

# ARE YOU BEING SERVED?

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Transparency and legal obligations relating to tipping / service charges in the services industry



## Transparency and legal obligations relating to tipping / service charges in the services industry

*Consumers sometimes face confusion and hidden costs when it comes to service charges, i.e. tips. The CCPC is focused on protecting Irish consumers and improving transparency in how charges and tipping are presented and collected.*

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### 1. Executive Summary

While perhaps not as common as in other countries, tipping seems to be on the rise in Ireland. Some of this is down to new technologies, notably for card payments, which have changed the way consumers can tip. These practices can lead to consumer detriment where payment prompts or devices can influence decisions at payment. In some cases these practices can even mislead consumers. The use of service (and other) charges is also connected to this area. Consumers can experience charges which are unexpected or unclear on their bills which can also cause detriment.

Consumers experiencing these issues when they use services say that they are sometimes costing them money and/or causing them stress. These issues are occurring in sectors where consumers might be making multiple purchases every day, such as a cafés and restaurants, and/or where costs can be high such as hairdressers and beauty salons.

In Irish employment law tips, gratuities and service charges are considered to be the same. For consumer protection law, they are treated slightly differently. We have categorised them into 3 areas listed below: Mandatory charges, Quasi-optional charges or Optional charges. ‘Mandatory’ charges must be clearly notified in advance; any form of ‘optional’ charges must be opt-in and never added without prior consent. Throughout the report, we have used the phrase “tip” to refer to any of these charges, unless it is necessary to use the specific type.

Charge Type	Example	Legal Conditions	Experience <sup>1</sup>
<b>Mandatory</b>	Percentage service charge added for a specific number of people on a booking	Must be given sufficient prominence that it is unlikely to be missed i.e. on pricing displays and menus	1 in 10 consumers experienced an unexpected mandatory charge added to their bill in the past year
<b>Quasi-optional</b>	An “optional” charge added to a bill without consent, which a consumer needs to ask to be removed	Must never be included on a bill without consumers’ prior consent	1 in 12 consumers experienced an unexpected “optional” charge added to their bill in the past year
<b>Optional</b>	A tip left by a consumer of their own free will	Must be freely opted in to by consumers	90% of consumers tip at least some of the time Almost 1 in 10 consumers have left a tip in error because of a tipping terminal

A guiding principle for tips and charges to be compliant with consumer protection legislation is that the consumer should feel in control of the decision and the amount; i.e. the charge is displayed clearly

<sup>1</sup> Experience was based on Irish locations only and does not include international transactions

prior to purchase if it is mandatory, or the consumer is free to add (or not add) whatever they wish after the initial transaction value is provided. A crucial element of this is that consumers should not be surprised by any charge appearing on a bill – this applies across all industries.

Following contacts received in the area, the CCPC has sought to explore consumers' experiences with tipping in Ireland. The research aimed to understand the prevalence of tipping across different services, and where there might be potential issues with how it is presented to consumers, either in terms of tip collection or service charge communication.

The research was broadly split into two areas: charges on bills, and the newer developments of tipping screens and tipping terminals/Tap-to-tip machines. In relation to the newer practices the intention was to identify any issues and seek to provide information to traders and consumers on making these as fair and transparent as possible.

The research examines a range of sources including the legal framework related to this area, contacts received by the CCPC Helpline from consumers, and a nationally representative online survey of 1,048 consumers (conducted by Ipsos B&A during October 2025).

### ***Key Survey Findings:***

#### *Consumer Detriment*

The CCPC defines consumer detriment as a problem which “caused you stress, cost you money, or took up your time”.<sup>2</sup> In the context of unexpected charges, we found the following key statistics relating to consumers' claims of detriment in the area of tipping:

- One fifth (21%) of consumers have experienced an unexpected charge on a bill in the past 6 months, with half of these stating that it was a mandatory service charge. Three quarters of these consumers paid the unexpected charge. Half (52%) found the experience at least moderately stressful.
- Almost 1 in 10 (8%) consumers have tipped mistakenly on a tipping terminal. This could mean that almost €500,000 has been mistakenly paid on these terminals.
- A similar proportion of people (8%), when they last encountered a tipping screen on a card payment system, tipped when they had not originally intended to. This aligns with the more detailed screen findings below: among those who did not intend to tip but were shown a tipping screen, around one fifth selected a tip amount, and among those who tipped, around one quarter tipped more than they intended. This indicates that screen design and the payment moment can influence consumer decisions at checkout, sometimes “nudging” people into decisions they did not intend to make.

#### *Mandatory and Quasi-Optional Charges*

- Of the one fifth who experienced an unexpected charge:
  - 47% said that it was a mandatory service charge. These should always be notified in writing to the consumer on signage and on the menu in a clear enough manner so that they are unlikely to be missed.

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<sup>2</sup> Further details are available in the [CCPC-Understanding-Consumer-Detriment-in-Ireland.pdf](https://www.ccpc.ie/CCPC-Understanding-Consumer-Detriment-in-Ireland.pdf) available at ccpc.ie

- 38% experienced an optional service charge on a bill. These must be opt-in only, not opt out. No optional charges should be added to a bill without a consumer's prior consent.
- 6% stated that the charge related to VAT. All prices displayed to consumers in Ireland Consumer prices must be inclusive of VAT (and any other tax), so adding VAT as an extra charge at payment is not permitted.

#### *Tipping behaviour*

- Tipping in Ireland is a widespread practice, 9 in 10 consumers say they tip at least some of the time in at least one of the settings asked about in our questionnaire. Over 9-in-10 consumers agree that their tip amount depends on the quality of service they receive.
- Over half (58%) agreed that they would sometimes rather not tip but feel they have to. Separately, two thirds (67%) believed that tipping in Ireland is becoming less voluntary, and three quarters (75%) would like to see businesses make it easier to opt out of tipping.
- Cash (89%) is the dominant tipping method, even when bills are paid by card (over half still tip in cash when paying by card). This is partially driven by a lack of trust in the distribution of card and eWallet tips (only 29% believe digital tips reach staff). Standard cafés/restaurant tips typically range from 10-14% of the bill.

#### *Tipping Screens*

- Digital tipping screens are now familiar to two-thirds of consumers, especially consumers under 35 and Dublin residents. Sit-in dining settings are the most common location to encounter the screens.
- While it may not be the original intention, these screens can potentially have a “nudging” effect on consumers with one fifth (21%) of those who did not intend leaving a tip when they last encountered such a screen selecting a tipping amount. Of those who did leave a tip, one third left a higher amount than they intended to.
- Opinion on these screens is split. While many consumers do find them easy to understand and even potentially helpful in leaving a tip, a sizeable minority disagree that it is easy to bypass the screens (25%), another quarter do not feel confident using them, while a third disagree that they display the total clearly.
- When presented with some examples of tipping screens with various amounts versus a simple “Would you like to leave a tip?” screen the simpler Yes/No option was chosen by 49% of respondents, compared to 28% for the tipping amount screens, with the remaining consumers not expressing a preference. The CCPC is of the opinion that consumers should be given a yes/no screen prior to any percentages or amounts being suggested or, failing that, the “No Tip/ Skip” option should be the most prominent option on the screen.

#### *Tipping terminals*

- A related practice in some services is the use of a separate tipping terminal. One third (31%) of consumers have encountered a dedicated tipping terminal.

- Among those who have encountered one, 26% reported accidentally tapping the terminal and unintentionally paying a tip – almost 1 in 10 of the total adult population in Ireland. Assuming a tip of €1 on the occasions when this happened, this could mean that almost half a million euro has been spent on accidental tips on these terminals alone – demonstrating why tipping terminals should be clearly labelled and physically separated from the payment terminal (for example, placed away from the till), to reduce accidental taps.
- Just 5% of those who tipped in error ended up receiving a refund.

***Actions and Recommendations:***

***For Traders:***

The CCPC understands that some of these practices are new and are therefore releasing guidance to traders on how they should be used. Below is a list of conditions which traders must abide by under consumer protection law and a separate list of recommendations for newer practices to ensure maximum transparency to consumers:

**Legal Obligations**

Below is a list of things traders must and must not do in relation tipping/service charges. Please note that this list is not exhaustive and traders will still need to ensure that they are compliant with additional legislation including in areas outside of consumer protection.

<b>MUST</b>	<b>MUST NOT</b>
✓ Clearly display any prices, including mandatory charges, on their menu and at the entrance.	✗ Add any mandatory charges to a bill without this being clearly displayed in advance.
✓ Seek permission from the consumer before adding any optional charges.	✗ Add an “optional” charge to a bill without the consent of a consumer, even if this is flagged in advance.
✓ Ensure that the actual price the consumer must pay is clear and obvious in any communications.	✗ Mislead a consumer into making a payment they do not want to make, or would not otherwise have made.

**Recommended Practices for Digital Payment Methods**

In relation to newer practices regarding terminals, the CCPC is giving the following advice, which traders should put into practice as soon as possible:

- Where digital tipping screens are used, it is preferable to ask an open question such as “Do you want to leave a tip?” with a “Yes/No” response screen.
- If a screen with tipping amounts is used, the 0, “No Tip” or “Skip” option should be at least as obvious to consumers as the individual tipping amounts.
- Where a tipping terminal is used as a separate unit, they should be clearly marked as a non-payment terminal and placed in an area where it will not lead to confusion from consumers, preferably at a distance away from the till.

### ***For Consumers***

- The CCPC is reminding consumers to be careful when dining out or engaging with other services:
  - If you see a charge on a bill you didn't expect or which is unclear, query it. If the charge was not displayed correctly, it should not be mandatory. Anything that is not mandatory is likely to be an additional, optional payment which you can have removed from the bill. Traders who are not complying with their legal obligations in this regard can be reported to the CCPC.
  - Tip when you feel it is appropriate, even if you are presented with a screen suggesting you should.
  - Tip the amount you feel comfortable with. Take your time, review the options and use custom amounts if necessary.
  - Pay attention to the area around tills and do not tap a card or eWallet device on anything until you are sure what it is and what value it will deduct from your card.

### **CCPC Action**

The CCPC is taking a series of actions to ensure consumers are protected in this area. In the first instance, these will include:

- Engaging with industry to provide education to traders on how to be compliant in the communication and collection of tips.
- Reviewing consumer contacts to our helpline which detail potential misleading or unfair treatment by traders.
- Providing advice to consumers as appropriate.
- Advocating for changes or updates to legislation if required.

Following the above, if the CCPC learns of practices which are still potentially in breach of consumer protection law in relation to tipping, we may proceed to enforcement steps.

## 2. Overview of current context and problem statement

### *Introduction and background*

The rapid digitalisation of consumer payments in Ireland, particularly in hospitality, food service, and beauty sectors, has transformed how consumers pay for services. In 2024 alone, over 1.5 billion contactless payments worth €26.7 billion were made (BPFI<sup>3</sup>) by consumers in Ireland.

This digital revolution has also affected how consumers tip. Touchscreen and ePOS systems now allow businesses to present tipping prompts directly at the checkout. These can often display default percentages which take up most of the screen, with skip/no options being presented as the last option seen.

While these systems offer an alternative to cash, they also raise concerns around transparency and consumer autonomy. Tipping prompts may appear before the service is delivered or lack clear “opt-out” options, creating pressure or confusion. Research (Deng et al. 2025) suggests that such designs can influence consumer decisions through digital nudging, leading some to tip when they don’t intend to and others to tip more than intended. Behavioural research further shows that interface design, such as default tip amounts or social cues can potentially exploit psychological biases such as anchoring or social pressure (Furnham & Boo 2011). As a result, what appears as a simple payment interaction can unintentionally (or intentionally) steer consumers toward most costly decisions, challenging ethical standards for fair practice.

Under the Digital Services Act (DSA) dark patterns used online are illegal, however these are not clearly defined in the legislation, and the DSA does not apply to in person transactions. At both EU and Irish level, these practices are grouped in consumer law with “misleading” or “unfair” terms. This has the potential to lead to a difference in treatment between the online and in-person consumer-trader interactions. The CCPC has previously recommended more specific practices be included in the “Blacklist” of the UCPD and will continue to advocate for legislative change to further protect consumers.

Problems can also occur in non-digital settings where undisclosed charges or inconsistent price displays may lead to consumer harm. Between 2016 and 2025, the CCPC received over 2,000 complaints involving unclear or hidden charges in hospitality and beauty services. While not all will represent a breach of the law, these practices risk undermining trust and fairness, and may breach the Consumer Protection Act 2007 and related EU directives requiring clear, upfront pricing.

For the food services sector, there are also clear obligations under the Retail Price (Food in Catering Establishments) Display Order 1984 to display pricing immediately inside or outside the entrance, and on a price list, such as a menu.

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<sup>3</sup> The BPFI Consumer Bank Technology Survey 2025 was conducted by Amárach Research in February 2025 amongst a nationally representative sample of 1,000 people. <https://bpfi.ie/wp-content/uploads/2025/03/BPFI-Consumer-Banking-Technology-Survey-2025.pdf>

### ***International Tipping Models and Cultural Context***

Consumers should be free to choose whether and how much to tip anyone, in any transaction. A trader needs to ensure that this is done in a way that is transparent and fair. This is also true of the charges traders may oblige consumers to pay when using their services.

Tipping norms vary widely across countries. Lynn (2015) identified five key motivations for tipping: helping the server, rewarding service, securing future service, gaining esteem, and fulfilling social obligations. However, in digital contexts, these motivations may also be shaped by interface design rather than pure voluntary intent.

In the U.S., tipping is a cultural norm and a major income source for service workers, with average tips around 20% (Lynn 2018; Mansfield 2016). In contrast, tipping in Europe is more varied. For example, while tipping is common in Germany and Sweden (up to 9%), it is far less frequent in France, Norway, Spain, and Switzerland (Gössling et al. 2020) and values may be less than in the US.

In Ireland, tipping norms are more flexible and less codified, which can create uncertainty, especially when international ePOS terminals introduce tipping models that may not align with local expectations. This ambiguity can be exploited through interface design, subtly nudging consumers toward higher amounts.

The debate between “nudge” and “manipulation” is central here: as Abdukadirov (2016) and Brod (2021) note, nudges can promote informed choices, but when poorly designed, they can undermine free choice and transparency.

To explore these areas in greater depth, this research aims to investigate how such practices are experienced by consumers, where risks may be evident in how charges are collected and to identify any potential improvements that can benefit consumers. The following section details the research objectives, guiding questions, and methodological approach used to assess these issues empirically.

### ***Research objectives***

The primary purpose of this research is to examine potential consumer detriment from tipping practices including service charges.

### ***Research Questions:***

- How do consumers experience different tipping types?
- How transparent do consumers think current tipping practices are?
- Do current tipping practices result in detriment for consumers?

### ***Methodology***

- Survey: 1,048 nationally representative respondents through online survey.
- Experimental module testing digital tipping interfaces (Layouts A/B/C) and scenarios assessing comprehension and perceived manipulation.

## ***Key Legal Provisions***

The inclusion of unexpected charges, whether mandatory or optional, on bills raises important questions about consumer protection and transparency. These practices not only affect consumer trust but may also be in breach of legal obligations. To assess the legality and fairness of such charges, it is essential to examine the key legal provisions governing consumer rights and protection. The following section outlines the relevant legislation and regulatory frameworks that address pricing transparency, unfair commercial practices, and consumer contract terms.

- *Irish Consumer Protection Act 2007 (updated by Consumer Rights Act 2022)*
  - Misleading Commercial Practices: Under Section 47, practices that mislead consumers are prohibited. In this context this could potentially include obscuring optional charges or presenting them ambiguously.
  - Inclusive Pricing: Section 49: If a surcharge is charged for a specific payment method (where permitted), that cost must be included in a single total price presented to the consumer. This ensures transparency: consumers see the full price upfront, avoiding surprise additional service charges at the checkout. This also allows consumers to compare prices prior to ordering and choose freely amongst different establishments.
- *EU Unfair Commercial Practices Directive (UCPD)*
  - The UCPD<sup>4</sup> aims to protect consumers from unfair business-to-consumer practices. The relevant provisions include:
    - Article 5 – General Prohibition  
Prohibiting unfair commercial practices that are contrary to professional diligence and likely to distort consumer behaviour.
    - Article 6 – Misleading Actions  
A commercial practice is misleading if it contains false information or deceives the average consumer, even if the information is factually correct. Examples include false claims about pricing or price advantages.
    - Article 7 – Misleading Omissions  
A practice is misleading if it omits material information or presents it in an unclear or ambiguous way, leading the consumer to make a decision they wouldn't otherwise make.
    - Annex 1 –  
The UCPD contains an annex of “blacklisted” practices. These are practices which are considered unfair in all circumstances. The CCPC has previously stated that we would welcome “better protections for consumers experiencing dark patterns which do not meet the current threshold under the UCPD, up to and including a blacklist”.<sup>5</sup>
- *Retail Price (Food in Catering Establishments) Display Order, 1984*

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<sup>4</sup> European e-Justice Portal - Unfair Commercial Practices Directive (2005/29)

<sup>5</sup> CCPC observations on the European Commission's Fitness Check of EU consumer law on digital fairness - CCPC Business

- If traders sell food on their premises there are rules about how prices must be displayed to consumers. The Retail Price (Food in Catering Establishments) Display Order, 1984 dictates that the notice must be displayed immediately outside or inside the entrance (or the entrance to the catering area if the shop carries out other business on the premises). Restaurants and other dining establishments must display prices on their menus. If individual menus are not provided, a clear price display should be visible in the room, such as on a blackboard. All displays must give the final price inclusive of taxes and charges. Full details are available on CCPC.ie/business<sup>6</sup>.

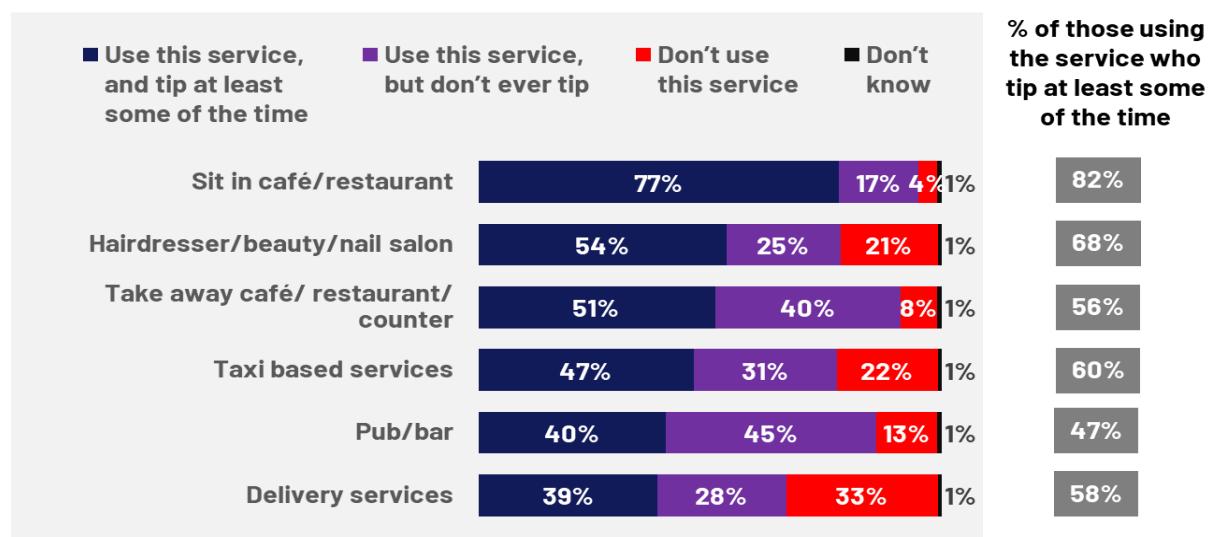
- *Payment of Wages (Amendment) (Tips and Gratuities) Act 2022*

The Payment of Wages (Amendment) (Tips and Gratuities) Act 2022<sup>7</sup>, ensures transparency and fairness in tip distribution, and requires businesses to clearly display their policy on how tips, gratuities and service charges are distributed among staff. Broadly speaking, employers should not retain tips or service charges, other than under specific conditions set out in the Act. Employees can report suspected breaches of the act to the Workplace Relations Commission (WRC) and failure to comply can lead to enforcement actions.

### 3. Analysis of Market

The research provides a robust evidence base of consumer experiences with unexpected charges, particularly tipping, in the Republic of Ireland.

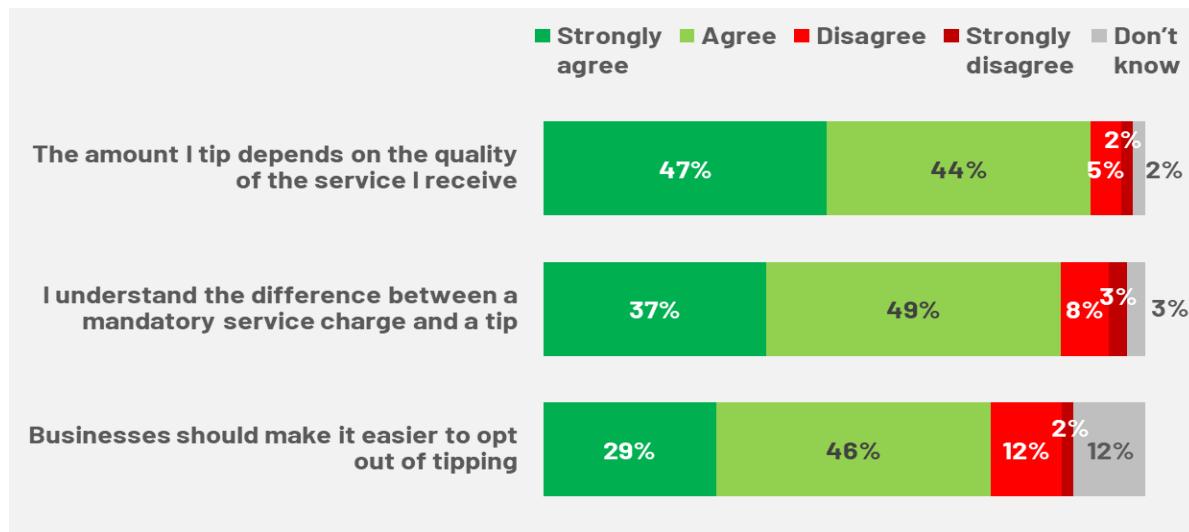
#### *General Consumer Behaviours*



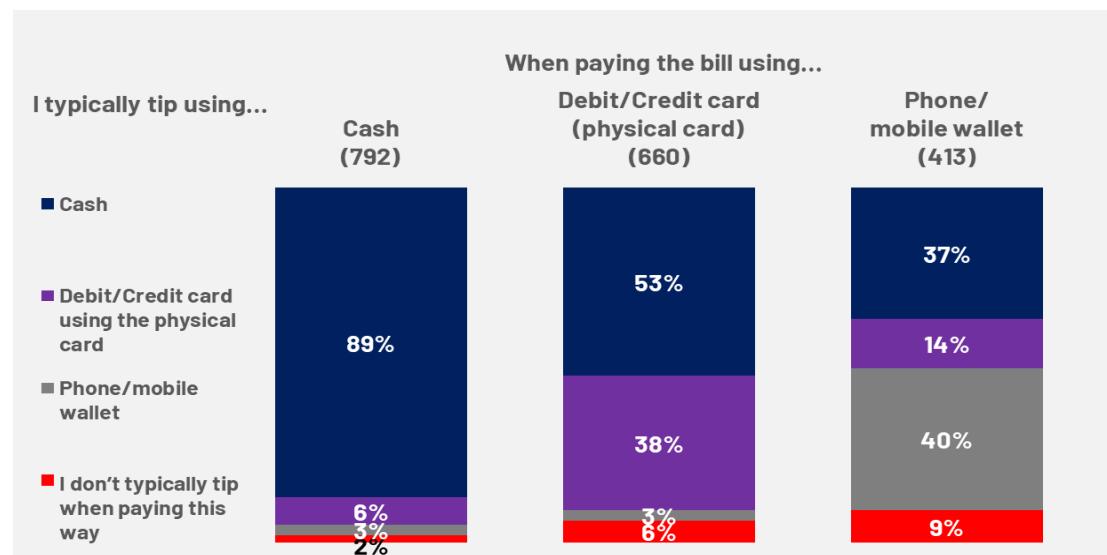
- In total, 9 in 10 respondents in Ireland tipped at least some of the time when they use any of the services listed. Tipping was most prevalent in dine-in environments, particularly cafés and restaurants, where 82% of respondents reported tipping at least occasionally. This is followed by hair and beauty salons (54%) and takeaway providers (51%). Roughly half of tippers in dine-in settings leave 10-15% of the bill as a tip.

<sup>6</sup> Restaurants and Cafes - CCPC Business

<sup>7</sup> <https://www.workplacerelations.ie/en/what-you-should-know/hours-and-wages/tips-and-gratuities/payment-of-wages-amendment-tips-and-gratuities-act-2022-information-guide-wrc.pdf>



- Results show a strong association between tipping behaviour and service quality, with over 90% of respondents agreeing that the amount tipped is contingent upon the quality of service received.
- While consumers generally do seem positively pre-disposed to tipping, three quarters agree that “Businesses should make it easier to opt out of tipping”.
- Demographic analysis indicates that women and those over 35 have a higher propensity to tip. Those over 65 are also more likely to leave a higher proportional value of tip.

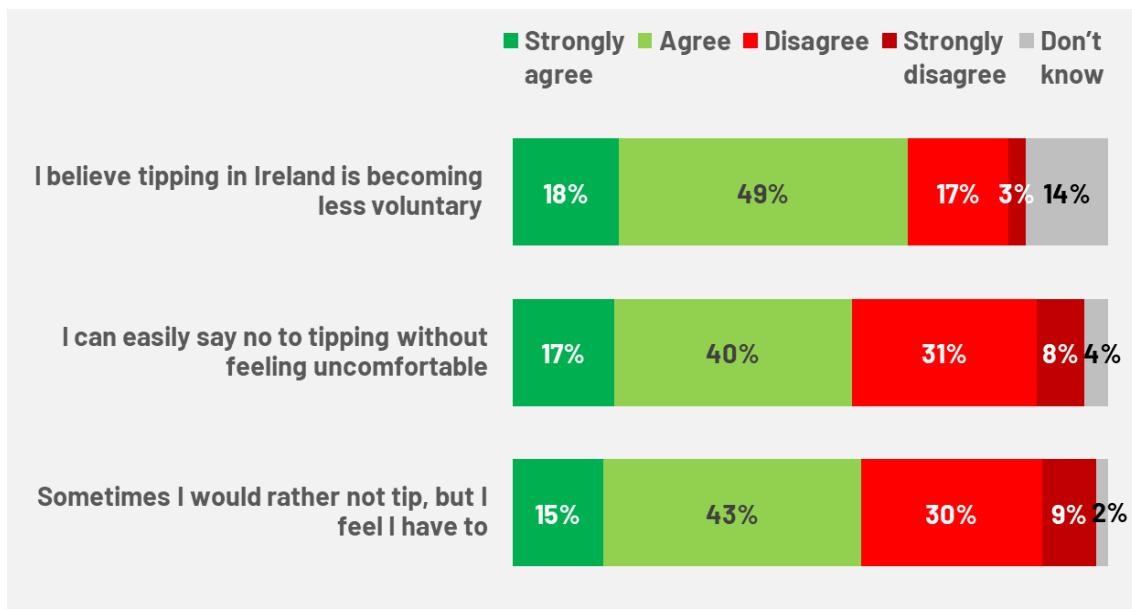


- Cash is the dominant method for tipping. Even when respondents pay the bill by card, over half of card users still switch to cash for tips. Some of this can be explained by mistrust, with just 29% of respondents saying they are confident that tips paid through digital means go to staff.

### ***Tipping as a Voluntary Practice***

- Two thirds (67%) of respondents agreed with the statement “I believe tipping in Ireland is becoming less voluntary”. This rises to 73% of Dublin residents, who also interacted with tipping screens and terminals to a higher degree than those outside Dublin. While there could

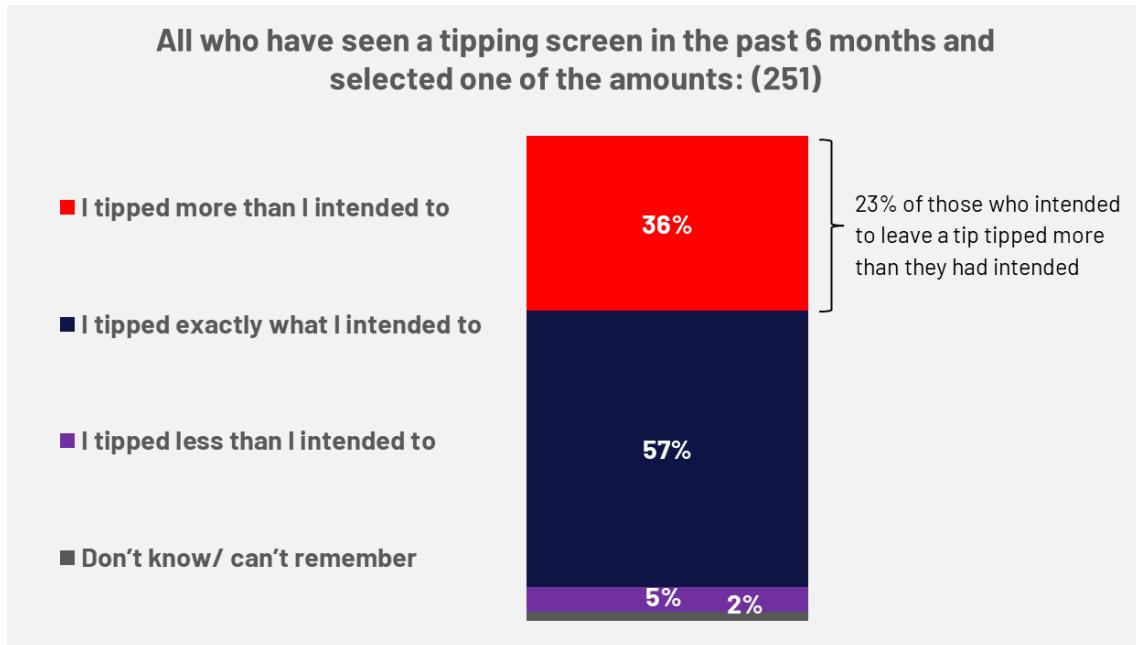
be several factors influencing this figure, it is a concern for the CCPC – especially if respondents are feeling pressured into adding tips to bills which should be optional.



- The decision to tip or not should always be down to the free choice of the consumer, yet this is not always the case. Just over half (57%) of respondents agreed that they can easily say no to tipping without feeling uncomfortable. Gender-based differences are evident in the case of declining to tip, with 66% of men reporting being comfortable with refusing to pay a tip compared to 50% of women.
- Over half (58%) of consumers agree that they would sometimes rather not tip, but they feel they have to.

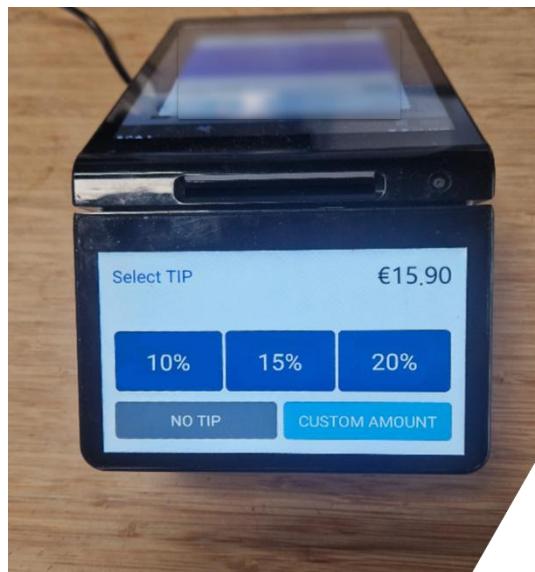
### ***Tipping screen on digital payment terminals/ Digital Tipping Screens on Card Readers***

- Two-thirds of respondents have encountered tipping screens in the past 6 months, with younger respondents and Dublin residents most likely to have seen them. Food services were the most cited locations for respondents to encounter them (Dine-in 73%, Takeaway 44%).



- On their last encounter with one of these screens, one fifth (21%) of those who did not intend leaving a tip selected a tip amount from the screen. Separately, one quarter (23%) of those who did intend leaving a tip the last time they encountered a tipping screen reported tipping more than they originally intended – evidence of potential consumer harm.
- Respondents were presented with two examples of tipping screens and asked a series of questions related to the screens. These real life examples were adjusted to remove any identifiable information and to combine some features that were evident across different traders and terminal providers.

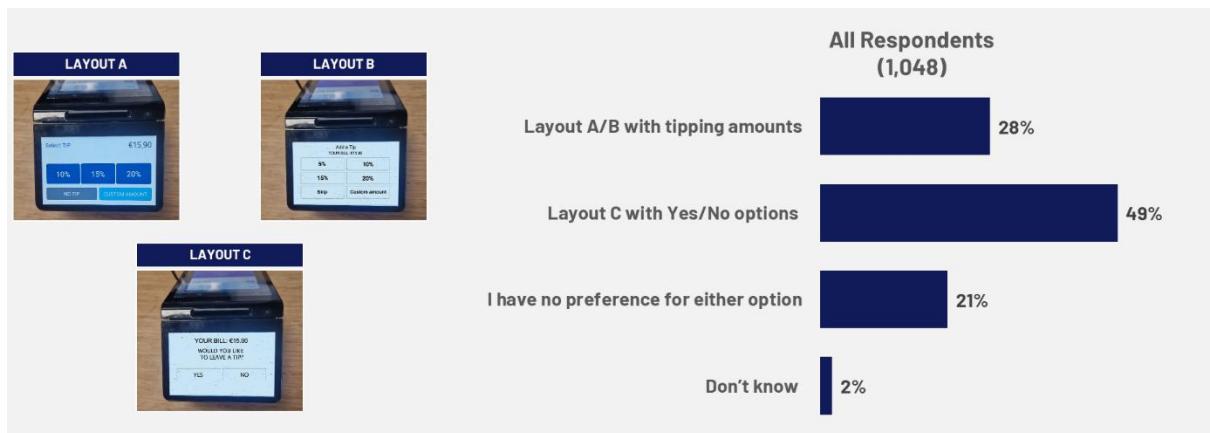
**Layout A**



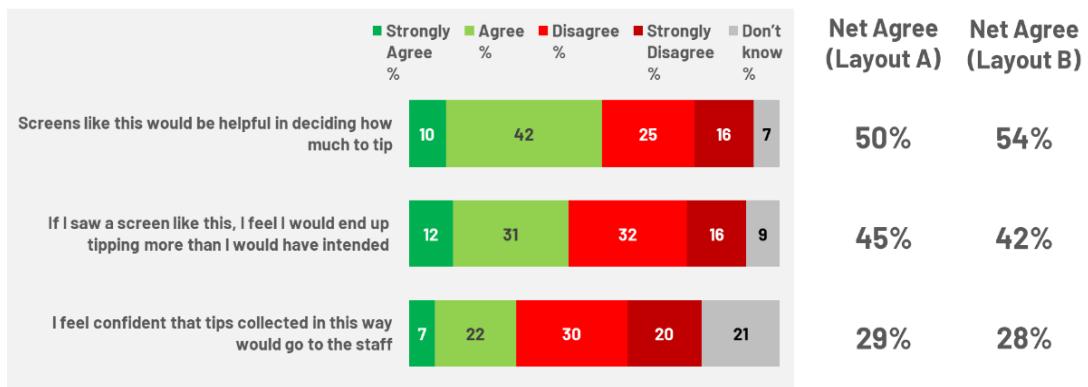
**Layout B**



- In both cases respondents overwhelmingly stated that they were more likely to notice a % tipping suggestion first, than the Skip/No tip option (Layout A 53% vs 6%; Layout B 65% vs 14%).
- In the case of Layout B just 12% said they noticed the bill amount first – this is a significant concern given the importance of clear communication of costs to consumers.
- There is a strong consumer preference for more clarity: nearly half (49%) of the respondents preferred a straightforward "Yes/No" tipping screen over one with preset percentages, potentially reflecting a desire to avoid feeling pressured or manipulated.



- Respondents were split almost 50/50 on their attitude towards the helpfulness of the screens. While 48% of respondents in total disagreed that either screen would lead to them tipping a higher amount than they would have intended, a sizable 43% did feel that the screens could lead to this outcome. This is a significant enough proportion to warrant concern.



### ***Trust Gap in Digital Tipping***

- The survey also uncovered a significant “trust gap” regarding digital tips. Only 29% of respondents feel confident that tips collected via payment terminals actually go to staff, which may explain the continued preference for cash tipping. This scepticism is likely a key behavioural mechanism limiting the adoption of digital tipping, despite the increasing digitisation of payments.

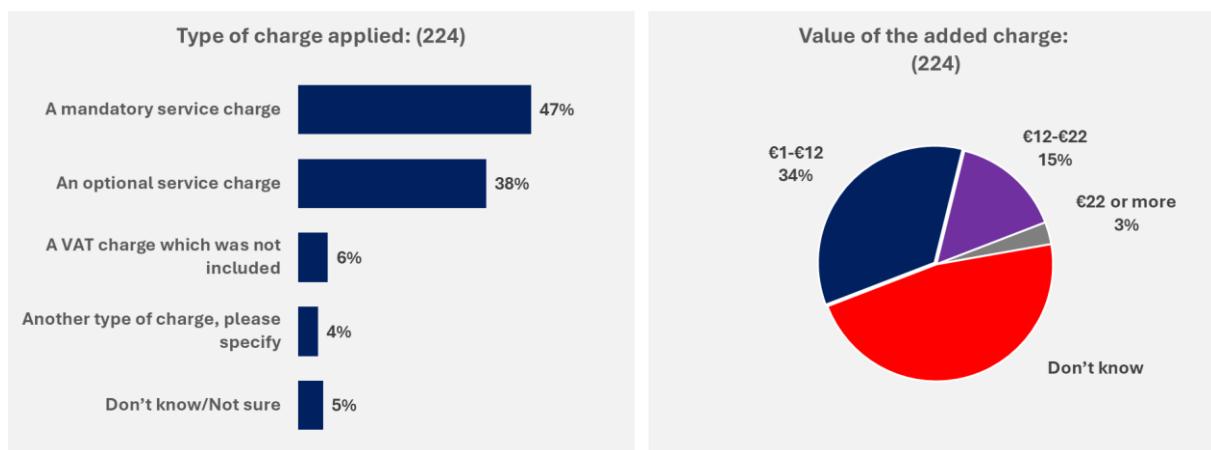
### ***Separate/standalone Tipping Terminals: Unintended consequences***



- Almost one third (31%) of respondents have seen standalone tipping terminals like that in the picture above (which was shown to respondents). However, it seems the introduction of these tipping terminals has created some new consumer issues: While 70% of those who had seen them thought it was clear and obvious that they were for tipping, 1 in 4 (26%) respondents who have seen such a terminal have accidentally tipped by mistake. This equates to almost half a million adults in Ireland when aggregated up to the national population. Assuming each person only mistakenly tapped on one occasion, and for an average spend of €1 for each mistaken transaction, this means that €½ million has been mistakenly paid on these machines.
- Just 5% of those respondents received a refund following the error. This highlights how new payment technologies can inadvertently lead to potential consumer detriment through confusion or lack of clarity.
- It is imperative that businesses using these devices place them in areas where they are not likely to be accidentally tapped and label them clearly. Where a consumer does tip accidentally, they should have no reservations about asking for their money back from the trader.

### ***Undisclosed Mandatory Charges***

- In our survey, around 1 in 5 (21%) respondents reported experiencing unexpected charges on a bill, with two thirds of these occurring in cafés and restaurants. While these may not all be charges or practices which would be in breach of the law, the volume of these cases raises concerns about how charges are disclosed to consumers.



- When asked about the most recent time this practice occurred, half of those (47%) who experienced an unexpected charge said that it was a mandatory service charge. This should have been clearly displayed at the entrance or on a price list (menu).
- A further 38% had an optional service charge added – something which should never happen without a consumer's consent. While VAT charges made up a small proportion of incidents, this again is something which legally must be included in prices shown to consumers.
- Three-quarters of those presented with an unexpected charge paid it.
- Over 1-in-5 respondents who experienced an unexpected charge found the most recent situation very or extremely stressful, with a further 58% finding it slightly or moderately stressful.
- This demonstrates both the financial and emotional impact of non-transparent charging practices.

The CCPC has received a number of complaints relating to additional charges appearing on a bill unexpectedly, particularly in restaurants, cafes and other dining locations. Some examples of these are included below:

- No pricing displayed at all, or pricing displayed for only some items
- Extra charge added for paying with a card
- Service fee added without notice
- “Optional” service fee already included in total bill amount
- VAT or other tax not included
- Pricing variations at different times of day without prior notice

## 4. Actions and Recommendations

### *For Traders:*

The CCPC understands that some of these practices are new and are therefore releasing guidance to traders on how they should be used. Below is a list of conditions which traders must abide by under consumer protection law and a separate list of recommendations for newer practices to ensure maximum transparency to consumers:

### **Legal Obligations**

Below is a list of things traders must and must not do in relation to tipping and charges. Please note that this list is not exhaustive and traders will still need to ensure that they are compliant with additional legislation, including in areas outside of consumer protection.

<b>MUST</b>	<b>MUST NOT</b>
✓ Clearly display any prices, including mandatory charges, on their menu and at the entrance.	✗ Add any mandatory charges to a bill without this being clearly displayed in advance.
✓ Seek permission from the consumer before adding any optional charges.	✗ Add an “optional” charge to a bill without the consent of a consumer, even if this is flagged in advance.
✓ Ensure that the actual price the consumer must pay is clear and obvious in any communications.	✗ Mislead a consumer into making a payment they do not want to make, or would not otherwise have made.

### **Guidance for Newer Payment Practices (Recommended Actions)**

In relation to newer practices regarding screens and terminals. The CCPC is giving the following guidance, which traders should put into practice as soon as possible:

- Where digital tipping screens are used, it is preferable to ask an open question such as “Do you want to leave a tip?” with a “Yes/No” response screen.
- If a screen with tipping amounts is used, the 0, “No Tip” or “Skip” option should be at least as obvious to consumers as the individual tipping amounts.
- Where a tipping terminal is used as a separate unit, they should be clearly marked as a non-payment terminal and placed in an area where it will not lead to confusion from consumers, preferably at a distance away from the till.

### *For Consumers*

The CCPC is reminding consumers to be careful when dining out or engaging with other services:

- If you see a charge on a bill you didn’t expect or which is unclear, query it. If the charge was not displayed correctly, it should not be mandatory. Anything that is not mandatory is likely to be an additional, optional payment which you can have removed from the bill. Traders who are not complying with their legal obligations in this regard can be reported to the CCPC.

- Tip when you feel it is appropriate, even if you are presented with a screen suggesting you should.
- Tip the amount you feel comfortable with. Take your time, review the options and use custom amounts if necessary.
- Pay attention to the area around tills and do not tap a card or eWallet device on anything until you are sure what it is and what value it will deduct from your card.

***For Employees:***

The Payment of Wages (Amendment) (Tips and Gratuities) Act 2022 ensures transparency and fairness in tip distribution, and requires businesses to clearly display their policy on how tips, gratuities and service charges are distributed.

- Read the act carefully to know your rights and your employer's obligations.
- If you feel that any aspect of the Act has been breached, you are entitled to make a complaint to the WRC.

Any complaints referred to the WRC must be made within 6 months of the date of the alleged breach, unless the adjudicating officer is satisfied that the failure to present the complaint within that period was due to reasonable cause.

**CCPC Action**

The CCPC is taking a series of actions to ensure consumers are protected in this area. In the first instance, these will include:

- Engaging with industry to provide education to traders on how to be compliant in the communication and collection of tips.
- Reviewing and acting on any consumer contacts to our helpline which detail potential misleading or unfair treatment by traders, based on standard prioritisation principles.
- Providing advice to consumers as appropriate.
- Advocating for changes or updates to legislation if required.

Following the above, if the CCPC learns of practices which are still potentially in breach of consumer protection law in relation to tipping, we may proceed to enforcement steps.

## APPENDIX – Glossary & Abbreviations

- **Dark Pattern:** According to the European Parliament a dark pattern is a trick used in websites and apps that make consumers do things that they did not mean to, such as buying or signing up to something.<sup>8</sup>
- **Digital Nudge:** A digital design that influences consumers' choices but is generally benign or beneficial to the consumer e.g. achieving financial goals, encouraging healthy activities or learning.
- **ePOS:** A digital interface used for card and eWallet payments beside or through a till
- **eWallet:** mobile or computer-based applications that facilitate online transactions, cashless in-store payments and peer-to-peer transfers.
- **Mandatory Charge:** Compulsory fee added to bills in addition to advertised prices for items (e.g. a service charge in addition to food and drink costs at a restaurant). This could include charges applied under certain conditions e.g. a service charge placed on tables of 6 or more at a restaurant, corkage, delivery, etc.
- **POS:** Point-of-Sale system which allows consumers to pay for products and services, and tracks transactions for the trader.
- **Tip/Gratuity:** Voluntary payment to service staff directly from consumers.
- **Tipping Terminal:** A separate contactless pay point in an in-person setting, generally with a pre-programmed value (normally €1 or €2).
- **VAT:** Value added tax. In Ireland this tax must be included in prices displayed to consumers.

### Legal terms:

- **DSA<sup>9</sup>:** Digital Services Act, is an EU regulation in force since 17 February 2024. The regulation aims to make the online environment safer and fairer for users. Organisations for which the DSA applies are required to: provide greater transparency on their services; adopt procedures for handling take down notices, informing users in certain circumstances and addressing complaints; refrain from certain practices, such as profiling, and/or improve control for users of their service.
- **EAA:** [European Accessibility Act - National Disability Authority](#)

The EAA (Directive (EU) 2019/882) sets mandatory accessibility requirements for certain products and services, including: payment terminals, self-service kiosks, and e-commerce platforms. In Ireland, it was transposed into law via S.I. No. 636/2023 and came into effect on 28 June 2025.

- **UCPD:** Unfair Commercial Practices Directive, EU wide legislation governing business to consumer practices

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<sup>8</sup> [Regulating dark patterns in the EU: Towards digital fairness](#)

<sup>9</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065&qid=1670837883291>

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