

To: [personal information]
Subject: RE: Re: Official Information request regarding complaints made against financial advisers and 'financial product providers' CRM:049600035

On 22/03/2019, at 4:47 PM, [personal information] wrote:

Dear [personal information]

I refer to your email dated 19 February requesting various information regarding complaints made to the FMA, and to your subsequent emails dated 22 February and 18 March clarifying the scope of the request.

Pursuant to section 15 of the Official Information Act 1982, we have decided to grant your request by providing you with the information set out below, which is based on an analysis of contacts recorded as complaints in our system.

Complaints made to the FMA about Authorised Financial Advisers ('AFAs') and Registered Financial Advisers ('RFAs') over the last five years

Source of complaints against financial advisers	2014	2015	2016	2017	2018
AFA or RFA	23	19	15	14	9
Other	32	54	47	50	31
Anonymous	1	3	1		4
Total complaints against financial advisers	56	76	63	64	44

Complaints made to the FMA about providers over the last five years

Source of complaints against providers	2014	2015	2016	2017	2018
AFA or RFA	59	71	50	55	55
Other	725	1014	777	938	873
Anonymous	11	19	12	8	48
Total complaints against providers	795	1104	839	1001	976

Please note:

1. "Complaints against financial advisers" means complaints that are about an AFA or RFA (including those who have been deregistered from the FSFR).
2. "Complaints about providers" means complaints about market participants who are not AFAs or RFAs (again, these figures include complaints made about unregistered providers).
3. The information about the source of each complaint is based on the name provided by the complainant. Where provided, the name has been matched to the FSFR to determine whether the source is an AFA or RFA or 'other'. 'Other' could include members of the public and also staff from the FMA and other agencies.

Main outcome of each complaint received by the FMA between 26 March 2018 and 31 December 2018

Outcome	Number of complaints
Response provided	201
Referred to Dispute Resolution Scheme	108
No misconduct identified	84
Warning	68
No response required	67
No outcome yet – work ongoing	48
Guidance provided	31
Insufficient information	29
Misconduct identified not a priority issue	25
Referred to Commerce Commission	18
Referred to Companies Office	16
Misconduct remedied, follow up recommended	11
Misconduct identified no treatment available	8
FSP deregistered / prevented	6
Misconduct remedied without FMA intervention	6
Referred to overseas regulator	6
Monitoring visit	5
Referred outside of FMA (eg to the Department of Internal Affairs, NZX, Police or the Reserve Bank of New Zealand)	8
Other	2

Please note:

1. Some complaints have multiple outcomes. The table above includes only includes a main outcome for each complaint.
2. The categorisation of “Insufficient information” would not be used where a complaint raised significant concerns. We always follow up on complaints that raise significant concerns, even when the original complaint does not provide us with enough information to determine the appropriate course of action.
3. Similarly, the categorisation of “Misconduct identified no treatment available” would not be used where a complaint raised significant concerns.

Please feel free to contact me again if any of this information is unclear.

Kind regards,

[personal information]

[personal information]

<imageaf401e.GIF>

Publication
Schedule