

24 July 2019

Alex Janssen

By email only: [fyi-request-10605-ff777cc9@requests.fyi.org.nz](mailto:fyi-request-10605-ff777cc9@requests.fyi.org.nz)

Dear Ms Janssen,

### Official Information Act #18.222 - Celebration Box

1. We refer to your Official Information Act 1982 (OIA) request received on 25 June 2019 for details of the Commerce Commission's (Commission) Fair Trading Act 1986 (FTA) investigation into Celebration Box Limited (CBL), including:
  - 1.1 a summary of complaints received by the Commission about CBL;
  - 1.2 details of discovered findings during the investigation which caused CBL to be in violation of the FTA and to cause the investigation to begin in October 2018;
  - 1.3 the compliance advice that was given to CBL when the case was closed in early June; and
  - 1.4 details about any penalties if CBL fails to follow compliance advice.

### Our response

2. We have decided to grant your request.

*Paragraph [1.1] - complaints about CBL*

3. The Commission has received five complaints about CBL.<sup>1</sup> We have prepared summaries of these complaints, contained in **Attachment A**.

*Paragraphs [1.2] & [1.3] - details of discovered findings / compliance advice*

4. The Commission sent CBL a compliance advice letter on 7 June 2019. A copy of the letter is at **Attachment B**.

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<sup>1</sup> At 1 July 2019.

5. You can find more information about the Commission's enforcement responses on our website.<sup>2</sup>
6. The details of the Commission discovered findings are contained in the compliance advice letter.

*Paragraph [1.4] - penalties*

7. The Commission will take into account the compliance advice issued to CBL in assessing our response to any further complaints about CBL involving the same or similar conduct. The other factors the Commission will take into account are contained in our Enforcement Criteria.<sup>3</sup>
8. We note that only the Court can decide whether there has been a breach of the FTA. A Company who breaches the FTA can be fined up to \$600,000 and an individual up to \$200,000, per offence.

**Further information**

9. The Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.
10. Please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz) if you have any questions about this request.

Yours sincerely,

Mary Sheppard  
OIA Coordinator

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<sup>2</sup> <https://comcom.govt.nz/about-us/our-policies-and-guidelines/investigations-and-enforcement/enforcement-response-guidelines>

<sup>3</sup> <https://comcom.govt.nz/about-us/our-policies-and-guidelines/investigations-and-enforcement/enforcement-criteria>