

21 February 2025

By email: [REDACTED]

Kia ora [REDACTED]

Your request under the Official Information Act (1982) (CAS-145858-T5Z0S4)

Thank you for contacting the FMA with your Official Information Act (OIA) request.

Currently, the FMA regulates specific financial products and services, some of which are provided by firms that also offer lending, as part of the FMA's remit under the Financial Markets Authority Act 2011. The FMA applies a risk-based approach to its monitoring activities, where a greater focus is given to activities with the potential to cause the largest harmful impact on investors.

We have reviewed our records and can confirm that we have not taken any action against lenders in relation to supporting customers in financial difficulty in recent years, following the COVID-19 outbreak. The FMA sets its regulatory and conduct expectations for lenders through guidance, which is complimented by additional guidance provided by the Commerce Commission. While the FMA is tasked with enforcing conduct regulations on financial service providers (including lenders), this oversight is conducted jointly with the Commerce Commission, who typically receive complaints from borrowers and refer these to the FMA for investigation if necessary.

Following the immediate aftermath of the COVID-19 outbreak and the high level of financial distress being experienced by borrowers, the FMA made contact with lenders and provided guidance to lenders regarding supporting vulnerable customers. As part of the FMA's regular supervisory engagement program with lenders (supervised by the FMA) we have continued to reiterate this message.

To your request, we do not have any documents which we believe are relevant to your queries outlined within your OIA request and are therefore refusing your request under s18 (g) of the OIA. We have engaged with the Commerce Commission, who have confirmed they have received an OIA request from you regarding this topic.

Please note that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact jasveet.sandhu@fma.govt.nz or phone +64 4 830 5177.

Ngā Mihi,

A handwritten signature in black ink, appearing to read 'Jasveet Sandhu', with a stylized, cursive script.

Jasveet Sandhu

Senior Legal Counsel, Internal Governance