Submission template

**Exposure draft of updated Credit Contracts and Consumer Finance Regulations 2004 and Responsible Lending Code**

This is the submission template for responding to the Consultation Paper accompanying two exposure drafts on the Credit Contracts and Consumer Finance Regulations 2004 and Chapter Five of the Responsible Lending Code.

The Ministry of Business, Innovation and Employment (MBIE) seeks your comments by **5pm on 19 April 2022**.

Please make your submission as follows:

1. Fill out your name, organisation and contact details in the table: “Your name and organisation”.
2. Fill out your responses to the discussion document questions in the table: “Responses to discussion document questions”. Your submission may respond to any or all of the questions in the discussion document. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.
3. If you would like to make any other comments that are not covered by any of the questions, please provide these in the “Other comments” section.
4. When sending your submission, please:
	1. Delete this first page of instructions.
	2. Note that, except for material that may be defamatory, MBIE intends to upload PDF copies of submissions received to MBIE’s website. MBIE will consider you to have consented to uploading by making a submission, unless you clearly specify otherwise in your submission. If your submission contains any confidential information:
		1. Please state this in the cover page or in the e-mail accompanying your submission, and set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 that you believe apply. MBIE will take such objections into account and will consult with submitters when responding to requests under the Official Information Act 1982.
		2. Indicate this on the front of your submission (eg the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
	3. Note that submissions are subject to the Official Information Act 1982 and may, therefore, be released in part or full. The Privacy Act 2020 also applies.
5. Send your submission as a Microsoft Word document to consumer@mbie.govt.nz.

Please direct any questions that you have in relation to the submissions process to consumer@mbie.govt.nz.

Submission on *Exposure draft of updated Credit Contracts and Consumer Finance Regulations 2004 and Responsible Lending Code*

### Your name and organisation

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation (if applicable)** |  |
| **Contact details** |  |

[Double click on check boxes, then select ‘checked’ if you wish to select any of the following.]

[ ]  The Privacy Act 2020 applies to submissions. Please check the box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

[ ]  MBIE intends to upload submissions received to MBIE’s website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do not want your submission to be placed on our website, please check the box and type an explanation below.

I do not want my submission placed on MBIE’s website because… [Insert text]

### Please check if your submission contains confidential information:

[ ]  I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated below** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

I would like my submission (or identified parts of my submission) to be kept confidential because… [Insert text]

### Responses to questions

|  |  |
| --- | --- |
| 1.
 | Do you agree with the way that the draft Regulations are phrased? If not, what changes would you make? |
|  |  |
|  | Do you agree with the way that the guidance relating to expenses is communicated in the Draft Code? If not, how do you suggest it is improved? |
|  |  |
|  | Are there other practices for estimating expenses that the Code should endorse? |
|  |  |
|  | Is the new wording in the Draft Code on how lenders may apply a reasonable surplus to comply with regulation 4AF(2)(b)(i) relating to changes to expenses clear? If not, how do you suggest it is improved? |
|  |  |
|  | Do you have any other proposals for additional guidance on surpluses? |
|  |  |
|  | Is the updated guidance and examples on ‘obvious’ affordability helpful? If not, how could they be improved? |
|  |  |
|  | Do you have any other proposals for additional guidance and examples for ‘obvious’ affordability? |
|  |  |
|  | Would any of these initial changes require changes to lender systems before they could come into force? If so, what are the likely timeframes for making these changes? |
|  |  |

### Other comments

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| --- | --- |
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