

## Statement of Preliminary Issues

### Beijer Ref / Refspecs

29 January 2026

### Introduction

1. On 27 January 2026, the Commerce Commission (Commission) registered an application (the Application) from Beijer Ref Holdings Limited (Beijer Ref) seeking clearance to acquire 100% of the shares from Refrigeration Specialties Limited (Refspecs) (the Proposed Acquisition).<sup>1</sup>
2. As required by the Commerce Act 1986 (the Act), we assess mergers and acquisitions using the substantial lessening of competition test, which we describe further below.
3. The Commission will only give clearance if it is satisfied that the Proposed Acquisition will not have, or would not be likely to have, the effect of substantially lessening competition in a market in New Zealand.
4. This Statement of Preliminary Issues (SoPI) sets out the competition issues that we have identified to date and will consider during our investigation, and that we currently consider to be important in deciding whether to grant clearance.<sup>2</sup> Our investigation into the Proposed Acquisition is at an early stage and this SoPI is based primarily on the material provided by the parties in connection with the Application. Other issues may become apparent as we progress our investigation.
5. Through publishing this SoPI, we aim to:<sup>3</sup>
  - 5.1 increase the transparency of our process;
  - 5.2 provide interested parties with an opportunity to identify any further competition issues which they consider we should investigate and also to consider and submit on the matters identified; and
  - 5.3 gather further information which might assist our investigation.
6. We invite interested parties to provide comments on the likely competitive effects of the Proposed Acquisition. We request that parties who wish to make a submission do so by **13 February 2026**.

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<sup>1</sup> A public version of the Application is available on the [case register](#) on our website.

<sup>2</sup> The issues set out in this statement are based on the information available when it was published and may change as our investigation progresses. The issues in this statement are not binding on us.

<sup>3</sup> Commerce Commission, *Mergers and Acquisitions Guidelines* (May 2022) at [6.105]. Available on our website at [www.comcom.govt.nz](http://www.comcom.govt.nz)

7. If you would like to make a submission but face difficulties in doing so within the timeframe, please ensure that you register your interest with the Commission at [registrar@comcom.govt.nz](mailto:registrar@comcom.govt.nz) so that we can work with you to accommodate your needs where possible.

## The parties

8. Both Beijer Ref and Refspecs are wholesalers that specialise in supplying refrigeration and air-conditioning equipment and spare parts, as well as refrigerant gases, to trade customers such as refrigeration and air-conditioning installers, servicers and technicians.
  - 8.1 Beijer Ref is wholly owned by Nasdaq-listed company, Beijer Ref AB (PUBL). Beijer Ref wholesales its products through its New Zealand-based subsidiary businesses, namely Patton Limited, Realcold NZ Limited, Clima Solutions Limited, HVAC Depot Limited and Kirby NZ Limited and these businesses have physical branches located throughout the country.<sup>4</sup>
  - 8.2 Refspecs is owned by the Morgan Family and Refrigeration Specialties Trustee Limited. Refspecs operates a single distribution centre in Auckland with five physical branches at North Harbour (Albany), Auckland (Penrose), Tauranga, Hamilton and Christchurch.<sup>5</sup>

## Our framework

9. Our approach to analysing the competition effects of the Proposed Acquisition is based on the principles set out in our Mergers and Acquisitions Guidelines.<sup>6</sup> As required by the Act, we assess mergers and acquisitions using the substantial lessening of competition test.
10. We determine whether an acquisition is likely to substantially lessen competition in a market by comparing the likely state of competition if the acquisition proceeds (the scenario with the acquisition, often referred to as the factual), with the likely state of competition if the acquisition does not proceed (the scenario without the acquisition, often referred to as the counterfactual).<sup>7</sup> This allows us to assess the degree by which the Proposed Acquisition might lessen competition.
11. If the lessening of competition as a result of the Proposed Acquisition is likely to be substantial, we will not give clearance. When making that assessment, we consider, among other matters:
  - 11.1 constraint from existing competitors – the extent to which current competitors compete and the degree to which they would expand their sales if prices increased;

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<sup>4</sup> The Application at [1.5]-[1.12].

<sup>5</sup> The Application at [2.3]-[2.4].

<sup>6</sup> Mergers and Acquisitions Guidelines above n3.

<sup>7</sup> *Commerce Commission v Woolworths Limited* (2008) 12 TCLR 194 (CA) at [63].

- 11.2 constraint from potential new entry – the extent to which new competitors would enter the market and compete if prices increased; and
- 11.3 the countervailing market power of buyers – the potential constraint on a business from the purchaser’s ability to exert substantial influence on negotiations.

## Market definition

- 12. We define markets in the way that we consider best isolates the key competition issues that arise from the Proposed Acquisition. In many cases this may not require us to precisely define the boundaries of a market. A relevant market is ultimately determined, in the words of the Act, as a matter of fact and commercial common sense.<sup>8</sup>
- 13. In the Application, Beijer Ref submits that, consistent with how the Commission has previously considered relevant markets in this industry, the Proposed Acquisition is best assessed within:<sup>9</sup>
  - 13.1 a national market for the wholesale supply of refrigeration equipment. This market would include the whole, or complete, refrigeration ‘system’ that, at the very least would include a unit cooler, a condensing unit, air cooling condensers and compressor racks. Examples of this type of system include a beer coolroom and milk depot storage units. Beijer Ref considers that wholesalers tend to supply these systems to customers throughout the country so it considers the wholesale market for these systems is a national one;<sup>10</sup>
  - 13.2 regional markets for the wholesale supply of refrigeration components, which includes the supply of all the various spare parts and/or ancillary parts that can be used in a refrigeration unit or system. In this respect: <sup>11</sup>
    - 13.2.1 because all wholesalers stock an extensive range of spare parts that can be used in different refrigeration equipment, Beijer Ref considers

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<sup>8</sup> Section 3(1A). See also *Brambles v Commerce Commission* (2003) 10 TCLR 868 at [81].

<sup>9</sup> The Application at [5.6] with reference to Commerce Commission – B100 Limited and Realcold Limited [2015] NZCC 25 and Commerce Commission “Beijer Ref AB / Heatcraft New Zealand / Kirby NZ” (investigation closure report, 22 December 2020).

<sup>10</sup> The Application at [5.10]-[5.13]. Beijer Ref and Refspecs also undertake the assembly of refrigeration equipment, marketed under their own brands (pre-assembled) and custom-make refrigeration equipment to suit end customers' specific requirements. See the Application at [5.11].

<sup>11</sup> The Application at [5.14]-[5.17]. For example, Beijer Ref submits that ‘refrigeration components’ includes spare and ancillary parts for refrigeration systems, including compressors and compressor parts, external rotor motors, valves, welding and brazing equipment, tubing (including copper and PVC tubing), evaporators, refrigeration control systems, variable speed drives, equipment supplies and tools, electric controls, insulation and chemicals. Beijer Ref further submits that for components that are unique to the refrigeration industry, there is no material difference in the competitive options available to customers of these products and therefore it is convenient to group them together in one market. See the Application at [5.14].

it is appropriate to aggregate all the different spare parts in the same wholesale supply 'components' market; and

- 13.2.2 because wholesalers operate branches in different regions, Beijer Ref considers that the geographic dimension of this supply can be assessed a regional level. However, it also considers that these components are supplied on a national level similar to the supply of the actual refrigeration systems;
- 13.3 a national market for the wholesale supply of air-conditioning units. Similar to refrigeration equipment, Beijer Ref consider that wholesalers tend to supply dedicated air-conditioning units to customers throughout the country so it considers the wholesale market for these units is a national one;<sup>12</sup>
- 13.4 regional markets for the wholesale supply of air-conditioning components. Similar to refrigeration components, Beijer Ref considers there are regional markets for the wholesale supply of all the various spare parts and/or ancillary parts that can be used in an air-conditioning unit although, again, it considers competition tends to occur at a national level;<sup>13</sup> and
- 13.5 regional markets for the wholesale supply of refrigerants, which includes the hydrofluorocarbons (HFCs) that are used in refrigeration and air-conditioning equipment. Similar to refrigeration components, Beijer Ref considers that refrigerants are supplied from regional branches and so the geographic dimensions for this wholesale market can be assessed at a regional level.<sup>14</sup>
14. For each of these markets, Beijer Ref considers the relevant wholesale customers are trade customers, which are the installers, servicers and technicians of refrigeration and air-conditioning equipment, and components they supply. Neither Beijer Ref nor Refspecs provide any installation services alongside the equipment and spare parts they supply.
15. Beijer Ref considers that, while it has adopted the same markets as those used in the Commission's 2015 clearance determination, these markets are very conservative as there has been significant changes to the industry since 2015.<sup>15</sup> This means that, in reality, the markets are likely to be wider than those it has submitted.
16. We will consider whether these are the appropriate markets for assessing the competition effects of the Proposed Acquisition, or whether it might be appropriate to define narrower (or wider) markets on the basis of product, geography and/or customer type. We will also consider if any other markets are relevant to our assessment of the Proposed Acquisition.

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<sup>12</sup> The Application at [5.24].

<sup>13</sup> The Application at [5.25].

<sup>14</sup> The Application at [5.18]-[5.23]. Beijer Ref submits that there are also alternative, natural refrigerants like carbon dioxide. See the Application at [5.20].

<sup>15</sup> The Application at [5.9].

17. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
- 17.1 the extent to which the wholesaling of entire systems or units (whether for refrigeration or air-conditioning) are in separate markets from the wholesaling of the related components (or spare parts) that are used in these systems, as indicated by the Applicant, or whether the systems and spare parts are sold together;
  - 17.2 the extent to which componentry and/or spare parts from different manufacturers are interchangeable with one another and therefore whether the products and brands that refrigeration and air-conditioning wholesalers in New Zealand stock are comparable to and/or interchangeable with one another;
  - 17.3 the extent to which the different refrigerants are comparable to one another or whether there are any particular regulations that might limit a supplier's and/or customer's access to any type of refrigerant; and
  - 17.4 the extent to which the geographic location of the supplier impacts on the ability of wholesale suppliers to compete to supply any type of refrigeration product, air-conditioning product and/or refrigerant.

### **Without the acquisition**

18. In the Application, Beijer Ref submits that without the Proposed Acquisition:<sup>16</sup>
- 18.1 Refspecs would continue to operate independently from and compete with Beijer Ref as it does today, under existing or new ownership; and
  - 18.2 Beijer Ref would continue to operate independently from and compete with Refspecs as it does today, under existing ownership.
19. We will consider what Beijer Ref and Refspecs would do if the Proposed Acquisition did not go ahead. We will consider the evidence on whether the without-the-acquisition scenario is best characterised by the status quo, or whether Refspecs would seek alternative options, such as sale to another party.

### **Preliminary issues**

20. We will investigate whether the Proposed Acquisition would be likely to substantially lessen competition in the relevant market (or markets) by assessing whether horizontal (unilateral), coordinated or conglomerate effects might result from the Proposed Acquisition. The questions that we will be focusing on are:
- 20.1 unilateral effects: would the loss of competition between Beijer Ref and Refspecs enable the merged entity to profitably raise prices or reduce quality,

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<sup>16</sup> The Application at [4.3].

service levels or innovation by itself where it is a supplier, or to lower prices paid to suppliers for goods?<sup>17</sup>

- 20.2 coordinated effects: would the Proposed Acquisition change the conditions in the relevant market(s) so that coordination is more likely, more complete or more sustainable?
- 20.3 conglomerate effects: would the Proposed Acquisition increase the merged entity's ability and/or incentive to foreclose rivals, for example by allowing it to bundle or tie products in a way that rivals cannot match?

**Unilateral effects: would the merged entity be able to profitably raise prices by itself?**

- 21. Unilateral effects arise when a firm merges with a competitor that would otherwise provide a significant competitive constraint (particularly relative to remaining competitors) such that the merged firm can profitably increase price above the level that would prevail without the merger without the profitability of that increase being thwarted by rival firms' competitive responses.<sup>18</sup>

*Refrigeration equipment and components*

- 22. Beijer Ref submits that, in a national market for the wholesale supply of refrigeration equipment and in any regional market for the wholesale supply of refrigeration components, the Proposed Acquisition would not be likely to substantially lessen competition due to unilateral effects primarily because:<sup>19</sup>
  - 22.1 Beijer Ref and Refspecs are not particularly close competitors due to their differentiated business strategies and because they supply to different customer types (ie, Refspecs only stocks units up to 15 horsepower eg, liquor store cool rooms being the smaller end of the market, while Beijer Ref is focussed on large on larger refrigeration equipment ie, CO2 plants upwards of 200 horsepower);
  - 22.2 if the merged entity raised prices/and or reduced quality of refrigeration equipment or components, trade customers could easily move their purchasers to different suppliers since trade customers work with and seek quotes from multiple refrigeration equipment suppliers, and have open accounts with multiple suppliers;
  - 22.3 the merged entity would be constrained by existing wholesale suppliers, such as Actrol, Cooling Equipment and Co Sell, as well as overseas manufacturers of refrigeration equipment and components that currently supply their products directly to trade customers such as Daikin, EPTA and Arneg;

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<sup>17</sup> For ease of reference, we only refer to the ability of the merged entity to "raise prices" from this point on. This should be taken to include the possibility that the merged entity could reduce quality or innovation, or worsen an element of service or any other element of competition, i.e. it could increase quality-adjusted prices.

<sup>18</sup> Mergers and Acquisitions Guidelines above n3 at [3.62].

<sup>19</sup> The Application at Executive Summary at (p4), [6.1]-[6.23] and [7.1]-[7.15].

- 22.4 the merged entity would be constrained by the threat of entry/expansion. Beijer Ref considers that overseas wholesale suppliers, such as Airefrig Australia, can readily enter into New Zealand. Beijer Ref also considers that there are no barriers to existing wholesale suppliers expanding their sales given no physical presence is required to operate, and the Proposed Acquisition would provide an opportunity for smaller suppliers to grow; and
  - 22.5 the countervailing power of customers. Beijer Ref considers that trade customers have the ability to exercise countervailing power by importing their own refrigeration equipment and/or componentry, directly from overseas manufacturers.
23. In any markets relating to the wholesale supply of refrigeration equipment and componentry (or spare parts), we will consider:
- 23.1 closeness of competition: the degree of constraint that Beijer Ref and Refspecs impose upon one another. To the extent that any constraint is material, we will assess whether the lost competition between the Beijer Ref and Refspecs could be replaced by rival competitors;
  - 23.2 remaining competitive constraints: the degree of constraint that existing wholesalers, or any other competitors, would impose on the merged entity;
  - 23.3 entry and expansion: how easily rivals could enter and/or expand; and
  - 23.4 countervailing power: whether trade customers have special characteristics that would enable them to resist a price increase by the merged entity, and, if so, whether this is true for all trade customers, or only a subset.
24. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
- 24.1 how closely Beijer Ref and Refspecs compete with one another in the supply of products and brands of refrigeration equipment and componentry they stock including whether they compete more closely with each other in the supply of any specific product or in any geographic area;
  - 24.2 who the major competitors are to Beijer Ref and Refspecs and whether this competition varies for particular products or in different regions of New Zealand; and
  - 24.3 the extent to which trade customers are able to bypass wholesale suppliers and acquire refrigeration equipment and/or components directly from importers and/or overseas manufacturers.

*Air-conditioning units and components*

- 25. Beijer Ref submits that, in a national market for the wholesale supply of air-conditioning units and in any regional markets for the wholesale supply of air-

conditioning components, the Proposed Acquisition would not be likely to substantially lessen competition due to unilateral effects primarily because:<sup>20</sup>

- 25.1 the merged entity's combined market share estimate would fall within the Commission's concentration indicators; and
- 25.2 these markets are competitive and highly fragmented and the merged entity would be constrained by existing wholesale suppliers. For example:
  - 25.2.1 for air-conditioning units, these suppliers would include Black Diamond Technologies, Fujitsu New Zealand and Panasonic New Zealand; and
  - 25.2.2 for air-conditioning components, these suppliers would include Holyoake Air Management Solutions, Smooth-Air and HVAC Hero.
- 26. In any markets relating to the wholesale supply of air-conditioning units and componentry (or spare parts), we will consider:
  - 26.1 closeness of competition: the degree of constraint that Beijer Ref and Refspecs impose upon one another. To the extent that any constraint is material, we will assess whether the lost competition between the Beijer Ref and Refspecs could be replaced by rival competitors;
  - 26.2 remaining competitive constraints: the degree of constraint that existing wholesalers, or any other competitors, would impose on the merged entity;
  - 26.3 entry and expansion: how easily rivals could enter and/or expand; and
  - 26.4 countervailing power: whether trade customers have special characteristics that would enable them to resist a price increase by the merged entity, and, if so, whether this is true for all trade customers, or only a subset.
- 27. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
  - 27.1 how closely Beijer Ref and Refspecs compete with one another in the supply of products and brands of air-conditioning equipment and componentry that they wholesale; and
  - 27.2 who the major competitors are to Beijer Ref and Refspecs and whether this competition varies for particular products or in different regions of New Zealand.

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<sup>20</sup> The Application at Executive Summary (p4), [9.1]-[9.3] and [10.1]-[10.3].



### *Refrigerants*

28. Beijer Ref submits that in any regional markets for the wholesale supply of refrigerants, the Proposed Acquisition would not be likely to substantially lessen competition due to unilateral effects primarily because:<sup>21</sup>
- 28.1 the merged entity would to be constrained by other importers of HFCs (ie, other holders of grandparented permits<sup>22</sup> such as Azelis New Zealand Limited and A-Gas, and suppliers that are allocated special permits);<sup>23</sup>
  - 28.2 the merged entity would to be constrained by suppliers of alternative (ie, non-HFC) refrigerants. Beijer Ref considers these alternative are likely to increase over time as refrigeration equipment using HFC refrigerants is retired; and
  - 28.3 the merged entity would to be constrained by the ‘use it or lose it’ revocation provisions of The Ozone Layer Protection Amendment Regulations 2018 in respect of permits for the importation of HFCs.<sup>24</sup> Beijer Ref considers this may create an incentive for the merged entity (and other permit holders) to supply excess HFCs to competitors.
29. In any markets relating to the wholesale supply of refrigerants, we will consider:
- 29.1 closeness of competition: the degree of constraint that Beijer Ref and Refspecs impose upon one another. To the extent that any constraint is material, we will assess whether the lost competition between the Beijer Ref and Refspecs could be replaced by rival competitors;
  - 29.2 remaining competitive constraints: the degree of constraint that existing suppliers would impose on the merged entity;
  - 29.3 entry and expansion: how easily rivals could enter and/or expand; and
  - 29.4 countervailing power: whether trade customers and/or end-users of refrigerants have special characteristics that would enable them to resist a price increase by the merged entity ,and, if so, whether this is true for all trade customers and/or end-users, or only a subset.

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<sup>21</sup> The Application at Executive Summary (p4), [5.18]-[5.23] and [8.1]-[8.9].

<sup>22</sup> Beijer Ref submits that ‘grandparented permits’ are granted to eligible entities on a yearly basis to be able to import HFCs. Only those entities that imported HFCs between 1 January 2015 and 31 December 2017 were able to make an application to the Environmental Protection Agency (EPA) on a one-off basis for eligibility to apply for grandparented permits. See the Application at [5.21(a)].

<sup>23</sup> Beijer Ref submits that ‘special permits’ are granted eligible entities (that do not have grandparented eligibility) and these permits account for the remaining HFCs that can be imported into New Zealand ie, 20% of HFC imports each year). See the Application at [5.21(b)].

<sup>24</sup> Beijer Ref submits that the Regulations allow the EPA to revoke any part of the grandparented eligibility not used within two consecutive years. See the Application at [8.5].

30. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
- 30.1 how closely Beijer Ref and Refspecs compete with one another in the supply of refrigerants, including whether they compete more closely with each other in the supply of any specific type of refrigerant or in a particular geographic area;
  - 30.2 who the major competitors are to Beijer Ref and Refspecs and whether this competition varies for any specific type of refrigerant or in different regions of New Zealand;
  - 30.3 the ability of existing suppliers to increase their access to permits for the importation of refrigerants, including any differences in access and/or supply between grandparented permits and special permits; and
  - 30.4 the requirements for a new supplier to start supplying refrigerants in competition with any existing wholesale suppliers.

**Coordinated effects: would the proposed acquisition make coordination more likely?**

31. An acquisition can substantially lessen competition if it increases the potential for the merged entity and all or some of its remaining competitors to coordinate their behaviour and collectively exercise market power or divide up the market such that output reduces and/or prices increase. Unlike a substantial lessening of competition which can arise from the merged entity acting on its own, coordinated effects require some or all of the firms in the market to be acting in a coordinated way.<sup>25</sup>
32. In the Application, Beijer Ref submits that the Proposed Acquisition would not be likely to substantially lessen competition in any relevant market due to coordinated effects due to the numerous competitors that will remain in the market following the acquisition.<sup>26</sup>
33. We will assess whether any of the relevant market(s) are vulnerable to coordination, and whether the Proposed Acquisition would change the conditions in the relevant market(s) so that coordination is more likely, more complete or more sustainable.
34. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
- 34.1 the extent to which competition between refrigeration and air-conditioning wholesalers varies at a localised or regional level for any particular product; and

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<sup>25</sup> Mergers and Acquisitions Guidelines above n3 at [3.84].

<sup>26</sup> The Application at [11.1(a)].

- 34.2 whether any of the relevant markets include any particularly vigorous or aggressive suppliers (ie, whether that be Beijer Ref, Refspecs and/or other rival competitors).

**Conglomerate effects: would the merged entity be able to foreclose rivals?**

35. A merger between suppliers (or buyers) who are not competitors but who operate in related markets can result in a substantial lessening of competition due to vertical or conglomerate effects. This can occur where a merger gives the merged entity a greater ability or incentive to engage in conduct that prevents or hinders rivals from competing effectively.<sup>27</sup>
36. As outlined above, the merging parties compete with one another in the wholesale supply of refrigeration and air-conditioning equipment and components, and refrigerant gases. However, Beijer Ref submits that the Proposed Acquisition would not be likely to substantially lessen competition in any relevant market due to conglomerate effects because neither party stocks any “must have” products for customers that are not available to other market participants. Beijer Ref also submits that the Proposed Acquisition does not change the nature of the vertical integration in the market.<sup>28</sup>
37. We will consider whether the Proposed Acquisition would give the merged entity the ability and incentive to foreclose rival suppliers, and the likely effect of any foreclosure on competition in any relevant market(s).
38. In investigating the above, we are (amongst other things) particularly interested in the views of industry participants on:
- 38.1 the extent to which the merged entity might have a degree of market power in any relevant wholesale supply market such as a “must have” piece of equipment or a particular type of refrigerant;
  - 38.2 the extent to which wholesale supply in one of the relevant markets (such as in an equipment market) might be closely linked to supply in another market (such as a component or spare parts market);
  - 38.3 the extent to which the wholesale supply of, or access to, any refrigerant gas might be closely linked to wholesale supply in any market for refrigeration or air-conditioning equipment or componentry; and
  - 38.4 the ability, and/or the incentive, of the merged entity to refuse to supply (or only supply on less favourable terms) any type of equipment or refrigerant to competing wholesalers and/or the customers of competing wholesalers.

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<sup>27</sup> Mergers and Acquisitions Guidelines above n3 at [5.11]-[5.15].

<sup>28</sup> The Application at [11.1(b)].

## Next steps in our investigation

39. The Commission is currently scheduled to make a decision on whether to give clearance to the Proposed Acquisition by **25 March 2026**. However, this date may be extended with the agreement of the applicant if the material before the Commission at that time does not allow it to be satisfied that the Proposed Acquisition will not have, or would not be likely to have, the effect of substantially lessening competition in a market in New Zealand.<sup>29</sup> In particular, if we need to test and consider the issues identified above further, the decision date is likely to extend.
40. As part of our investigation, we will be identifying and contacting parties that we consider will be able to help us assess the preliminary issues identified above.

## Making a submission

41. If you wish to make a submission, please send it to us at [registrar@comcom.govt.nz](mailto:registrar@comcom.govt.nz) with the reference “Beijer Ref/Refspecs” in the subject line of your email, or by mail to The Registrar, PO Box 2351, Wellington 6140. Please do so by close of business on **13 February 2026**.
42. If you would like to make a submission but face difficulties in doing so within the timeframe, please ensure that you register your interest with the Commission at [registrar@comcom.govt.nz](mailto:registrar@comcom.govt.nz) so that we can work with you to accommodate your needs where possible.
43. Please clearly identify any confidential information contained in your submission and provide both a confidential and a public version. We will be publishing the public versions of all submissions on the Commission’s website. If you make a submission and we do not acknowledge receipt of that submission within two working days, you should resubmit your submission.
44. All information we receive is subject to the Official Information Act 1982 (OIA), under which there is a principle of availability. We recognise, however, that there may be good reason to withhold certain information contained in a submission under the OIA, for example in circumstances where disclosure would unreasonably prejudice the supplier or subject of the information.

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<sup>29</sup> The Commission maintains a [case register](#) on our website where we update any changes to our deadlines and provide relevant documents.