory system is listed below and detailed further in Annex One. A key role for system actors involves reviewing whether the legislation is fit-for-purpose and up-to-date.²

Consumer protection legislation

The *Consumer Guarantees Act 1993* and the *Fair Trading Act 1986* set the principles-based legislative framework for regulating interactions between consumers and businesses across the economy.

The *Consumer Guarantees Act* sets minimum requirements for goods and services. Goods must be of an acceptable quality and fit for purpose, and consumers must have remedies of repair, replacement or refund in the case that these requirements are not met. Services must be carried out with reasonable care and skill and be fit for purpose.

The *Fair Trading Act* prohibits misleading and deceptive conduct and unfair practices by businesses in trade. It provides for the making of information standards and product safety standards to inform and protect consumers.

¹ More information about best practice dispute resolution principles can be found on the website of the Government Centre for Dispute Resolution: <http://www.mbie.govt.nz/about/our-work/roles-and-responsibilities/government-centre-dispute-resolution/tools-and-resources/dispute-resolution-best-practice-principles>.

² MBIE's Competition and Consumer Policy team is the actor with primary responsibility for administering the legislation in the system. However, it shares responsibility with MBIE's Business Law team for some commercial and contract legislation, depending on the nature of the issue requiring review. The teams share responsibility for administering parts of the *Contract and Commercial Law Act*, *Bills of Exchange Act*, and *Cheques Act*.

Commercial and contract legislation

This includes legislation which provides protections and remedies when buying through private sales, business to business transactions, and auctions.

- *Auctioneers Act 2013*
- *Contract and Commercial Law Act 2017* (Parts 3 and 5)³
- *Bills of Exchange Act 1908*
- *Cheques Act 1960*
- *Weights and Measures Act 1987*

Legislation governing transactions in specific sectors

The consumer and commercial system is responsible for legislation governing consumer protection and commercial obligations in particular sectors. An example is where the consumer and commercial system provides expertise on consumer dispute resolution as an input into sector-specific mechanisms of redress where disputes in some sectors may be technical or complex (such as in energy, motor vehicles, and financial services markets). The legislation in this section also regulates transactions that are not closely related to other regulatory systems, such as credit contracts. In this case, specific regulation is needed in addition to generic consumer protection because of the greater degree of harm that may result from these types of transactions.

- *Credit Contracts and Consumer Finance Act 2003*
- *Motor Vehicle Sales Act 2003*
- *Electricity Industry Act 2010* (subpart 1 of Part 4)
- *Financial Service Providers (Registration and Dispute Resolution) Act 2008* (Part 3)

³ The parts of this Act relating to the sale and carriage of goods and mercantile law are the responsibility of the consumer and commercial system.

3 Roles and responsibilities in the consumer and commercial regulatory system

Who are the actors in the consumer and commercial regulatory system?

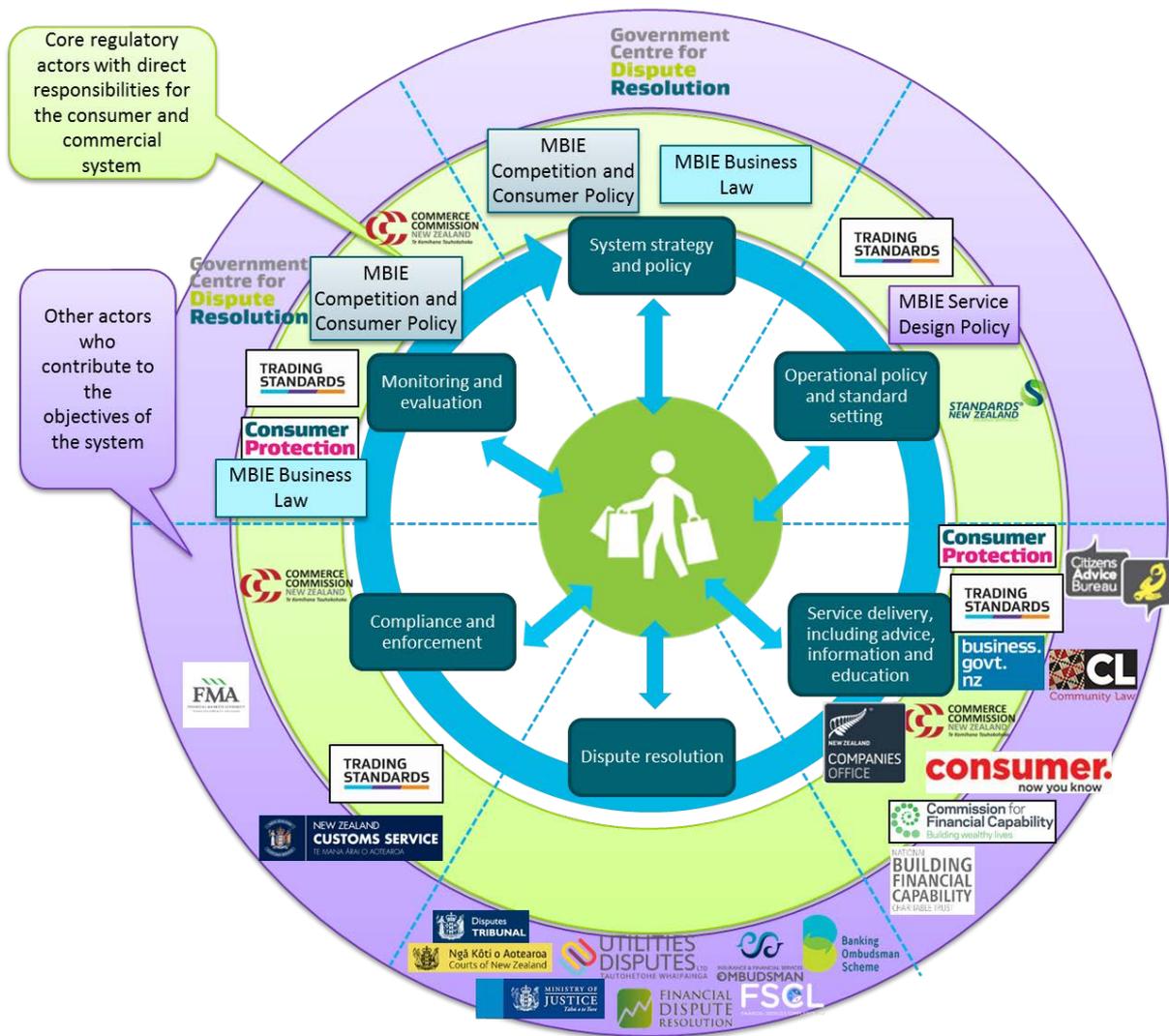
Core regulatory actors are responsible for regulating the system and are directly accountable to the Minister of Commerce and Consumer Affairs. These actors are the Commerce Commission and MBIE.

As stewards of the system, MBIE has the primary responsibility for maintaining, monitoring, evaluating, and improving the system.

Core regulatory actors work alongside other actors with important responsibilities in the system. This includes consumer protection actors such as advocacy groups and organisations who provide advice to consumers and businesses, including Citizens Advice Bureau, Community Law Centres o Aotearoa, Consumer NZ and others. While they are not formal regulatory actors, they perform functions which contribute and are often essential to the effective functioning of the system, such as by providing advice and education or by providing intelligence on issues affecting consumers and businesses. These organisations often serve on the front line of, and are the first port of call for, advice and support on consumer protection and business obligations.

The following diagram identifies the core regulatory actors and other important organisations and the functions they fulfil in the consumer and commercial regulatory system: policy, service delivery, dispute resolution, compliance and enforcement, and monitoring and evaluation. These functions are described in detail in the 'Responsibilities' section.

Figure 3: Consumer and commercial system roles and responsibilities



Core regulatory actors

The **Commerce Commission** is an independent Crown entity established under the *Commerce Act 1986*. The Commerce Commission is responsible for enforcing consumer and commercial regulation (under both the consumer and commercial system and the competition system) and provides information and guidance to businesses and consumers about the law.

MBIE – includes the following teams directly involved in the consumer and commercial system:

Business.govt.nz (MBIE) provides tools and advice to businesses from across government, including advice on compliance with consumer and commercial regulation.

Business Law (MBIE) has responsibility for advising the Minister of Commerce and Consumer Affairs on commercial law and has shared responsibility with the Competition and Consumer Policy team for administering commercial legislation.

Competition and Consumer Policy (MBIE) is the owner of the system and has responsibility for advising the Minister of Commerce and Consumer Affairs on consumer policy issues and for administering consumer and commercial legislation.

Consumer Services (MBIE) (under the brand Consumer Protection) develops and delivers targeted information and programmes aimed at increasing the ability of consumers to transact with confidence. It is also responsible for monitoring product safety risks and recalls. Together with Competition and Consumer Policy, the Consumer Services team shares joint oversight of the overall development, implementation and review of system strategy and policy.

The Government Centre for Dispute Resolution (MBIE) is the steward of dispute resolution across government. It develops best practice guidance, tools and other resources, assists agencies to review and design dispute resolution schemes, and suggests improvements to dispute resolution across government. Dispute resolution is a cross-cutting issue across a number of regulatory systems with consumer and commercial elements.

Standards New Zealand (MBIE) develops New Zealand standards for products, processes, services and performance across a range of goods and services that consumers purchase, including building and construction, electrical and gas safety, and consumer product safety. It is a member of the International Organization for Standardization and the International Electrotechnical Commission and uses consensus-based, transparent processes consistent with international practice, and provides access to these standards to the public.

Trading Standards (MBIE) undertakes monitoring, compliance and enforcement of measurement settings. It is responsible for regulating the national measurement system used for trade, fuel quality monitoring, and the registration of auctioneers and motor vehicle traders.

Service Design Policy (MBIE) plays a role in supporting Te Whakatairanga Service Delivery group and its regulatory systems by providing leadership and coordination of projects, and providing advice on operational policy and service design.

Other important actors in the consumer and commercial system

New Zealand Customs Service enforces compliance at the border with a range of import prohibitions and restrictions. This protects the community, environment and economy of New Zealand, and enables New Zealand to comply with international agreements and obligations.

Consumer NZ is an independent, non-profit organisation dedicated to getting New Zealanders a fairer deal. Its work involves testing and making recommendations on products and services, investigating consumer issues, mystery shopping, providing advice to consumers about their rights, and campaigning to improve consumer protection.

Citizens Advice Bureau provides a free and independent volunteer-based service to help people know and understand their rights and obligations, and how to use this information to get the best outcomes. It provides people with the confidence and support they need to take action, and work for positive social change within communities and wider society.

The **Commission for Financial Capability** is an autonomous Crown entity that provides information, education and advice on financial capability to New Zealand consumers. Financial capability is an important element in helping consumers to transact with confidence.

Community Law Centres o Aotearoa provides free one-on-one legal advice, including on consumer rights and commercial obligations, to people with limited finances. The organisation has 24

community law centres throughout the country. It also provides legal information and other resources on its website.

Dispute resolution services may be required by legislation for particular industries, or may be set up voluntarily as industry-led initiatives.

Dispute resolution services include:

- **Financial Dispute Resolution Service**
- **Insurance and Financial Services Ombudsman Scheme**
- **Financial Services Complaints Limited**
- **Banking Ombudsman Scheme**
- **Utilities Disputes Limited.**

The **courts, Disputes Tribunal** and **Motor Vehicle Disputes Tribunal** also provide dispute resolution functions. While they may make determinations on aspects of consumer and commercial law, their jurisdiction is broader than the consumer and commercial system.

The **Financial Markets Authority** is an independent Crown entity that promotes and facilitates the development of fair, efficient and transparent financial markets in New Zealand. The Financial Markets Authority plays a secondary role in the consumer and commercial system by supervising the conduct of financial service providers, promoting the confident and informed participation of consumers in financial markets, and working with the Commerce Commission to enforce lender compliance.

FinCap is a non-government organisation focused on offering support to the building financial capability sector in New Zealand. It supports the sector through the development of professional standards, advocacy for building financial capability sector interests and communicating advice to government and other key stakeholders, such as creditors.

Responsibilities

System actors perform functions which are essential for the consumer and commercial regulatory system to operate effectively. These are:

- system strategy and policy
- operational policy and standard setting
- service delivery (including advice, education and information)
- dispute resolution
- compliance and enforcement
- monitoring and evaluation.

Examples of how these functions play out and the actors responsible are detailed in Table 1.

Table 1: Roles and responsibilities in the consumer and commercial system

System strategy and policy	Competition and Consumer Policy (MBIE)	<ul style="list-style-type: none"> provides policy advice to the Minister of Commerce and Consumer Affairs to shape the agenda for the system, and develops policy responses to Ministers’ thinking has primary responsibility for developing and reviewing relevant legislation and other regulatory instruments⁴ provides a consumer policy perspective to policies administered by other regulatory systems
	Business Law (MBIE)	<ul style="list-style-type: none"> has joint responsibility with Competition and Consumer Policy for developing, reviewing and amending commercial legislation⁵ provides policy advice to the Minister of Commerce and Consumer Affairs to proactively shape the agenda for the system, as well as develop policy responses to Ministers’ thinking
	Government Centre for Dispute Resolution (MBIE)	<ul style="list-style-type: none"> provides advice across government on dispute resolution, including the design and delivery of schemes, which impacts consumers’ right of redress when dealing with businesses
Operational policy and standard setting	Trading Standards (MBIE)	<ul style="list-style-type: none"> administers the trade measurement system, which give consumers confidence that a product has certain qualities and meets standard measures advises the Minister of Commerce and Consumer Affairs about the application of the Minister’s powers under the <i>Fair Trading Act</i> to implement mandatory product recalls, product bans and safety standards licenses auctioneers and motor vehicle traders
	Standards New Zealand (MBIE)	<ul style="list-style-type: none"> facilitates the development of, and enables access to, standards for products, processes, services and performance across a range of consumer goods and services
	Service Design Policy (MBIE)	<ul style="list-style-type: none"> advises and supports Business and Consumer’s operational functions

⁴ MBIE’s Competition and Consumer Policy team has responsibilities for the following consumer-focused legislation: *Auctioneers Act*, *Consumer Guarantees Act*, *Credit Contracts and Consumer Finance Act*, *Electricity Industry Act* (subpart 1 of Part 4), *Fair Trading Act*, *Financial Service Providers (Registration and Dispute Resolution) Act* (Part 3), *Motor Vehicle Sales Act* and *Weights and Measures Act*. The team shares joint responsibility for administering the following commercial-focused legislation with MBIE’s Business Law team: *Bills of Exchange Act*, *Cheques Act*, *Contract and Commercial Law Act* (Parts 3 and 5).

⁵ In addition to its joint responsibilities with Competition and Consumer Policy for some commercial legislation, MBIE’s Business Law team administers the *Personal Property Securities Act* (which has relevance for the consumer and commercial system due to the role it can play in the lifecycle of consumer debt).

Service delivery (advice, education and information)	Business.govt.nz (MBIE)	<ul style="list-style-type: none"> provides advice and guidance to businesses on their obligations under consumer laws
	Commerce Commission	<ul style="list-style-type: none"> provides consumers with information and advice about their rights under the <i>Fair Trading Act</i> and <i>Credit Contracts and Consumer Finance Act</i> provides businesses with information, guidance and advice about their obligations under the <i>Fair Trading Act</i> and <i>Credit Contracts and Consumer Finance Act</i> communicates information about its role, including its decisions and investigations, to help consumers and businesses understand the law provides businesses and consumers with information about how to report breaches
	Commission for Financial Capability	<ul style="list-style-type: none"> provides educational resources and facilitates programmes to promote financial capability to help consumers transact with confidence
	Competition and Consumer Policy (MBIE)	<ul style="list-style-type: none"> provides information and advice in response to queries from consumers and businesses who contact the Minister of Commerce and Consumer Affairs on consumer issues
	Consumer Services (MBIE)	<ul style="list-style-type: none"> develops and delivers programmes to increase the ability of consumers to transact with confidence provides a portal for consumer information across government, including pre- and post-purchase information and consumers' rights and protections under general consumer law, and under sector-specific consumer regulation (provides information on a broader range of topics than in the Commerce Commission's regulatory role) provides guidance for businesses on how to comply with consumer law and how to address consumer complaints monitors product safety risks monitors and publishes product safety recall notices reported by businesses responds to consumer enquiries and provides guidance on complaints implements information campaigns and capability initiatives
	Financial Markets Authority	<ul style="list-style-type: none"> produces information and guidance about investing, receiving financial advice and avoiding scams and fraud
	Trading Standards (MBIE)	<ul style="list-style-type: none"> responds to consumer and business complaints and queries about measurement standards
	Consumer advocacy and advice groups	<ul style="list-style-type: none"> provide information to consumers about their rights under consumer law provide tools and platforms for comparing products provide advice in response to consumer complaints and queries

Dispute resolution	Dispute resolution providers e.g. Utilities Disputes Limited, financial service provider schemes	<ul style="list-style-type: none"> ensure that consumers have access to redress if things go wrong provide a range of processes to resolve disputes between consumers and businesses
	Courts, Disputes Tribunal and Motor Vehicle Disputes Tribunal	<ul style="list-style-type: none"> adjudicate disputes between consumers' and businesses, and between businesses
Compliance and enforcement	Commerce Commission	<ul style="list-style-type: none"> receives complaints from consumers and businesses about potential breaches of the <i>Fair Trading Act</i> and <i>Credit Contracts and Consumer Finance Act</i> proactively investigates particular markets or sectors gathers information from consumers, businesses and market surveillance to aid investigations into potential misconduct takes a range of enforcement actions against businesses and individuals that breach the <i>Fair Trading Act</i> and <i>Credit Contracts and Consumer Finance Act</i>, including court action, warnings, infringement notices, out-of-court settlements and enforceable undertakings
	Financial Markets Authority	<ul style="list-style-type: none"> licenses and authorises financial service providers (including financial advisers, peer-to-peer lenders and crowdfunding platforms) supervises conduct of licensed and authorised financial service providers⁶
	New Zealand Customs Service	<ul style="list-style-type: none"> enforces compliance at the border with import prohibitions, restrictions and product safety standards made under the <i>Fair Trading Act</i> for various unsafe goods polices the import and export of labelled goods which bear false or misleading representations under the <i>Fair Trading Act</i> enforces compliance with import prohibitions made under the <i>Customs and Excise Act 1996</i>
	Trading Standards (MBIE)	<ul style="list-style-type: none"> monitors retail fuel quality to ensure it complies with regulated specifications enforces compliance with weights and measures standards to ensure that goods sold by weight, measure or number are traded fairly and in accordance with internationally recognised standards monitors compliance of registered auctioneers under the

⁶ The Financial Markets Authority, a regulatory actor within the financial markets regulatory system, has powers under the *Financial Markets Conduct Act 2013* to enforce fair dealing of financial products and services under that Act. While the Commerce Commission also has powers to enforce fair dealing under consumer and commercial legislation, the two agencies have signed a Memorandum of Understanding to proactively manage the jurisdiction of each agency in respect of consumer credit contracts and other financial products and services.

		<i>Auctioneers Act 2013</i> and traders registered with the Motor Vehicle Traders Register under the <i>Motor Vehicles Sales Act 2003</i>
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Monitoring and evaluation ⁷	Competition and Consumer Policy (MBIE)	<ul style="list-style-type: none"> • undertakes environmental scanning and ongoing stakeholder engagement to identify consumer issues and trends • has primary responsibility for reviewing the effectiveness of legislation in the system • monitors the performance of the Commerce Commission in accordance with the <i>Crown Entities Act 2003</i> to ensure it is meeting its consumer protection objectives, and provides advice regarding appropriate funding levels in line with these objectives
	Business Law (MBIE)	<ul style="list-style-type: none"> • undertakes environmental scanning and ongoing stakeholder engagement to identify commercial issues and trends • shares responsibility with Competition and Consumer Policy for administering some commercial legislation⁸
	Commerce Commission	<ul style="list-style-type: none"> • raises awareness of consumer issues, risks and priorities through mechanisms such as the Consumer Issues Report, which collates environmental scanning insights and analysis of consumer enquiries focusing on the <i>Fair Trading Act</i> and <i>Credit Contracts and Consumer Finance Act</i> • reports on various investigations undertaken into particular sectors, markets or issues • provides feedback on the operation of the system
	Government Centre for Dispute Resolution (MBIE)	<ul style="list-style-type: none"> • assists agencies to review and evaluate dispute resolution schemes • suggests improvements to dispute resolution regimes • uses data and other evidence from dispute resolution schemes to identify gaps in consumer access to redress
		<ul style="list-style-type: none"> •
	Consumer Services (MBIE)	<ul style="list-style-type: none"> • monitors and reports on issues affecting consumers, collects intelligence on consumer trends and issues, and conducts ongoing stakeholder engagement to feed into its intelligence • produces the National Consumer Survey, a biennial market research report on consumers' awareness and understanding of consumer rights and experiences of consumer issues • coordinates consumer protection forums on behalf of government to gather intelligence from system actors
	Dispute resolution providers e.g.	<ul style="list-style-type: none"> • report to regulatory actors on complaints data and trends in particular sectors that may need policy intervention

⁷ Further information about how MBIE monitors and evaluates the performance of the system in its regulatory stewardship role is in Annex Two: Monitoring and Evaluation.

⁸ Business Law shares joint responsibility for administering the *Bills of Exchange Act*, *Cheques Act and Contract and Commercial Law Act* (Parts 3 and 5).

Utilities Disputes Limited, financial service provider schemes	<ul style="list-style-type: none"> flag issues to compliance and enforcement actors to prevent failures in the system
Consumer advocacy and advice groups	<ul style="list-style-type: none"> report to regulatory actors on common issues and complaints that may need intervention elsewhere in the system

How the consumer and commercial regulatory system works with other regulatory systems

As described in the introduction to this Charter, the consumer and commercial regulatory system cuts across various sectors of the economy and regulatory systems. Below we describe how the consumer and commercial regulatory system links with other regulatory systems to address cross-cutting consumer and commercial issues.

Consumer and commercial actors are involved in regulating other systems

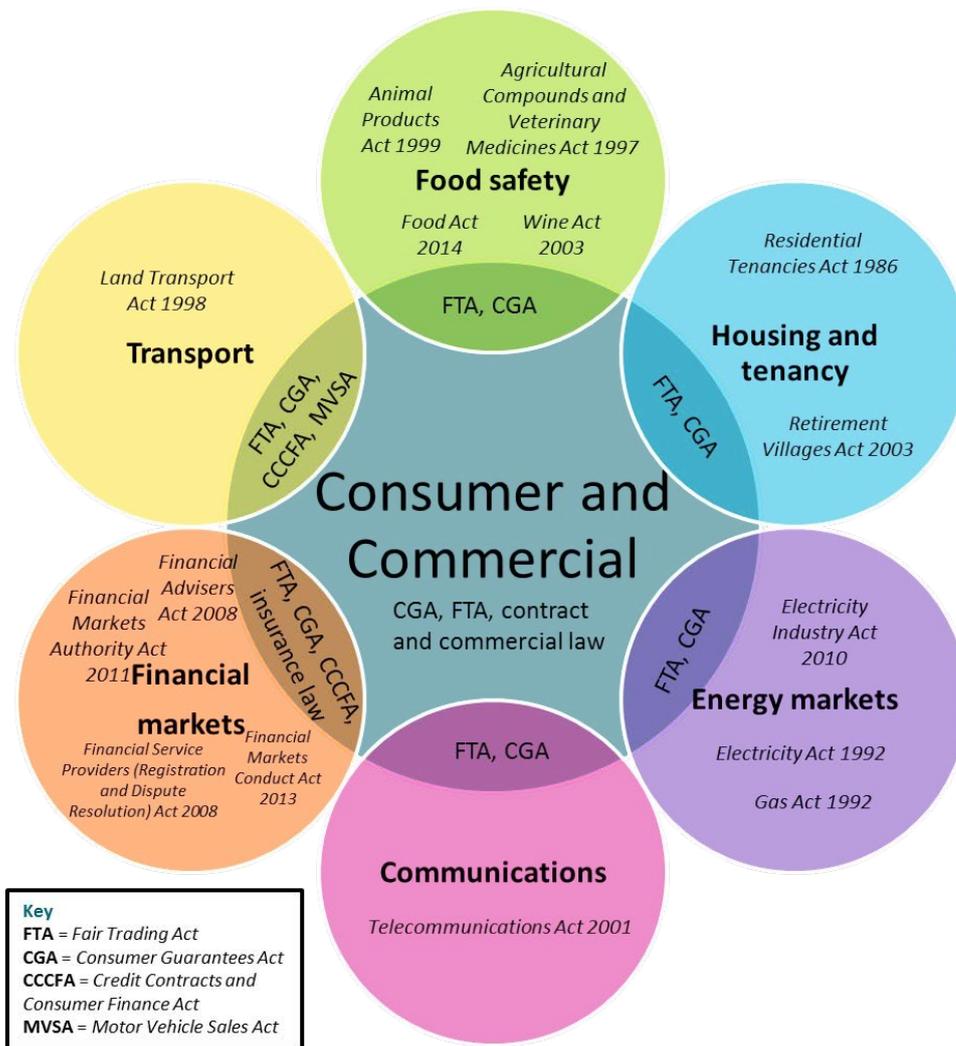
The consumer and commercial system is intended to apply economy-wide. Its laws, and the actors responsible for enforcing them, may apply in, or overlap with, other systems. For example, the consumer and commercial regulatory system is an important lever in communications, food safety, energy markets and financial markets. Businesses serving these markets are all subject to the *Fair Trading Act* and *Consumer Guarantees Act*. The Commerce Commission has responsibility for enforcing the *Fair Trading Act* in relation to these services.

An economy-wide regime has the advantage of applying a consistent approach to regulating certain conduct, and can reduce the need for sector-specific regulation to a certain extent. However, an economy-wide regime can be limited in its ability to address all consumer-related problems, where these problems are sector-specific, are more acute in particular sectors, or have more serious consequences in particular sectors.

Some regulatory systems have system-specific regulatory actors and laws responsible for regulating consumer protection and commercial conduct in those systems. These other regulatory systems may provide protections additional to, or in place of, protections in generic consumer and commercial law. For example, while consumer laws apply to building services, system-specific laws such as the *Building Act 2004* and the *Construction Contracts Act 2002* provide consumer protections in relation to buildings and building materials. This includes *Building Act* implied warranties, which are in addition to the *Consumer Guarantees Act* guarantees for building services. Similarly, in the housing and tenancy regulatory system, consumers are protected by system-specific legislation in the *Residential Tenancies Act 1986*. System-specific actors are responsible for enforcing legislation that is outside of the consumer and commercial regulatory system.

The following diagram illustrates some of the interactions between the consumer and commercial regulatory system, as an economy-wide regime of consumer protection and business conduct regulation, and other regulatory systems, which build system-specific provisions around the foundational regime provided by the consumer and commercial system.

Figure 4 Interaction between the consumer and commercial system and other systems⁹



Advice and intelligence is traded across regulatory systems

Regulatory actors often provide advice and share intelligence of consumer and commercial issues across regulatory systems.

Consumer and commercial regulatory actors have an interest in, and arguably a responsibility to provide input into, issues in other systems which have significant impacts on consumer welfare. For example, the Government Centre for Dispute Resolution provides advice on dispute resolution across regulatory systems.

⁹ This diagram is designed to give a sense of the relationships between the consumer and commercial regulatory system and other regulatory systems. It is not intended to be an exhaustive list of the regulatory systems with which the consumer and commercial system interacts, nor of all the legislation and regulatory actors involved in each of these systems.

The consumer and commercial regulatory system and other systems complement each other

The consumer and commercial regulatory system and sector-specific consumer and commercial regulation in other sectors have complementary roles, and provide mutual support for the achievement of shared objectives. For example, the food safety system aims to provide safe and suitable food and provides a comprehensive regulatory scheme to achieve this. This includes its own rules and enforcement regime to prohibit unsafe foods and misleading product claims, and mandate labelling standards. This protects consumers from harm from unsafe products and helps to ensure that product claims about foods do not mislead consumers – both shared objectives of the consumer and commercial system.

Without a regulatory framework for food safety, food consumers may not be able to transact with confidence even with economy-wide consumer protection laws. Economy-wide consumer protection regulation alone is unlikely to provide adequately for the safety and suitability of food, because of the scale and complexity of the food system and serious consequences of unsafe food.

The consumer and commercial system also assists sector-specific regulation to achieve its objectives. An example is the building system, which is supported by consumer protection laws that prohibit false or misleading claims about the performance of building products. While the consumer and commercial regulatory system plays a supporting role to some extent, economy-wide regulation is not sufficient to achieve the objectives of the building system. Consumer protection in that system is also provided by standards for building work, licensing requirements, mandatory contracts and implied warranties. An example of how the consumer and commercial system and the building system work together is the interaction between the Commerce Commission's investigation into false and misleading representations about steel mesh building products, and MBIE's role as the building regulator.

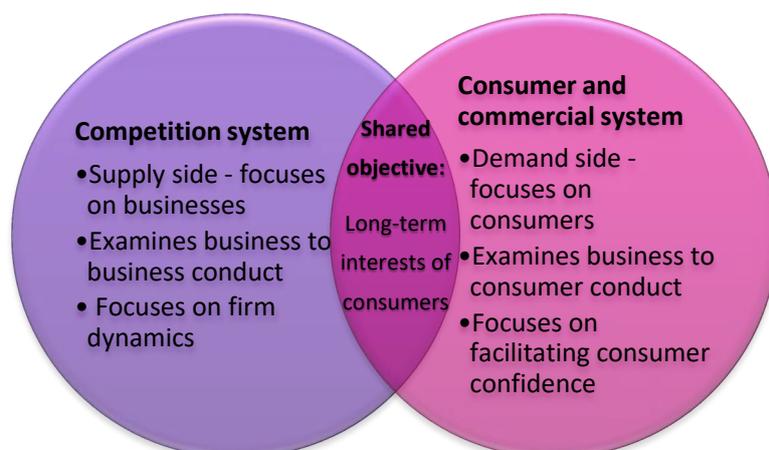
In some cases, regulatory mechanisms in the consumer and commercial system give effect to policies of other regulatory systems. An example is the scheme for water efficiency labelling for certain appliances, which is implemented via the *Consumer Information Standards (Water Efficiency) Regulations 2017* made under the *Fair Trading Act*.

Links with the competition system

An important complementary relationship is that between the consumer and commercial system and the competition system. Both systems work to promote the long-term interest of consumers by ensuring businesses have incentives to compete and innovate to serve consumer interests.¹⁰ The competition system seeks to ensure well-functioning, competitive markets which create incentives for businesses to innovate, improve efficiencies and supply information to the benefit of consumers. It does so by regulating interactions between firms that nevertheless have implications for consumers. The consumer and commercial system is a complementary support because market failures can result in imbalances of power which put consumer outcomes at risk. For example, if consumers do not have adequate protections, businesses may have fewer incentives to compete.

¹⁰ The roles, responsibilities, regulation and objectives of the Competition Regulatory System are described in more detail in the *Competition Regulatory System Charter*.

Figure 5: Links between the competition and consumer and commercial systems



There may be ways in which the levers used in the two systems conflict. For example, compliance with consumer protection obligations can create barriers to entry for some new businesses. However, because the systems have a shared objective, it is an important part of regulatory stewardship to ensure that the two systems work harmoniously overall.

How actors work together

A central aim of this Charter is to set out how system actors work together to address the gaps, overlaps and uncertainties in the system, and ensure that any changes made within the system contribute to desired outcomes for the system as a whole.

System actors work together and with actors in other regulatory systems as described in Table 2.

Table 2: How actors work together in the consumer and commercial system

Description	Actors
The MBIE Consumer Protection Group supports a coordinated approach to consumer protection within MBIE. It improves oversight of the consumer protection system, and builds a shared understanding of priorities.	MBIE teams
The Consumer Protection Partnership Forum enables connections across the consumer protection sector, develops a shared understanding of the roles in the system, and identifies opportunities to work together.	<ul style="list-style-type: none"> • Citizens Advice Bureau • Commission for Financial Capability • Commerce Commission • Community Law Centres o Aotearoa • Consumer NZ • MBIE • Financial Markets Authority • FinCap • Netsafe
The Commerce Commission has memoranda of understanding with regulators in other systems, such as energy markets and financial markets, which allow it to share information and work collaboratively with these agencies.	<ul style="list-style-type: none"> • Commerce Commission • Financial Markets Authority • Gas Industry Company Limited

	<ul style="list-style-type: none"> • Electricity Authority • Department of Internal Affairs
<p>Data gathering and reports: MBIE has formal agreements with some consumer groups to provide reports and data on specific consumer issues. For example, Citizens Advice Bureau provides reports to MBIE.</p>	<ul style="list-style-type: none"> • MBIE • Citizens Advice Bureau
<p>Regulatory actors consult and provide advice to regulatory actors in other systems on policy issues affecting consumers and businesses. This provides a coordinated, cross-agency approach to dealing with consumer and commercial issues.</p>	<ul style="list-style-type: none"> • MBIE • Other Ministries and agencies
<p>Core regulatory actors meet regularly to monitor the system.</p>	<ul style="list-style-type: none"> • Commerce Commission • MBIE
<p>Dispute resolution reporting: the Government Centre for Dispute Resolution, and policy, compliance and enforcement actors meet with dispute resolution actors to obtain intelligence about consumer complaints and common issues which may require a policy or advice and information response.¹¹ Dispute resolution schemes provide annual reports which include data on complaint volumes, resolution and satisfaction rates. These help in raising awareness of emerging issues and assessing the performance of dispute resolution schemes to ensure they are accountable to the system.</p>	<ul style="list-style-type: none"> • Government Centre for Dispute Resolution • Dispute resolution providers • MBIE teams

¹¹ Work is currently underway to encourage this method of engagement and means of information-sharing. The Government Centre for Dispute Resolution is starting to facilitate the exchange of information to enable key data and trends from dispute resolution schemes to be reported back to policy and compliance and enforcement teams. The initial aim of this work is to enhance engagement and improve the flow of data and intelligence between dispute resolution scheme and the core actors.

Annex One: Legislation and regulations in the consumer and commercial regulatory system

Legislation in the consumer and commercial system

Legislation	Purpose
<i>Auctioneers Act 2013</i>	<ul style="list-style-type: none"> provides for the registration of persons carrying on business as auctioneers
<i>Bills of Exchange Act 1908</i>	<ul style="list-style-type: none"> sets out how bills of exchange, cheques and promissory notes may be exchanged between parties
<i>Cheques Act 1960</i>	<ul style="list-style-type: none"> sets out rights and protections in relation to the exchange of cheques sets out how cheques must be presented for payment
<i>Consumer Guarantees Act 1993</i>	<ul style="list-style-type: none"> requires goods to be of acceptable quality, be fit-for-purpose, be delivered in a reasonable time, comply with descriptions, be priced reasonably (when outside of a contract), and have spare parts available provides for repair, replacement, or refund of goods in the case of a breach of guarantee requires services to be undertaken with care and skill, to be fit for purpose, to be completed within a reasonable timeframe and at a reasonable price (when not regulated by a contract) provides for the remedy of a breach of a guarantee by a service provider, or compensation where a breach cannot be remedied
<i>Contract and Commercial Law Act 2017 (Parts 3 and 5)</i>	<ul style="list-style-type: none"> sets out the liabilities of carriers and provides for redress in relation to loss or damage of goods during carriage provides for protections and remedies when buying goods through a private sale gives the <i>United Nations Convention on Contracts for the International Sale of Goods</i> the force of Law in New Zealand provides rules in relation to the rights that are transferred in the sale of goods from a mercantile agent (a person who acts as an agent in the disposal of goods to others)
<i>Credit Contracts and Consumer Finance Act 2003</i>	<ul style="list-style-type: none"> outlines lender responsibility principles, including acting with care, diligence and skill; making reasonable enquiries to ensure that a borrower can make payments without suffering unreasonable hardship; and assisting borrowers to make informed decisions requires the publication of standard form contract terms and the cost of borrowing requires initial and ongoing disclosure of balances, interest charges, fees,

	<ul style="list-style-type: none"> interest rates and minimum repayment warnings provides for cancellation of credit contracts within five working days of disclosure prohibits unreasonable credit, default, establishment, or prepayment fees provides for disclosure of the amount, timing and number of payments under a consumer lease regulates the circumstances under which consumer goods may be repossessed allows for the Court to reopen oppressive credit contracts, consumer leases, and buy-back transactions
<i>Electricity Industry Act 2010 (subpart 1 of Part 4)</i>	<ul style="list-style-type: none"> requires Transpower, electricity distributors and electricity retailers to be a member of an approved dispute resolution scheme (currently Utilities Disputes Limited)
<i>Fair Trading Act 1986</i>	<ul style="list-style-type: none"> prohibits misleading and deceptive conduct, and the making of false or unsubstantiated representations prevents unfair practices, including offering gifts or prizes without the intention to provide them, bait advertising, accepting payment without intention to supply, demanding payment for unsolicited goods or services, harassment and coercion, pyramid selling, and unfair contract terms in standard form consumer contracts provides for the making of consumer information standards that can require disclosure about the qualities of a good or service provides for the making of product or service safety standards, declarations of unsafe goods, and voluntary and compulsory product recalls regulates layby agreements, including disclosure of terms, cancellation, and processes in respect of bankruptcy. provides for disclosure and a five working day cooling off period in respect of uninvited direct sales requires disclosure of the benefits of an extended warrantee in comparison to rights under the <i>Consumer Guarantees Act</i> regulates auctions, including disclosure, vendor bids, and vendors selling in trade
<i>Financial Service Providers (Registration and Dispute Resolution) Act 2008 (Part 3)</i>	<ul style="list-style-type: none"> requires financial service providers to belong to an approved dispute resolution scheme
<i>Motor Vehicle Sales Act 2003</i>	<ul style="list-style-type: none"> requires motor vehicle traders to be registered prohibits tampering with odometers requires certain information about a car to be displayed on it when for sale establishes the Motor Vehicles Disputes Tribunal
<i>Weights and Measures Act 1987</i>	<ul style="list-style-type: none"> provides for the metric system as the weights and measures standard sets various standards for the sale of goods by weight or measure, including that it is an offence to state an incorrect weight, measure or number establishes a system of inspectors of weights and measures, with various enforcement powers

Consumer information standards made under section 27 of the *Fair Trading Act*

Regulation	Purpose/incorporated standard
<i>Consumer Information Standards (Care Labelling) Regulations 2000</i>	<ul style="list-style-type: none"> incorporates parts of Australian/New Zealand Standard <i>AS/NZS 1957:1998 Textiles—Care labelling</i> (with variations) in a consumer information standard sets out labelling requirements for certain goods, including clothing, footwear, furnishings, mattresses, etc.
<i>Consumer Information Standards (Country of Origin (Clothing and Footwear) Labelling) Regulations 1992</i>	<ul style="list-style-type: none"> sets out requirements to label the country of manufacture for certain items of clothing and footwear
<i>Consumer Information Standards (Fibre Content Labelling) Regulations 2000</i>	<ul style="list-style-type: none"> incorporates parts of Australia/New Zealand Standard <i>AS/NZS 2622:1996 Textile products—Fibre content labelling</i> (with variations) in a consumer information standard sets out requirements to label the fibre content of certain goods, including clothing, footwear, drapery, furnishings etc.
<i>Consumer Information Standards (Used Motor Vehicles) Regulations 2008</i>	<ul style="list-style-type: none"> sets out requirements applying to motor vehicles offered or displayed for sale by a motor vehicle trader requires certain used motor vehicles to display a consumer information notice that provides information including security interests, make and model, year, distance travelled, and registration information
<i>Consumer Information Standards (Water Efficiency) Regulations 2017</i>	<ul style="list-style-type: none"> incorporates parts of Australia/New Zealand Standard <i>AS/NZS 6400:2016: Water efficient products—Rating and labelling</i> (with variations) in a consumer information standard sets out requirements to provide information on the water efficiency of certain water-using equipment such as dishwashers, washing machines, showers and taps The <i>Consumer Information Standard (Water Efficiency) Regulations 2010</i>, which incorporates parts of a former Australia/New Zealand Standard, will be phased out by 30 September 2019.

Product safety standards made under section 29 of the *Fair Trading Act*

Product safety standard	Purpose / incorporated standard
<i>Product Safety Standards (Baby Walkers) Amendment Regulations 2005</i>	<ul style="list-style-type: none"> declares the American Safety Standard <i>ASTFM Consumer Safety Specification for Infant Walkers (ASTM F977-03)</i> (with variations) to be a product safety standard sets out requirements for the stability of walkers, structural integrity, performance and provision of safety warnings
<i>Product Safety Standards (Children's Toys) Regulations 2005</i>	<ul style="list-style-type: none"> declares those parts of <i>AS/NZS ISO 8124.1:2002 Safety of toys Part 1: Safety aspects related to mechanical and physical properties that relate to small parts</i>, to be a product safety standard establishes an acceptable size for toys for under, up to, and including, three year olds sets up a range of tests that the product must be able to pass
<i>Product Safety Standards (Children's Nightwear & Limited Daywear Having Reduced Fire Hazard) Regulations 2016</i>	<ul style="list-style-type: none"> declares <i>AS/NZS 1249:2014 Children's nightwear and limited daywear having reduced fire hazard</i> to be a product safety standard provide information on the flammability hazards associated with different styles, fitments and materials used in children's nightwear
<i>Product Safety Standards (Cigarette Lighters) Regulations 1998</i>	<ul style="list-style-type: none"> declares parts of the <i>American Standard 16 CFR 1210.4</i> and parts of <i>International Safety Standard for Lighters – Safety specifications (ISO 9994 1995E)</i> to be a product safety standard sets out tests that establish that lighters cannot be easily operated by a child under five requires that shipments of lighters be accompanied by certificates of compliance sets out safety performance requirements
<i>Product Safety Standards (Household Cots) Regulations 2005</i>	<ul style="list-style-type: none"> declares <i>AS/NZS 2172:2003 Cots for household use- Safety requirements</i> (with variations) to be a product safety standard sets out measurements for gaps and projections addresses the depth of the cot, allowable base heights, safe sizes for holes and openings, protrusions, and fastening devices sets out durability, information labelling and packaging requirements for new cots
<i>Product Safety Standards (Pedal Bicycles) Regulations 2000</i>	<ul style="list-style-type: none"> declares <i>AS/ NZS 1927:1998 Pedal bicycles – Safety requirements</i> (with variations) to be a product safety standard sets out minimum conditions for the design, assembly and performance of pedal bicycles

Unsafe Goods Notices made under section 31 of the *Fair Trading Act*

Notice	Purpose/incorporated standard
<i>Unsafe Goods (Small High Powered Magnets) Indefinite Prohibition Notice 2014</i>	<ul style="list-style-type: none"> declares magnets that do not comply with specific tests in <i>AS/NZS Safety of toys – Part 1: Safety aspects related to mechanical and physical properties (AS/NZS ISO 8124.1:2013)</i> to be unsafe goods
<i>Unsafe Goods (Multipurpose Ladders) Indefinite Prohibition Notice 2014</i>	<ul style="list-style-type: none"> declares multipurpose ladders that do not fully comply with all applicable clauses of <i>AS/NZS 1892.1:1996 Portable ladders</i> to be unsafe goods
<i>Unsafe Goods (Chainsaws without a Chain Brake) Indefinite Prohibition Notice 2012</i>	<ul style="list-style-type: none"> declares chainsaws that do not comply with the following standards to be unsafe goods: <i>AS/NZS 60745.2.13:2006 Hand-held Motor-operated Electric Tools - Safety Part 2.13: Particular requirements for chainsaws</i> and <i>ISO 6535:2008 Portable chainsaws - Chain brake performance</i>
<i>Unsafe Goods (Lead in children’s toys) Indefinite Prohibition Notice 2009</i>	<ul style="list-style-type: none"> declares children’s toys that do not comply with the Australian/New Zealand Standard <i>AS/NZS ISO 8124.3:2003 Safety of toys, Part 3: Migration of certain elements</i> to be unsafe goods
<i>Unsafe Goods (Hot Water Bottles) Permanent Prohibition Notice 2016</i>	<ul style="list-style-type: none"> declares rubber hot water bottles that do not meet the British Standard <i>BS1970:2012 Hot water bottles manufactured from rubber and PVC – specification</i> to be unsafe goods
<i>Unsafe Goods (Candles and Candlewicks) Notice 2001 Prohibited indefinitely</i>	<ul style="list-style-type: none"> declares certain types of candles and candlewicks with a certain amount of lead to be unsafe goods
<i>Unsafe Goods (Pistol Crossbows) Notice 1988 Prohibited indefinitely</i>	<ul style="list-style-type: none"> declares certain types of crossbows to be unsafe goods

Annex Two: Monitoring and evaluation

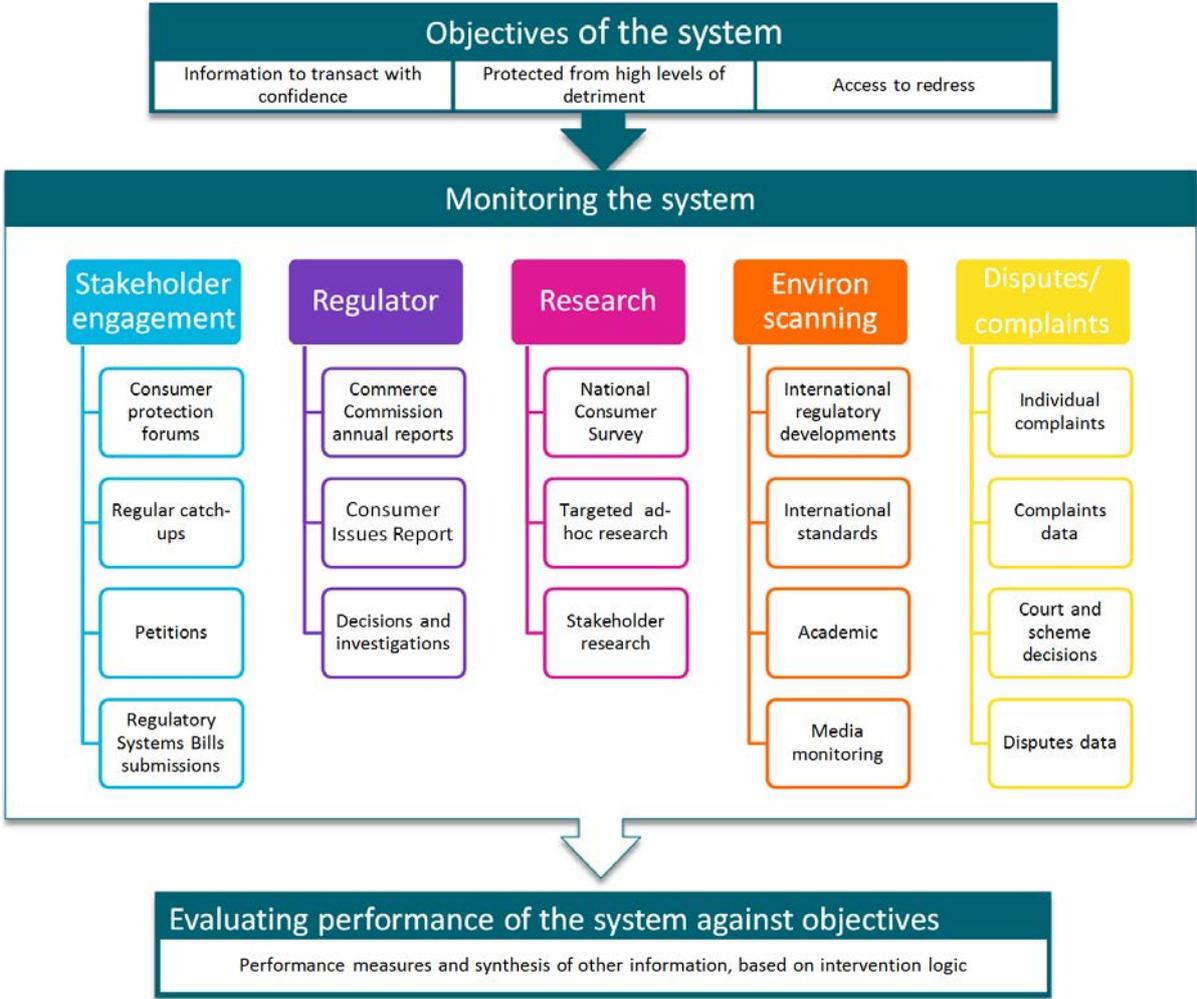
As stewards of the regulatory system, MBIE has a responsibility to continuously monitor and evaluate the performance of the actors, policies and institutions which make up the system, to ensure it is functioning well.

Monitoring and evaluation involves a review of whether the system's regulatory framework is meeting its objectives and whether regulatory actors are achieving their performance responsibilities. This involves defining and collecting performance measures from across the system, as well as environmental scanning and ongoing stakeholder engagement to identify emerging issues.

The Charter aims to aid monitoring and evaluation by setting out the responsibilities of regulatory actors and clarifying the system objectives. However, the Charter does not set out an agreed performance plan (including measures) for achieving those objectives and fulfilling those responsibilities. Performance measures should provide a basis for tracking and assessing the achievement of the system's overall objectives, as well as the performance of key regulatory functions. Some of the performance measures for the system may also be used in monitoring the Commerce Commission.

Figure 6 illustrates the ways in which MBIE monitors the system. Intelligence from monitoring then feeds into an evaluation of how well the system is performing against its objectives. This is explained further in the table that follows the diagram.

Figure 6 Monitoring and evaluation



Monitoring and evaluation activities in the consumer and commercial system

Activity	Comment
Monitoring Commerce Commission	<p>MBIE has a key role in monitoring the performance of the Commerce Commission in accordance with the <i>Crown Entities Act 2003</i>.</p> <ul style="list-style-type: none"> The Commission produces a Statement of Intent setting out its work programme for the following four financial years. The Commission produces a Statement of Performance Expectations annually outlining its priorities, forecast financial statements, and performance measures for the next financial year. The Commission reports to the Minister (and MBIE) every three months, and annually to the government and public in its Annual Report. MBIE monitors Commission enforcement decisions and investigations and advises Ministers where appropriate. MBIE regularly reviews the Commission’s performance measures.

<i>Monitoring MBIE</i>	<ul style="list-style-type: none"> • A system assessment identifies the main areas which should be the focus of MBIE's attention in the short to medium term. It is focused on ensuring the operation of the regulatory system is fit to meet its objectives. • Stakeholders are consulted on how the system is working overall and how MBIE is performing its stewardship role.
<i>Stakeholder engagement</i>	<ul style="list-style-type: none"> • MBIE regularly engages with business and consumer stakeholders to identify issues in the legislation it administers, as well as other subject experts such as regulators and academics. • MBIE records issues raised by stakeholders in an issues register.
<i>Research agenda</i>	<ul style="list-style-type: none"> • MBIE develops system performance measures and synthesises other sources of information and intelligence to assess what our research and policy development priorities should be (based on whether policies are working towards the intended objectives). • MBIE shares research priorities with other actors to avoid unnecessary duplication and benefit from others' research and provide other system actors with opportunities to contribute to the agenda. • MBIE's research agenda includes the National Consumer Survey, research into business and consumer awareness and understanding of consumer law, and other targeted research.
<i>Environmental scanning</i>	<ul style="list-style-type: none"> • We actively monitor media articles and commentary. • We monitor regulatory developments overseas.
<i>Disputes and complaints</i>	<ul style="list-style-type: none"> • We maintain records of individual complaints made to MBIE and Ministers and look for common themes. • We have systems to regularly gain intelligence from dispute resolution bodies e.g. new group focused on oversight of motor vehicle issues. • We gather and analyse complaints data from other actors, such as the Commerce Commission's annual report on consumer issues, and reports on common consumer queries and complaints compiled by the Citizens Advice Bureau.
<i>Ad-hoc legislative reviews</i>	<ul style="list-style-type: none"> • MBIE conducts targeted reviews where issues are identified through monitoring. • We maintain several registers in which we log issues with legislation which informs the content of reviews.
<i>Legislative reviews and evaluations</i>	<ul style="list-style-type: none"> • Significant legislative reviews are launched where a range of related issues have emerged e.g. the Consumer Law Reforms 2009–2013 and the Credit Contracts Reforms 2011–2015. • MBIE performs evaluations of significant legislative reforms after they have had a chance to bed in e.g. planned evaluations of the reforms to the <i>Credit Contracts and Consumer Finance Act</i> and other consumer protection law three to four years after the reforms come into force.
