



CCPC Impact Assessment

Estimating the Consumer
Benefits of the CCPC's
interventions in competition
enforcement and consumer
protection matters, 2021-2024

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Coimisiún um
Iomaiocht agus

Competition and
Consumer Protection

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1. Executive Summary

- 1.1 The Competition and Consumer Protection Commission (the CCPC) is the primary authority responsible for enforcing European Union (EU) and Irish competition and consumer protection laws in Ireland. The CCPC intervenes in markets to protect and enhance consumer welfare by enforcing and ensuring compliance with competition and consumer protection rules, making clear and actionable recommendations based on research and market studies, advocating for change, and providing information and advice to help consumers make informed decisions and address information asymmetries and market failures. In addition, the CCPC undertakes business compliance initiatives, international activities, and regulatory functions, which are outside the scope of this impact assessment.
- 1.2 There is currently no legal requirement for the CCPC to evaluate the direct financial benefits to consumers resulting from its interventions. However, the CCPC's mission is to use its limited resources effectively to ensure markets work better for both consumers and businesses in Ireland. To demonstrate the impact of its work, the CCPC published its first estimated ex-ante financial benefit of competition law enforcement in 2022 covering mergers and antitrust interventions for the period 2017 to 2020 (the 2022 Report)¹. Furthermore, as part of its Strategy Statement 2024 to 2026 (the Strategy Statement), the CCPC committed to regularly measure the impact of its work. The Strategy Statement acknowledges that the CCPC will direct its resources towards activities that deliver significant impact to consumers. In the Strategy Statement, the CCPC, amongst other measures, identified assessing the impact of the CCPC enforcement work as one of its performance indicators (page 9)².
- 1.3 This paper presents the CCPC's second ex-ante impact assessment which goes beyond the scope of the 2022 Report. This assessment estimates the ex-ante direct financial benefits to consumers of the CCPC's interventions in competition law enforcement and consumer protection matters for the period 2021 to 2024. It excludes interventions related to product safety, and research and market studies due to methodological and data limitations.

- 1.4 This assessment was done by the CCPC and reviewed by an external expert Reviewer. The methodologies, assumptions and estimated ex-ante direct financial benefits to consumers have been reviewed and verified by Dr. Franco Mariuzzo of the University of East Anglia, serving as the external expert Reviewer³.
- 1.5 Table 1 below provides a summary of the estimated financial benefits to consumers contributed by type of intervention activities over the period 2021 to 2024.

| Table 1: Estimated direct financial to consumers and benefit/cost ratio, 2021-2024 | | | | |
|---|--|---|------------------------------|-------------------------------|
| CCPC's intervention activity | | Estimated consumer benefits (€M) | Cost of activity (€M) | Benefit/Cost ratio (€) |
| Competition Enforcement | Antitrust | 304.99 | 5.02 | 60.75:1 |
| | Merger Control | 157.53 | 7.53 | 20.93:1 |
| | Total Competition Law Enforcement | 462.52 | 12.55 | 36.85:1 |
| Consumer Protection | Consumer Enforcement | 199.34 | 14.12 | 14.12:1 |
| | Consumer advice and information | 20.56 | 5.25 | 3.91:1 |
| | Total Consumer Protection | 219.90 | 19.37 | 11.35:1 |
| Estimated Benefits/Savings/Costs | Grand total benefit/cost | 682.42 | 31.92 | 21.38:1 |
| | Annual benefit/cost | 170.60 | 7.98 | 21.38:1 |

Source: The CCPC based on case files

- 1.6 The estimated monetary values in Table 1 show that the CCPC's interventions in competition law enforcement and consumer protection matters (excluding product safety and financial education on the CCPC's website) delivered aggregate direct financial benefit to consumers amounting to €682 million, representing an annual benefit of €170 million over the period 2021 to 2024. The estimated total cost of these interventions amounted to €32 million, resulting in a benefit-to-cost ratio of 21:38 to 1. The main cases contributing to these estimates are the antitrust investigation into alleged price signalling by the main providers of private motor insurance to customers in the State, and the consumer enforcement action against Tesco, a retailer of grocery products.

- 1.7 The methodology and assumptions used to estimate competition law enforcement benefits are based on those developed by the Organisation for Economic Co-operation and Development (OECD)⁴ as international good guidance and are consistent with the approach applied by Directorate-General for Competition (DG Comp) and EU member states (see Annex A)⁵. This assessment used the methodology and assumptions developed by the UK Competition and Markets Authority (formerly the Office of Fair Trading/Trading Standards)⁶ to estimate the benefit of providing information and advice to consumers about their rights.
- 1.8 The CCPC recognises that price plays a central role in both competition and consumer protection rules, influencing consumers' transaction decisions. The CCPC therefore considers that the methodology and assumptions used to estimate ex-ante direct benefits from competition law enforcement could also be applied to consumer enforcement. For instance, where the infringing trader is dominant, the assumptions for abuse of dominance may be used. However, since none of the infringing traders in the consumer enforcement cases included were dominant, the CCPC instead applied the conservative assumptions used to estimate the impact of merger cases, adopting the lower-bound duration of two years.
- 1.9 This assessment is based on information gathered during the case or project. The assumptions are conservative and follow international good practice principles for estimating the expected financial savings or benefits to consumers resulting from competition agencies interventions. Consequently, this is an ex-ante evaluation rather than an ex-post evaluation, which would critically assess the actual outcomes of the decision and identify lessons learned⁷. The CCPC intends to conduct an ex-post assessment as part of the Strategy Statement.
- 1.10 The estimated benefits in Table 1 are conservative, as they rely on highly cautious assumptions regarding potential price effects and the duration of the conduct, had the CCPC not intervened. Furthermore, as noted above, not all impactful intervention activities of the CCPC are included in this assessment

due to methodological and data constraints. Additionally, academic studies indicate that significant benefits can be derived from the broader deterrence effects of competition agencies' interventions⁸. This assessment does not include such benefits as they require a different measurement approach⁹. Consequently, the actual benefits to consumers from the CCPC's interventions are likely to be substantially higher than the monetary values estimated in this assessment.

2. Intervention activities of the CCPC

- 2.1 This section provides details of the CCPC's intervention activities relating to competition law enforcement and consumer protection matters during the period 2021 to 2024 which are covered in this impact assessment.

Competition Law Enforcement

- 2.2 The CCPC enforces and ensures compliance with Irish and European competition law in Ireland. The CCPC investigates potential breaches of competition law and can take civil or criminal enforcement action where evidence is found in order to deter and sanction such behaviour. The CCPC also investigates notified mergers and can block or impose remedies on those that are likely to result in a substantial lessening of competition (SLC).

Antitrust

- 2.3 During the period 2021 to 2024, the CCPC successfully intervened in six antitrust matters to address competition concerns. Three of these cases are included in this assessment. Notably, the CCPC secured binding legal commitments from six providers of private motor vehicle insurance, with durations ranging from three to seven years starting in 2021, averaging six years. The remaining three cases were excluded because reliable turnover figures for the companies could not be reasonably estimated.

Merger control

- 2.4 During the period 2021 to 2024, the CCPC received two hundred and ninety-nine merger notifications and issued two hundred and eighty-seven determinations, including sixteen cases where intervention measures were taken¹⁰. Table 2 below summarises the CCPC's interventions in relation to its merger control function during this period.
- 2.5 The sixteen cases comprise ten Phase-2 and six Phase-1 investigations, all of which raised concerns about SLC. These interventions resulted in two blocked mergers, two withdrawals, and twelve mergers cleared with commitments. Of the twelve mergers cleared with commitments, eight were subject to

divestment remedies, while the remaining four were cleared with behavioural remedies. All sixteen cases are included in this assessment.

Table 2: Summary of Merger control interventions by Year and Type, 2021-2024

| Year | Remedied with commitments | Blocked | Withdrawn | Total |
|--------------|---------------------------|----------|-----------|-----------|
| 2021 | 3 | 0 | 1 | 4 |
| 2022 | 4 | 1 | 1 | 6 |
| 2023 | 3 | 0 | 0 | 3 |
| 2024 | 2 | 1 | 0 | 3 |
| Total | 12 | 2 | 2 | 16 |

Source: The CCPC based on merger case files

2.6 Two interventions, one in the financial services sector and the other in electricity generation contributed significantly to the overall estimated consumer benefit. First, in the Bank of Ireland/KBC merger, the CCPC secured remedies to maintain the interest rates previously offered by KBC and established a €1 billion fund to support mortgage lending by non-bank lenders¹¹. Second, the CCPC secured behavioural remedies in the ESB/Coillte joint venture to prevent sharing of confidential and commercially sensitive information¹².

Consumer Protection

2.7 The CCPC enforces consumer protection rules by investigating and taking appropriate measures to stop infringing conduct by traders. The CCPC also provides consumers with useful information and advice to help them exercise their consumer rights.

Consumer enforcement

2.8 The CCPC applies a variety of enforcement tools to enforce and ensure compliance with a wide range of consumer protection legislation in order to deter unfair and illegal commercial practices by traders. The five consumer enforcement measures available to the CCPC to address unfair commercial practices are summarised below¹³.

- Compliance Notice is a written legal notice that the CCPC issues to a trader who has committed a prohibited act or practice or is currently committing a prohibited act or practice. The prohibited practices include misleading

commercial practices in relation to prices which causes the average consumer to make a transactional decision that they would not otherwise make. Compliance Notice requires the trader to fix the issue and make things right [s.75 CPA].

- Prosecution is when the CCPC takes a trader to court because they have broken the law set out in the Consumer Protection Act 2007(CPA). Prosecuting a trader who has broken the law is the ultimate sanction available to the CCPC. A trader can be issued with high fines and even a jail sentence. If convicted, the trader can also be required to pay the cost of the CCPC taking the case to Court.
- Fixed Payment Notice is a set fine of €300 that the CCPC can issue to a trader if they don't display prices properly or fail to provide certain required information to a consumer. An FPN can also be issued in some cases if a consumer is charged extra or is not refunded properly. More than one Fixed Payment Notice may be issued to a trader. Failure to pay an FPN is an offence that may be prosecuted by the CCPC [s.85 CPA].
- An Undertaking is a formal written agreement between the CCPC and a trader where a trader agrees to take certain actions. Undertakings can include an agreement to take action to address a breach of the law. That agreement could include actions such as publishing a corrective statement or paying compensation to a consumer [s.73 CPA].
- Prohibition Order is a legal order that is issued by the Circuit Court or the High Court to a trader to tell them not to do something that is illegal under the CPA. Under Section 71 of the CPA, any person, including the CCPC, can apply to the Circuit or the High Court for a Prohibition Order

2.9 Table 3 below provides summary of the CCPC's consumer enforcement interventions over the period 2021 to 2024.

| Table 3: Summary of Consumer Enforcement Activities, 2021-2024 | | | |
|---|--------------------------|-------------------------------|-----------------------------|
| Year | Compliance Notice | Successful Prosecution | Fixed Penalty Notice |
| 2021 | 24 | 0 | 10 |
| 2022 | 15 | 3 | 17 |
| 2023 | 24 | 1 | 52 |
| 2024 | 23 | 5 | 47 |
| Total | 86 | 9 | 126 |

Source: The CCPC published consumer protection lists

2.10 During the period, 2021 to 2024, the CCPC issued eighty-six Compliance Notices, undertook nine successful prosecutions and issued one hundred and twenty-six Fixed Penalty Notices¹⁴. The successful prosecutions involved the sale of used motor vehicles and retail sale of grocery products. All nine cases that resulted in successful prosecution are included in this assessment. Matters relating to Compliance Notices and Fixed Penalty Notices are excluded from this impact assessment due to data limitations which made it impossible to calculate robust approximations.

2.11 The key consumer enforcement case taken into account in this assessment is the prosecution against Tesco Ireland Limited for failing to comply with consumer protection law in how it displayed the price of products offered at a promotional price to Tesco's Clubcard holders in Ireland¹⁵.

Consumer advice and information

2.12 The CCPC also engages with consumers through its contact helpline and website, providing useful information and assisting in resolving concerns related to consumer rights. The CCPC publishes an annual report providing details of its interactions with consumers and the issues for which information and advice were provided¹⁶.

2.13 Table 4 below provides a summary of the number of consumers provided with information and advice over the period 2021 to 2024.

| Table 4: Number of consumers provided with advice and information, 2021 to 2024 | |
|--|---------------------------|
| Year | Number of contacts |
| 2021 | 37,094 |
| 2022 | 32,431 |
| 2023 | 39,172 |
| 2024 | 44,247 |
| Total | 152, 944 |
| Average | 38,236 |

Source: The CCPC published consumer contacts reports

2.14 During the period 2021 to 2024, the CCPC provided information and advice to a total of 152, 944 consumers, averaging 38,236 consumers per year. In 2024, the CCPC published a study to understand consumer detriments and compensations in Ireland (2024 Report)¹⁷. This impact assessment includes



the total number of consumers who received information and advice, as well as relevant findings from the CCPC 2024 Report.

3. Overview of Methodologies, Assumptions and Data Limitations

- 3.1 This section outlines the methodologies and assumptions used by the CCPC in estimating the ex-ante direct financial benefits or savings to consumers resulting from its interventions in competition law enforcement and consumer protection matters. It also highlights data constraints that limited the scope of the assessment.
- 3.2 The 2022 Report covered the period 2017 to 2020 and mainly applied the key methodological principles and assumptions recommended by OECD 2014 for estimating the ex-ante direct financial benefits to consumers arising from competition authorities' interventions in merger control and competition enforcement. However, the 2022 Report did not include estimates of benefits or savings to consumers arising from the CCPC's interventions in consumer protection matters nor from its research and market studies workstreams.
- 3.3 In this impact assessment, the CCPC has sought to estimate the ex-ante direct financial benefits or savings to consumers from additional intervention activities, where data availability permits. In line with international good practice, and subject to data constraints, the CCPC discusses below the approaches it utilised to evaluate the benefit of each of the following types of interventions:
- (a) Competition law enforcement- Antitrust and Merger Control; and,
 - (b) Consumer protection- Consumer Enforcement, and Provision of Information and Advice.
- 3.4 As the CCPC was unable to estimate the benefit to consumers from its research and market studies, and provision of assistance via its Money Hub website in this assessment, due to methodological and data constraints, these interventions are not discussed further in this section.

Antitrust and Merger Control

- 3.5 Since publication of the 2022 Report, more countries have published their own ex-ante impact assessment studies. In 2025, the OECD¹⁸ conducted a review of member states' approaches to impact assessments, aiming to identify

common practices and inform a revision of the OECD 2014 guidelines. The OECD 2025 review identified convergence in several areas including the importance of keeping ex-ante estimations simple and conservative, relying on data obtained during the intervention or captured in the case file, and avoiding overplaying the importance of the monetary value of estimated benefits.

- 3.6 In relation to competition law enforcement, this assessment primarily follows the methodology and assumptions applied in the 2022 Report while taking into account case specific information and applying the principle of simplicity as suggested by the OECD. Similarly, this impact assessment applies a cost benefit analysis presented in the form of a benefit-to-cost ratio to demonstrate the value for money to consumers of the CCPC's interventions in competition law enforcement. Conservative ex-ante, rather than ex-post, benefits are estimated.
- 3.7 This assessment captures the direct financial benefits from the CCPC's antitrust and merger control interventions over the period 2021 to 2024. It includes antitrust cases which resulted in commitments and/or undertakings during the reference timeframe. In relation to merger control, the assessment includes mergers that were either cleared with commitments or blocked or withdrawn due to the CCPC raising concerns of SLC with the merging parties prior to making a final decision.
- 3.8 Taking into account the findings of the OECD 2025 review where appropriate, the advice of the Reviewer and to be consistent with the DG Comp's approach, this impact assessment uses the common formula used by competition authorities¹⁹ (including by the CMA UK²⁰) to estimate the ex-ante direct financial benefit to consumers expressed mathematically as presented in Box 1.

Box 1: Assessing impact of interventions in competition law enforcement

Consumer Benefit = Size of the affected turnover X The price increase removed, or negative effect avoided due to the intervention X The expected duration of the negative effect

Source: The CCPC

- 3.9 In cases involving cartels and antitrust, the relevant turnover is that of the companies investigated and subject to the intervention measures. In merger cases, the relevant turnover is the turnover of all the companies considered active in the affected market(s) where the merger would have resulted in a 3-2 scenario or worse. In all other cases, the turnover of companies involved in the merger in the affected market(s) is treated as the relevant turnover. Alternatively, where possible, reasonably robust assumptions are made to estimate the relevant turnover in the affected market(s).
- 3.10 This assessment uses case-specific information on duration and/or price effects wheresoever possible. As this is an ex-ante assessment, the CCPC may not have empirical data on the actual price effects and duration and will mainly rely on the case type specific assumptions set out in Table 5 below. This assessment applies a duration of three years for all merger cases included in the study, as, absent the CCPC's intervention, the concerns regarding SLC would have persisted beyond two years. Similarly, for antitrust cases, a duration of three years is used, except where case file information indicated otherwise.

| <i>Table 5: Assumptions used for assessing impact of competition interventions</i> | | | | | |
|--|---|--------------------|---------------------|-------------------------|--------------------------|
| Intervention | Affected Turnover | Price effect (Low) | Price effect (High) | Expected Duration (Low) | Expected Duration (High) |
| Cartel Cases | Total turnover of investigated companies | 10% | 15% | 3 yrs | 6 yrs |
| Antitrust cases, i.e., Abuse of Dominance/RPM/non-cartel horizontal cases | Turnover of investigated companies | 5% | 10% | 3 yrs | 6 yrs |
| Merger Cases | Turnover of companies in the affected market(s) | 3% | 5% | 2 yrs | 3 yrs |

Source: The CCPC

- 3.11 The 2022 Report adjusted estimated monetary values for inflation and deadweight loss. The OECD does not explicitly recommend this practice for ex-ante assessments. Accordingly, neither DG Comp nor the Italian competition agency (the AGCM) adjust their estimated benefits or saving for inflation and deadweight loss. To understand this approach, the CCPC consulted with the agencies who explained that ex-ante financial estimates are

not scientific and adjusting for inflation is unnecessary because inflation is already embedded in the estimated overcharge that is prevented. In relation to adjusting for deadweight loss, it was explained that was not necessary as the focus is on measuring the benefits or savings to consumers rather than loss.

- 3.12 The CCPC also sought guidance from the Reviewer on whether inflation and deadweight loss adjustments are always required to be done in ex-ante evaluations. The Reviewer advised that inflation adjustment should only be made when inflation rate significantly differs from the discount rate. If the difference is negligible, or the real discount rate is equal to zero, then adjustment for inflation is unnecessary, as it is already accounted for in the discount rate. To establish whether it is necessary to adjust estimated values for inflation in this assessment, the CCPC compared the average rate of inflation for the period 2021 to 2024 with the 4% discount rate used in the 2022 Report as well as calculating the real discount rate. The CCPC found that the difference between the two rates is close to zero and the real discount rate is zero. This finding was verified and validated by the Reviewer. The Reviewer also confirmed that, while interesting to economists, it is not necessary to adjust for deadweight loss in estimating the ex-ante direct financial benefits or savings to consumers.

Consumer protection including provision of information and advice

- 3.13 The CCPC's consumer protection interventions seek to ensure that traders comply with consumer protection rules by changing their infringing conduct. As stated earlier, to address unfair commercial practices, the CCPC uses a range of measures such as Compliance Notices, Fixed payment Notices, and Prosecutions to obtain fines and compensations for affected consumers. To address information asymmetry regarding consumer rights, the CCPC provides information and advice to consumers about their rights.

Consumer enforcement

- 3.14 The CCPC has not yet estimated the direct benefits or savings to consumers resulting from its consumer enforcement interventions and has explored which methodologies out there it could apply in this impact assessment. The CMA UK (OFT/Trading Standards Services (TSS)) is the lead agency in estimating ex-ante direct financial benefits to consumers resulting from consumer protection interventions²¹. OFT 2009 and OFT 2010 utilised various methodologies and assumptions to estimate benefits or savings based on the type of intervention undertaken.
- 3.15 In relation to unfair trade practices, the benefits are estimated based on the difference between the consumer detriment caused by the trader prior to TSS completing an intervention and the consumer detriment caused after the intervention. The TSS identifies the number of complaints made against the trader during the 12 months period before the intervention and the number of complaints against the trader during a period starting 3 months after the intervention. Other elements of the methodology include the estimated amount of detriment suffered by the consumer, a multiplier to take into account under complaining, and the expected duration of the unfair trading practice absent the intervention.
- 3.16 The CCPC sought to utilise the above OFT 2009 and OFT 2010 methodology and assumptions to estimate direct financial benefits in relation to unfair commercial practices interventions. Though interesting, this methodology is not as simple and the CCPC does not currently capture the required dataset to

apply the methodology. Therefore, the CCPC was unable to apply this methodology in this impact assessment.

- 3.17 The CCPC notes that tackling price manipulation is a central focus of both competition and consumer law enforcement, as it influences consumers' transactional decisions and market outcomes. The CCPC considered whether it could adapt and apply the assumptions and methodology used to estimate the impact of interventions regarding abuse of a dominant position to calculate the direct financial benefits or savings to consumers from interventions targeting unfair commercial practices. Unfair commercial practices, such as misleading pricing and advertising, are comparable to exploitative forms of abuse of dominance, where consumers may be overcharged due to misleading pricing or subjected to unfair terms in the sale of goods¹. Such conduct can also lead consumers to make transactions they would not otherwise have made, thereby distorting competition in the market.
- 3.18 Consumers are directly affected by the behaviour of traders, which can be unfair and exploitative. Similarly, consumer detriment can arise from the impact of a trader's conduct on the competitive process, whereby consumers are diverted away from traders that act legally and comply with fair commercial practices. Consumer protection interventions aim to change the behaviour of infringing traders, just as competition enforcement seeks to prevent and deter abuses of dominance to ensure that markets function more effectively. Consequently, the CCPC considers adapting and applying the methodology and assumptions used to estimate the impact of interventions against abuses of a dominant position to estimate the expected consumer benefits or savings resulting from measures taken to stop unfair commercial practices, where the trader is dominant in the market.
- 3.19 As none of the traders involved in the cases included in this assessment were dominant, the CCPC uses more conservative assumptions in terms of both the magnitude of the price or negative effect of the unfair commercial practice and

¹ Ibid 14. In 2024, for example, in a sample of cases where the CCPC issued Compliance Notices, unfair commercial practices were found to expose consumers to the risk of being overcharged by between 4% and 59%.

the expected duration of the negative effect, had the CCPC not intervened. This is because most unfair commercial practices reported are consumer or single product specific and there is high level of under reporting of problems and uncertainty about the price effects. This impact assessment had initially, applied a conservative range of between 1% to 3% in terms of expected negative effect and an expected duration of one year after the CCPC's intervention²².

- 3.20 The sample of consumer enforcement cases noted in paragraph 3.17 above, however, illustrates that the initially suggested price effects are highly cautious. The Reviewer was consulted on this and advised that the expected price effects and duration used in mergers can be adopted for consumer enforcement evaluation where a cautious approach is favoured and case specific information is unavailable. Regarding duration of the conduct, this assessment adopts the lower bound of the merger assumption of two years in order to keep in line with the principle of conservatively estimating ex-ante direct financial benefits to consumers. However, the CCPC will revisit these assumptions in future assessments where case-specific information and/or international good practice principles provide rationale for revision. The relevant turnover is the turnover of the infringing trader in the affected market(s) or good(s) sold. Taking these assumptions into account, the methodology is expressed mathematically as presented in Box 2.

Box 2: Consumer savings due to interventions to stop unfair commercial practices

Consumer Savings = Expected Price Effect X Turnover of infringing trader X 2yr

Source: The CCPC

Consumer Information and advice

- 3.21 Similarly, the CCPC has not yet estimated the ex-ante direct financial benefit to consumers relating to the information and advice it provides to consumers via its consumer helpline to enable them to exercise their consumer rights. The methodology provided by OFT 2009 for estimating benefit of information and advice to consumers could be readily adapted and applied by the CCPC.

- 3.22 The elements of the OFT 2009 methodology are: (i) the number of consumers provided with advice and information in a calendar year(N); (ii) the proportion of consumers who have expressed that the information or advice helped them resolve their problem (0.58); (iii) a monetary figure representing the average benefit consumers reported they received from solving their problem (£584); and, (iv) the duration of the benefit is limited to one year. The number of consumers is captured by calls to their contact centre while the 0.58 and £584 figures were captured from survey results. The OFT 2009 methodology is expressed mathematically as follows: **Consumer Savings = N x 0.58 x £584**
- 3.23 In this impact assessment, the CCPC adapts and applies the OFT 2009 methodology as it is intuitive, simple, and the data required to do the analysis is available. The estimated monetary value is conservative as it does not assume that every consumer provided with information and advice was satisfied and/or able to resolve their problem/issue.
- 3.24 The CCPC captures the number of consumers that seek information and advice from its helpline. The CCPC consumer detriment study of 2023 shows that 71% of consumers who reported their issues contacted the trader to resolve their issues. The same study showed that consumers reported they received aggregate compensation or reimbursement of €105 million relating to their most serious issues^{23,2}. The CCPC consumer detriment report also found that 81% of consumers received compensation of under €100.00 while about 12% received compensation of over €1,000.00.
- 3.25 A CCPC survey exploring the impact of its helpline shows that 69% of consumers reported, they received sufficient information to address their issue and 51% said that they reached a satisfactory resolution of their issue with the trader. Using the contact data and the results from the two surveys conducted by the CCPC, a simple mathematical formula, reflecting the

² These values from the CCPC detriment report could be used as control for an indication of the maximum expected benefit to consumers due to CCPC providing consumer rights information and advice to consumers by multiplying 0.71 by €105 million which equals €74.55 million.

situation in Ireland and being within the range and assumptions of the OFT 2009 methodology, is applied, as presented in Box 3.

Box 3: Consumer benefits from provision of information and advice on consumer rights

$$\text{Consumer Benefit} = N \times 0.51 \times \text{€}263.60$$

Where: N = Number of consumer contacts

0.51 = Proportion of consumers who reported that information helped solved their problem

€263 = weighted average compensation to consumers³

Source: The CCPC

Costs and Benefits Ratios

3.26 The cost of each intervention activity is calculated based on the information provided by the CCPC's Finance Unit and Human Resources Division. The cost data takes into account staff payroll as well as front-office and back-office expenses, apportioned according to an estimated percentage of staff involved in completing the intervention activity. The benefit-to-cost ratios are calculated by dividing the estimated benefits by the estimated costs of the intervention activity.

Data Constraints

3.27 Data constraints limited the scope of this assessment and prevented the inclusion of all the cases in which the CCPC intervened. These matters often presented significant risk of consumers being overcharged by substantial amounts. As noted earlier, cases involving compliance notices were excluded due to unavailability of data. Going forward, the CCPC will seek to collect turnover data related to the affected goods from infringing traders during investigations.

3.28 Similarly, data constraints also limited the scope of this assessment and prevented the inclusion of research and market studies, as well as financial education initiatives through our Money Hub. Regarding research and market

³ €263.60 = €95*0.88 + €1,500*0.12. 0.88 represents the proportion of customers who received compensation below €1,000.00 while 0.12 represents the proportion of customers who received compensation exceeding €1000.00. €95 was calculated as the weighted average of various compensation thresholds, using their respective frequencies as weights. The value €1,500.00 was chosen because it exceeds €1000.00, while remaining reasonably close to that threshold.

studies, it is essential that the issues being examined (whether competition or consumer or policy related) are clearly identified and recommendations to address these issues are actionable and directed to the appropriate implementers. Additionally, going forward the CCPC will consider estimating, whether through rough calculations, the potential financial benefit to consumers if recommendations are implemented. In relation to Money Hub, the CCPC will consider conducting regular user surveys with targeted questions, such as whether the information on its website helped consumers make financial decisions and the amount of savings or compensation they received. This data would be useful for a potential ex-ante impact assessment.

4. Estimated benefit from Competition Law Enforcement

- 4.1 This section presents the estimated ex-ante direct financial benefit to consumers based on the CCPC's competition law interventions in three antitrust and sixteen merger cases using the mathematical formula in Boxes 1 and the relevant assumptions set out in Table 5, above. During the period 2021 to 2024, the CCPC's interventions in competition law enforcement matters resulted in an aggregate ex-ante benefit of €463 million, representing an annual benefit to consumers of €115.75 million. The cost of delivering this benefit was €12.55 million, resulting in a benefit-to-cost ratio of 36.85:1. A breakdown of estimated benefits for Antitrust and Mergers is presented below.

Antitrust

- 4.2 Using the mathematical formula in Box 1 together with the assumptions in Table 5 regarding antitrust as well as specific case information in relation to the private motor insurance case, the CCPC estimates a lower-bound benefit of €253.85 and an upper-bound benefit of €356.13 providing an average central scenario direct benefit of €304.99 million, representing an annual benefit to consumers of €74.25 million. The CCPC estimates that the cost of delivering this benefit to consumers was €5.02 million, resulting in a benefit-to-cost ratio of 60.75 to 1.
- 4.3 These are conservative estimates, as not all the antitrust cases in which the CCPC intervened were included due to data constraints. Additionally, the assessment primarily relied on assumptions about pricing and duration of the conduct, had the CCPC not intervened.

Mergers

- 4.4 Using the mathematical formula in Box 1 together with the assumptions in Table 5, above, regarding mergers, the CCPC estimates a lower-bound benefit of €118.15 and an upper-bound benefit of €196.92 providing an average central scenario direct benefit of €157.53 million, representing an annual benefit to consumers of €39.38 million. The CCPC estimates that the cost of delivering this benefit to consumers was €7.53 million, resulting in a benefit-to-cost ratio of 20.93 to 1. Notably, the BOI/KBC merger and the ESB/Coillte joint venture

contributed the most to the aggregate benefits to consumers resulting from the CCPC's intervention in merger control.

- 4.5 These are conservative estimates as the assessment primarily relied on assumptions about pricing and duration of the effect of the potential SLC, had the CCPC not intervened.

5. Estimated benefit from Consumer Protection Interventions

5.1 This section presents the estimated ex-ante direct financial benefits to consumers based on the CCPC's intervention in 6 consumer enforcement cases, as well as information and advice provided to 152,944 consumers on their rights using the mathematical formulas in Boxes 2 and 3 outlined in section 3. For the period, 2021 to 2024, the CCPC's interventions regarding consumer protection resulted in an aggregate ex-ante benefit of €220 million, representing an annual benefit to consumers of €55 million. The CCPC estimates that the cost of delivering this benefit to consumers was €19.37 million, resulting in a benefit-to-cost ratio of 11.35:1. A breakdown of estimated benefits for Consumer Enforcement and Consumer Information and Advice is presented below.

Consumer Enforcement

5.2 Using the formula in Box 2, the CCPC estimates a lower-bound benefit of €148.49 and an upper-bound benefit of €249.15 providing an average central scenario direct benefit of €199.32 million, representing an annual benefit to consumers of €48.93 million. The CCPC estimates that the cost of delivering this benefit to consumers was €14.12 million, resulting in a benefit-to-cost ratio of 14.12 to 1. The intervention in the Tesco Clubcard case accounted for most of the benefit to consumers. According to Tesco, over 1.6 million households in Ireland²⁴ have a Tesco Clubcard with a usage and penetration rate of about 85%²⁵.

5.3 These are conservative estimates as the assessment primarily relied on highly cautious assumptions about pricing and duration of the conduct, had the CCPC not intervened.

Consumer information and advice

5.4 Using the formula in Box 3, during the period 2021 to 2024, the CCPC's intervention, through the provision of information and advice to consumers, delivered an aggregate direct benefit of €20.56 million, representing an annual benefit to consumers of €5.14 million. The CCPC estimates that the cost of

delivering this benefit to consumers was €5.25 million, resulting in a benefit-to-cost ratio of 3.91:1.

- 5.5 These are conservative estimates as there was limited data on actual compensation to consumers and user satisfaction surveys.

6. Conclusion and next steps

Conclusion

- 6.1 The CCPC estimates that the CCPC's interventions in consumer protection (excluding product safety and financial education on its website) and competition law enforcement matters delivered aggregate direct financial benefit to consumers amounting to €682 million, representing an annual financial benefit of €170 million over the period 2021 to 2024. The CCPC estimates that the cost of these interventions amounted to €32 million, resulting in a benefit-to-cost ratio of 21:37 to 1.
- 6.2 The direct financial benefits to consumers estimated in this assessment are conservative as they rely on highly cautious assumptions regarding potential price effects and duration of the conduct, had the CCPC not intervened. Furthermore, as noted above, not all impactful interventions of the CCPC are included in this assessment due to data constraints. Additionally, the deterrent effects of the CCPC's interventions are not captured. As a result, the actual benefit to consumers resulting from the CCPC's interventions is likely to be significantly higher than the monetary values estimated in this assessment. This conclusion is in line with international good practice.

Next steps

- 6.3 The CCPC to ensure collection of all relevant information and data that will enable it to expand the scope of its impact assessment and calculate more accurate case specific monetary values rather than, relying predominantly on standard assumptions.
- 6.4 There are fluctuations in yearly intervention activities. To address annual variations and abrupt changes in impact assessment values, a four-year moving average approach will be adopted. Subsequent annual reviews will calculate the direct benefit to consumers as a weighted combination: one quarter (25%) representing the new assessment and three quarters (75%) reflecting figures from the previous quadrennial assessment. This approach will provide a more stable

and representative measure of performance over time, while ensuring consistency and comparability across reporting periods.

- 6.5 In line with the commitment outlined in the Strategy Statement, the CCPC intends to carry out an ex-post assessment of its activities. As it will not be possible to carry out an ex-post assessment of all interventions in a single study, the CCPC will explore the possibility of conducting an ex-post assessment of selected merger control decisions in 2026.

7. Appendix A

| Agency | Antitrust | | Cartels | | Mergers | |
|---------------|------------------------|------------------------------|------------------------|------------------------------|------------------------|------------------------------|
| | Avoided price Increase | Expect duration price effect | Avoided price Increase | Expect duration price effect | Avoided price Increase | Expect duration price effect |
| DG Comp | 5-10% | 1/3/6 years | 10-15 % | 1/3/6 years | 3-5% | 2/3/5 years |
| OECD Guidance | 5% | 3 years | 10% | 3 years | 3% | 2 years |
| Literature | | | 15-25% | | 2-5% | |
| Belgium | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp |
| Cyprus | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp |
| Denmark | OECD | OECD | OECD | OECD | OECD | OECD |
| Estonia | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp |
| France | 1%/2.5%/5% | OECD | 1%/2%/10% | OECD | 1%/3% | OECD |
| Germany | DG Comp | DG Comp/OECD | DG Comp | DG Comp/OECD | DG Comp | DG Comp/OECD |
| Hungary | 10% | 2 years | OECD | 2 years | 5% | OECD |
| Iceland | DG Comp | OECD | 10-15%/5-10% | OECD | DG Comp | OECD |
| Ireland | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp |
| Italy | OECD | OECD | OECD | OECD | OECD | OECD |
| Lithuania | OECD | OECD | OECD | OECD | OECD | OECD |
| Netherland | OECD | OECD | OECD | OECD | OECD | 3 years |
| Poland | OECD | OECD | OECD | OECD | OECD | OECD |
| Spain | OECD | OECD | OECD | OECD | OECD | OECD |
| Sweden | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp | DG Comp |

Source: The CCPC adapted from DG Comp's compilation

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