

Spend 'war-chest' on what?

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Or as the Ministry of Business, Innovation and Employment stated in 2015, "striving to acquire market power is what encourages innovation, and firms should not be punished when they achieve it."

We're up against that neoliberal iron cage of statutes, written to cripple the state and tie the hands of regulators. Before the Commerce Act 1986 was passed, the commission had wide powers to prosecute with a good chance of success, and ordinary citizens had common-law rights enforceable in the courts. Since 1986 neither of those applies.

Bayly needs either to replace the Commerce Act with something meaningful, or take a deep breath and make the political decision to go after the profiteers himself – because that's the only way Part 4 of the Commerce Act 1986 allows regulation to happen.

Geoff Bertram, Karori



A correspondent has questioned Andrew Bayly's call to the Commerce Commission to "utilise its legal war-chest", saying "the serious monopolistic profiteering in this country is... legal".

Commentary by Geoff Bertram

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