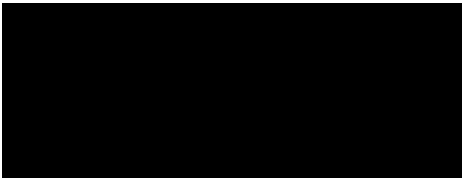



17 June 2025



Kia ora 

## **Official Information Act request 24.214**

Thank you for your request of 23 May 2025 for information related to the eight complaints school uniforms made in the past five years under the Official Information Act 1982 (the OIA). You requested:

- *A brief outline of what the complaint was about (similar detail to the summary in Appendix A of the original OIA)*
- *For each of the complaints, what did the Commission do and what was the outcome?*
- *If the Commission chose not to take any further action, why did it choose this?*

## **Our response**

By way of background, it is important to note that the Commission reports on ‘concerns received’. The reason for this we consider concerns better encompasses the range of information we receive from the public, which may include but is not limited to complaints.

We have provided summaries and outcomes of the eight concerns in **Appendix A** below.

All concerns received by the Commission are recorded and assessed on the basis of the information available at the time. When conducting this initial assessment, the Commission considers:

- 1.1 the likelihood of a breach of the relevant legislation (the Fair Trading Act 1986, Credit Contracts and Consumer Finance 2003, and the Commerce Act 1986);

- 1.2 the Commission's Enforcement Response Guidelines;<sup>1</sup> and
- 1.3 the Commission's strategic priorities and resourcing constraints.

The Commission has the power to act on potential breaches reported to us but is not required to take action in relation to all possible breaches of the legislation that we enforce.

If a concern is appropriate for further consideration, it is reviewed by a panel of managers and subject matter experts. The panel decides which concerns are to be prioritised for further assessment with reference to our Enforcement Response Guidelines.

This process enables us to identify concerns that best reflect our current enforcement priorities.<sup>2</sup> The outcomes of the process are not final and we may revisit any concern at a later stage, should we wish to reconsider the issues it presents.

We value all information received and keep the information provided in our database. We use this to identify business practices of concern and to help us decide what to investigate in the future.”

### **Further information**

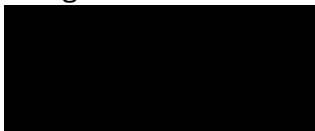
We hope this response has been helpful.

If you have any questions about this response, please do not hesitate to contact us at [oia@comcom.govt.nz](mailto:oia@comcom.govt.nz).

If you are not happy with our response, you have the right to complain to the Ombudsman. Information about how to do this is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Finally, confirming the Commission may publish this response on our website as part of our proactive release process. All personal information will be redacted prior to publication.

Ngā mihi nui



Adam McFerran  
**Senior Advisor | OIA & Information**

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<sup>1</sup> Available at: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-response-guidelines/>

<sup>2</sup> For further information, see: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-criteria/>

## Appendix A

Enquiry number	Date received	Concern	Outcome
ENQ0549382	02/01/2021	Complainant believed school uniforms are overpriced.	No Further Action (NFA) <sup>3</sup>
ENQ0552190 <sup>4</sup>	12/03/2021	Complainant alleged the school runs a monopoly-style school uniform shop. Complainant thought they should have the right to choose where they purchase a school uniform from.	NFA
ENQ0574413	26/01/2023	Complainant alleged the school would not sell them school uniforms without setting up an account including their personal details.	NFA
ENQ0584688	12/09/2023	Complainant alleged the school uniform shop would not provide cash refunds but instead only store credit. Complainant contacted the school but was advised that issue is between them and the shop.	NFA
ENQ0590674	01/02/2023	Complainant was concerned that the school uniform shop is reselling school uniforms to students or parents at a higher price than the manufacturer. Complainant alleged the school is anti-competitive as they do not allow students to purchase from alternative sellers.	NFA
ENC0008013	05/02/2025	Complainant alleged the school is operating as monopoly as they only allow students to purchase school uniform from one store at the school.	NFA
ENC0008939	21/02/2025	Complainant alleged the school has told them to purchase the school uniform only from a particular warehouse at a 'premium price'. Complainant believes this is unfair as	NFA

<sup>3</sup> The Commission may decide not to take further action in relation to a concern for a number of reasons. These reasons include, but are not limited to; circumstances where we consider the concern is better suited to private action by the complainant, the concern is subject to the jurisdiction of another agency, or where there is no clear breach of the law. However, each concern and enquiry provides information that is valuable to the Commission. This contributes to future priorities, potential issues for us to watch closely or emerging issues to refer to our policy agency, MBIE. In this regard, we will monitor concerns on information we receive as we look to future prioritisation.

<sup>4</sup> Complainant later withdrew their complaint.

		they are unable to purchase the uniform elsewhere.	
ENC0013305	22/05/2025	Complainant alleged the school is illegally selling school uniforms.	Under assessment <sup>5</sup>

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<sup>5</sup> These are complaints which are still being assessed and/or investigated by the Commission and have not yet resulted in an outcome.