



OFFICE OF THE DIRECTOR OF
CONSUMER AFFAIRS



annual report 2006

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1. ODCA STRATEGIC OBJECTIVES

- To make consumers more conscious of their rights
- To ensure the fullest possible enforcement of, and compliance with, consumer protection legislation and to contribute to the development of new legislation
- To make business more aware of their obligations to consumers so that they comply with those obligations

Mission Statement

To enforce consumer legislation within our remit and to promote consumer interests.



2. FOREWORD

We are currently at a very exciting time in Ireland in relation to consumer protection. Considerable change is underway following the enactment of the Consumer Protection Act in April 2007 and the subsequent establishment, on a statutory footing, of the new National Consumer Agency (NCA) with effect from 1st May 2007.

The Consumer Protection Act is the most comprehensive reform of consumer legislation in 30 years. It updates and modernises consumer law, provides for significantly greater protection for consumers, with the availability of additional and powerful enforcement options, and also provides for significant penalties for businesses found guilty of offences.

This Report covers the activities of the Office of the Director of Consumer Affairs (ODCA) in 2006. With effect from 1st May 2007, ODCA has been incorporated into the NCA. Prior to the legislation, the NCA had been operating on an interim basis with a small number of contract staff. Management and staff from ODCA had been working closely with the interim Agency over the past year in preparation for the formal establishment of the Agency. ODCA provided invaluable expertise and training to the Agency and also provided considerable assistance in the development of NCA media campaigns and the new NCA website (www.consumerconnect.ie). Over the past 12 months in ODCA, much work has also gone into refocusing the enforcement function to ensure a seamless transition into the NCA.

As Director of Consumer Affairs, my approach to enforcement has been to seek voluntary compliance where appropriate. However I have no hesitation in taking action through the Courts, should the situation warrant it. While the overall level of compliance with consumer legislation is generally quite high, it is disappointing that some traders show little regard for consumers and continue to break the law, thereby requiring the Office to seek convictions in the Courts. Details of the cases taken are set out in Appendix I.

The maximum fines, on summary conviction in the District Court, were substantially increased to €3,000 per count in 2005. By and large, however, the level of fines imposed by the Courts remains low. With the introduction of the Consumer Protection Act, the National Consumer Agency will have a greater range of enforcement powers including the ability to impose fixed payment notices (“on the spot” fines) for certain offences. I am hopeful that, in those cases where it is necessary to take Court action and convictions are obtained, the level of fines imposed by the Courts will reflect the changed legislative environment.

In 2006, ODCA carried out over 7,000 investigations into alleged breaches of consumer legislation (see Appendix II). The majority of these related to proactive activity by the Office with the remainder being follow-up on complaints received from the public.

Looking to the future, enforcement of consumer legislation will continue to be a key priority of the National Consumer Agency. Work is ongoing in developing a risk based approach to dealing with complaints received to ensure that the enforcement potential of the new legislation is used to best effect given the resources available. We will continue to interact with business to ensure that consumer interests are safeguarded by further developing the liaison arrangements in place with key retailers and representative bodies. A corporate website (www.nca.ie) has recently been completed which provides information for business on current and proposed legislation. We are also keen to work with business in developing the potential of Codes of Conduct and redress schemes over the coming years.

For many years, a particular focus for enforcement activity has been in the retail / licensed premises and catering sectors with the majority of on-site visits being conducted in these areas. These sectors will continue to receive attention in the future but on-site inspection activity by Agency enforcement staff will be more risk based.



The Agency particularly welcomes the additional enforcement tools provided in the new legislation, including the option of issuing fixed payment notices for price display offences and the ability to “name and shame” errant businesses – these new enforcement tools will be utilised instead of, or as a prerequisite to, prosecution through the Courts. Some businesses continue to adopt an apparently cavalier approach to consumer legislation and the Agency intends taking a robust approach to enforcement in these cases.

Enforcement activity is also being redirected to provide additional resources to areas where there is considerable consumer detriment (e.g. where consumers lose considerable sums, possibly thousands of euro through scams and unfair and misleading practices). Over the past year, as an example, considerable effort was put into addressing issues arising in the telecommunications sector, in conjunction with the Communications Regulator (ComReg). Work is ongoing in relation to what are considered unfair terms contained in consumer contracts in a variety of sectors and it is hoped that these can be satisfactorily resolved, either through voluntary compliance or through the Courts in the coming months. A particular focus for enforcement in the latter part of 2006 has been in relation to car clocking and this is continuing in 2007 with the publication of a guide for consumers and a targeted enforcement campaign. We are also gearing up for the new legislative environment, which will provide the NCA with the means to address a variety of unfair and misleading commercial practices.

In 2006 the number of calls to the ODCA helpline continued to grow with over 37,000 telephone calls handled, an increase of 8% on 2005 levels. The majority of these callers were looking for additional information with approx. 5% resulting in further investigation by the Office. A further 28,000 calls have been dealt with by the NCA call centre. The level of calls to both helplines clearly shows consumers’ needs for advice and support.

During 2006, ODCA continued to jointly fund the European Consumer Centre (ECC), together with the European Commission. The ECC provides information and assistance to Irish consumers experiencing difficulties abroad and to overseas consumers having difficulties with retailers in Ireland.

The past 12 months have seen change at Director level. Carmel Foley had been Director since the late 1990s and resigned in early 2006 to take up a position on the Garda Síochána Ombudsman Commission. The Director position was filled on an interim basis by the Deputy Director, John Shine, for a six month period. In the meantime, I was appointed Executive Chair of the interim board of the National Consumer Agency in May 2006 and subsequently also took over as Director of Consumer Affairs in August 2006. Following the set-up of the National Consumer Agency on a statutory basis on 1st May 2007, I was appointed as acting Chief Executive of the Agency.

I would like to pay particular tribute to staff of the former ODCA, who have now been seconded to the NCA, and who continue to show great commitment to the enforcement of consumer legislation. They have a vital role to play in enabling the Agency to meet its challenging objectives. I would also like to thank Minister Micheál Martin and the staff of the Department of Enterprise, Trade and Employment for their support during the year.

Ann Fitzgerald

**Director of Consumer Affairs
National Consumer Agency**

31st July 2007



3. CHANGING CONSUMER ENVIRONMENT





3. CHANGING CONSUMER ENVIRONMENT

Reform of Domestic legislation

The Consumer Protection Act completed its passage through the Oireachtas in April 2007. This legislation

- places the National Consumer Agency on a statutory footing
- updates and modernises Irish consumer law
- gives effect to the EU Unfair Commercial Practices Directive.

Since being set up in 1978, ODCA has played a valuable role in protecting consumer interests. ODCA has been an Office of the Department of Enterprise, Trade and Employment and has primarily concentrated on enforcing consumer legislation and providing information to consumers. One of the core recommendations of the Consumer Strategy Group was the need to set up a consumer agency with robust and expanded powers. The Consumer Protection legislation provided for the formal establishment of such an agency - the National Consumer Agency is now an independent State agency with its own Board and Chief Executive. The NCA will be a forceful advocate on behalf of consumers and will represent consumer interests in policy making. It will commission / conduct and publish research on consumer issues. It will also have responsibility for promoting public awareness, conducting information campaigns and educational activities and initiatives. The NCA has also incorporated the enforcement activities of the ODCA.

The aforementioned Consumer Protection Act is the most comprehensive reform of consumer legislation in 30 years. It repeals and replaces 9 statutes, the oldest of which dates back to the 1880s. The legislation contains important statutory protections for consumers by making illegal a wide range of unfair, misleading and aggressive commercial practices. The new legislation also gives the NCA additional and powerful enforcement tools including seeking prohibition orders in the Courts; accepting formal undertakings from traders; issuing compliance notices; imposing fixed payment notices for offences relating to price display and the ability to “name and shame” with the publication of Trader names on a consumer protection list. The Act also has new provisions in relation to Pyramid Selling schemes. In addition, the legislation provides a statutory basis for the Agency to promote / approve codes of practice and empowers the Agency to work closely with sectoral regulators and other State agencies.

ODCA / NCA made proposals on a wide variety of issues for consideration by the Department of Enterprise, Trade and Employment for inclusion in the new Consumer Protection legislation and worked closely with the Department as the legislation was progressing. ODCA / NCA had also been liaising with the Department regarding price display legislation and we are awaiting legislative proposals arising from the subsequent public consultation process undertaken by the Department in Autumn 2006.

National Consumer Agency

The National Consumer Agency had been operating on an interim basis since 2005 and during 2006 was working closely with ODCA in preparing for the new environment. The NCA has put considerable effort into improving the level of public awareness of their consumer rights with the launch of the NCA call centre (Tel : 1890 432 432), media campaigns and a new consumer website (www.consumerconnect.ie). It has represented the consumer voice on a wide range of issues, including property management companies, energy and health insurance.

Unfair Commercial Practices Directive

The EU Unfair Commercial Practices Directive (UCPD) is intended to bring a greater level of harmonisation to consumer protection across the EU. The Consumer Protection Act transposes this Directive and provides new safeguards for consumers against a range of unfair practices.



There is a general prohibition on unfair commercial practices, which is intended to address situations where a trader is not acting in good faith or with the standard of skill and care that could reasonably be expected. This provision can be used to tackle novel commercial practices that are not covered by specific provisions in consumer legislation and practices that are consciously designed by unscrupulous traders to fall outside the scope of such legislation.

There is a prohibition on misleading commercial practices which covers situations where false or misleading information is provided to consumers or where consumers are misled by the omission of material information.

The legislation also prohibits aggressive commercial practices. This covers the use of harassment, coercion or undue influence on consumers including pressure sales tactics and practices that seek to take advantage of vulnerable consumers.

There is also an extensive list of practices that are prohibited in all circumstances including prize promotions where there is either no prize or the consumer must make a payment before claiming a prize; persistent unwanted cold calling; false claims that a trader is about to move premises or cease trading; false claims that a product can cure illnesses etc.

Cross Border Enforcement The EU Regulation on Consumer Protection Co-operation (CPC) came into effect on 29th December 2006. This legislation provides for the sharing of information and cross-border enforcement cooperation between Member States and also empowers enforcement authorities to seek and obtain action from their counterparts across the EU. It gives the NCA the ability to request and receive assistance from enforcement authorities in other Member States in relation to cross-border breaches in a variety of areas, covering 14 EU Directives, including misleading advertising, package holidays, timeshares and distance selling. Equally, NCA is obliged to assist enforcement authorities elsewhere in the EU if similar breaches occur in Ireland. Other enforcement authorities in Ireland, including the Financial Regulator, the Financial Ombudsman and the Broadcasting Commission of Ireland, will have the same powers in relation to their specific areas of responsibility.



4. ENFORCEMENT OF CONSUMER LEGISLATION





4. ENFORCEMENT OF CONSUMER LEGISLATION

Enforcement Policy

The ODCA approach to enforcement of consumer legislation has been to seek voluntary compliance where possible. The Office pursued this goal through a variety of approaches :

- active liaison arrangements with larger retailers, multiples, symbol groups etc,
- working with representative bodies to improve compliance levels,
- raising awareness through specific surveys on levels of compliance,
- providing information on consumer legislation, and
- encouraging and endorsing codes of practice.

In circumstances where voluntary compliance was not forthcoming, the Director had the power to take legal action to enforce compliance. The NCA will continue to pursue an approach of seeking voluntary compliance, where appropriate, but will have no hesitation in using the range of enforcement tools now available should circumstances merit.

Liaison Arrangements

For a number of years ODCA has been developing a network of liaison arrangements with major players in the retail sector and with representative bodies. ODCA staff have regular contact and face to face meetings with designated members of staff in those organisations. This has fostered good working relationships between the Office and business and provides a useful forum for sharing information and addressing any problems that might arise. This in turn has led to the establishment of a better basis for the protection and advancement of consumer interests. By the end of 2006 a total of 25 liaison arrangements were in place and operating effectively.

Increases in Financial Penalties

In July 2005, legislation providing for an increase of the maximum fine up to €3,000 per breach, on summary conviction, in respect of a range of consumer legislation came into effect. Previously some of the maximum fines were as low as €127 / €635. Despite the scope for the imposition of significantly larger fines, the level of financial penalties imposed by the Courts in respect of convictions continues to remain low, in the majority of cases. The Consumer Protection Act now provides for fines of up to €5,000 for repeat offences, on summary conviction.

Consumer Protection legislation

ODCA has had responsibility for enforcement of over 70 pieces of consumer legislation. The enforcement priorities of the Office have been informed by practice and tradition built up over many years (resulting in considerable resources being devoted to the grocery / pub and catering sectors); complaints received and proactive activities of the Office. As indicated in the Foreword, proactive work, with a focus on areas of greater consumer detriment, will be a priority for the NCA in the future, particularly in light of the powers available in the new Consumer Protection Act.

The remainder of this Chapter gives an indication of the main areas of consumer legislation in which ODCA was active during 2006.

1. Consumer Information Act, 1978

The Consumer Information Act, 1978, prohibited the making of false or misleading claims about goods, services or prices. It was one of the primary pieces of legislation enforced by ODCA and the majority of proactive investigations (as distinct from following up on queries from consumers) undertaken by the Office in this area were in respect of misleading price indications and misleading advertising. During 2006, over 900 investigations were carried out. Where it was established that traders had not fully met their obligations, ODCA succeeded in remedying the infringements, without the need for Court action in virtually all cases.

1.1 Misleading price indications

Section 7 of the Consumer Information Act prohibited false or misleading price indications. During the year ODCA investigated 485 reports of false or misleading price indications. Of these, 455 were on foot of complaints made to the Office while 30 were proactively generated by ODCA. The grocery and clothing sectors gave rise to the highest number of complaints. All complaints were investigated and, apart from a small number of cases, it was possible to achieve compliance with the legislation without the need to take



legal action. Five prosecutions were taken during the year. Convictions were secured in respect of 2 cases. Of the three cases struck out by the Courts, two of these were on the basis of payments by the defendants to local charities. A further 2 cases were pending at the end of 2006.

1.2 Misleading advertising

Section 8 of the Consumer Information Act, 1978 prohibited the publication of advertisements that were likely to mislead the public to a material degree. During the year, ODCA investigated 288 instances of alleged misleading advertising. These covered a variety of categories with the majority relating to the telecommunications sector.

1.3 Telecommunications

In 2006 the telecommunications sector was a major source of consumer complaints. The consumer complaints related to fixed line and mobile phone service, internet provision including broadband and also television services. The variety of complaints included:

- non delivery of service within 30 days as required by Distance Selling Regulations and subsequent difficulty in canceling the contract
- terms and conditions not supplied to customers
- problems with switching service providers
- roaming charges
- misleading price indication and misleading advertising for roaming services
- lack of pricing clarity for mobile features
- billing (in excess of package advertised) and charges not clearly broken down, especially on the first bill
- problems with direct debit arrangements, and
- unstated usage limits for certain packages.

Due to the variety and volume of complaints made to ODCA in relation to problems with the telecoms sector, the Office held bilateral meetings with a number of the operators to discuss the requirements of the various pieces of legislation and achieve improved compliance. The Office also had a number of meetings with the Telecommunications Regulator, ComReg, and participated in a conference for the industry in November 2006 attended by representatives of 49 telecoms operators.

2. Merchandise Marks Act 1887

Section 2 of the Merchandise Marks Act 1887, as amended by Section 4 of the Consumer Information Act 1978, made it an offence to apply a false trade description to a product to offer for sale a product to which a false trade description had been applied, and to sell a product to which a false trade description had been applied.

Activities such as the alteration of the odometer of a used car to show a lower mileage reading ("Car Clocking") and the adulteration of drinks ("watering down") are examples of breaches of this legislation. During 2006 ODCA carried out 64 investigations into alleged breaches of this area of legislation.

2.1 Car Clocking

Anecdotal evidence suggests that the occurrence of car clocking of used cars is significant. During 2006 ODCA carried out 50 investigations into possible car clocking. Most of these were on foot of complaints received on the ODCA helpline. A further 48 initial enquiries were made to the ODCA helpline but the complainants did not provide the Office with the required information to facilitate investigation of the complaints. Of the 50 investigations undertaken, 34 could not be pursued, either on the grounds of insufficient evidence, the trader had ceased to operate or the Statute of Limitations had expired (18 months) by the time the complaint had been made to the Office.

One company was successfully prosecuted in October 2006 and a further two cases are pending. Following the successful prosecution, the Director withdrew the trader's authorisation to act as a Credit Intermediary.



Initiative on Car Clocking

In light of the considerable consumer detriment involved for those consumers unfortunate enough to have bought a clocked car, the apparent widespread nature of this practice and the past difficulties experienced by the Office in progressing investigations, an in-house working group was set up in late 2006 to address how best this issue could be tackled.

A number of initiatives are now underway including the publication of a booklet (“A Guide to Buying a Car”) containing practical guidance for consumers when buying a used car – this can be downloaded from the NCA website (www.consumerconnect.ie) or copies can be obtained by calling the NCA lo-call number 1890 432 432. We are particularly anxious to hear from anyone who has bought or been offered a clocked car or who has information that might be of assistance. There has been a significant increase in complaints and queries to the Office in recent months and these cases are either being directly followed up by the Office or passed on to the Gardai, where appropriate. Following a review of all cases investigated by the Office since 2001, a number of issues have been identified which are now being progressed with key stakeholders and relevant Government Departments (including the Gardai, Revenue Commissioners / Customs authorities, Vehicle Registration Unit Dept of Environment Heritage and Local Government, the British and Northern Ireland Trading Standards Offices and SIMI). A targeted enforcement campaign, informed by intelligence gathered from complaints and arising from previous investigative activity, is also underway.

2.2 Adulteration of spirits

Section 2 of the Merchandise Marks Act, 1887, as amended by the Consumer Information Act, 1978, prohibits the sale of goods to which false trade descriptions have been applied. Fourteen complaints were received in 2006 regarding the alleged adulteration or “watering down” of spirits i.e. the drinks may not have contained the stated percentage of alcohol. Investigations involved taking a sample of the alcohol in question and submitting it to the State Laboratory for analysis. None of the samples tested in 2006 indicated adulteration. Two investigations were not finalized at year-end.

3. Unfair Terms in Consumer Contracts

Under the Unfair Terms in Consumer Contracts Regulations, 1995, the Director of Consumer Affairs is empowered to investigate the terms and conditions of consumer contracts and to apply for a High Court Order prohibiting the use, or the continued use, of any term adjudged by that Court to be unfair. During the year, ODCA investigated 35 complaints including alleged unfair clauses in housing and telecommunications contracts. On investigation, it was found that in most cases the contracts did not breach the Regulations but, where a clear breach was found, the terms were amended or withdrawn by the businesses in question.

In relation to building contracts the ODCA obtained a High Court Order in 2001 deeming 15 terms in the standard house building contract as being unfair. In 2006 ODCA agreed an arrangement with the Law Society of Ireland allowing building contracts in breach of the 2001 High Court Order to be referred to their Complaints and Client Relations Committee for possible disciplinary measures against the solicitors involved. No referrals were made in 2006 as contracts deemed to contain unfair terms were amended by the solicitors involved following intervention by ODCA.

Work is ongoing in relation to what are considered as unfair terms in the leisure industry and in the telecoms sector (in relation to certain packages offering “unlimited usage”).



4. Product Pricing legislation

4.1 Product Prices Regulations

The European Communities (Requirement to Indicate Product Prices) Regulations, 2002, apply to all goods including groceries and household items and require retailers to provide clear and unambiguous information regarding the selling price of a product. A unit price (price per standard unit of measure) is also required where goods are sold by quantity. These provisions allow consumers to make accurate price comparisons between competing products. The Regulations apply to all traders whether they are selling in a shop or supermarket, by mail-order catalogue or over the Internet.

In the course of enforcement of the legislation over the past number of years, ODCA identified aspects of the legislation which, if amended, might remove certain ambiguities and improve consumer protection and made proposals along these lines to the Department of Enterprise Trade and Employment. These were subsequently incorporated into a consultation document published by the Department in October 2006 seeking stakeholders' views on proposed amendments to the Regulations.

During 2006, ODCA maintained its twin track approach to enforcing the Product Prices Regulations by:

- assisting traders in understanding the Product Prices Regulations in order to facilitate compliance with requirements, and
- monitoring and enforcing compliance with the legislation.

ODCA carried out monthly surveys to determine the degree of compliance with the legislation. Approximately 120 premises were visited each month and 450 products surveyed. In addition, ODCA carried out targeted surveys into the compliance of certain specific sectors - pharmacies, gift shops, electrical goods retailers, jewellery shops and greeting cards shops. The results of these surveys are summarized in section 4.3.

Where voluntary compliance was not forthcoming from retailers, the Director initiated legal proceedings and, in the course of the year, 19 retailers were successfully prosecuted for breaches of the Regulations. One case was dropped on condition that the business made a contribution to charity. A further 4 cases were pending at year-end.

4.2 Price Display

Orders made under the Prices Acts, 1958 to 1972 deal with the manner in which prices and charges for commodities and services must be displayed in premises such as (i) pubs, (ii) hotels and restaurants, (iii) petrol retail outlets and (iv) hairdressers. It is an offence to sell a commodity at a retail price greater than that shown in the display. In 2006, ODCA investigated 5 complaints from consumers in relation to overcharging. The Office also carried out a number of surveys into the level of compliance with the Orders (see section 4.3).

(i) Drinks Price Display

The Retail Prices (Beverages in Licensed Premises) Display Order, 1999, requires that licensed premises display price lists. The purpose of the Order is to make consumers aware of drink prices and to promote competitiveness. During the year, ODCA investigated 78 reports of alleged non-compliance with the provisions of the Order. ODCA also proactively investigated 863 licensed premises. Three surveys were undertaken during the year; in March (to coincide with a 6 nations rugby match in Lansdowne Road); July / September (part of a Government initiative to discourage business from raising prices during the Ryder Cup) and November (carried out in the Dublin 2 area). Where voluntary compliance was not forthcoming, the Director initiated legal proceedings (see section 4.3).



Sixteen licensed premises were fined for breaches of the Order during 2006. Of these, eight were convicted in December 2005 but the decision relating to the imposition of fines was deferred until January 2006. A further three prosecutions initiated during 2006 were pending at the end of the year.

(ii) Catering Price Display

The Retail Prices (Food in Catering Establishments) Display Order, 1984, requires that all businesses offering food for consumption on the premises must display a comprehensive price list at the entrance to the establishment. During the year, ODCA investigated 54 complaints of alleged breaches of this Order. Where infringements or partial omissions to the comprehensive list were identified these were immediately rectified. A total of 410 proactive investigations were undertaken, of which 103 were in the context of the aforementioned surveys undertaken in July / September and November 2006 (see section 4.3).

(iii) Tax Inclusive Prices and Charges

The Prices and Charges (Tax-Inclusive Statements) Order, 1973 requires that the retail price of all goods or services intended for sale to the public must be shown as tax-inclusive. During 2006, ODCA investigated 48 cases under this Order. The traders involved accepted that they had overlooked the requirement and are now compliant

Legal profession

ODCA became aware that a small number of solicitors were advertising fixed price conveyancing packages, exclusive of VAT. This is a breach of the order. In addition to achieving voluntary compliance in relation to the individual complaints, the Office also contacted the Law Society of Ireland to alert them to the need for their members to comply with the Tax Inclusive legislation. The Law Society brought the matter to the attention of their members in an article in the July edition of the Law Society Gazette.

4.3 Price Surveys

In May 2006, ODCA conducted a survey of advertising practices in grocery Symbol Groups in relation to "special offers". In particular ODCA wished to determine whether such offers were available across all franchisee shops operating within the Group.

(i) Advertising practices in Symbol Groups

Five Symbol Groups were surveyed. In the case of each Symbol Group a high level of compliance with the legislation was established and ODCA concluded that each Symbol Group had adequate procedures in place to monitor such promotions.

(ii) Souvenir and Gift Shops

In advance of the 2006 tourist season, ODCA surveyed souvenir and gift shops to establish if they were:

- displaying the prices of products as required by the Product Prices Regulations,
- and not charging prices higher than the displayed price (Section 7 of the Consumer Information Act, 1978).

The findings of the survey are summarised in the table below.

Location	Number of shops surveyed	Number of shops fully compliant	Percentage compliance
Gift Shops in Dublin	41	38	98%
Gift Shops outside Dublin	63	55	87%
Total	104	93	89.4%

Following revisits by ODCA, inspectors found that all shops, apart from one premises which subsequently closed, were fully compliant.



(iii) Survey of Electrical Stores- Product Prices & WEEE Regulations

The Waste Electrical and Electronic Equipment Regulations (WEEE) came into force in August 2005 and are enforced by the Environmental Protection Agency (EPA). The Product Prices Regulations require that the full and final price in Euro of all products should be shown.

In January 2006, in cooperation with the Environmental Protection Agency, ODCA carried out a survey, to establish the level of compliance by electrical sales outlets with both the Product Prices and the WEEE Regulations.

During the initial survey 223 premises were visited and over 1100 items were examined. The survey found that 69% of premises were fully compliant with the Product Prices Regulations and 43% were in compliance with the WEEE Regulations. In follow up visits, the levels of compliance rose to 93% and 96% respectively.

As part of the project, ODCA inspectors advised retailers of the requirements of both pieces of legislation and provided leaflets to each trader, outlining the requirements of both the Product Prices Regulations and the WEEE Regulations.

(iv) Jewellers

During January/February 2006, the Office carried out a survey of the retail jewellery sector to establish the level of compliance with the Product Pricing requirements.

Of the 108 premises surveyed, 64% were found to be compliant. 87% of all items surveyed were found to be compliant with the legislation. Among the issues identified for the relatively low level of compliance at store level were issues relating to presentation and visibility of the products and concerns related to security and insurance liabilities. Shops were concerned that displaying the prices of high value items in shop windows could encourage “break ins” with consequent higher insurance premium costs and these issues were subsequently discussed at a meeting with the Retail Jewellers of Ireland (RJI), where ODCA suggested that their security concerns should be raised with the Department of Enterprise Trade and Employment in the context of the review of the Product Pricing Regulations.

(v) Pharmacies

In May 2006, ODCA carried out a survey of the pharmacy sector. One hundred pharmacies were visited nationwide and 1,000 items were examined. The survey found that pharmacies were virtually fully compliant with the price display requirements. There were certain problems with the issue of price accessibility for cosmetics and fragrances.

During the course of the survey ODCA inspectors provided assistance and information to pharmacy owners. This included suggestions on how to provide clear price display information without adversely impacting on the presentation of the products. As part of the exercise ODCA met the Irish Pharmaceutical Union (IPU) to discuss the findings of the survey. IPU undertook to raise awareness of pharmacists to the need for accessible and clearly visible price display.

(vi) Greeting Card retailers

In run up to the Valentine’s Day 2006 greeting card sales campaign, ODCA surveyed 123 premises and found that 25% of the outlets were not displaying prices in respect of all greeting cards. In excess of 1000 cards were checked in the course of the survey. The Product Prices Regulations require that the prices of greeting cards should be displayed. Most cards are priced by reference to a code number with a chart adjacent to card stands indicating the prices that equate to each code number. Following ODCA intervention, 95% of sales outlets were subsequently fully compliant.



(vii) Lansdowne Road survey – Drinks Price Display

In March 2006, on the occasion of the Ireland/Scotland international rugby match, ODCA conducted a survey to establish if licensed premises in the vicinity of Lansdowne Road were in compliance with the Drinks Display Order 1999. Of the 13 premises surveyed all were found to be compliant with the legislation.

(viii) Ryder Cup Survey - Drinks & Catering Prices Display

In the run up to the Ryder Cup, 46 licensed premises and 56 catering establishments in the area were surveyed in late July with follow up visits in mid September to ascertain the level of compliance with Display Orders. This initiative was undertaken as part of the Government drive to ensure that visitors to the Ryder Cup would not be exploited.

The July survey established that just 50% of licensed premises were fully compliant with the price display legislation while 80% of catering establishments displayed their price lists. At the end of July the Director wrote to the various representative bodies warning them that any non compliant premises found in the follow up survey would be prosecuted. A significant improvement in compliance levels was recorded in the follow up visits undertaken in September - 100% compliance in respect of the catering establishments and 93% in respect of pubs. Two prosecutions were pending at end 2006 arising from this survey.

(viii) Price Display Survey in Dublin 2 area - various price display legislation

In November 2006, ODCA surveyed over 150 business premises in the Harcourt St. / Camden St. and surrounding areas to establish the level of traders' compliance with the requirements of consumer legislation on price display / product pricing. Compliance levels by the different types of business premises ranged from 68% to 100%, depending on the legislation involved.

Product Prices Regulations

Of the 97 stores surveyed, 30 were technically non - compliant. However, in terms of price display of individual products it was found that 83% of the 1020 items surveyed, were compliant with the requirements of the Regulations.

Drinks Display Order

A total of 31 licensed premises were visited. Of these, 25 were compliant with the requirements. Five premises did not display price lists. One premises omitted to include the higher prices being charged for late night drinking.

Catering Display Order

Catering establishments, (where food is provided for consumption on the premises), must display a list of the prices of all beverages and food items. This list must be displayed outside the entrance to the catering area, so that customers will be aware of the prices before entering the establishment. The survey found that out of the 47 premises visited 43 were compliant. The four premises which did not have price lists did show prices on their menus.

Hairdressing Display Order

The survey found that the four salons surveyed displayed the required price lists.

Follow up

Any premises found to be non- compliant in the course of the survey was subsequently re-visited and found to be compliant.

5. eCommerce and Distance Selling

As online purchasing is becoming more prevalent, the legislation governing electronic commerce and distance selling is becoming increasingly relevant to Irish consumers. The ODCA enforces this legislation through proactive work as well as dealing with consumer complaints.



Website Survey

In November 2006 ODCA carried out a survey to check compliance with eCommerce and Distance Selling Regulations by Irish web-traders. The survey was designed to:

- establish compliance levels with all relevant Regulations,
- examine traders' procedures in relation to payment,
- check delivery terms, and
- investigate cancellation and returns policies.

ODCA examined websites to review the content of the sites and also purchased and returned items. Of the nine websites surveyed, five had breaches of the eCommerce requirements as the trader VAT number was not displayed.

Under EC (Protection of Consumers in Respect of Contracts Made by Means of Distance Communication) Regulations, 2001 a consumer has the right to cancel an order and receive a full refund, within seven working days of receipt, known as the "cooling off" period. Of the nine orders made, in seven cases the goods were received, subsequently returned and a refund was agreed; in one case there was a problem with the site so the order had to be cancelled; in the remaining case, the item was unavailable so a substitute item was provided as allowed under the Regulations.

Car Rental Websites

The ODCA received a number of complaints from consumers stating that online booking procedures were misleading in regard to pricing and services provided. The complaints included incomplete terms and conditions on websites, additional charges at point of collection and lack of clarity in relation to insurance cover. In particular the information on some sites led consumers to believe that Collision Damage Waiver (CDW) covered them for any damage to vehicles and accessories. It was not clear that there were significant exclusions, namely glass and tyres. In all instances where breaches were found, websites were amended following ODCA intervention.

6. Fraud / Scams Awareness

In September the ODCA met with the Car Rental Council to discuss the issues raised by consumer complaints. The Car Rental Council undertook to ensure that all members' websites would display all compulsory charges on the website main page as opposed to in other areas of the website, ensuring that the consumer would be fully aware of all compulsory charges and be able to make an informed choice. They further undertook to examine definitions on websites to ensure that they were as clear and comprehensive as possible, in particular in relation to CDW and other insurance matters.

The ODCA is a member of ICPEN, International Consumer Protection and Enforcement Network, a multinational forum of national consumer enforcement agencies set up with a view to cooperating to thwart international scams. As part of an annual international scam awareness effort, ODCA launched an awareness campaign on 1st April, April Fools Day. Posters and leaflets were widely distributed to Garda stations, libraries, Citizen Information Centres, post offices, health centres and information and advice was put on the ODCA website. In addition, staff from the Office participated in a seminar in Armagh, organised by colleagues in the Northern Ireland Trading Standards Service and the Office for Fair Trading in London.

The vast majority of the population has been targetted by a scam in one form or another, whether by e-mail, over the telephone, through the mail or by door to door callers. Appendix III contains a small sample of the variety of scams that are out there.



7. Travel and the consumer

While we have seen a large number of consumers beginning to make their own travel arrangements and putting together their own holidays, pre-arranged packages are still popular. During 2006, ODCA received 665 consumer queries / complaints in relation to the Package Holidays and Travel Trade Act, 1995, which is designed to provide protection to consumers taking package holidays both at home and abroad.

The majority of complaints received by the ODCA related to deficiencies in the fulfilment of individual contracts and did not constitute breaches of consumer law. These are civil law issues which the consumers must resolve directly with the travel agent or tour operator and ODCA has no enforcement role. In such cases, the ODCA will advise consumers of their rights including the possibility of using the Small Claims Court.

Where the complaint involves a possible breach of the Package Holidays and Travel Trade Act and warrants investigation, the ODCA contacts the relevant tour operator or travel agent. With the majority of issues raised with travel agents and tour operators during 2006, the ODCA received satisfactory responses resulting in prompt resolution of problems, without recourse to prosecution. In 17 cases, tour operators and travel agents made amendments to brochures and updates to websites, which resulted in clearer information being provided to consumers.

The travel industry is a very competitive business with tour operators offering cut-price packages and special offers. The ODCA advises consumers looking to book a package holiday to shop around, to make sure that they compare like with like and that they always look at the final prices payable. Another point for consumers to remember when they are booking a package holiday is to make sure that they read and keep in their possession a copy of their booking conditions. Consumers are bound by these conditions and they contain important information on issues such as how to make a complaint should things go wrong while the consumer is on holidays. If consumers do not follow procedures, as set out in the booking conditions, they may not be able to pursue their case against the operator.

We have seen a significant increase in the number of people using the internet to book package holidays with tour operators and travel agents. This move mirrors the general trend of people conducting more and more transactions on-line. The Package Holidays and Travel Trade Act applies to all package holidays, whether booked on-line or in person with a travel agent or tour operator, and the ODCA advice on shopping around and retaining a copy of the company's booking conditions is relevant no matter how the consumer makes their booking.

With the growth of low-cost airlines and accommodation booking engines, consumers are increasingly likely to make their own arrangements and put together their own holidays. Consumers research the best deals available, may be flexible in when and where they travel and are booking flights and accommodation separately. Consumers who do this should be aware that, because of the tight definition of package holidays in the Act, these holidays fall outside the protection of the Act. The year 2006 continued to see a significant number of queries from consumers who have used the internet to put their own holidays together.

ODCA investigated 110 cases relating to on-line flight purchases under eCommerce, distance selling and consumer information legislation. ODCA intervention ensured that any problems encountered were quickly rectified, with websites updated to more accurately reflect companies' terms and conditions and clearer information being provided to consumers.



8. Food labelling

The European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002, as amended, require that certain information be given on the labels of pre-packaged foods. This information includes the name of the food; a list of ingredients and, in certain circumstances, their quantity; date of minimum durability; net weight and particulars of the place of origin where failure to give such particulars might mislead to a material degree. ODCA is one of a number of organisations that acts as an agency of the Food Safety Authority of Ireland (FSAI) for the purposes of food labeling legislation.

Food labelling surveys

Two surveys were carried out in 2006 under the Food Labelling Regulations to establish whether their labelling was in compliance with the Regulations. The first survey was in relation to the labelling of food products that contain meat as an ingredient - amended Regulations require that from 2003 the species from which the meat came be indicated in the list of ingredients e.g. 'pork' or 'beef'. The word meat, on its own, is no longer enough. Inspections of soups, pasta dishes, rice dishes, curries, sausages, quiches etc. were carried out in retail outlets countrywide, ranging from small delicatessens to large supermarkets.

The inspections showed that out of the 182 products examined, there was 100% compliance. However, while checking for this requirement, ODCA Inspectors also examined each product for the other mandatory information under the Regulations and five products were found to have other breaches. All five non-compliant labels were amended following ODCA intervention, without recourse to prosecution.

The second survey concentrated on the Quantitative Ingredient Declaration (QUID) requirement, as ODCA found in previous surveys that this is one of the most common food labelling breaches. This requirement refers to circumstances where it is necessary to state on the label the quantity, in percentage terms, of an ingredient e.g. when the ingredient is referred to in the name of the product or pictured on it.

Again inspections were carried across a range of retail outlets countrywide. The 175 products surveyed included bakery and delicatessen products, fish products, jams, sauces and marinades and, of these, 21 products were in breach of the QUID requirements. Labels were subsequently amended so that 16 of these products became compliant and written undertakings were received that the remaining labels will be amended.



5. PRODUCT SAFETY





5. PRODUCT SAFETY

ODCA is responsible for market surveillance in respect of the EU Directives relating to the safety of:

- toys;
- personal protective equipment in the leisure and consumer sectors (items like bicycle helmets, life jackets, components designed to be used in protective equipment such as filters in masks etc);
- gas burning appliances (e.g. cookers, heaters, patio heaters, gas BBQs); and
- low voltage electrical equipment (in practice, nearly all electrical devices found in the home and office).

ODCA is also responsible for the provisions of the EU General Product Safety Directive (GPSD). This Directive encompasses all non-food products and came into effect on 15 January 2004. It has put the onus on operators (whether manufacturers, distributors, wholesalers or retailers) to place only safe products on the market. In the event that a product placed on the market was subsequently found to present a hazard to consumer safety, the operator must take appropriate action, which may include a possible withdrawal / recall of the product from the market. Measures of this nature must be notified to the Competent Authority in the relevant EU Member State. The Competent Authority notifies the European Commission who, in turn, notifies the relevant Competent Authorities in other Member States of the action.

In 2006, ODCA carried out in excess of 200 investigations relating to products that may pose a safety risk. These investigations arose from complaints from the public, industry, or from European enforcement agencies as well as proactive initiatives by ODCA.

RAPEX

The system for notifying EU authorities is known as the Rapid Exchange of Information System (RAPEX). RAPEX is designed to allow information on products deemed to pose a hazard to consumers to be transmitted between market surveillance authorities across Europe. These notifications arise either through the actions of market surveillance authorities or as a result of voluntary withdrawals / recalls by producers.

The European Commission from its analyses of the RAPEX system over the past few years has established that approx. 50% of hazardous products notified by Member States relate to imports from China. The Commission, with the co-operation of Member States, has held discussions with the Chinese Authorities with a view to their taking action to improve the safety of products being exported into the EU.

Notifications received from across the EU

The ODCA (and now the NCA) is the Irish contact point for RAPEX. ODCA disseminates the information received via the RAPEX system through a wide circle of contacts in industry and the trade. As required by the aforementioned General Product Safety Directive (GPSD), all operators (manufacturers, distributors, wholesalers, traders) are required to advise ODCA if they are aware that any of the products notified under the RAPEX system have been placed on the Irish market.

The coming into effect of the General Product Safety Directive in 2004, increased awareness of product safety issues and EU enlargement have all contributed to the dramatic increase in the number of RAPEX notifications made in recent years. Between 2005 and 2006 notifications increased by a further 25%.

Year	Notifications received
2003	139
2004	468
2005	847
2006	1051



Of the 1051 notifications in 2006, 924 related to products considered as presenting a serious risk – the remainder of the notifications were either for products of moderate risk or for information purposes only. The majority (over 85%) of the RAPEX notifications in 2006 related to products not on sale on the Irish market.

Notifications / product recalls initiated in Ireland:

Under the General Product Safety Directive (GPSD), businesses operating in Ireland who recall products from the market on safety grounds are required to inform the ODCA (and now the NCA). ODCA / NCA has powers to prosecute if this obligation is not fulfilled. ODCA / NCA can also direct that a recall be undertaken where it is felt that a product poses a danger to consumers. In 2006, ODCA issued 21 notifications via the RAPEX system relating to recalls (details at Appendix IV). It is worth pointing out that Irish business takes a very responsible approach to product safety and that all recalls notified in 2006 were made on foot of voluntary initiatives by business.

Two notifications were on foot of market surveillance initiatives taken by Environmental Health Officers and related to cosmetics creams containing a banned skin lightening product which could cause skin irritation. These two creams were voluntarily recalled following intervention from the Environmental Health Officers. ODCA issued a further 19 notifications, relating to voluntary recalls by Irish companies. In a number of cases, ODCA liaised with and advised companies regarding the proper conduct of a recall. These recalls notified to the ODCA covered a wide variety of products including candles, motor vehicles, battery packs for notebook-style personal computers, deckchairs, kettles, hair straighteners, lights and a children's swing set. Further details of the various RAPEX notifications are available on the European Commission website at http://ec.europa.eu/consumers/dyna/rapex/rapex_archives_en.cfm

Other Developments in relation to Product Safety

Among the product safety initiatives pursued during 2006 were the following :

- Commission Decision on disposable and novelty cigarette lighters
- A new standard on the safety of children's clothing
- The development of a safety standard for helmets for hurling and camogie players
- Concerns raised about Microbikes and Miniquads

Commission Decision on Cigarette Lighters

The European Commission Decision (2006/502/EC) of 11 May 2006 required Member States to take action on Disposable and Novelty Lighters, as follows :

- to ensure that only lighters which are child-resistant are placed on the market, and
- to prohibit the placing on the market of novelty and child appealing lighters.

In arriving at its Decision, the Commission took into account the inherent hazards which these products present including :

- the risk of misuse by children which could result in fires, injuries and deaths and
- the volume of lighters placed on the market, and the seriousness of the risk posed by lighters to children's safety if used as possible play items.

The requirements of the Commission Decision came into effect on the 12th March 2007. The transitional period was to allow time for Member States to take appropriate measures to implement the requirements of the Commission Decision. As of 12th March 2007 Member States are required to ensure that only lighters which are child resistant may be placed on the market and to prohibit the placing of novelty lighters on the market.



ODCA / NCA has responsibility for implementing the Commission Decision in Ireland. To date, action by the Office includes the following :

- letters to representative bodies whose members may be involved in importing, distributing or retailing the lighters,
- notification of the ban to various trade magazines,
- notice placed on the ODCA website,
- notifications have been issued to the various bodies with whom the ODCA has set up a liaison arrangement,
- dissemination of information to retail outlets via the ODCA inspectorate in the course of their regular enforcement and surveillance duties, and
- publication of the Commission Decision in Iris Oifigiúil on 19 December 2006 (page 1294 accessible at <http://www.irisoifigiuil.ie/>).

Safety of Children's Clothing – New Standard on Cords and Drawstrings on Children's Clothing

In the 2002 Annual Report, the then Director mentioned that at her request the European Commission had asked the European Standards Body CEN, (which comprises representatives from the various European Standardisation Bodies), to develop an appropriate standard in respect of children's clothing. In November 2004 a standard for cords and drawstrings on children's clothing - EN 14682:2004 was adopted. The National Standards Authority Ireland (NSAI) formally adopted the European Standard as an Irish Standard I.S. EN 14682:2005 in March 2005.

The CEN committee, which developed the standard, agreed that there should be an 18 month transition period between the date of the publication and implementation of the standard by Member States. This period was intended to allow manufacturers to develop and produce garments that conform to the new standard and also to allow the supply chain, from manufacturer through to the consumer, to be cleared of non-conforming garments.

The new standard came into effect in Ireland in September 2006. From that date, children's outerwear which does not conform to the standard would be regarded as failing the safety requirements of the General Product Safety Directive (GPSD). In the Spring of 2006, the clothing and retail sectors through their representative bodies were given advance warning of the coming into effect of the new standard.

Standard on Safety of Hurling and Camogie Helmets

In the 2004 Annual Report, the Director mentioned that she had raised concerns with the National Standards Authority of Ireland (NSAI) and the GAA at the lack of a standard for hurling helmets. The need for a standard became more urgent in the wake of the GAA decision requiring all hurlers below senior level to wear helmets. Following on the Director's representations, the NSAI set up a working group, which included a representative from ODCA to develop an appropriate standard.

In February 2006 a standard for hurling helmets was developed and adopted at the GAA Spring Conference. In October 2006 the standard was formally launched by the Minister for Trade and Commerce. As and from 1 May 2006, the GAA requires that any player under 21 years and camogie players under 18 years must wear an approved helmet with facial protection in all games and training.

Microbikes and Miniquads

In the 2005 Annual Report, the Director outlined the action taken by ODCA in relation to these products under the powers of the General Product Safety Directive. The Director publicly raised concerns about the risks of these bikes both to children, pedestrians and other road users. ODCA contacted the retail outlets seeking undertakings that appropriate warnings and safety information would be provided to consumers. One retailer had discontinued selling the microbikes due to safety concerns. Fifteen retailers responded with voluntary undertakings in response to the Director's request. As it is an offence under Section 30 of the Road Traffic Act 2004 to supply a mechanically propelled vehicle to persons under the age of 16, the Director supplied details of the survey to the Garda National Traffic Bureau, who in turn passed the information to the relevant Garda Divisions for attention.



In 2006 the European Commission classified minibikes as “machines”. As such they came under the scope of the Machinery Directive and are now the responsibility of the Health and Safety Authority (HSA). In November 2006, ODCA and HSA issued a joint press statement, again warning the public of the potential risks associated with these items. Similar type actions were taken by a number of other Member States.



6. CONSUMER CREDIT





6. CONSUMER CREDIT

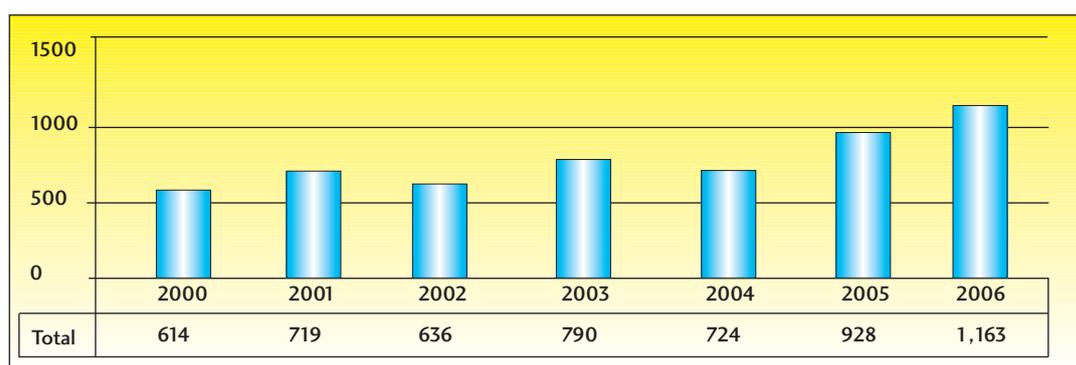
Credit Intermediaries

Under the Consumer Credit Act, 1995 (as amended) all credit intermediaries are required to be authorised by the ODCA (and by NCA following enactment of the Consumer Protection Act) in order to provide credit facilities to the public. Credit intermediaries are persons who, in the course of their business, arrange credit for consumers in return for a payment or consideration of any kind. The majority of credit intermediaries are engaged in the motor trade with a minority engaged in other retail trades, notably the furniture and electrical trades.

Credit intermediaries are required to display their authorisations publicly in a prominent position in the premises where they run their business and, before any agreement with a consumer is signed, must give the consumer written details of the agreement and of the financial institution on whose behalf they act. They must also inform the consumer that they are paid for their services. Consumers are advised to deal only with authorised credit intermediaries.

ODCA received 1163 applications for credit intermediary authorisations in 2006 compared to 928 in 2005, an increase of 235 (approx. 25%). This follows a previous increase in applications of 204 (28%) on the 724 applications received in 2004. These figures indicate the buoyant nature of the sector and also reflect the efforts of ODCA in following up on all traders who claim to provide credit facilities to ensure that they are compliant with the law.

Surveys



Three surveys were undertaken by the Office in 2006 to determine the extent of compliance with the legislation.

The first survey was of those traders who had an authorisation in 2005 and had not re-applied by March 2006. Each of the ninety-one traders who had not re-applied were visited and in sixty-one cases an application was subsequently received and an authorisation issued. The remaining thirty had ceased to trade as credit intermediaries i.e. had retired, gone out of business or lost dealerships.

The second survey was of traders using a particular website which gives details of vehicles for sale by trader and by county. This site had 31,000 second-hand cars for sale through 758 dealers and included a hire purchase calculator for determining the monthly repayments for the vehicles, thereby suggesting that the dealers listed were offering credit or facilities to obtain credit. Those dealers on the website who were already authorised to act as credit intermediaries were excluded and this left a list of 151 dealers who were not. ODCA inspectors visited each of these and it was found that 64 dealers did not arrange finance, a further 60 applied for authorisations (the majority of whom received authorisations during the year), 20 dealers were using agents to arrange their finance and were so exempt and a final 7 dealers had ceased business.

The third survey carried out in 2006 examined national and regional newspapers for advertisements for products for which credit facilities were available. A total of 68 newspapers and 391 advertisements were investigated with the following results:



- 327 of the advertisements were found to be from authorised credit intermediaries and the advertisements were in compliance with the advertising provisions of the Consumer Credit Act, 1995 (as amended) (Sections 20/21).
- 57 of the advertisements were found to be from authorised credit intermediaries but were not in compliance with the Act. Each of these was contacted and, following corrective action, no further measures were taken by this Office.
- 7 of the advertisements were from dealers (6 in the motor industry and 1 in the furniture industry) who were offering credit without holding a valid authorisation. Each of the dealers was pursued and all subsequently applied for, and were granted, credit intermediary authorisations.

The Irish Finance Houses Association was advised of the findings of the surveys. They confirmed that, as agreed previously with the Director of Consumer Affairs, no commission would be paid by their members to unauthorised intermediaries. It has been noted that applications are now arriving in a more timely fashion and that there has been an increase in requests by intermediaries to expedite authorisations.

Public Register

The NCA maintains a register of all those who are authorised to engage in the business of being credit intermediaries. The register may be inspected by members of the public at our offices or alternatively it can be accessed via the NCA website (www.consumerconnect.ie). Consumers organising credit through intermediaries are advised to consult this public register to ensure that the intermediary concerned is properly authorised.

Pawnbrokers

The Director is also responsible for issuing pawnbroker licences. Five licences were issued to pawnbrokers in 2006. Two licences were being processed at year end. Officers of the ODCA visited the premises of the licence holders in the course of the year to ensure that they were operating within the terms and conditions of their licences.

Prosecutions

There were no prosecutions taken in this area during 2006. However, Suburban Autos Limited was convicted of an offence under section 2(2) of the Merchandise Marks Act 1887 in Dublin District Court on the 3rd October 2006 and their authorisation was subsequently revoked.

Receipts from applications for Licences / Authorisation

A net total of €680,835 was received by ODCA in 2006, in respect of applications under the Consumer Credit Act, 1995 (details at Appendix V).



7. COMMUNICATIONS





7. COMMUNICATIONS

ODCA helpline

During 2006, ODCA dealt with 37,228 telephone calls received on the helpline on a wide variety of issues. In addition, a further 5,914 queries and requests for information were received by post, email and from callers to the Office. The total number of queries received at 43,142 (see table) was an increase of 4,141 (10.6%) on volumes handled in 2005.

The majority of contacts (approx. 95%) were seeking advice and information, with the remaining 5% having a complaint which suggested a possible breach of consumer legislation and which necessitated follow-up or investigation by ODCA.

The ODCA website received 95,677 visits during 2006, an increase of over 10% on the previous year.



Breakdown of the queries/complaints received by category

Motor Vehicles	5203	Home Improvements/Repairs	1338
Cable/Satellite TV	504	Entertainment	174
Electrical Goods	3770	Holidays	1228
House Purchase	460	Hairdressers/Beauty Salons	171
Clothing/Accessories/Footwear	3444	Computers & Software	1213
Professional Services	362	Waste Charges	171
Furniture	2323	Personal Entertainment Items	1144
Dry Cleaners	358	Toys	164
Prices/Price Display	2118	Gift Vouchers/Credit Notes	910
Hotels/B&Bs	338	Product Safety	156
Mobile Phones	1908	Deposits/Receipts	829
Childcare Items/Facilities	327	Car Rental	141
Telecommunications/Broadband	1696	Unsolicited Communications	772
Energy Providers	325	Education Courses	129
Financial/Insurance	1500	Food & Drink	701
Flooring	322	Petrol/Diesel/Home Heating oil	122
Household Goods	1476	Jewellery	597
Distance Selling	254	General Information	1977
Flights	1355	Advertisements	593
Sport/Leisure	220	Other Issues	2349

TOTAL 43,142



APPENDICES





APPENDIX I

COURT ACTIONS

During 2006, ODCA had 42 cases before the District Courts. Of these, 36 were successful, 5 were struck out, and the Probation of Offenders Act was applied in one case. Details of the various court actions are set out below.

Eight cases included in this list (identified by *) were successfully prosecuted in December 2005. The judge had deferred until January 2006, the issue of imposing fines in these cases. These actions were taken under the Retail Prices (Beverages in Licensed Premises) Display Order, 1999.

District Court Convictions and Fines

Retail Prices (Beverages in Licensed Premises) Display Order, 1999

*Langton Hotel Ltd., in respect of offences at Langtons, 69 John Street, Kilkenny.
Fined €200. Costs €300

*Grangemokler Holdings Ltd., in respect of an offence at Lanigans, 28/29 Rose Inn Street, Kilkenny.
Fined €100. Costs €300

*Hannah Byrne in respect of offences at Wm. Byrne's, 39 John Street, Kilkenny.
Fined €200. Costs €300

*Gatehalf Ltd., in respect of offences at Rivercourt Hotel, John's Bridge, Kilkenny.
Fined €200. Costs €300

*Mac Mac Ltd in respect of an offence at The Village Inn, Patrick Street, Kilkenny.
Fined €100. Costs €300.

*S & M Ltd., in respect of an offence at The Widow's Bar, 29 Parliament Street, Kilkenny.
Fined €100. Costs €300

*Marahill Investment Co. Ltd., in respect of offences at Morrisseys, 20 Rose Inn Street, Kilkenny.
Fined €200. Costs €300.

*Bentleys Ltd in respect of offences at Kilford Arms, John Street, Kilkenny, Co Kilkenny.
Fined €200. Costs €300

Malinslade Ltd, in respect of offences at The Village Inn, 8 Grattan Crescent, Inchicore, Dublin 8.
Fined €250. Costs €300

Sean Noonan in respect of offences at Slatts, 126a Tyrconnell Park, Inchicore, Dublin 8.
Fined €40. Costs €250

Parkgate Taverns Ltd, in respect of offences at Nancy Hands, 30-31 Parkgate Street, Dublin 8.
Fined €500. Costs €250

Park House Hotel Ltd., in respect of offences at Blue Bar and Boss Doyle's Bar, Park House Hotel, Forster Street, Galway .
Fined €700. Costs €300

Linley Taverns Ltd., in respect of offences at Dempsey's, 61 John Street, Kilkenny.
Fined €200. Costs €300



EC (Requirements to Indicate Product Prices) Regulations, 2002

Aogain Ltd., in respect of offences at Egan's Bar, 45/46 John Street, Kilkenny, Co Kilkenny.
Fined €200. Costs/Witnesses expenses €400.

Iona Stores Ltd., in respect of offences in January 2006 at Spar, 176 South Circular Rd., Dublin 8.
Fined €200 and costs €250 plus vat.

Iona Stores Ltd., in respect of offences in May and July 2006 at Spar, 176 South Circular Rd., Dublin 8.
Fined €1,000. Costs €250.

Run-Rite Ltd, in respect of offences at Spar, 6 Merrion Road, Ballsbridge, Dublin 4.
Fined €900. Costs €300 plus vat

Copper Cove Ltd, in respect of offences at Centra, Dame Street, Dublin 2.
Fined €350. Costs €250

Edenville Trading Ltd., in respect of offences at Mace, Texaco Garage, Ballyhaunis, Co Mayo.
Fined €400. Expenses €750.

James Cunniffe, in respect of an offence at G. Cunniffe & Sons, Butchers, Main Street, Ballaghaderreen, Co Roscommon.
Fined €100.

In Touch Promotions Ltd, in respect of offences at George Cosgrave Car Sales, 83 Lower Dorset St., Dublin 1.
Fined €1,800. Costs €750 plus VAT.

Moriarty Holdings Ltd., in respect of offences at SuperValu, 47-49 Drogheda Street, Balbriggan, Co Dublin.
Fined €700. Costs €300 plus VAT

Dunnes Stores Ltd., in respect of offences at Dunnes Stores, Pavillion Shopping Centre, Swords, Co Dublin.
Fined €3,850. Costs €1,210

Bernard Shankey, in respect of offences at Shankey's Quik Pick, 24 Bridge Street, Cootehill, Co Cavan.
Fined €750. Costs €300 plus VAT.

Peter Rogers in respect of offences at Rogers Londis, Kingscourt Road, Bailieboro, Co Cavan.
Fined €700. Costs €300 plus VAT.

Donabate Supermarkets Ltd, in respect of offences at SuperValu, Unit 5, Town Centre, Donabate, Co Dublin.
Fined €400. Costs €300.

Raymond Kearney in respect of offences at Newsfare, Portmarnock, Co Dublin.
Fined €900. Costs €300.

Black Earth Ltd., in respect of offences at Texaco, Portmarnock, Co. Dublin.
Fined €750. Costs €300.

Ann Doonan in respect of offences at the Mace Store, Rakeelan Service Station, Ballyconnell, Co. Cavan.



Fined €1,200. Costs €250 plus VAT.

Derbyvale Ltd., in respect of offences at O'Callaghan's Centra, Main Street, Ferbane, Co Offaly
Fined €1,800. Costs €242. Expenses €250

Arman Retail Ltd, in respect of offences at Londis Top Shop, 130 James' Street, Dublin 8.
Fined €3,000. Costs €250 plus VAT.

Cecilia Stores Ltd., in respect of offences at Number 1 Shop, Christchurch Place, Dublin 8.
Fined €800. Costs €250 plus VAT.

Sean Carroll Garages Ltd., in respect of offences at Texaco, Howth Road, Raheny, Dublin 5.
Fined €200. Costs €250 plus VAT.

Consumer Information Act, 1978

Ard Services Ltd., in respect of offences at Statoil, Ashbourne Road, The Ward, Co Dublin.
Fined €500. Costs €250 plus VAT.

Moriarty Holdings Ltd., in respect of offences at SuperValu, 47-49 Drogheda Street, Balbriggan, Co Dublin.
Fined €100.

Merchandise Marks Act, 1887 as amended by Section 4(2) of Consumer Information Act 1978.

Suburban Autos Ltd., in respect of offences at Suburban Autos Ltd., Mount Pleasant Avenue, Rathmines, Dublin 6.
Fined €400. Witness expenses/Costs: €1,100

STRUCK OUT

Consumer Information Act 1978

Joyce's Supermarkets Ltd, trading as Joyces Supermarket. Knocknacarra, Galway.
The case was struck out on the basis that the defendant pay €800 to two local charites and paid costs in the sum of €600.

EC (Requirements to Indicate Product Prices) Regulations, 2002 and Consumer Information Act 1978

Birr Supermarkets Ltd., trading as Buckley's Supervalu, 25 Main Street, Birr, Co Offaly. Summonses under both pieces of legislation were struck out on the basis that the defendant paid a sum of €3,000 to a local charity and paid costs in the sum of €1,000 plus VAT.

Rugal Retailers Ltd., trading as Costcutter, The Square, Swinford, Co Mayo.
Summonses under both pieces of legislation were struck out.

PROBATION ACT APPLIED

EC (Requirements to Indicate Product Prices) Regulations, 2002

Joseph O'Leary, trading as Centra, 38 Lower Camden Street, Dublin 2.
Cash contribution of €250 made to Our Lady's Crumlin Children's Hospital and an order under the Probation Act has been applied.



APPENDIX II

Investigations were carried out by ODCA on foot of complaints received from the public or investigations initiated by the Office. The proactive cases were undertaken by way of targeted surveys or through inspectors carrying out investigations on their own initiative.

Investigations 2006 Category	Complaints	Pro Active	Totals
Product Price Regulations	277	2529	2806
Price Display-Drinks	78	863	941
Food Labelling	77	549	626
Misleading Indication of Prices	455	30	485
Price Display-Catering-Restaurants	54	410	464
Consumer Credit	32	257	289
Misleading Advertising	282	6	288
Price Display-Diesel and Petrol	40	183	223
Consumer Information Act (general)	151	11	162
Product Safety	117	86	203
Price Display - Hairdressing	19	115	134
Package Travel	81	2	83
Distance Selling	69	3	72
E-Commerce	50	8	58
Unfair Terms	35	0	35
Consumer Information Act (car clocking)	26	3	29
VAT Inclusive Order	24	5	29
Concert and Theatre Ticket Order	12	11	23
Textile Labelling	0	22	22
Footwear Labelling	1	18	19
Adulterated Drink	14	0	14
Airfares Order	9	0	9
Prices Act	0	5	5
Merchandise Marks Act	4	0	4
Misleading Advertising Regulations	3	0	3
Issues outside the remit of ODCA	215	3	218
Sale of Goods and Supply of Services Act	121	46	167
Totals	2246	5165	7411



APPENDIX III

SCAMS – SOME EXAMPLES

- Wills** Among the dubious goods and services on offer were offers from alleged barristers or solicitors seeking the relatives of clients who had died in order to execute a will. Many of these originated in West Africa. While there are genuine cases where long lost relatives have left monies, consumers are advised to never send bank details or funds to expedite whatever paperwork is necessary.
- Phishing** This is a term for a particular type of scam where consumers are asked to supply their bank and/or personal details to what appears to be their own bank only to find that the message did not originate from their own bank with the result that monies are removed from their accounts.
- Spoofing** This is similar to Phishing and involves the creation of a web page that is similar to or identical to a real web site. The objective is to deceive people into revealing information about themselves.
- Cheap Drugs** Prescription drugs are usually made by the large pharmaceutical corporations and many are expensive. People are aware of generic drugs which are a fraction of the cost of the branded drugs. An offer to a person with high outlay would receive serious consideration. The difficulty is that these drugs might be of inferior quality with consequential adverse health results.
- Counterfeit Goods** These are items offered for sale bearing a label stating that they are a well known and respected brand. These items may not be up to the standard of the branded item although this is not reflected in the price. There can be serious consequences for safety if counterfeit parts are used in motor vehicles, various types of machinery etc. In many cases the items are not up to the proper specification and if used would fail with the very real possibility of injury or loss of life. It should be noted that many original equipment manufacturers license third parties to make non branded parts. These components are made to the same standard as the originals and their manufacture and sale is a legitimate activity.
- Lottery** In this case a person is notified that they have won a prize which is held in a “secure depository”. The next step is to seek fees to be paid ostensibly to the national authorities to release the funds. In some cases, contact telephone numbers are provided and agents available to answer calls, thereby lending credence to the affair. Unfortunately funds are never transferred and in one case the ODCA is aware of an individual losing in excess of €10,000 attempting to claim his “winnings”.
- Pyramid Scheme** These operate by requiring an upfront payment and the recruitment of a number of additional participants by every member of the scheme. Those at the very top of the pyramid may obtain considerable benefit while all other participants generally lose everything. This is a particularly nasty scheme as the participants normally recruit family members and friends all of whom are destined to lose. There was a widespread coverage of a scheme operating in the Cork area in early 2006.



APPENDIX IV

PRODUCT RECALLS

Product Recalls (Article 12 Notifications)

Notified By	Product	Problem	Month
Dunnes Stores	Glitter Candle Set	Exterior of candle catches fire when lit.	December
Heatons	Christmas Tea Light holders	Product may catch fire when a lit tea light is placed inside, due to presence of glue from manufacturing process.	December
Argos	Debut Cayman Multigym (Swing set)	Lower grade of plastic used in some plastic rings and swing seats - in a very small number of cases this may cause the rings or the swing seats to fail.	November
Peugeot	Peugeot 407	Possible loss of gear selection	October
Renault	Renault Master 11	Handbrake cable coming loose	September
Dell	Battery Pack for use with Dell notebook-style personal computers	Under certain rare conditions, there is an increased risk that a battery cell may overheat or catch fire as a result of the presence of metallic particles	August
Dept of Health & Children	Clear Essence Skin Beautifying Milk	Use of hydroquinone, a banned skin lightening product	August
Dept of Health & Children	Paris Fair and White Whitening Cream	Use of hydroquinone, a banned skin lightening product	August
Chrysler	Voyager	Parking brake may not engage or fails to hold vehicle	July
Renault	Megane II and Scenic II	Risk of excessive brake pedal travel and loss of braking efficiency	May
Argos	Cookworks Filter Kettle	Kettle element fails in use causing a short circuit. This may force hot water out of the kettle resulting in risk of scalding	May
Nissan	Pathfinder and Navara	Steering Shaft	March



APPENDIX IV

Notified By	Product	Problem	Month
Argos	Visiq solid ceramic hair straightener	Electric cord can detach exposing live parts	March
Nissan	X-Trail	Problem with fuel filler tube	February
Argos	Light Fitting-Lani 4 Light plate.	Risk of electric shock	January
Nissan	Pathfinder	Bolts in shaft propeller not torqued sufficiently posing risk of shaft propeller becoming detached	November 2005*

Recalls/ Withdrawals from the Market (less serious cases)

Notified By	Product	Problem	Month
Honda	Honda Civic 5 door	Engine may stall while driving and fail to restart	September
Dunnes Stores	Deckchair	Risk of damage to fingers	June
Waterford Crystal	John Rocha crystal	Danger of suddenly breaking due to fault	April
Dunnes Stores	Pluston Radio Lamp	Buttons overheat	March
Dell	Battery	Can potentially lead to excessive heat/smoke/flame in a battery pack.	December 2005*

*These recalls were notified in late 2005 but not processed in the Rapex system until 2006 and are included in the 2006 figures.



APPENDIX V

CORPORATE SERVICES & FINANCIAL STATEMENT

Summary of Financial Statement for the year ended 31 December 2006

	2006	2006	2005	2005
			€	€
SOURCES OF INCOME				
1 Exchequer Grant from the Department of Enterprise, Trade and Employment		4,289,000		4,137,000
2 ODCA Receipts		693,237		570,437
TOTAL INCOME		4,982,237		4,707,437
EXPENDITURE:				
3 ADMINISTRATION COSTS				
Salaries, Wages & Allowances	2,633,101		2,504,887	
Travel and Subsistence	227,121		202,391	
Incidental Expenses	21,548		26,131	
Human Resource Development	7,408		13,401	
Postal	11,214		5,748	
Telecommunications	105,711		103,515	
Printing Binding and Stationery Supplies	21,349		35,670	
Office Supplies	13,481		5,047	
Office Premises	177,231		56,601	
Consultancy Services	115,144		350,617	
Testing Services	5,795		1,660	
Advertising and Publicity	8,888		7,172	
European Consumer Centre	197,372		209,899	
Computerisation	57,822		95,179	
Cork Office	0		11,979	
TOTAL EXPENDITURE	3,603,185		3,629,897	
SURPLUS INCOME OVER EXPENDITURE*	1,379,052		1,077,540	

Note: * Under Government Accounting procedures the Office is required to surrender to the Exchequer all receipts under item 2 above together with any balance remaining at year end between the Exchequer Grant (item 1 above) and Administration Costs (item 3 above).



RECEIPTS

Applications for Licence /Authorisation

The ODCA received 1,163 applications for credit intermediary authorisations in 2006 compared to 928 in 2005, an increase of 235 (approx. 25%). This increase reflects the results of a campaign by the Office in following up on all traders, who claim to provide credit facilities, to ensure that they are compliant with the law. Total income received in 2006 from authorisations and licences amounted to €680,835. This figure is broken down as follows

No	Type	
7	Pawnbrokers Licences	€8,915
1165	Credit intermediaries	€673,200
	Total	€682,115
	Less Refunds	€1,280
	Net Total	€680,835

Fines and Costs

In 2006, receipts of €12,402 was received in relation to costs awarded by the Courts to the Director arising from prosecutions taken.

Prompt Payment of Accounts Act 1997

Under the provisions of Section 12 of the Prompt Payment of Accounts Act, 1997, ODCA as a publicly funded body, is required to make a statement of its payment practices. It is the practice within ODCA to make all payments within the terms agreed with suppliers. The ODCA paid late payment interest of €0.31 in 2006.

Freedom of Information

During 2006, ODCA received two requests for access to information under the provisions of the Freedom of Information Acts, 1997 and 2003. One request was withdrawn while the other request was refused.



ORGANISATIONAL CHART

Director of Consumer Affairs: Ann Fitzgerald

Corporate Services		Enforcement	Communications
Principal Officer & Deputy Director		John Shine	
Assistant Principal Officers		Catherine Lenihan Brendan Moylan Vacancy	
Higher Executive Officers	Thomas Bourke Sean Manley (Training Officer) Peter Bates	Eileen O'Donoghue Ann Tisdall (WS) Tom Beakey Nicola Haran John Maher	Marie Kelly
Executive Officers	Piers Brand David Campbell Eamonn Madden	Philip Duggan Caroline Halpin Marian Wright Louise Merrigan Denis McGuinness Deirdre Fearon Louise Shally Ruth Maguire Michael McEaney Frank McNamara Nicky O'Meara Colette Whelan Richard O'Brien Jim Harpur Mary Coughlan Alexander Bowie Evelyn Galvin Liam Ryan Mary Sugrue John Hanley Anne-Marie Dunne Gemma Barnes (WS) Eileen Coulter (WS) Niamh Martin Vacancy	Elisa Goode
Staff Officer		Kathryn Chambers (WS) Vacancy	
Clerical Officer	Paul Cannon Emmet Deegan Jason Kiernan	Terry O'Dempsey Josephine Lynch Fiona Gallagher Fionnuala Kehoe Paul Doran John Mernock	Adrian Rooney Kevin Campbell Maeve Lonergan Dermot Kavanagh Eileen Slevin (WS) Des O'Neill Susan Lynch Vacancy
Services Officer	Robert O'Reilly		

(WS) Work Sharing



APPENDIX VI

CONSUMER LEGISLATION RELEVANT TO / ENFORCED BY ODCA

ADVERTISING

Comparative Advertising Directive, 1997;
EC (Misleading Advertising) Regulations, 1988;

CONSUMER CREDIT

Consumer Credit Act, 1995 as amended by Central Bank and Financial Services Authority of Ireland Act, 2003;
Pawnbrokers Act, 1964 as amended by the Consumer Credit Act, 1995;

CONSUMER INFORMATION

Consumer Information Act, 1978 (Act now repealed by the Consumer Protection Act, 2007);
Consumer Information (Advertisements for Concert or Theatre Performances) Order 1997;
Consumer Information (Advertisements) (Disclosure of Business Interests) Order, 1984;
Consumer Information (Diesel and Petrol) (Reduction in Retail Price) Order, 1997;
Consumer Information (Advertisements for Airfares) Order 2000;

RESTRICTIVE PRACTICES

Restrictive Practices (Amendment) Act, 1987 (Act now repealed by the Consumer Protection Act, 2007);

CONSUMER PROTECTION

Package Holidays and Travel Trade Act, 1995;
EC (Cancellation of Contracts Negotiated away from Business Premises) Regulations 1989;
EC (Contracts for Time Sharing of Immovable Property) (Protection of Purchasers) Regulations, 1997;
EC (Contracts for Time Sharing of Immovable Property) (Protection of Purchasers) (Amendment) Regulations, 2000;
EC (Protection of Consumers' Collective Interests) Regulations, 2001;
EC (Unfair Terms in Consumer Contracts) Regulations, 1995;
EC (Unfair Terms in Consumer Contracts)(Amendment) Regulations, 2000;
EC (Protection of Consumers in respect of Contracts made by means of Distance Communication) Regulations, 2001;
EC (Directive 2000. 31. EC) Regulations 2003; [E-Commerce Regulations]
EC (Amendment of S.I. No. 68 of 2003) Regulations, 2004;

FOOD LABELLING and FOOD SAFETY

Food Safety Authority of Ireland Act 1998;
EC (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002;
European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations, 2003 (S.I. No. 257 of 2003);
European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No.2) Regulations, 2003 (S.I. No. 451 of 2003);
European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No.3) Regulations, 2003 (S.I. No. 528 of 2003);



European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations, 2005 (S.I. No. 228 of 2005);
 European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No.2) Regulations, 2005 (S.I. No. 514 of 2005);
 European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No. 3) Regulations, 2005 (S.I. No. 647 of 2005);

LABELLING OF NON-FOOD PRODUCTS

EC (Labelling of Footwear) Regulations, 1996;
 EC (Names and Labelling of Textile Products) Regulations, 1998;

PRICES/PRICE DISPLAY

Prices Act, 1958; Prices (Amendment) Act, 1972 (Acts now repealed by the Consumer Protection Act, 2007);
 Prices and Charges (Tax-inclusive Statements) Order, 1973;
 Charges (Hairdressing) Display Order, 1976;
 Retail Price (Food in Catering Establishments) Display Order, 1984;
 Prices (Stabilisation of Profit Margins of Retailers of Motor Cars) Order, 1984;
 Retail Price (Beverages in Licensed Premises) Display Order, 1999;
 Retail Price (Diesel and Petrol) Display Order, 1997;
 EC (Requirements to Indicate Product Prices) Regulations, 2002;

SAFETY OF PRODUCTS

EC (Safety of Toys) Regulations, 1990 and 1994;
 EC (Appliances Burning Gaseous Fuels) Regulations, 1992 and 1995;
 EC (Personal Protective Equipment) Regulations, 1993 and 1994;
 EC (General Product Safety) Regulations, 2004;
 EC (Food Imitations)(Safety) Order, 1991;
 EC (Low Voltage Electrical Equipment) Regulations, 1992 and 1994;
 Industrial Research and Standards (Hood cords for Children's Clothing) Order, 1976;
 Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order, 1995;
 Industrial Research and Standards (Section 44) (Babies Dummies) Order, 1988;
 Industrial Research and Standards (Section 44) (Children 's Cots) Order, 1983;
 Industrial Research and Standards (Section 44) (Children's Night-wear) Order, 1979;
 Industrial Research and Standards (Section 44) (Children's Night-wear) (Amendment) Order, 1979;
 Industrial Research and Standards (Section 44) (Gas Catalytic Heaters) Order, 1984;
 Industrial Research and Standards (Section 44) (Gas Operated Ovens) Order, 1983;
 Industrial Research and Standards (Section 44) (Perambulators and Pushchairs) Order, 1981;
 Industrial Research and Standards (Toxicity of Pencils and Graphic Instruments) Order, 1983;
 National Standards Authority of Ireland (Section 28) (13A Plugs and Conversion Adaptors for Domestic Use) Regulations, 1997;
 National Standards Authority of Ireland (Section 28) (Electrical Plugs, Plug Similar Devices and Sockets for Domestic Use) Regulations, 1997;
 National Standards Authority of Ireland Act, 1996;

SALE OF GOODS

Sale of Goods and Supply of Services Act, 1980;
 EC (Sale of Consumer Goods and Associated Guarantees) Regulations, 2003;



MERCHANDISE MARKS

Merchandise Marks Act, 1887, 1891, 1911, 1931 (Acts now repealed by the Consumer Protection Act, 2007);
Merchandise Marks Act, 1970;
Merchandise Marks (Prepacked Goods) (Marking and Quantities) Order, 1973 as amended by subsequent Orders;

MISCELLANEOUS

Liability for Defective Products Act, 1991;
EC (Liability for Defective Products) Regulations, 2000;
Occasional Trading Act, 1979;
Trading Stamps Act, 1980.



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