

Hon Dr David Clark

MP for Dunedin

Minister of Commerce and Consumer Affairs
Minister for the Digital Economy and Communications
Minister for State Owned Enterprises
Minister of Statistics
Minister Responsible for the Earthquake Commission



04 MAY 2021

Helen Hardly

Email: fyi-request-15069-115a7eb2@requests.fyi.org.nz

MOIA 001/2021

Dear Helen,

Thank you for your email of 4 April 2021 requesting, under the Official Information Act 1982 (the Act), the following:

"Under the OIA, may I request if you have been briefed about the following news <https://www.nzherald.co.nz/business/revealed-how-many-complaints-your-bank-has-received/3BJAGF6G5A7T7IFA22XGY5MA6I/>

As per the news, Bank of china is the worse bank in responding consumer complaints, as the Minister in charge of consumer affairs, have you issue any directions to the officials to do anything about Bank of China's conduct? Do you or your office had any communications with the relevant departments to discuss this issues related to Bank of China's performance toward consumer complaints?

If you haven't done anything, may I kindly ask you to look in to this matter? I don't think Bank of China's performance toward consumer compliant is right. Thank you"

I am writing to advise you that I am refusing your request under section 18(g) of the Act since the information you have requested is not held by either departments or Ministers.

You have the right under section 28(3) of the Act to seek a review of this response by the Ombudsman. The Ombudsman has an online complaints form at <http://www.ombudsman.parliament.nz/make-a-complaint/make-a-complaint-now/make-a-complaint-online-now>. Complaints can also be made by e-mail at info@ombudsman.parliament.nz or by post at:

The Ombudsman
PO Box 10-152
Wellington 6143

While I have not specifically directed officials to look into the Bank of China, I remain committed overall to improving banking conduct. I currently have the Financial Markets (Conduct of Institutions) Amendment Bill before Parliament which will impose obligations on financial institutions, including all registered banks, to ensure the fair treatment of consumers. This includes when responding to a complaint. You can find more information here: <https://www.mbie.govt.nz/conduct-of-financial-institutions-review/>.

I recently released a discussion document seeking feedback on possible regulations to support various aspects of the Conduct Bill. This includes seeking feedback on proposals for further obligations with respect to responding to complaints, such as for complaints to be dealt with in a fair, timely and transparent manner. You may wish to make a submission at <https://www.mbie.govt.nz/have-your-say/conduct-of-financial-institutions-regulations/>

I am also looking at ways in which we can improve consumer access to the independent approved financial dispute resolution schemes. The Ministry of Business, Innovation and Employment has released a discussion document which details the issues under consideration: <https://www.mbie.govt.nz/have-your-say/review-of-approved-financial-dispute-resolution-scheme-rules/>. Amongst other things, the discussion document proposes to reduce the maximum time for financial service providers to resolve a dispute before it can be escalated to the dispute resolutions schemes. You may want to consider making a submission before 5pm on 6 May 2021. Alternatively, if you miss the deadline, you can email drsreview@mbie.govt.nz.

The Bank of China is a member of the Banking Ombudsman Dispute Resolution Scheme (BOS). If you have a complaint about the Bank of China, you can contact the BOS at <https://bankomb.org.nz/make-a-complaint/> or by writing to:

The Banking Ombudsman Dispute Resolution Scheme

Freepost 218002
PO Box 25327
Featherston Street
Wellington 6146.

I trust that this information is helpful to you. Thank you for writing.

Yours sincerely,



Hon Dr David Clark
Minister of Commerce and Consumer Affairs