

21 April 2026

Lewis
via fyi.org.nz

Kia ora Lewis

Official Information Act request OIA25.217

Thank you for your Official Information Act (OIA) request of 5 April 2026 for information about cartel criminalisation since 8 April 2021.

Our response

The information you have requested is outlined below. The Commission does not consistently hold this information by financial year and has therefore provided calendar year data where available.

Information by calendar year

	2026 (1 Jan – 15 Apr)	2025	2024	2023	2022	2021 (8 Apr – 31 Dec)
The number of cartel-related complaints, reports or concerns received	12	63	91	43	32	44
The number of cartel investigations opened	0	8	9	12	16	5
The number of cartel investigations closed	2	11	13	5	12	3
The number of matters resolved by civil proceedings	Litigation: 0	Litigation: 2	Litigation: 1	Litigation: 1	Litigation: 0	Litigation: 0

The number of matters resolved by warning, compliance advice, settlement, or no further action.	Warning: 0	Warning: 1	Warning: 3	Warning: 0	Warning: 1	Warning: 0
	CAL: 1	CAL: 3	CAL: 4	CAL: 1	CAL: 0	CAL: 1
	Settlement: 0	Settlement: 0	Settlement: 0	Settlement: 0	Settlement: 0	Settlement: 0
	NFA: 1	NFA: 5	NFA: 5	NFA: 2	NFA: 11	NFA: 2

Note: for 2023 the litigation, warning and NFAs do not total 5 as one was a criminal matter so has not been included

Additional contextual information

In addition to the information set out in the table above, the Commission provides the following aggregated information.

Anonymous cartel reports

Since 8 April 2021, the Commission has received 221 anonymous reports alleging cartel conduct. We note that the majority of these reports do not in fact relate to cartel conduct but instead reflect conduct that anonymous reporters believe to be cartel behaviour.

Leniency, immunity, and cooperation enquiries

Over the same period, the Commission has received 11 hypothetical enquiries regarding whether leniency or immunity may be available. The Commission does not systematically record general cooperation enquiries and would only create a formal record where an application for cooperation is made.

Formal leniency and immunity applications

Since 8 April 2021, the Commission has received 49 formal applications for leniency or immunity.

Consideration of criminal prosecution

All cartel matters involving conduct occurring after cartel criminalisation came into effect on 8 April 2021 are assessed to determine whether criminal prosecution is appropriate. In three matters, criminal prosecution was considered as a possible enforcement option at the conclusion of an investigation.

Referral for prosecution decision-making

The Commission does not refer cartel matters internally or externally for criminal prosecution decision-making. Decisions on whether to commence a criminal cartel prosecution are made internally by the Commission.

Criminal cartel prosecutions and outcomes

Since criminalisation, eight criminal cartel charges have been filed, all of which relate

to a single prosecution. Four defendants were charged in that proceeding. Four guilty pleas have been entered, and four convictions have been obtained.

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 oiacomcom.govt.nz.

If you are unhappy 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.

Please note, 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

OIA Coordinator | OIA & Information