

19 September 2025

██████████  
By email: ██████████

Dear ██████████

**Official Information Act 1982 Request (OIA) – OIA Request – further information request**

Following our previous OIA response, on 22 August you have made further queries and request for I refer to your OIA request on 22 August 2025 for the following:

“Can I get an explanation of the difference between monitoring/supervision activity and engagement?”

I note the AML/CFT team was able to provide desk-based and onsite monitoring visits, but no other team could – why?

On the FMA’s website there is data for “industry engagements” – 281 between Jan and Mar 2025 and 278 between April and June 2025 – which is much less than the 3,418 appointments reported in the OIA response at Table F. Can you please explain the difference between those?

Can I also get the number of staff in the Response and Enforcement function, and the Regulatory Delivery Function, along with the total agency staff count for June 2025.”

**OIA response**

We have considered your request under the Official Information Act 1982. Please find below our response to your request:

**1 – difference between monitoring/ supervision activity and engagement**

**Monitoring and supervision activities** primarily refer to actions undertaken by the FMA to monitor financial market participants’ compliance with regulatory and legislative requirements.

**Engagement**, as referenced in our previous OIA response, encompasses all forms of interaction between the FMA and external entities or sectors. It does not refer to activities aimed at checking compliance with legislative requirements. Instead, it may include initiatives such as educational presentations, sharing new insights, or meetings with sectors or other agencies for collaborative purposes.

**2- Monitoring visits**

Our understanding of the scope of the previous OIA, following our consultation with you, is that you are seeking broad, general data, regardless of whether it relates to monitoring activities. Our AML/CFT team typically undertakes monitoring as part of its legislative functions, and this team already has the relevant data readily available.

As we have recently received another OIA request about monitoring visits, we have decided to also provide you with this information. Please note:

- We have provided the data in relation to each of the front-line regulatory teams here at the FMA.
- Please note that the Insurance team and Deposit Taking team has not specifically conducted any monitoring reviews during the period you requested.

Please find the following appendices outlining the data for the following types of market participants:

- A- Financial Advice Provider
- B- Investment Management
- C- Audit and Climate-Related Disclosures (CRD)
- D- Financial Reporting
- E- Accredited Bodies, FMIs Market Operators and Licenses Supervisors

### **3 - The difference in industry engagements and number of appointments**

The number of industry engagements published on our website reflects high level strategic engagements between leaders of the FMA and leaders of the firms we regulate.

The number of appointments reflects day to day operational meetings between the FMA, regulated firms and any external parties.

Please note that one engagement may involve multiple FMA staff members. Because the data was drawn from our systems, the recorded number of appointments is likely to appear higher. For example, one engagement may involve multiple FMA staff members' i.e. an entity may have various license types with us requiring specific involvement and commentary. Similarly, a single formal engagement with the industry may involve multiple meetings, which further increases the total number of recorded appointments.

### **4 - the number of staff in the Response and Enforcement function, and the Regulatory Delivery Function, along with the total agency staff count for June 2025**

1. Number of staff in Response & Enforcement = 73
2. Number of staff in Licensing & Conduct Supervision (formerly Regulatory Delivery) = 107
3. Total no. of FMA employees = 330

### **Conclusion**

You have the right to complain to the Ombudsman regarding our assessment of your OIA request, in accordance with section 28 of the Official Information Act. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or phone 0800 802 602.

Yours sincerely



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**Senior Legal Counsel**

## A – Financial Advice

As outlined in the [Information sheet: Monitoring of licensed Financial Advice Providers](#), at the end of a monitoring engagement, we collate our findings and generally communicate the outcome to the entity in the form of a feedback letter, unless it is being referred within the FMA.

In the feedback letter, findings are classified as high, medium, or low priority to indicate their level of seriousness.

Regardless of the priority level, we expect the entity to rectify any issues identified within the stipulated timeframes.

Depending on the priority level, the stipulated timeframes may vary. For example, low-priority findings may allow for a longer resolution period (e.g. up to 12 months), whereas high-priority findings require prompt attention (e.g. within 3 months).

### 1. Number of Feedback Letter issued

	# Feedback letter issued
1 July 2023 - 30 June 2024	<b>43</b>
1 July 2024 - 30 June 2025	<b>18</b>

### 2. Number of Findings

	Priority-High	Priority-Medium	Priority-Low
1 July 2023 - 30 June 2024	<u>54</u>	<u>54</u>	<u>49</u>
1 July 2024 - 30 June 2025	<u>29</u>	14	21

### 3. Number of monitoring visits that resulted in enforcement action being commenced

One matter was referred for further investigation/assessment (to the FMA's Perimeter and Response team).

## B – Investment Management

Monitoring engagements led by the Investment Management team primarily focused on entities holding a Managed Investment Scheme (MIS) licence. A total of 37 monitoring engagements were conducted for this licence type.

This figure includes three rounds of monitoring for default KiwiSaver providers (18 individual engagements), as well as thematic monitoring involving 18 KiwiSaver managers.

A further 10 monitoring engagements were carried out for entities holding a Discretionary Investment Management Service (DIMS) licence.

Total Number of Monitoring's - by time period	
1/7/24 - 30/6/25	20
1/7/23 - 30/6/24	27
<b>Sum Total</b>	<b>47</b>

Total Number of Feedback letters sent - by time period	
1/7/24 - 30/6/25	20
1/7/23 - 30/6/24	12
<b>Sum Total</b>	<b>32</b>

Total Number of Feedback Letter Findings	
<b>Sum Total</b>	<b>159</b>

Total Number of Enforcement Action taken as a result of monitoring	
<b>Sum Total</b>	<b>0</b>

## C – Audit and Climate-Related Disclosures (CRD)

### Audit

As part of our mandate under the Auditor Regulation Act 2011, we monitor auditor's and audit firms on compliance with the Auditing and Assurance Standards. We both review the audit firm's compliance with the quality controls standards, but also a reasonable number of audit files for their compliance with the auditing and assurance standards. Audit firms are not considered financial institutions, but our monitoring plan and findings (as per your request) are further set out publicly in the following documents:

- [Monitoring plan](#)
- [Our annual monitoring findings reports](#)

### CRD

Under Part 7A of the FMA Act we monitor if Climate Reporting Entities (CRE's) timely file climate statements that do comply with the Climate Reporting Standards set out by the External Reporting Board (XRB). We approximately have 180 CRE's. The first year of reporting covers year end dates of 31 December 2023 to 30 December 2024. During 2024 we reviewed 109 sets of Climate Statements of which 52 related to financial institutions.

Please find below our findings from our monitoring in relation to financial institutions:

- Timely filing of the climate statements by financial institutions
  - 5 entities had some technical issues filling their climate statements, but all of them were prepared on time and available on the entities own website, therefore no action was taken against these technical breaches.
- Compliance with the climate reporting standards
  - We did review the total of 52 Climate Statements and issued a total of 5 feedback letters
  - In total we raised 15 individual findings across the 5 feedback letters, which result to an average of 3 findings per letter
  - We did not take any other regulatory action against CRE's in relation to their compliance with part 7A of the FMA Act.

You can find more information publicly regarding our monitoring approach and findings in:

- [Monitoring plan](#)
- [Our trends report of December 2024](#)
- [Our trends report of July 2025](#)

## D – Financial Reporting

Under Part 7 of the FMA Act we monitor if FMC Reporting Entities timely file audited financial statements that do comply with the Accounting Standards set out by the External Reporting Board (XRB). Approximately FMC reporting entities file around 1,200 financial statements, financial institutions are a sub-set of these 1,200 financial statements. For both years these is the monitoring performed on financial institutions.

	Reviewed	Infringement notice issued	Feedback letters/emails	Total findings	License cancelled
Monitoring on filing deadlines 2023/24	All	1	10	10	1
Monitoring financial statement compliance 2023/24	3	0	1	1	0
Monitoring on filing deadlines 2024/25	All	0	9	12	0
Monitoring financial statement compliance 2024/25	14		4	12	
<b>Total</b>	<b>17</b>	<b>1</b>	<b>24</b>	<b>35</b>	<b>1</b>

There were no referrals to the enforcement team.

## E – Accredited Bodies, FMIs Market Operators and Licensed Supervisors

	1 July 2023 to 30 June 2024	1 July 2023 to 30 June 2024	1 July 2024 to 30 June 2025	1 July 2024 to 30 June 2025
<b>Type of entities</b>	<b>Number of feedback letters issued by the FMA following a monitoring review</b>	<b>Number of findings detailed in the feedback letters issued</b>	<b>Number of feedback letters issued by the FMA following a monitoring review</b>	<b>Number of findings detailed in the feedback letters issued</b>
Accredited Bodies	2 published reports	See reports published on the FMA website	2 published reports	See reports published on the <a href="#">FMA website</a> <sup>1</sup>
FMIs	n/a	n/a	FMIs were subject to regular monitoring with observations and feedback provided as appropriate; no formal monitoring visits were undertaken given recent implementation of the FMI regime))	FMIs were subject to regular monitoring with observations and feedback provided as appropriate; no formal monitoring visits were undertaken given recent implementation of the FMI regime))
Market Operators	3 published reports	<a href="#">Reports published on FMA website</a>	5 published reports	<a href="#">Reports published on FMA website</a>
Licensed Supervisors	0	0	4	We made a number of recommendations for improvements. There were no findings of breaches.

There were no referrals to the Enforcement team or Perimeter and Response team.

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<sup>1</sup> For Accredited Bodies, there is a published report and there is an additional feedback letter that sits behind it that gives further detail. Number of feedback letters would equate to number of published reports. The published reports also advise the outcomes/ feedbacks.