

04 July 2017

Luke Chandler

Via email: [fyi-request-5975-529145f0@requests.fyi.org.nz](mailto:fyi-request-5975-529145f0@requests.fyi.org.nz)

Dear Mr Chandler,

### **Official Information Act #16.186 FibreX**

1. We refer to your Official Information Act 1982 (**OIA**) request of 06 June 2017 for all complaints made against Vodafone's 'FibreX' service.

### **The Commission's complaints and investigation process**

2. We thought it may be helpful to provide an outline of the way we handle complaints and enquiries.
3. When a consumer contacts the Commission with a complaint about a trader, this is logged in the Commission's database as a report.
4. The Commission receives thousands of reports every year. Every report is initially assessed by our Enquiries Team on the basis of the information provided. When conducting this initial assessment, the Commission considers:
  - 4.1 the likelihood of a breach of the relevant legislation (namely the Fair Trading Act 1986, Credit Contracts and Consumer Finance 2003, and the Commerce Act 1986);
  - 4.2 the Commission's Enforcement Response Guidelines<sup>1</sup>, and;
  - 4.3 the Commission's strategic priorities and resourcing constraints.
5. If a report is assessed by the Enquiries Team to meet our criteria, it is advanced to a "screening panel" for further consideration. This panel is made up of five senior managers within the Commission, who review each report and make decisions on how we should proceed.
6. The Commission has the power to act on reports which we consider may present a breach of one of the Acts that we enforce. However we are not a complaints

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

handling body and cannot take action on every report that we receive. The Commission seeks to ensure that high priority matters are addressed first.

7. For more information on how decisions are made and what powers the Commission has, please refer to our Competition and Consumer Investigation Guidelines.<sup>2</sup>

#### Our response

8. The relevant complaints have been arranged into a table and included in **'Attachment A'**.
9. There were eighteen (18) complaints in total.
10. We have withheld or redacted personal details of complainants in accordance with section 9(2)(a) of the OIA to protect the privacy of natural persons. We do not consider that the public interest in the identity of the complainants is outweighed by the need to protect the privacy of the complainants in this case.
11. We trust this answers your request. If you are not satisfied with the Commission's response to your OIA request, section 28(3) of the OIA provides you with the right to ask an Ombudsman to investigate and review this response.
12. If you have any questions in regards to this request, please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz)

Yours sincerely,



Rosie Brown  
OIA Coordinator

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<sup>2</sup> <http://www.comcom.govt.nz/the-commission/commission-policies/competition-and-consumer-investigation-guidelines/>