



Office of Hon Paul Goldsmith

Minister of Commerce and Consumer Affairs

Associate Minister for ACC

29 JAN 2016

Dear Dr James Wilson

Thank you for your request of 11 December 2015 requesting, under the Official Information Act 1982, the following information:

One specific example of a legitimate, legal business which would have its trading suppressed by the implementation of possible jail terms (in addition to a range of financial penalties) for people and business who break laws which seek to prevent price fixing?

A detailed explanation, with examples, as to how possible prison terms for law breakers will have a suppressive effect on the economy?

Your first question has been refused under section 18(g) of the Act on the basis that this information is not held by the Ministry of Business, Innovation and Employment or myself, and I have no grounds for believing that the information is either held by, or more closely connected to, another department or Minister of the Crown or organisation.

I have taken your second question to be seeking an explanation from me as to how possible terms for law breakers may have a suppressive effect on the economy. My reasons for seeking the removal of the criminal sanctions are outlined in the paper to the Cabinet Economic Growth and Infrastructure Committee. This paper can be found on the Ministry of Business, Innovation and Employment's website at:

<http://www.mbie.govt.nz/info-services/business/competition-policy/cartel-criminalisation>

I am committed to ensuring that New Zealand's regulatory settings promote the long term interests of consumers and have asked my officials to keep a watching brief over developments in this area.

You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
Wellington 6143

Thank you for writing to me on this issue.

Yours sincerely



Hon Paul Goldsmith
Minister of Commerce and Consumer Affairs