



Quarter Four Snapshot

The Commerce Commission is New Zealand's primary competition, fair trading, consumer credit and economic regulatory agency.

This quarterly snapshot provides a high level overview of work underway at the Commission.

For more information about us and about our work, please go to www.comcom.govt.nz.

Note: numbers may have small variances from time to time due to delays in entering data.

Commentary Q4

Simplifying the Grocery Supply Code

The Commission is proposing to simplify the Grocery Supply Code to reduce the range of charges supermarkets can impose on their suppliers, aiming to address power imbalances in supplier and retailer relationships. The mandatory Code was introduced under the Grocery Industry Competition Act to ensure negotiations between major supermarkets and their suppliers are fair and transparent. The Commission started a review of the Code to make sure it was operating as intended and suppliers had confidence to innovate and invest in more choice for consumers. The draft is informed by submissions on the Request for Views published in August 2024, the results of the [Grocery Supplier Survey](#), and information received through the Commission's Anonymous Reporting Tool. The Commission is seeking submissions on the draft and will consider those before we issue a final report before the end of September 2025.

Shining a light on Wellington Water's performance

In June 2025, we published draft information disclosure requirements applying to **Wellington Water Limited (Wellington Water)** for consultation. These are the first set of regulatory requirements we have set under the Local Government (Water Services Preliminary Arrangements) Act 2024 (the LGWSPA Act). The LGWSPA Act is one part of the government's Local Water Done Well reform programme with the Local Government (Water Services) Bill (establishing the enduring economic regulation and consumer protection regime) to be enacted shortly. Wellington Water became a specified entity subject to foundational information disclosure (ID) in May 2025. Foundational ID requires us to determine what information Wellington Water must share with us and the public. By 'shining a light' on performance issues, foundational ID can help incentivise improvement and increase transparency, making it easier for the public to see what Wellington Water is doing – and if it is making progress. We have developed proposals that require Wellington Water to publish targeted information that we consider would best demonstrate its performance. Our main focus is on areas that demonstrate whether Wellington Water is providing value for money for ratepayers and other key stakeholders.

Outreach to procurers - recognising cartel conduct

The Cartels team have continued to prioritise outreach to key public and private procurers. The team had three stakeholder events this quarter explaining what indicators of cartel conduct look like and how to report it to us quickly. We continue to see procurers reporting conduct to us as a direct result of our outreach which is important as bid rigging of publicly funded work is an enforcement priority for us. For example, in the last quarter we launched another criminal cartel investigation relating to public procurement where the contracts were of significant value to taxpayers.



Ensuring gas networks can respond to an uncertain future

In June 2025, we began consulting on key issues for our process to reset the prices gas pipeline businesses (GPBs) can charge and the quality of service they must deliver. We published an issues paper, draft decision reasons paper on a five-year regulatory period, and consumer-friendly explainer on the reset of the default price-quality path (DPP) applied to regulated GPBs. New Zealand is transitioning toward net-zero emissions by 2050, which affects the long-term demand for natural gas. Despite this, gas remains important for industrial processes and residential use and has an important role to play in the energy sector for some time yet. The DPP ensures that while gas demand may decline, pipeline businesses continue to invest in safe and reliable infrastructure, without overcharging consumers or under-delivering on service. In the current context, this includes an increasing focus on balancing GPB's incentives to maintain a safe and reliable network meeting consumer demand, with the longer-term risks of not being able to fully recover asset-related costs in the context of expected declines in gas volumes.

Fair Trading – KiwiRail Limited t/a Interislander warned for misrepresenting consumers' rights

KiwiRail has been warned and accepted legally binding commitments to compensate customers impacted by cancellations of the Interislander ferry due to mechanical breakdowns. They also committed to re-evaluate previous claims for compensation and update their policies and terms and conditions to make sure they are in line with consumer law. KiwiRail is now treating delays and cancellations caused by mechanical faults without an obvious cause, as within their control. This will be a key factor when deciding if affected consumers are owed compensation from KiwiRail. This will give consumers more clarity about their rights if delays and cancellations happen.

Compliance and enforcement snapshot

Commentary Quarter 4

- **NZ Trade Group (NZTG):** In May 2025, we reminded trade organisations and members of their obligations under the Commerce Act after issuing a compliance advice letter to NZTG about conduct that had the potential to harm competition. We investigated allegations of anti-competitive conduct by the membership group, which describes itself as the country’s leading network of electricians. The conduct raised issues under section 30 of the Commerce Act which prohibits any person entering into a contract or arrangement, or arriving at an understanding, that contains a cartel provision. As a result of the concerns we raised, NZTG has amended the terms and conditions of membership and included a permanent banner on its Facebook group, warning against discussion and conduct that could be considered anti-competitive.
- **Alpine Energy:** In April 2025 we issued a warning and negotiated enforceable undertakings from South Canterbury-based Alpine Energy to return \$16.9m overcharged to consumers and provide an additional \$1.5m in compensation to its community targeted at energy hardship. The lines company, which services more than 33,800 customers, provided incorrect information disclosure statements to the Commission relating to its depreciation calculations. This information was used by the Commission to set allowable revenues and Alpine’s maximum allowable revenue was overstated, leading to customers being overcharged for the lines component of their electricity bills between 2015 and 2024. In deciding on the appropriate enforcement action, our focus was on ensuring Alpine returned the money it had overcharged customers with additional funds committed in recognition of the harm the error caused the wider community rather than a Court imposed penalty. In addition to enforceable undertakings the settlement also required Alpine to improve its processes to prevent a recurrence of the problem.



Concerns raised with the Commission

Act	Concerns Q4 (April 2025 – June 2025)
Fair Trading Act 1986	2,726
Credit Contracts and Consumer Finance Act 2003	99
Commerce Act 1986	122
Retail Payments Systems Act 2022	57
Fuel Industry Act 2020	4
Telecommunications Act 2001	2
Total number of concerns for the period	2,912

Commentary Q4

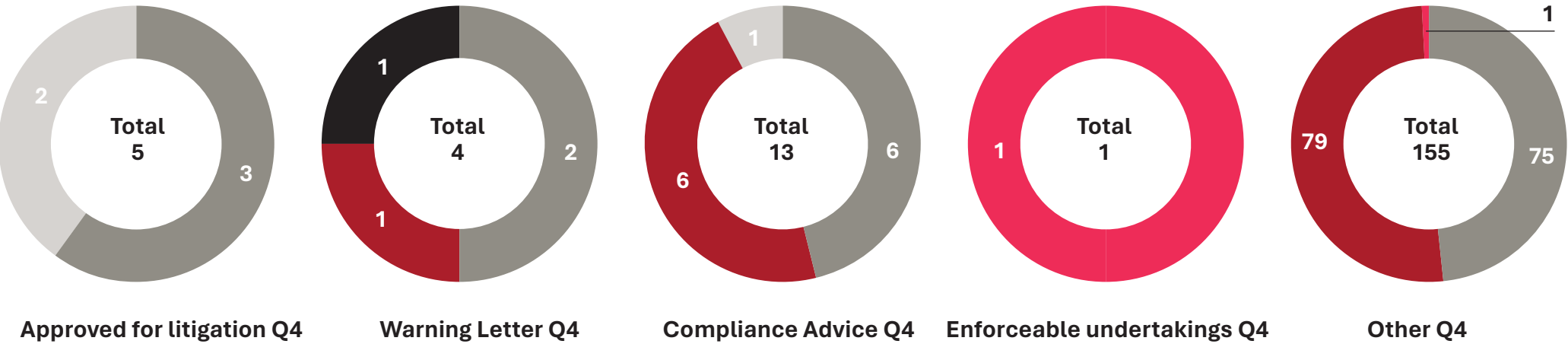
- A concern is a matter raised with the Commission by a member of the public.
- The Commission received 2,912 concerns across our regulatory responsibilities in Q4 2024/25. This is consistent with long-term trends.
- The long-term trend in concern numbers has gone from around 2,000 per quarter in FY 16/17 to around 3,000 per quarter FY24/25.
- As in previous quarters, most of the concerns related to the Fair Trading Act and were about false or misleading behaviour. Key issues included product characteristics, contractual issues, promotions and refunds.
- The top 5 brands with the most reported concerns this quarter were **One New Zealand, Pak’NSave, Woolworths New Zealand, Smart Compliance Management, and Sky Network Television.**

Investigations and Compliance

Act	Active Q4 2024/25	Complete YTD (Q1 – Q4) 2024/25
Fair Trading	147	292
Credit – Credit Contracts and Consumer Finance Act 2003	27	183
Competition	20	17
Infrastructure Regulation	5	7
Market Regulation	21	11

Investigation outcomes

Fair Trading Credit Competition Infrastructure Regulation Market Regulation

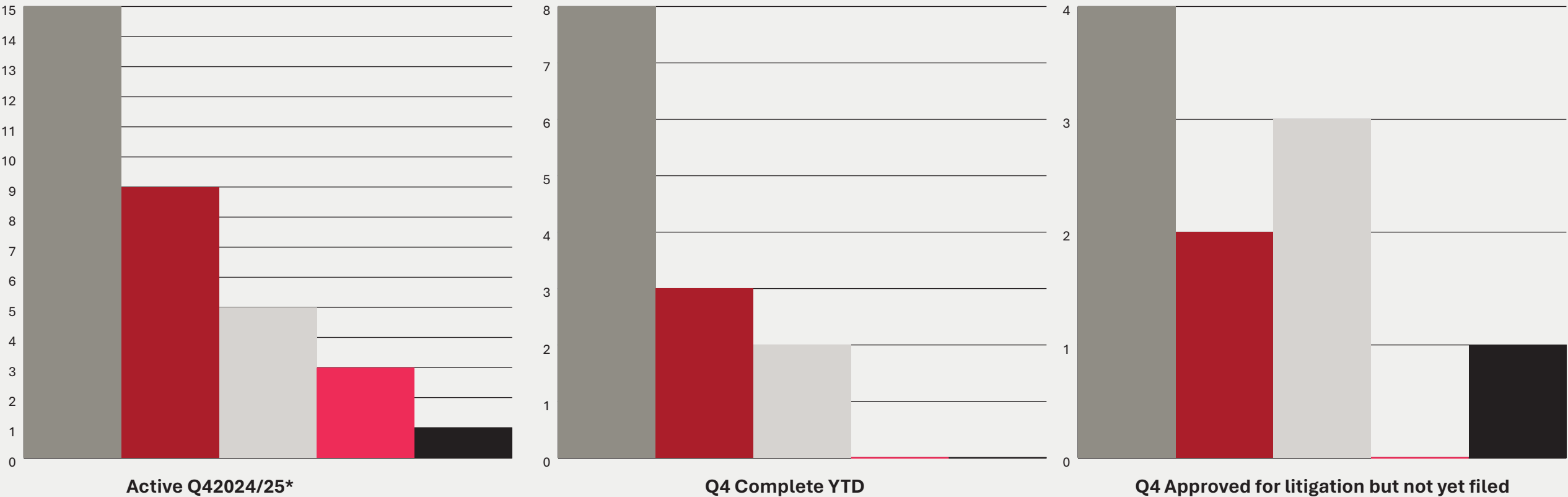


Commentary Q4

- Information about open cases can be found on our [case register](#). Our compliance and investigation highlights include:
 - We warned **2Degrees** for representations about the launch of satellite to mobile service.
 - PDM Trading Ltd** and **Silk Road Retail NZ Ltd (PD Mart)** entered court enforceable undertakings relating to the supply of 47 different non-compliant goods, which includes toys, bikes, hot water bottles, sunscreen, and baby walkers.
 - Vector Limited**: Issued compliance advice letter as the Commission was of the view that certain terms within its standard form agreements for the supply of new connection services to consumers and businesses were at risk of being ‘unfair terms’ under the Fair Trading Act.
 - A compliance advice letter was issued to **The Warehouse and Bed Bath & Beyond Ltd** for breaches of the nightwear standard.
 - Four **Information Passed to Trader** letters were issued, mainly relating to online marketplace sellers for offering to supply non-compliant toys, and one to a trader for offering to supply a chainsaw that is likely to not comply with the applicable UGN.

Litigation

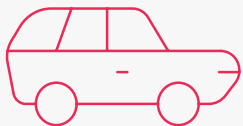
Fair Trading Credit Competition Infrastructure Regulation Market Regulation



Judgments

Commentary Q4

- El Cheapo Cars* has been sentenced in the Porirua District Court for its failure to provide key information to borrowers about their loans. The Wellington-based motor vehicle trader and finance lender had pleaded guilty to seven charges the Commission filed under the Credit Contracts and Consumer Finance Act (CCCFA). *El Cheapo Cars* has now been fined \$115,000 and ordered to pay \$341,931.46 in compensation to hundreds of affected borrowers.



- Allen Trading (1972) Ltd* was sentenced and fined \$140,000 for the supply of 1,202 non-compliant toy cars to 34 different retailers between August 2019 and June 2023. *Allen Trading* pleaded guilty to all five charges. This outcome is important to deter *Allen Trading* and other businesses from committing similar offences for the supply of non-compliant toys and to highlight the existence and importance of product safety standards and the harm which they seek to prevent.



Filings

Commentary Q4

- The Commerce Commission filed criminal charges in the Auckland District Court against an unregistered and uncertified lender, *Ilaisaane Malupo*, trading as **Nane Easy Loan Finance Services NZ (Nane Easy Loans)**. The Commission alleges *Ms Malupo* knowingly provided personal loans illegally to members of the Tongan community in South Auckland from March 2024.



Competition clearances and authorisations

Clearances and authorisations made under the Commerce Act 1986

Q4 2024/25

	Mergers clearances s 66	Merger Authorisations s 67	Collaborative activity clearances s 65A	Trade practices authorisations s 58
Decided	3	0	0	0
Undecided at the end of quarter	3	0	0	0

	Mergers clearances s 66	Merger Authorisations s 67	Collaborative activity clearances s 65A	Trade practices authorisations s 58
Cleared unconditionally	4	1	0	N/A
Authorised	N/A	0	N/A	1
Cleared with divestment	0	0	N/A	N/A
Declined	2	0	0	0
Withdrawn	0	0	0	0
Varied	0	0	N/A	0
Sol/SoUI issued	3	N/A	0	N/A

Commentary Q4

- The Commission cleared three merger applications for clearance – **Omnicom/Interpublic** (advertising services), **Woolworths/Beak & Johnston** (food manufacture), and **Contact/Manawa** (energy generation and wholesale supply) in Q4.
- During Q4, the Commission decided to issue a Statement of Unresolved Issues for the application from **Altano New Zealand** to acquire 100% of the shares in **Matamata Veterinary Services Limited** as we are not 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. This application remains undecided at the end of Q4 and the new decision date is 22 August 2025.
- The Commission received two applications for merger clearance in Q4, relating to architectural glass and wheat milling, which both remain undecided at the end of Q4.

Official Information Act 1982 requests

Commentary Q4

- Almost three quarters of OIA requests this quarter were from individual members of the public with approximately 16% from media and 10% from law firms.
- Around one quarter of OIA requests related to concerns about the conduct of particular traders and the Commission’s response to those concerns.

Q4 2024/25

68

Number of OIA requests received

232

Year to date requests answered

Projects of Significance Milestones for Q4

Quarterly progress	Airports	Payments	Groceries	Telecommunications	Water Services Regulation
Previous Milestones	<div>March 2025</div> <ul style="list-style-type: none">Publication of final report for the Review of Auckland Airport’s 2022-2027 Price Setting Event.	<div>March 2025</div> <ul style="list-style-type: none">Submission on Payment NZ Next Generation consultation.	<div>February 2025</div> <ul style="list-style-type: none">Publication of submissions on Draft Consumer Complaints Disclosure Standard and Reasons Paper. <div>March 2025</div> <ul style="list-style-type: none">Publication of cross-submissions on Draft Consumer Complaints Disclosure Standard and Reasons Paper.	<div>January 2025</div> <ul style="list-style-type: none">Publication of final Mobile Coverage Maps Guidelines. <div>February 2025</div> <ul style="list-style-type: none">Publication of six-monthly Customer Satisfaction Report (Jul-Dec 2024).Publication of the Customer Service Rankings for Broadband and Mobile providers April - December 2024. <div>March 2025</div> <ul style="list-style-type: none">Publication of the Measuring Broadband New Zealand (MBNZ) quarterly report (report 23).Publication of the Copper Services Investigation Draft Investigation Findings and Recommendations.Publication of Switching Issues Paper.Publication of Mobile Termination Access Service (MTAS) final decisions paper.	<ul style="list-style-type: none">Publication of initial discussion document on approach to information disclosure Quarterly report on Watercare to be provided to Local Government Minister.
April – June Milestones	<div>June 2025</div> <ul style="list-style-type: none">Publication of consultation paper, with draft conclusions, for the Review of Wellington Airport’s 2024-2029 Price Setting Event (PSE5).Updated the Airports database to include information disclosed between 2011 and 2024 and the Wellington Airport PSE5 disclosures.	<div>April 2025</div> <ul style="list-style-type: none">Publication of submissions on the draft Mastercard and Visa interchange fee network standard. Cross submissions close 13 May 2025.	<div>June 2025</div> <ul style="list-style-type: none">Publication for consultation of the Wholesale Supply Inquiry Preliminary Findings Paper.Publication for consultation of the draft report for the Review of the Grocery Supply Code.Publication of supplier survey results report.Publication of Grocery newsletter #4.	<div>April 2025</div> <ul style="list-style-type: none">Publication of Improving RSQ: Ex Post Review Summary.Publication of Customer Satisfaction Monitoring contact preferences. <div>May 2025</div> <ul style="list-style-type: none">Publication of quarterly Customer Service and Billing Rankings including billing research. <div>June 2025</div> <ul style="list-style-type: none">Publication of the 111 Contact Code compliance report .Publication of Measuring Broadband New Zealand (MBNZ) quarterly report (report 24).Publication of the Annual Monitoring Report 2024/25.	<div>April 2025</div> <ul style="list-style-type: none">Publication of a Letter of Expectations for Watercare in our role as the Crown Monitor. This followed formal commencement of the interim economic regulation on 1 April 2025. <div>June 2025</div> <ul style="list-style-type: none">Draft reasons paper and draft determination published for Foundational Information Disclosure for Wellington Water.Third quarterly report on our performance as Crown Monitor for the interim regulation of Watercare submitted to the Local Government Minister.
Upcoming Milestones for Q1 2025/26	<div>July 2025</div> <ul style="list-style-type: none">Submissions close on Wellington PSE5 consultation paper.	<div>July 2025</div> <ul style="list-style-type: none">Publish Interchange Fee Regulation for Mastercard and Visa Networks – Final Decision and Reasons Paper and Mastercard and Visa Interchange Fee Network Standard 2025 (17 July).Ongoing engagement with the sector to support promotion of open banking.	<div>July 2025</div> <ul style="list-style-type: none">Publication of submissions on the Review of the Grocery Supply code for cross-submission period. <div>August 2025</div> <ul style="list-style-type: none">Publication of the Grocery Annual Monitoring Report 2025.Publication of submissions on the Wholesale Supply Inquiry for cross-submission period.Publication of Final Consumer Complaints Disclosure Standard and Reasons Paper. <div>September 2025</div> <ul style="list-style-type: none">Statutory deadline for the completion of first review of the Grocery Supply Code.	<div>July 2025</div> <ul style="list-style-type: none">Publication of Broadcasting Report 24/25. <div>August 2025</div> <ul style="list-style-type: none">Publication of the Copper Services Investigation final report and recommendation.Publication of the Consumer Satisfaction six-monthly report.Publication of the Billing and Customer Service rankings.Publication of the Price and Cost Guidelines. <div>September 2025</div> <ul style="list-style-type: none">Publication of the Measuring Broadband New Zealand (MBNZ) quarterly report (report 25).	<div>July 2025</div> <ul style="list-style-type: none">Submissions and cross-submissions published for Foundational Information Disclosure for Wellington Water. <div>August 2025</div> <ul style="list-style-type: none">Final reasons paper and determination published for Foundational Information Disclosure for Wellington Water.Fourth quarterly report on our performance as Crown Monitor for the interim regulation of Watercare submitted to the Local Government Minister.