

## Compliance Notice

### Section 75 of the Consumer Protection Act 2007

Company Secretary,

Empress Fine Jewel's Limited,

10 Johnson's Court,

Dublin 2,

D02 X302

Competition and Consumer

Protection Commission,

Bloom House,

Railway Street,

Dublin 1,

D01 C576

I, [REDACTED], an Authorised Officer of the Competition and Consumer Protection Commission (the "CCPC"), duly appointed under section 35 of the Competition and Consumer Protection Act 2014, hereby give you, "Empress Fine Jewel's Limited", notice pursuant to section 75(2) of the Consumer Protection Act 2007 (the "2007 Act"), that I am of the opinion that you engaged in a prohibited act or practice as defined in section 67(e) of the 2007 Act, namely a contravention of Consumer Protection (Consumer Information) (Articles of Precious Metals) Regulations 2019 (S.I. 442 of 2019) (the "2019 S.I.").

#### A. Statement of alleged contravention

1. For the reasons outlined in section C below, it is alleged, that you, Empress Fine Jewel's Limited, a trader for the purposes of the 2007 Act, on 23 October 2024 engaged in a prohibited act or practice (as defined in section 67(e) of the 2007 Act) by failing to exhibit a notice, in the form set out in the Schedule to the 2019 S.I., in your capacity as a trader who supplies an

article of precious metal from your premises to which the public has access as required by Regulation 7 of the 2019 S.I..

## **B. My opinion**

1. I am of the opinion that you, Empress Fine Jewel's Limited, engaged in the prohibited act or practice outlined in the statement of alleged contravention above by failing to exhibit a notice in the form set out in the Schedule to the 2019 S.I.. Such notice contains information prescribing any stamps, marks, tags and labels for use on products at your premises in your capacity supplying an article of precious metal.

## **C. The reasons for my opinion**

1. The reasons for my opinion are based on the following:
  - (a) Empress Fine Jewel's Limited can be described as a "trader" for the purposes of the 2007 Act. "Trader" is defined in section 2 of the 2007 Act. Empress Fine Jewel's Limited is also a trader supplying an article of precious metal for the purpose of the 2019 S.I.
  - (b) Section 67(e) of the 2007 Act states that a prohibited act or practice is any contravention of a regulation under section 50 of the 2007 Act. The 2019 S.I. is made in exercise of the powers conferred on the then Minister for Business, Enterprise and Innovation by section 50 of the 2007 Act. Regulation 7 of the 2019 S.I. requires a trader who supplies an article of precious metal to exhibit a notice in the form set out in the Schedule to the 2019 S.I.. That notice contains information prescribing any stamps, marks, tags and labels for those products at your premises in your capacity supplying an article of precious metal. Regulation 8 of the 2019 S.I. requires a notice exhibited pursuant to Regulation 7 of the 2019 S.I. to be located in a position so as to be clearly visible and easily accessible to a consumer before or immediately after entering the premises, be displayed on not less than A4 size paper, and contain letters and figures at least three millimetres in height and of

proportionate width, which are not hidden, obscured, or interrupted by other pictorial or written matter.

- (c) I conducted an inspection of your premises at 10 Johnston's Court, Dublin 2, D02 X302 on 23 October 2024 and found that no such notice was exhibited. A failure to exhibit such notice contravenes the 2019 S.I., such a contravention being a prohibited act or practice as defined in section 67(e) of the 2007 Act.

#### D. Compliance directions and requirements

1. Empress Fine Jewel's Limited, a trader, is hereby required to display a notice (in the form set out in the Schedule to the 2019 S.I.) This notice must be located in a position so as to be clearly visible and easily accessible to a consumer before or immediately after entering the premises, be displayed on not less than A4 size paper, and contain letters and figures at least three millimetres in height and of proportionate width, which are not hidden, obscured, or interrupted by other pictorial or written matter.
2. You must comply with this compliance direction and requirements by **14 April 2025**.
3. This compliance notice is in no way impacts your obligation to fully comply with all legal obligations between the date of this compliance notice and the date on which this compliance notice takes effect.

#### E. Appeal Procedure

1. You may appeal this Compliance Notice to the District Court in the district in which the notice is served **within 14 days after its service**.

2. The form and manner of such an appeal is to be found in the District Court Rules, Form 40D.01 Schedule C. This is available from the registrar at your local District Court office or on the Courts Service website.
3. In the event that you decide to appeal the Compliance Notice, you must, at the same time, notify the CCPC at the above address. You must also notify the CCPC of the grounds for the appeal.
4. If an appeal is not made in accordance with section 75 of the 2007 Act and within 14 days after service of the notice, this notice will be treated as not disputed, you will be deemed to have accepted the notice and to have agreed to comply with the compliance direction and requirements.
5. Any failure or refusal to comply with this notice is an offence and, on summary conviction, you will be liable to the fines and penalties set out in Part 5, Chapter 4 of the 2007 Act.

Signature: [REDACTED]

[REDACTED]

Authorised Officer

Competition and Consumer Protection Commission

Date: 21 March 2025