

NOVEMBER 2023

Consultation: Proposed fair outcomes for consumers and markets

About this consultation

This consultation seeks feedback on a proposed guide introducing how the Financial Markets Authority – Te Mana Tātai Hokohoko (FMA) is approaching outcomes-focused regulation, and what it will mean for providers of financial products and services. As part of this we set out seven fair outcomes for consumers and markets that we consider firms should be working towards.

[Click here to read the proposed guide.](#)

Background

Our objective is to promote and facilitate the development of fair, efficient and transparent financial markets; and our functions enable us to promote the confident and informed participation of businesses, investors and consumers in financial markets.

We deliver this through our active role as a kaitiaki of financial markets in New Zealand to foster our vision that more New Zealanders than ever believe the financial services sector is working well for them.

Setting out our expectations of what fairness means practically to consumers and markets is a necessary part of our work to ensure firms and markets achieve the right outcomes for New Zealanders. It is an essential part of our move towards outcomes-focused regulation. We need to be clear on what outcomes matter for consumers and financial markets; work together on this shared endeavour; and regulate in a way that gets us there.

Next steps

This consultation is open from 15 November 2023 to 1 March 2024, after which we will review submissions and finalise the fair outcomes and guide.

This consultation is for providers of financial products and services, consumers and groups who advocate on behalf of them within the financial sector.

It asks for feedback on the proposed fair outcomes for consumers and markets and the draft guidance setting out the FMA's approach as an outcomes-focused regulator.

Consultation questions

Questions	
1.	Is the way we have described our outcomes-focused approach to regulation clear, and do you understand how a focus on outcomes will be reflected in our work? Please explain.
2.	What are your views on the proposed fair outcomes for consumers and markets? To what extent do you think the proposed fair outcomes will bring benefits for consumers, providers and markets?
3.	What are your views on <i>Outcome 1: Consumers have access to appropriate products and services that meet their needs?</i>
4.	What are your views on <i>Outcome 2: Consumers receive useful information that aids good decisions?</i>
5.	What are your views on <i>Outcome 3: Consumers receive fair value for money?</i>
6.	What are your views on <i>Outcome 4: Consumers can trust providers to act in their interests?</i>
7.	What are your views on <i>Outcome 5: Consumers receive quality ongoing care?</i>
8.	What are your views on <i>Outcome 6: Markets are trusted based on their integrity and transparency?</i>
9.	What are your views on <i>Outcome 7: Markets enable sustainable innovation and growth?</i>
10.	Is anything missing that should be included in the fair outcomes? Please explain.
11.	If you are a provider of financial products or services, how will you demonstrate ownership and delivery of the fair outcomes? What will be the implications for your governance, leadership, management and operations, and how they work together?
12.	If you are a provider of financial products or services, how will outcomes-focused regulation help support your regulatory compliance? Are there areas you will find challenging or where you have concerns?
13.	Do you have any comments in relation to how a move towards a more outcomes-focused approach to regulation should influence our supervision and monitoring approach?

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14. Do you have any comments in relation to how a move towards a more outcomes-focused approach to regulation should influence how we seek to address and hold individuals and entities accountable for misconduct?
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15. If you are a provider of financial products or services, what are your views on the link between outcomes-focused regulation and innovation? Will it provide you with increased flexibility to achieve your business needs?
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16. If you are a consumer or consumer group, do you understand the fair outcomes and are they relevant to your interactions with the financial sector?
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17. What are your views on the examples provided in the guidance? Are they helpful, and are there any other examples we should include?
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18. Do you need any further guidance or support from the FMA in relation to outcomes-focused regulation or the fair outcomes?
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