



National Consumer Agency

Annual Report

2010



national consumer agency
gníomhaireacht náisiúnta tomhaltóirí

putting **consumers** first



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Introduction



The National Consumer Agency was set up on 1st May 2007. This Annual Report sets out the activities of the Agency for the period from 1st January to 31st December 2010.

The Board is pleased to submit to the Minister for Enterprise, Jobs and Innovation the 2010 Annual Report in accordance with Section 22 of the Consumer Protection Act 2007.

Stephen Costello

Chairman

Ann Fitzgerald

Chief Executive



Chairman's Statement

The environment in which the Agency operates has shifted dramatically. Consumers are now nervous about the future, they are spending less, saving more and their shopping behaviours have been irrevocably marked by the experiences of recent years. In order to restore consumer confidence, which will also support the stabilization of Ireland's finances, a well functioning consumer market is now even more important. These circumstances ensure that the Agency's presence will continue to be vital in supporting true competitiveness where consumers are protected in a vibrant business community vying to serve customers.

For this reason, the Agency continued in 2010 to place a high priority on working with businesses to facilitate compliance, to embed principles of best practice and to create a dialogue around consumer needs and rights. This priority sits alongside a focus on providing consumers with protection, information and support across the entire spectrum of their expenditure, so that they purchase with confidence, knowing how to react if things go wrong.

During 2010 the NCA assumed responsibility for the consumer personal finance information and education role of the Financial Regulator. This development has expanded the remit of the Agency to a "whole of wallet" focus, with a role in informing and educating consumers in respect of all areas of their consumer expenditure and transactions.

The Agency's remit continued to be fulfilled with a headcount significantly below that envisaged in the operational plan approved for the NCA. In these circumstances, the Agency achieved an admirably high level of output and its impact was mirrored in very strong public recognition levels as measured by market research.

The Agency has developed a strategic plan for 2011/2012 that reflects the needs of consumers in these straitened times. A key part of ensuring that we have a buoyant business environment in the near future depends on the successful implementation of this plan. I wish to express my thanks to the CEO, Ann Fitzgerald and to all her staff for their contribution to the Irish consumer landscape in these difficult circumstances and to wish them every success for the year ahead.



Stephen Costello

Chairman

National Consumer Agency



Chief Executive's Statement

In light of the difficult economic circumstances, the National Consumer Agency's work became more central than ever to the lives of all Irish consumers during 2010. NCA consumer research identified that whilst for many consumers the impact of the early part of this recession had been perceived as being real but largely remote from their own experience, during 2010 it crossed the threshold and entered peoples' lives very directly, impacting the public services they rely upon, the businesses that serve them and for a larger number of them on their ability to meet their bills and provide for their basic needs.

In response to this, during 2010 the Agency undertook targeted actions, using powers under the Consumer Protection Act 2007 to enforce consumer law; it delivered important information to consumers around value for money, budgeting and taking action when things go wrong and it conducted research into key areas of consumer expenditure in support of high profile initiatives to drive price transparency, cost competitiveness, and fair dealings between businesses and their customers.

In March 2010, the Agency began to assist the Financial Regulator in the performance of the consumer financial services related information and education function. Formal transfer took effect with the commencement of the relevant statutory provisions from 1 January 2011. The Agency is now positioned as a 'one stop shop' for all the information consumers need to exercise their consumer rights and make sound purchasing decisions. Planning for new responsibilities arising from the announced amalgamation with the Competition Authority is progressing with the Consumer and Competition Bill that will give effect to the new organization in the Government's 2011 summer legislative programme.

CONSUMER PROTECTION

The Agency adopts a risk-based approach to enforcement, targeting its resources in areas where it feels there is greatest potential for consumer detriment or where a consumer issue of particular concern has emerged.

Our rolling programme of annual Compliance Blitzes, targeting traders who have come to our attention via consumer complaints and including random "on the spot" compliance checks against a range of relevant legislation continued, with activities undertaken in April, June, September and November involving visits to a total of 540 traders across a range of retail sectors nationwide.



Two iterations of the “Consumer Protection List” (CPL)¹ were published covering Agency enforcement activities during 2010, the first in July 2010² and the second in February 2011³. Full detail appears elsewhere in this document, but the key statistics for 2010 include the serving of 2 Undertakings, 69 Compliance Notices, 1 Prohibition Order and 54 Fixed Payment Notices.

Other enforcement actions were undertaken, including a prosecution initiated against DSG Retail Ireland Ltd., T/A Currys, Carrickmines, Dublin 18 in relation to misleading price indication and the breach of a compliance notice previously issued by the Agency. The case was heard in July 2010 and the Probation Act applied.

Other misleading practices investigated by the Agency include so-called ‘liquidation sales’, which were not being conducted under the auspices of a court appointed liquidator; misleading labelling of jewellery items; unfair terms in car rental agreements and a multi-level marketing scheme which was in breach of pyramid selling legislation.

A review of debt management services being provided to consumers in Ireland in late 2010 identified a range of concerns, which are being pursued in 2011.

The Agency was heavily involved in the management of the travel disruption caused by the Volcanic Ash Cloud in April and received 460 calls from consumers during the period. In general, travel agents/tour operators appear to have met their obligations under the Package Holiday Act.

Whilst the enforcement activities of the Agency mark an important exercise of statutory powers to defend legitimate consumer interests, the NCA is also strongly of the view that engagement with business is the most sustainable means of establishing a competitive trading environment that delivers a return for both business and the consumer. Correspondingly, significant resource is directed towards provisions of the Consumer Protection Act providing for the Agency to draw up guidance for traders in relation to commercial practices.

PRODUCT SAFETY

The Agency is responsible for monitoring compliance by manufacturers, suppliers and retailers with a range of EU sector specific product safety legislation. During 2010 the Agency:

- Received approximately 433 complaints, a year-on-year increase of 28%
- Processed 119 recalls under the Europe-wide product safety related rapid exchange of information system (RAPEX), for which the NCA is the Irish contact point. 26 of these recalls were initiated in Ireland
- Contributed significantly to a tracking initiative in response to a risk of carbon monoxide poisoning pertaining to selected Gas (LPG) cookers previously for sale on the Irish market. By the end of 2010 approximately 75% of these cookers had been identified

¹ Section 86 of the Consumer Protection Act 2007 requires the Agency to maintain a “Consumer Protection List” (CPL) with details of traders against whom enforcement actions have been taken. The Agency may publish details of this list in any form that it considers appropriate.

² Covering enforcement activities between 1 January and 30 June 2010

³ Covering enforcement activities between 1 July and 31 December 2010



- Organised, alongside Toy Industries Europe and the European Commission Directorate General for Enterprise and Industry, a seminar for businesses to explain the requirements of the forthcoming EU Toy Safety Directive.

PRICE & PRICE TRANSPARENCY STUDIES

The Agency believes that providing information on grocery prices has helped to promote competition in the grocery retail market and to make consumers more aware of grocery price competition. In 2010 the Agency continued its rolling series of grocery price surveys, commenced in 2007. 2010 findings indicated that while the price of core branded products has reduced over the preceding 18 months, the rate of reduction had slowed. Further, it showed that retailers were mainly competing on the basis of special offers and promotions, although Agency research has shown that consumers prefer long-term price cuts to special offers.

The Agency also expanded its price survey work to target price transparency and accessibility issues in key areas such as fees charged and levels of price display amongst Doctors and Dentists, the cost of home heating oil & wood pellets and price display and fee levels for childcare.

Appropriate follow up actions were initiated in all areas and at year end 2010 negotiations regarding formal commitments to price display in respect of Doctors and Dentists were at an advanced stage. Expansion of the Agency's work in this area is scheduled for 2011.

RESEARCH

The Agency undertakes cyclical market research building a picture over time of consumer behaviours and experience in the Irish economy. November/December 2010 research findings indicated that whilst consumer confidence as regards their rights is growing, now at 75%, the recession is making a mark, with 56% of consumers now budgeting more for household expenses and encouragingly, 72% stating that they will continue to shop around for better deals when things improve.

Research results inform the Agency's communications activities and consumer information regarding all of the above issues and many more were delivered via the Agency's websites/online channels, PR and educational activities.

INFORMATION

The Agency is an established port of call for media on many consumer issues and we have been working throughout 2010 to build awareness of our role in providing consumers with impartial information, including in the important area of personal finance, now more crucial than ever.

TV and radio public awareness campaigns were run to highlight the role of the NCA and to provide consumers with key contact details to access information on their consumer rights and on buying goods and services, including financial services. NCA is now present across key social media channels, with a focus on disseminating information that is timely, relevant and has value for consumers.



In March the Agency launched The Economiser, an online budgeting tool to help consumers identify savings opportunities in four areas accounting for nearly a third of a typical household's weekly spend – groceries, energy, TV & telecoms and mobile phones. An online game, ShopSmart, promoting consumer rights to second level schools was formally launched in November.

EDUCATION

Development work on the 'Money Skills for Life....' workplace programme concluded in 2010, with the pilot programme rolled out from February 2011.

The Agency produced the 'Baby Steps' brochure containing the requisite personal finance information required for the key stages of parenthood. 60,000 booklets will be distributed to maternity hospitals in Ireland during 2011.

The 'Get smart with your money' transition programme continued in partnership with the Money Advice and Budgeting Service (MABS), along with ongoing support for the relevant finance modules of the Leaving Certificate Applied Social Education Course (LCA) and associated initiatives.

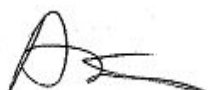
EUROPEAN CONSUMER CENTRE

During 2010, the Agency 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 consumers from other EU member states having difficulties with retailers in Ireland.

CONCLUSION

2011 will be a productive year for the Agency as we roll out our strategic work plan for 2011/2012, which responds to the needs of consumers in stringent times. We remain conscious that we must tailor our aspirations to our resources and the pace of implementation of the work plan will be dependent on staffing levels. In our endeavours during the year, we will put our growing experience in the exercise of our powers under the Consumer Protection Act to good purpose and continue to focus on delivering the best outcomes for consumers in Ireland.

I would like to extend my thanks to the Chairman, Board and my colleagues in the National Consumer Agency for their forbearance and their commitment during a challenging year. I am confident that the changes anticipated for 2011 will be to the benefit of the organisation and I look forward to facing them together, as we strive to deliver a fair deal for consumers.



Ann Fitzgerald
Chief Executive
National Consumer Agency



Board Members and Senior Executives

BOARD MEMBERS

Stephen Costello – Chairperson
Ann Fitzgerald – Chief Executive Officer
Inez Bailey
Marie Barry-Ring (Retired 30th April 2010)
Georgina Conroy (Appointed 18th May 2010)
Marie Dalton (Appointed 18th May 2010)
Patrick Desmond
Fergus J. Gallagher (Appointed 23rd March 2010)
Celia Larkin (Retired 30th April 2010)
Deirdre McDonnell
Nelius Moriarty
Robin O’Sullivan
David Pierce (Appointed 23rd March 2010)
Edward Shinnick

SENIOR EXECUTIVES

Ann Fitzgerald – Chief Executive Officer
Sean Murphy – Legal Advisor
John Shine – Director Commercial Practices
Maria Hurley – Director Research and Policy
Karen O’Leary – Director Public Awareness and Financial Education
Colette Crowne – Secretary to the Board & Asst. Director Corporate Services



Pillar One: Enforcement



RISK-BASED ENFORCEMENT OF CONSUMER LEGISLATION

The Agency adopts a risk-based approach to the enforcement of consumer legislation. We seek to make best use of the resources available to us. The approach to enforcement is largely concentrated on those areas where there is potential for significant consumer detriment while not losing sight of a wide range of other areas which impact on consumers' welfare. The Agency has a remit across over 50 pieces of consumer legislation – of particular significance is the Consumer Protection Act, which provides protection to consumers against a range of unfair and misleading practices by business. The remit of the Agency extends across a range of other areas including product safety; retail pricing; car clocking; e-commerce; unfair terms imposed by business and the licensing of credit intermediaries and pawnbrokers.

We expect businesses to comply fully with consumer law and to treat consumers fairly, as they themselves would wish to be treated in their personal lives as consumers. We do not hesitate to take a robust approach to enforcement when necessary and we have a range of enforcement tools available to us, including the option of pursuing prosecutions through the Courts. The Agency publishes a Consumer Protection List on a regular basis, which identifies businesses against whom enforcement actions have been taken by the Agency.

ENGAGEMENT WITH BUSINESS

The Agency is anxious to work with business to ensure that the legal requirements in relation to consumer protection are fully understood. We are happy to work with representative bodies and directly with business to promote best practice and ensure that consumers are treated fairly.

The Agency also promotes liaison arrangements with a large number of retailers across a variety of retail sectors. This provides a useful forum for engaging with management in these businesses and addressing not just compliance issues but also discussing other business practices that impact on consumers. It also provides an opportunity for retailers to seek feedback from the Agency on aspects of consumer law.

Toy Safety Seminar - October 2010

The Agency, in association with Toy Industries Europe and the European Commission Directorate General for Enterprise and Industry, organised a seminar for businesses to explain the requirements of the forthcoming EU Toy Safety Directive. Approx. 75 participants from manufacturers, suppliers, retailers and other interested parties attended.



ENFORCEMENT OPTIONS

Arising from the enactment of the Consumer Protection Act, 2007, the Agency has a range of enforcement tools available which are summarised below. In situations where breaches of legislation are established, the Agency seeks to take the most appropriate action, proportionate to the circumstances in each case, in order to ensure that an effective outcome is achieved.

Fixed Payment Notices (“On the Spot” Fines)

The Agency has power under section 85 of the Act to issue Fixed Payment Notices to traders for breaches of price display legislation. A fixed penalty of €300 applies for each notice issued and this must be paid within 28 days. If the trader fails to pay the penalty within the statutory time limit, the NCA can initiate prosecution proceedings. Fixed Payment Notices were issued in cases where the Agency considered that traders were not in compliance with the price display legislation.

During 2010, payments in respect of 69 Fixed Payment Notices involving 62 traders were received by the Agency.

Undertakings

If the Agency has reason to believe that a trader is involved in a prohibited act or practice, the Agency may seek and obtain a formal written Undertaking that the trader will comply with the requirements of the Act. This usually involves the trader giving a commitment to cease an offending practice and to compensate consumers who have been adversely affected. If the trader fails to provide an Undertaking or reneges on the terms, the Agency has the powers to take legal action, which could entail either, applying to the Circuit Court or High Court for a Prohibition Order or taking a prosecution.

During 2010, the agency obtained 2 Undertakings in respect of companies in the car sales and jewellery sectors.

Compliance Notices

An authorised officer of the Agency is empowered under the Act to issue a Compliance Notice to a trader (who in his/her opinion is committing/engaging in or has committed/ engaged in a prohibited act or practice), directing the trader to remedy the contravention. The trader has 14 days to appeal the notice to the District Court. If no appeal is made the notice is deemed to have come into effect. Failure to comply with a compliance notice is an offence under the Act.

During 2010, the Agency issued 43 Compliance Notices to 42 traders, who were in breach of the Act by charging prices higher than the display prices for consumer products, mostly grocery items.



Prohibition Orders

Under Section 71 of the Consumer Protection Act 2007 any person including the National Consumer Agency may apply either to the Circuit or High Courts for an order prohibiting a trader or person from committing or engaging in a prohibited commercial act or practice. In making the Prohibition Order, the Court may impose terms and conditions, which it considers appropriate, including a requirement on the trader to publish corrective statements at his own expense.

During 2010, one Prohibition Order was obtained in the Limerick Circuit Court against a car dealer in relation to the sale of a clocked car.

Prosecutions

In addition to the aforementioned enforcement tools, the Agency continues to have the power to initiate prosecutions through the Courts.

On 5 October, Cuenca Limited, trading as La Boulangerie, of 10 Upper Camden St, Dublin 2, was convicted in the Dublin District Court for failing to display a price list as required under the Retail Prices (Food in Catering Establishments) Display Order 1984. The company was also fined €1,750.

The Agency also initiated a prosecution against DSG Retail Ireland Ltd., T/A Currys, Carrickmines, Dublin 18 in relation to misleading price indication and the breach of a compliance notice previously issued by the Agency. The case was heard in July 2010 before the District Court. The case did not proceed to conviction and the Probation Act applied.

A further prosecution was pending at year end. In addition, a number of other prosecution files were being prepared but proceedings had not been initiated by year end.



ENFORCEMENT ACTIVITY

Details of enforcement actions taken in the calendar year 2010 are set out in Appendix 1. The main areas of enforcement activity in 2010 are summarised below.

Retail Sector - Pricing

The Agency enforces a variety of legislation in relation to pricing. This covers both price display (where there are specific requirements in relation to the requirement to display prices) and misleading indication of price (charging a price for a product that is higher than the displayed price).

Complaints received are followed up in writing with the trader and a risk-based sample of traders is selected for on-site inspection by authorised officers of the Agency. During 2010, four compliance blitzes were undertaken – in April, June, September and November – with a total of 540 trader premises visited countrywide across a range of retail sectors. These visits were largely informed by complaints received from the public and subsequent engagement with the traders in question. The Agency also undertook proactive checks in a number of areas. Details of the enforcement actions arising are set out in Appendix 1.

The grocery/supermarket sector accounted for the greatest number of visits and the largest number of consequent enforcement actions. On-site visits were also conducted across a range of other sectors including licensed premises, catering establishments, garage forecourts, hardware/DIY outlets and electrical/electronic shops.

Car Clocking

During 2010, the number of complaints received by the Agency fell to 61 (down from 84 the previous year). However this can likely be attributed to the depressed state of the used car market rather than an indication that car clocking is becoming less prevalent. The Agency would take this opportunity to again remind consumers of the importance of taking adequate precautions when purchasing a used car. A booklet with practical advice is available from the Agency and for download from http://www.consumerconnect.ie/eng/Hot_Topics/Our-booklets/

Car clocking is a serious area of consumer detriment that can have the twofold impact of decreasing the value of the vehicle being purchased and most likely making it harder to sell on at a later date. In addition, consumers unwittingly purchasing clocked cars are exposing themselves and others to possible road safety issues as such clocked cars have significantly greater mileage than indicated on the odometer with implications for servicing and maintenance.

In the majority of cases, the Agency was not able to satisfactorily progress an investigation for a variety of reasons - the complainant was not in a position to assist the Agency in its investigation, did not wish to pursue the matter further with the car dealer, the car dealer had ceased trading or due to the passage of time since the alleged offence (there is a statute of limitations of 2 years in such cases). 13 cases remained open at year-end.



In Autumn 2010, the Agency initiated a pilot risk-based proactive enforcement exercise resulting in a number of car dealers being visited countrywide. This involved examining cars for sale on forecourt, examining past sales records, contacting previous owners etc. The follow-up exercise was ongoing at year-end and it is expected that there will be enforcement action arising in 2011.

Other Misleading Commercial Practices

The Agency remains vigilant regarding advertising by traders in the media. Business should act in good faith in relation to their advertising and ensure that consumers are not misled. During 2010, the Agency focused, in particular, on the furniture sector and investigated a number of cases of advertising by furniture retailers. The Agency had a particular interest in so-called “liquidation sales” when such sales were not being conducted under the auspices of a court appointed liquidator. The Agency had concerns that some firms might seek to give a greater level of legitimacy to the sale and create the impression that particular value was available because the stock was being disposed of by a liquidator. Of course there may well be value to be had for consumers in such cases but the key issue for traders is to be able to substantiate whatever claims are being made about the nature of the stock, the limited availability of the stock, the limited timeframe of the offer and the price reductions available. From a consumer perspective, purchasing decisions should not be unduly influenced by the claims of traders about the extent of the savings and consumers should instead focus on whether the product represents value for money.

In 2010, the Agency investigated an alleged misleading commercial practice in respect of the misleading labelling of jewellery items. As a result of the investigation, and with the assistance of the Assay Office, the Agency secured a formal undertaking from the company in question to comply with the provisions of the Consumer Protection Act regarding misleading activity and take appropriate corrective action. Further details of the undertaking are outlined at Appendix 1.

The Agency investigated a claim of a discrepancy in the odometer reading in respect of a used car. The car had been imported and the Agency found a discrepancy between the odometer reading on the car and the mileage declared to the Revenue Commissioners when the car was imported. The Agency secured an undertaking from the car dealer to comply with the provisions of the Consumer Protection Act regarding misleading activity and to compensate the affected consumer. Further details of the undertaking are outlined at Appendix 1.

Scams Awareness

The Agency issued a press release to coincide with “April Fools” day to heighten public awareness of scams activity. Particular attention was drawn to working from home scams and the more sophisticated and localised nature of scams over the past year. Scammers have become more sophisticated in trying to con consumers out of their money and identity. They attempt to localise scams for a local audience, such as sending emails purporting to be from Government bodies, such as the Revenue Commissioners, from Irish banks or even sending the emails in Irish. Consumers are urged to be vigilant, be sceptical of unsolicited offers in exchange for personal and financial information.



The Agency regularly updates it's website with information and advice for consumers and the latest information is available at the following link:

http://www.consumerconnect.ie/eng/Hot_Topics/Scams/scam-savvy/

Pyramid Selling

The Agency initiated an investigation into the activities of a multi-level marketing scheme to determine whether the operation was in breach of pyramid selling legislation. The case remained ongoing at year-end.

The Agency would caution consumers to be very wary of “get rich quick” schemes, particularly those involving pyramid selling. Further information is available at the following link:

http://www.nca.ie/eng/Media_Zone/Press%20Releases/pyramid-schemes.html

CONSUMER PROTECTION LIST

Section 86 of the Act requires the Agency to maintain a “Consumer Protection List” with details of traders against whom enforcement actions have been taken. The Agency may publish details of this list in any form that it considers appropriate.

In February 2010, the Agency published a further list of the enforcement actions taken in the latter part of 2009. This list is available at:

http://www.consumerconnect.ie/eng/Get_Your_Rights/Enforcement/Consumer-Protection-List/

In September 2010, the Agency published a list of the enforcement actions taken during the 7-month period between 1st January 2010 and 31 July 2010. This list is available at:

http://www.consumerconnect.ie/eng/Get_Your_Rights/Enforcement/Consumer-Protection-List/Consumer-Protection-List-Jan-to-July-2010.doc

Details of enforcement actions taken between 1st August 2010 and 31 January 2011 were published in March 2011. This list is available at :

http://www.consumerconnect.ie/eng/Get_Your_Rights/Enforcement/Consumer-Protection-List/Consumer-Protection-List-to-Jan-11.doc



ASH CLOUD DISRUPTION

The Agency was heavily involved in this issue during April / May 2010, attending a number of meetings of the Government Task Force on Emergency Planning, liaising closely with the Commission for Aviation Regulation (CAR) and engaging with industry representative bodies. Consumer information was placed on the Agency website (www.consumerconnect.ie) and updated in response to evolving issues.

Consumer issues dealt with by the Agency fell into 3 broad categories:

- 1) Consumers who had booked “flight only”
- 2) Consumers who booked “DIY packages” whereby flights and other services (accommodation, car hire etc) were booked separately

In the above scenarios, passengers have rights under EU Regulation 261 and where a flight has been cancelled have the choice of either a refund or a rescheduled flight - any non-compliance issues are the responsibility of the Commission for Aviation Regulation (CAR). Consumer redress in relation to unused services (accommodation, car hire etc) would depend on the cancellation policies of the particular service provider.

- 3) Consumers booking a package holiday – passengers in this category have protections under the Package Holiday and Travel Trade Act, 1995 and the travel agent / operator is required to make alternative arrangements

In the period to end May, 460 calls were received from consumers. The majority of these related to issues covered by Regulation 261 or were general queries on cancellations / insurance etc. 144 calls were received relating to package holidays and these were followed up, as appropriate, by the Agency. In general, travel agents / holiday operators appear to have met their obligations under the Package Holiday Act and made alternative arrangements for their customers.

The most significant issue to date was an attempt by one company to seek indemnities from passengers in what the Agency considered to be an attempt to avoid responsibility arising from any future disruption. Following initial unsuccessful attempts to address the issue with the company, preparations were put in train to seek a High Court Order to stop the practice. However following engagement with ITAA and with the company, the matter was resolved to the satisfaction of the Agency.

A small number of cases were ongoing at year-end.

CAR RENTAL

Arising from a review of the websites of popular car rental websites, a variety of issues have been identified relating to unfair terms in rental agreements, potentially misleading practices and practices that the Agency considers are not in the best interests of consumers. A particular issue is the transparency of all elements of the rental agreement / full costs when making a booking online. The Agency has had preliminary contact with the sector and expects to make progress on the issues arising during 2011.



DEBT MANAGEMENT

In the latter part of 2010, the Agency conducted an extensive review of approximately 30 websites, which offered debt management services to Irish consumers. The sector is not currently regulated and the Agency has concerns about the manner in which some firms promote their services, the lack of transparency regarding fees charged and the potential for consumers to be misled about the services available. The Agency has raised these concerns with the relevant firms and engagement is ongoing in 2011.

DIGITAL TELEVISION SERVICE

In preparation for the rollout of the Irish digital terrestrial television service, Saorview, and the switch-off of analogue TV signals in 2012, the NCA wrote to retailers selling electrical equipment such as TVs, video recorders and other equipment reminding them of their obligations when advertising such items for sale. The intention was to make clear to retailers (particularly those where sale of TVs is not a core activity) the importance of clarity in advertising and to ensure non-compatible equipment - or equipment only compatible with other systems, such as the UK's Freeview service - was not missold given the circumstances pertaining in Ireland. Further information is available at:

http://www.consumerconnect.ie/eng/Hot_Topics/Tip_Of_The_Week/Tips_Archive/Getting_ready_for_digital_TV.html

INTERNATIONAL CO-OPERATION

The Agency participated in 2 Internet “sweep” activities.

At EU level, the Agency participated in an exercise to determine whether online ticket selling web traders comply with the legal requirements of relevant consumer legislation (relating to eCommerce and Commercial Practices). 16 individual sites were investigated - 7 of which were primary sellers, i.e. either event organisers or their official agents and 9 sites were secondary sellers, i.e. tickets resellers. Minor issues arose relating to 2 websites, which were satisfactorily resolved.

ICPEN is an international forum set up to encourage cross-border cooperation amongst consumer protection agencies. One of the main ways it does this is by sharing information about cross-border commercial activities that may affect consumer welfare and conducting coordinated internet-based “sweep” activities. The September 2010 ICPEN sweep was entitled “The Online Generation - targeting online marketing and advertising to youth” and examined advertising aimed at younger users of the internet. In all, 17 sites were examined by the Agency for potentially misleading practices. Some of these sites were aimed at the very young (approximately 6 and up), some aimed specifically at teenagers and others aimed at young adults (up to the age of about 30). No significant non-compliance issues were encountered with 1 issue remaining outstanding at year end.



CREDIT INTERMEDIARIES / PAWNBROKERS

Under the Consumer Credit Act, 1995 (as amended) all credit intermediaries are required to be authorised by the Agency 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 car sales with some involved in other retail sectors, notably furniture and electrical appliances. Credit intermediaries are required to display their authorisations publicly in their premises, and, before any agreement is signed, must give consumers written details of the agreement and of the financial institution on whose behalf they act. They must also inform customers that they are paid for their services.

The trend in recent years has continued with the volume of applications dealt with by the Agency declining further in 2010 due to traders going out of business and consolidation by the finance houses. In 2010, 557 applications were received with a fee income of €340,236, a decline of 21% on the previous year.

Public Registers

The Agency maintains a public register of all those who are authorised to operate as credit intermediaries. The register is accessed by the financial institutions and may be inspected by members of the public on our corporate website (www.nca.ie). Consumers are advised to deal only with authorised credit intermediaries and are encouraged, prior to organising credit, to consult the public register to ensure that the intermediary they are dealing with is authorised.

Pawnbrokers

The Agency is also responsible for issuing pawnbroker licences. Four licences were issued to pawnbrokers in 2010.

Three were existing long standing operations, as follows:

- Carthy Pawnbroking Ltd, Marlborough St, Dublin 1
- Kearns Pawnbrokers and Jewellers Ltd, Queen St, Dublin 7
- John Brereton Pawnbrokers Ltd, Capel St, Dublin 1.

A new pawnbrokers licence was issued to Borro Now Ltd, with premises at 23 Ely Place, Dublin 2.

Credit Intermediary Compliance Survey

During 2010, the Agency undertook a compliance survey by examining the business undertaken by 28 finance houses with credit intermediaries to ensure that all such intermediaries were authorised by the Agency. This was followed up with a risk-based programme of visits to selected credit intermediaries. No non-compliance issues were encountered.



PRODUCT SAFETY

All products placed on the Irish market must be safe. A “safe product” is a product, (including free giveaways and products supplied as part of a service) which under normal or reasonably foreseeable conditions of use does not present an undue risk to the health and safety of consumers.

Sometimes, risks are associated with products arising from their normal use. These risks are called “inherent risks”. Inherent risks exist (in candles, for example), and in such cases there is a duty on producers to provide adequate warnings to the consumer about those dangers and advise on safe use.

The Role of the National Consumer Agency

The National Consumer Agency is responsible for monitoring compliance by manufacturers, suppliers and retailers with a range of EU sector specific product safety legislation, as follows:

- Toy Safety
- Low Voltage Electrical Equipment (in practice, nearly all electrical devices found in the home or office)
- Personal Protective Equipment in the leisure and consumer sectors (bicycle helmets, life jackets, etc)
- Gas Burning Appliances (cookers, heaters, patio heaters etc)
- Machinery Directive (those elements relating to consumer products).

There is a wide range of other legislation relating to, and Agencies responsible for, other consumer products such as food, medicines, medical devices, pharmaceuticals, cosmetics and a range of other non-food products.

The Agency is also the competent authority for products coming within the remit of the EU General Product Safety Directive (GPSD). The GPSD is intended to ensure a high level of product safety throughout the EU for consumer products that are not covered by specific sector legislation. The GPSD also complements the provisions of sector legislation which do not cover certain matters, for instance in relation to producers’ obligations and the authorities’ powers and tasks. The Directive provides a generic definition of a safe product. Products must comply with this definition. If there are no specific national rules, the safety of a product is assessed in accordance with:

- European standards,
- Community technical specifications
- Codes of good practice
- The state of the art and the expectations of consumers.



If the Agency is of the opinion that a product presents a hazard to the consumer it has the power to order an economic operator to remove the item from the market and can take enforcement action if s/he fails to do so. However, in the vast majority of cases operators cooperate with the Agency and legal action would be the last resort.

The Agency carries out its functions by:

- Following up on complaints received from consumers or from other parties
- Raising consumer awareness through information on its website, press releases, information campaigns and booklets, etc
- Liaising directly with the economic operators and their representative bodies
- Carrying out surveillance activities, possibly in cooperation with other regulatory bodies in Ireland, e.g. Customs authorities
- Engaging in joint surveillance initiatives with other Member States (e.g. via the Prosafe network of market surveillance authorities across Europe)
- Acting as the single RAPEX contact point for Ireland - see below.

Obligations of Producers and Distributors

In addition to the basic requirement to place only safe products on the market, producers must inform consumers of the risks associated with the products they supply. They must take appropriate measures to prevent such risks and be able to trace dangerous products. In the event that a product placed on the market was subsequently found to present a hazard to consumer safety, the economic operator must take appropriate action, which may include a possible withdrawal/recall of the product from the market. Companies are required by law to notify the Agency when they become aware that a product is unsafe.

The Agency in turn notifies the European Commission and other Member States via the RAPEX system.

Consumers Have a Role to Play

Consumers also have a role to play by for instance, only purchasing products from reputable traders, by following the manufacturers instructions, by only using the product for its intended purpose, by being vigilant and ensuring that young children are not placed at risk. For further information and advice please consult our website at www.nca.ie

PRODUCT SAFETY INVESTIGATIONS

RAPEX – The EU Product Alert System for Dangerous Consumer Products

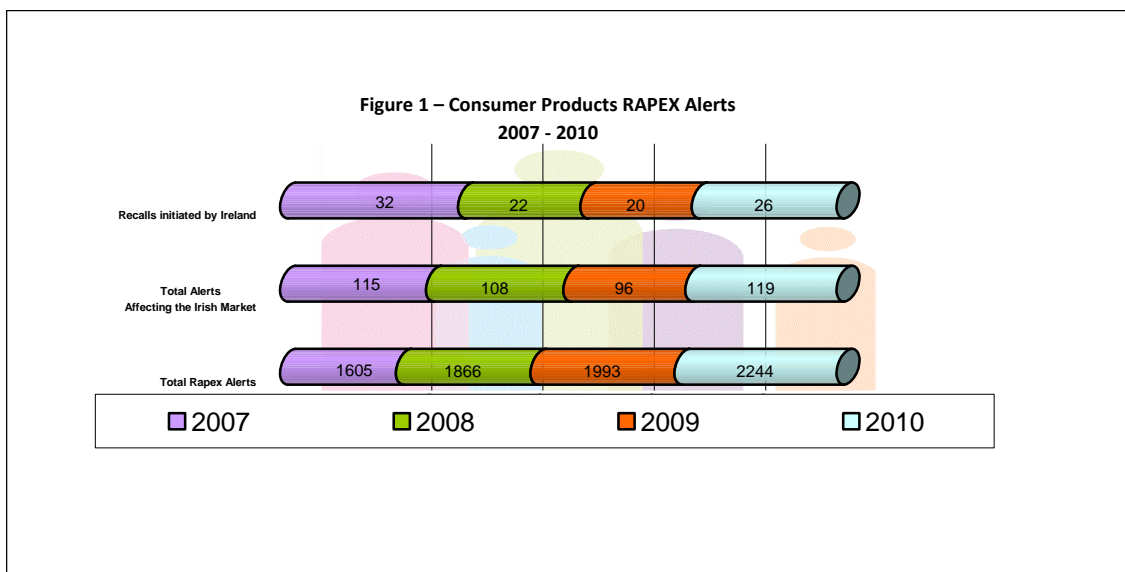
The Agency is the contact point in Ireland for the EU rapid alert system for all dangerous non-food consumer products (known as RAPEX). The RAPEX system is designed to allow the rapid exchange of information between European market surveillance authorities of any measures taken to restrict or prevent the marketing of consumer products, which pose a serious risk to health and safety. This information is exchanged through central contact points in each country. All businesses are required to notify the competent market surveillance authority (the National



Consumer Agency) if they are aware that any of the products notified under the RAPEX system are available on the Irish market and to provide information on any measures taken to eliminate the hazard.

Substantial Increase in Number of RAPEX Notifications

The number of RAPEX notifications received has been rising steadily since its inception in 2003. That year 139 unsafe products were notified. In 2010, the number reported was 2,244. All notifications are examined by the Agency for relevance to the Irish market. In 2010, 119 recalls affected the Irish market, of which 26 were initiated in Ireland. Of the 2,244 notifications, 1,968 were regarded as a serious risk. Of the 26 recalls initiated in Ireland, 23 were submitted as serious risk and 3 were information notifications (see Appendices).



The Agency organised a very successful product safety training and information workshop on 20 May, attended by approx. 80 participants from a wide range of public sector organizations with an interest in product safety matters. The aim of the workshop was to introduce participants to the RAPEX system, to consider the law as it applies to product safety and to provide them with practical experience of risk assessment. Speakers came from the European Commission and from our sister organisations in the Netherlands and Germany.

Analysis of Product Safety Complaints and Issues

In 2010, the Agency received 433 complaints, which required comprehensive investigation. This was a year-on-year increase of 28%. Generally these cases require a number of actions including assessment of technical documentation to determine compliance with relevant standards / directives / regulations; possible referral of items for independent testing; placing consumer alerts and notices on the Agency's website; requiring economic operators to attach appropriate warnings/safety instructions and where necessary the withdrawal or recall of the unsafe products from the market place. In most cases businesses co-operate fully with the Agency.

Analysis of Product Safety Investigations

Almost half the investigations carried out by the Agency in 2010 related to household appliances, toys and childcare items. Household appliances such as cookers, washing machines/dryers and boilers/heating appliances were the largest category of products investigated while toys and childcare items accounted for the second largest product category, with items such as buggies, cots and strollers being investigated.

Figure 2 – Product Safety Investigations by Product Category

Product Category	No of Investigations
Household Appliances	107
Toys & Childcare items	93
Household Furnishings	49
Vehicles	76
Home Entertainment	26
Personal Grooming	25
Clothing/Accessories/Footwear	12
Sports/Leisure	10
Miscellaneous	35
Total	433

EXAMPLES OF INVESTIGATIONS/PRODUCT RECALLS IN 2010

a) Risk of Carbon Monoxide Poisoning from certain Gas (LPG) Cookers

Since November 2008, in response to a fatality due to carbon monoxide poisoning the Agency has been working closely with the relevant companies to contact the purchasers of the affected models of Beko, Flavel, Leisure & New World gas cookers to arrange for a free refit.

Approximately 7,686 of these cookers were sold in Ireland over a period between 2003 and 2007. Because of the relatively poor response from purchasers and due to the significant danger involved, the manufacturers, with the support of the Agency, intensified their recall campaign throughout 2010, including a leaflet drop to all postal addresses – please see notice in Appendix 5.

By the end of 2010 approximately 75% of these cookers have been identified. The Agency urges consumers to check their cookers and, if necessary, to contact the relevant company for a free refit.

b) Refit of GeminoX Ebs Immersion Water Cylinders

These immersion water cylinders units were imported into Ireland between 2001 and 2008 and to date five fires have been attributed to these units, including one in 2010. Due to the relatively poor success in locating the affected units, and after consultation with the Agency,



GeminoX initiated a further intensive media campaign in an effort to trace the remaining units. By the end of 2010 over 320 of the units have been found and refits carried out, leaving over 370 units unidentified. Consumers are urged to check if they have an affected unit and, if so, make arrangements for a free refit – please see notice in Appendix 6.

c) Safety of Domestic Furniture

In 2010 the Agency was contacted by the Customs Authorities regarding a consignment of furniture from China labelled as ‘non-fire retardant’. Pending examination of the matter, the Agency requested the Customs Authorities to suspend the import of the consignment of furniture. As the trader subsequently failed to provide proof that the goods complied with the safety requirements of the General Product Safety Directive, the Agency informed the trader that the goods could not be imported into Ireland. The trader accepted our decision. The total quantity of goods prohibited from being placed on the Irish market amounted to approx.1,350 pieces of furniture.

d) Food Imitation Products

Food Imitation Products which consumers, especially children, might confuse with foodstuffs and which might be dangerous and cause, for example, suffocation, poisoning, or the perforation or obstruction of the digestive tract are prohibited from being manufactured, exported, imported or sold in Ireland. In October 2010, following advice from the Agency, Dunnes Stores voluntarily withdrew two toiletry products from sale due to their food imitating nature. The Agency also contacted over 1,500 retailers and suppliers to inform them of their obligations in this area and to ensure that they are aware of safety requirements for such products.

e) Fisher-Price Product Safety Alert

In September 2010 Fisher-Price recalled over 800 high chairs as there was a risk that a child could fall on or against the tray storage pegs on the rear legs of the high chair, resulting in injury. At the same time the company recalled a large range of toys namely, infant products with inflatable balls, as the valve of the inflatable ball could come off, posing a choking hazard. Through its website, the Agency notified consumers of the details of this recall, providing advice to consumers and contact information.

f) UniPart/Calor Portable Gas Heater Recall

In November 2010 Unipart (UK) and Calor recalled three models of portable gas heaters, (Royal Classic, Calor Classic or Calor Compact heaters) due to a malfunction, which may cause the emission of carbon monoxide. The companies involved placed notices in national media regarding the recall and the Agency also placed a notice on its website. As with all dangers involving carbon monoxide the Agency warns consumers if they believe that they may have one of these heaters not to use it and to contact the company immediately.



g) Morphy Richards recall Double Over Electric Blanket

Morphy Richards carried out a voluntary recall of its Double Over Electric Blanket due to a risk of overheating and catching fire. Following this, the Agency also published a general guide for consumers on its website on the safe use and care of electric blankets.

h) Grasslin QE7 Electric Water Heater Timers

In 2005 'Grasslin' issued a voluntary recall of 27,000 of their QE7 electric water heater timers. A notice was issued by the Agency who worked with the company to try to ensure as many units as possible were traced. While every effort was made to locate and replace all the effected units, with over 11,000 confirmed successful replacements, a fire in a home in Limerick in 2010 has been attributed to one of these units, showing that there is still a significant danger to Irish consumers. Grasslin's distributor in Ireland, GE, has contacted wholesalers and over 70 installers in an attempt to locate the remaining timers. The Agency continues to work with the company to warn consumers about the danger of these units and urges all consumers who may have one of these timers to stop using it immediately. An Irish company has been contracted to carry out any necessary replacements/repairs at no cost to the consumers.

i) Infantino "Slingrider" & "Wendy Bellissimo" Baby Slings

In March 2010, the Agency issued a warning to parents and guardians to immediately stop using two baby sling products made by Infantino. The manufacturer recalled the products as they can pose two different types of suffocation hazards to babies:

- The sling's fabric can press against an infant's nose and mouth, blocking the baby's breathing
- Where a sling keeps the infant in a curled position bending the chin toward the chest, the airways can be restricted, limiting the oxygen supply.

The Agency issued a notice advising parents to stop using the products and also provided general advice to parents on safety issues regarding slings and carriers for babies.

MARKET SURVEILLANCE ACTIVITIES 2010

Market surveillance plays a crucial role in the field of consumer product safety as even the best rules are worth little if they are not enforced properly. That is why effective market surveillance is so important; not only to protect consumers from unsafe products but also to ensure a level playing field for reputable businesses. As set out in the [National Market Surveillance Programme 2010-2011](#)⁴ the Agency investigated three products, namely, Jumbo Gas Regulators, Window Blind Cords and Swimming Armbands during 2010.

⁴ Required under Regulation (EC) No. 756/2008



Window Blind Cords

These cords pose a strangulation hazard to children, as loops can be formed and children can become entangled in them, while trying to use or playing around window coverings. Children can also climb on windowsills or furniture, and access the cords. Accidents can also happen when beds or cots are placed near windows where cords are within reach of children.

Arising from the death by strangulation of a number of children in Ireland and across the world by window blind cords, on 23 February 2009 a new standard, I. S. EN 13120:2009 came into effect.

Following the introduction of the new standard, the Agency:

- posted a warning on its [website](#) about the risks and provided consumer tips in relation to what to look out for when buying new blinds as well as tips on how to minimise risks posed by blinds already installed in homes
- published a 'Consumer Guide to the Safety of Window Blinds' in cooperation with the NSAI and distributed it to over 4,000 schools and HSE Regional Health Promotion officers for general distribution
- wrote to 222 manufacturers and retailers informing them that a new standard had been introduced and reminding them of their obligations.

In May 2010 the NCA also carried out a nationwide market surveillance campaign to check if window blind manufacturers are complying with the relevant standard. Seven authorised officers visited 97 retail outlets across fourteen counties. A high level of compliance was noted but issues arising included the absence of instructions for correct installation and fitting of safety devices and these were followed up with relevant companies.

The Agency has also been working with the NSAI to facilitate a National Committee on Internal Window Blind Safety comprised of manufacturers and suppliers. The inaugural meeting of the Committee took place in November and it is expected that a Code of Practice will be developed by Autumn 2011.

Work is also proceeding at EU level to amend the current standard and it is hoped that a revised standard will be approved by end 2011. The NCA also gave a presentation on its work in Ireland to promote window blind safety at the International Product Safety Week, held in Brussels in December 2010.

Bottle Gas Regulators

Following receipt of a number of complaints towards the end of 2009 about gas leaks associated with the use of certain bottle gas regulators, it was planned to carry out a market surveillance of these products in 2010. However, following consultation with the NSAI gas committee and following independent testing of the products (which found that the fault was not a general problem per se but rather batch related), it was not considered necessary to proceed with market surveillance activity.



Swimming Armbands

In Summer 2010, the Agency carried out a market surveillance of Swimming Armbands to determine compliance with the relevant standard and the Personal Protective Equipment Directive. Six Authorised Officers visited 34 outlets and purchased 49 sets of armbands for subsequent examination. A variety of issues arising have been taken up by the Agency at EU level with a view to ensuring a uniform approach by member states.

AMENDED EU TOY SAFETY DIRECTIVE

This Directive will be applicable to all toys placed on the market as of 20 July 2011, while the chemical provisions will be applicable to toys placed on the market as of 20 July 2013.

The Directive:

- Substantially amends the old Directive across virtually all safety aspects
- Imposes higher health and safety standards
- Improves the existing rules for the marketing of toys that are produced in and imported into the EU in view to reducing toy related accidents and achieving long-term health benefits.

The Agency regularly raises the issue of toy safety and promoted a Toy Safety campaign in November/December 2010, including providing advice for consumers on our website and distributing copies of our toy safety booklet.



Pillar Two: Research and Policy



INTRODUCTION

The NCA's enforcement work sits at the heart of the Agency's mandate, protecting consumers' interests by working to ensure that consumer laws are respected and that breaches of those laws are sanctioned.

However, not all consumer detriment arises from breaches of the law. When it comes to the interests of consumers, it is very much a case of "what you don't know CAN hurt you", or at the least hurt your ability to get a fair deal.

For this reason, the work of the Research function of the NCA has expanded over time, expanding beyond research to support enforcement and into research to support Agency advocacy initiatives, for example to provide evidence to support the Agency in its engagement with representative groups, and research to provide better information to consumers, to support them in making good purchasing decisions.

In 2010, the Agency achieved a meaningful expansion in the scope of its research work, which is publicised and promoted via the complete range of NCA communications channels, including via the Agency's websites, through the Helpline, in media interventions and via dialogue with representative groups, policy influencers and other stakeholders. Key outputs are set out below:

MARKET RESEARCH

Since 2004, the Agency, and the research body that informed its establishment, the Consumer Strategy Group, has regularly tracked consumer concerns, behaviour and experiences. The studies have expanded over time, to collect information in respect of consumers' experience and changing behaviours when purchasing a wide range of goods and services.

At this stage, a valuable time series has been compiled, which allows for detailed analysis of changes in consumer sentiment and behaviour. This analysis helps to inform the planning, design and execution of the awareness raising and enforcement activities of the Agency.

The Agency's 2010 research continued the ongoing assessment of consumer empowerment, awareness of consumer rights and the propensity to complain, consumer behaviour with regard to shopping and pricing, and trends in switching goods / service providers. A key feature of recent research is the analysis of consumers' reaction to the continuing recession.

Key topics and relevant questions are refreshed in each cycle (or "wave") of the research to most accurately track the experiences of consumers. Key metrics, such as consumer



empowerment and switching, are continuously tracked, so that trends can be monitored accurately.

The Agency's market research in 2010 was carried out using the following methodology:

- Quantitative research in the form of two nationally representative face to face surveys of 1,000 adults, aged 15-74 conducted in June and November/December
- Quantitative research in relation to consumer experiences of scams in the form of a nationally representative telephone survey, conducted in March
- Qualitative research in the form of 4 focus groups conducted in October 2010, testing key aspects of consumer sentiment and behavioural change in response to the recession.

The key findings from the 2010 research can be summarised under the headings:

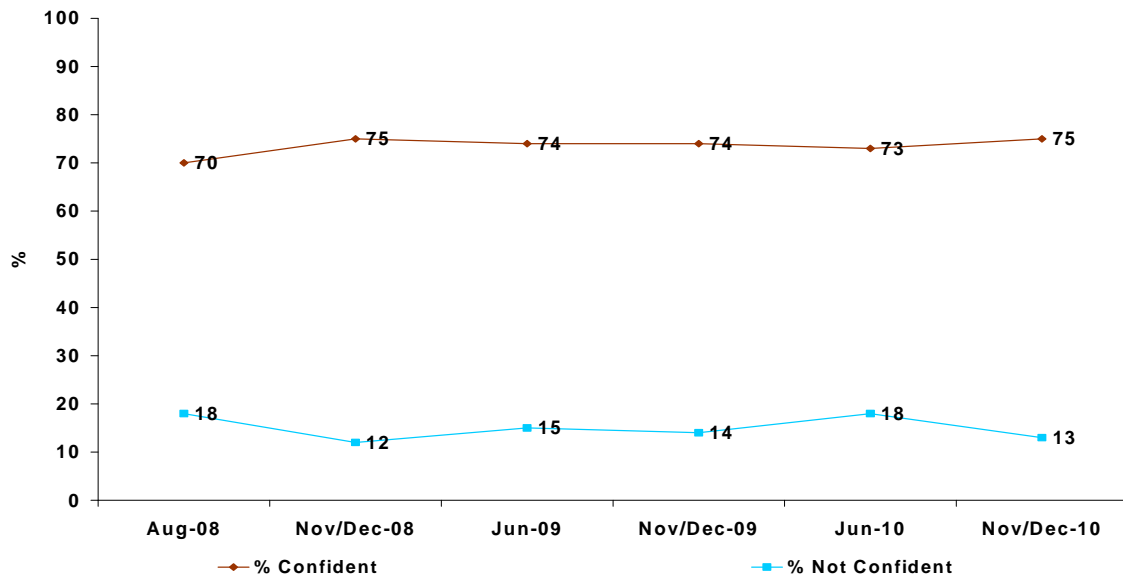
- Empowerment and Complaints
- Impact of the Recession
- Switching Product and Service Providers
- Awareness and Incidence of Scams.

Empowerment and Complaints

The quantitative market research results during 2010⁵ show evidence of increased confidence and awareness amongst consumers of their rights in the period since the Agency was established on a statutory footing in May 2007. Specifically, the percentage of consumers who consider themselves to be confident about their consumer rights has increased from 66% in December 2007 to 75% in late 2010, with those describing themselves as not confident of their rights falling from 21% to 13% over the same period, illustrated in Figure 3.

⁵ Only a small selection of the Agency's 2010 market research is presented here, for full details see http://www.nca.ie/eng/Research_Zone/Reports/



Figure 3: Confidence About Rights as a Consumer

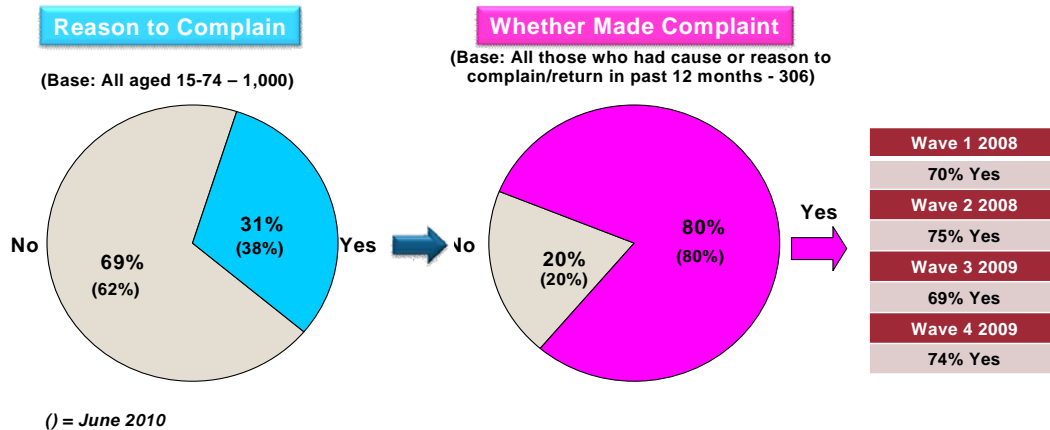
The percentage of consumers who consider themselves to be knowledgeable of their rights has increased from 59% to 68%; those who describe themselves as not knowledgeable has fallen from 26% to 19%. In relation to feeling protected in terms of consumer rights, those considering themselves protected increased from 61% in December 2007 to 69% in late 2010; with the number who do not feel protected at 10%.

The most recent research into the complaints process revealed that 77% of consumers are willing to complain when they have cause or reason to do so. Doctors and dentists were cited among the business that customers were least likely to complain to.

The number with cause or reason to complain or return an item actually doing so was at a record high of 80% in 2010 (as shown in the Figure 4).



Figure 4: Whether Complaint Made When had Reason to Do So



3 in 4 (75%) of those who complained found the complaint process easy. The highest recorded level of complaint resolution (87%) was recorded in the market research carried out in late 2010 and 7 in 10 (71%) were satisfied with the way in which their complaint was handled.

A record high (72%) would be willing to buy again from the business they had reason to complain about or return an item, perhaps reflecting the increase in the complaints resolution figures.

The difficult economic environment and trading conditions since 2008, should be taken into account when empowerment and complaining trends are considered. It is possible that consumers' more challenging financial circumstances may have resulted in them being more likely and willing to complain where they encounter a problem. In parallel, businesses may be more rigorous in their complaints handling approach in a tighter economic environment.

Impact of the Recession

As mentioned above, a key tenet of recent market research concerns the consumers' response to the recession. The picture that emerges from the research is of a consumer that is certainly under financial pressure but who is remaining resilient.

Some key results from the latest wave of market research include:

- In November /December 2010, 61% of consumers reported that their household income had decreased since the same period in the previous year. Of those, 31% indicated that their expenditure had increased over the same period, and a further 29% indicated that their expenditure remained the same
- In the past 12 months just over 1 in 10 experienced financial difficulty, defined as being three months or more behind with their payments (if applicable), in relation to a credit card (13%), a personal loan (14%) or a mortgage (12%)



- The majority of consumers (72%) state that they will continue to shop around for better deals when things improve and as a result of the recession, 56% of consumers are budgeting more for household expenses
- Tellingly, the economic outlook for consumers has become more negative since June 2010 with nearly 4 in 5 (77% up 29% points) disagreeing with the statement “Ireland will be through the worst of the recession in 12 months time”.

The Agency’s most recent market research relating to Shopping and Pricing, conducted in November/December 2010, showed that:

- Price remains the primary influencing factor in determining where to shop generally, but the number of consumers who cite price as a main influencing factor has dropped back since the previous wave of research, from 72% to 57%
- Price remains the main reason for choosing where to grocery shop, with 72%, the highest level recorded to date, citing price as their main reason
- The proportion of own brand versus branded grocery products purchased remains consistent with previous waves (35% versus 65%).

Switching Product and Service Providers

Another key section of the ongoing research addresses consumers’ propensity to switch a range of key good and service providers. The latest research, conducted in November /December 2010 revealed that 37% of consumers had switched at least one provider in the previous 12 months, this has fallen from a comparable figure of 56% from the June/July research. Part of the reduction in the numbers switching (and indeed those in the previous section concerning shopping and pricing) is likely to be the result of seasonal factors and also the bad weather. Trends in this area, in particular, will be monitored during 2011.

In the latest wave of research, the highest numbers of consumers who switched did so in the following areas: car insurance (12%), electricity supplier (11%), mobile telephone provider (10%) and main grocery shop (8%). As can be seen from Figure 5 below, a large proportion of those who switched provider have saved money. 85% of those who have switched TV service provider and 77% of those who switched home and car insurance provider said they made savings by switching.



Figure 5: Saved Money due to Switching Provider

(Base: All who have switched providers in the past 12 months)



The majority of switchers, (82%), did so to get a better deal because their other provider was too expensive. Of those who switched in the last year nearly 9 in 10 (88%) found it an easy process.

Awareness and Incidence of Scams

Quantitative research carried out during March 2010 revealed that 76% of consumers indicated either they or a member of their family had been targeted by a scam, and 18% declared they had lost money or valuable personal information in this way. The research also indicates that 80% of respondents are either entirely confident or largely confident of spotting a scam.

The research found that while chain letters, foreign lotteries and pyramid selling schemes have the highest levels of awareness among the public, the scams claiming the most victims are in fact premium rate phone prize schemes and bogus callers/tradesmen.

As a result of the research, the NCA publicised information on the latest scams and those most likely to deceive unsuspecting consumers, offering tips and advice on how best to avoid falling prey to a scam.

MARKET MONITORING

Social Media and Online Forums

In 2010 the Agency expanded its tracking of consumer concerns, behaviour and experiences by beginning a systematic analysis of social media and online forums.

The purpose of the work is to:

- identify in real-time the areas in which consumers are experiencing detriment



- monitor trends within certain key product/service areas
- identify aspects of consumer rights about which consumers are confused/misinformed.

The analysis complements traditional methods of identifying issues of consumer concern, such as Helpline calls, media monitoring and market research, and is a useful and cost effective method of identifying product or service categories where consumers are having difficulty.

Grocery Prices

Given the key nature of the sector for all consumers, and the large amount of recent media commentary to the effect that international commodity price increases would lead to large prices increases in Ireland in the coming period, the Agency started a regular analysis of prices for a range of staple grocery products in Autumn 2010. These have been tracked using online shopping websites.

The analysis has been conducted in order to:

- ascertain if international commodity price increases are being passed onto Irish consumers
- compare price increases /decreases across retailers in Ireland
- compare price increases /decreases with identical products in the UK.

The data gathered will be used to inform the Agency's planning with regard to its large-scale grocery price surveys.

PRICE TRANSPARENCY AND AWARENESS

The NCA began its work in this area in 2007 with a pilot grocery price survey. At the time the NCA started its grocery price comparison work in 2007, the grocery landscape in Ireland was very different to that of 2010. In 2007, NCA consumer tracking research identified "Convenience" as the key driver for choice of main shop, lagged by "Price". Price survey work undertaken by the NCA at that time revealed a high incidence of what appeared to be "price matching" across the multiple retailers in key "branded goods" segments. This trend was reversed in the "own brand" segment, with notable price divergence between the main multiple retailers and discounters such as Aldi and Lidl.

In the intervening period, much has changed. The economic downturn has seen consumer priorities shift, with PRICE featuring as the key determinant of main shop in NCA consumer tracking survey iterations since 2008 and up the most recent in November /December 2010.

The Agency believes that providing information on grocery prices has helped to promote competition in the grocery retail market and to empower consumers to make informed



purchasing decisions. In recent times, consumers have begun to display greater awareness of price, of value and of the range of choices now available to them. For the NCA, this means that a large part of the rationale for the pricing surveys – raising consumer price awareness – has been satisfied.

Whilst there remains a clear appetite for grocery price comparison information, the task of delivering the key message to consumers to be alert to pricing and to seek out value and the price point most appropriate to their desired balance of product features/benefits has been largely achieved.

As a result, in 2010 the Agency expanded its pricing survey work to capture broader elements of the consumer purchasing experience. Surveys of particular product or service segments were delivered more frequently than the previous “all basket” grocery surveys.

Grocery Price Survey

The Agency has conducted seven grocery price surveys since its first pilot survey in mid 2007. The latest and largest branded grocery price survey was published in August 2010. The survey compared the price of a basket of 103 branded grocery items in Tesco, Dunnes Stores and Superquinn, and a basket of 87 items when SuperValu is included.

Detailed results showed virtually no price difference on branded goods between Tesco, Dunnes Stores and Superquinn, with a difference of only 0.4% between the cheapest (Dunnes Stores) and most expensive (Superquinn) for a basket of 103 items.

On the basket of 87 common products surveyed across Tesco, Dunnes Stores, Superquinn and two SuperValu stores, the total difference between the cheapest and most expensive was 2.4%.

The survey also revealed that while the principal retailers reduced the price of core branded items over the last 18 months (in the region of 14%), the rate of reduction slowed and retailers are, on the basis of the July 2010 survey, competing mainly on the basis of special offers and promotions and by juggling frequent but small price changes on individual items.

Agency market research in the period indicated that consumers prefer long-term price cuts to the hi-low pricing strategies associated with special offers.

Baby Care Product Survey

A price survey conducted in September 2010 focused on baby care products. The survey found notable price differences between the main supermarket chains. It also identified that special offers appear to be a key feature of this segment.

The research is based on branded baby care products surveyed in Tesco, Dunnes Stores, Superquinn and SuperValu, and own brand goods compared across Aldi, Lidl and Tesco.

The largest comparable basket, comprising 105 branded baby care products, was surveyed in Dunnes Stores, Superquinn and Tesco. The survey found that:



- Dunnes Stores was cheapest while Tesco came in most expensive differing by 5.1% (€26.42); differences of over 50% were found on some individual products
- However, perhaps the most critical finding was that the largest share (83%) of the overall price difference on the 105 item basket was accounted for by price differences in the Nappy category. Here, across 25 common Nappy products, there was a difference of 10.9% between the cheapest retailer for the basket, Dunnes Stores, and the dearest, Tesco
- A comparison of 6 own brand babycare products across Aldi, Lidl and Tesco revealed identical prices in Aldi and Lidl, with Tesco being slightly more expensive (2.9%).

Given the significance of overall expenditure in this category for the parents of babies and infants, the Agency encouraged consumers be proactive in checking prices and realise the savings available to them. The survey indicated that parents can make significant savings by being price aware and by seeking out special offers on baby care products. Parents were urged to scrutinise these special offers carefully and to satisfy themselves they represent genuine savings.

Doctors and Dentists - Fees Charged and Levels of Price Display

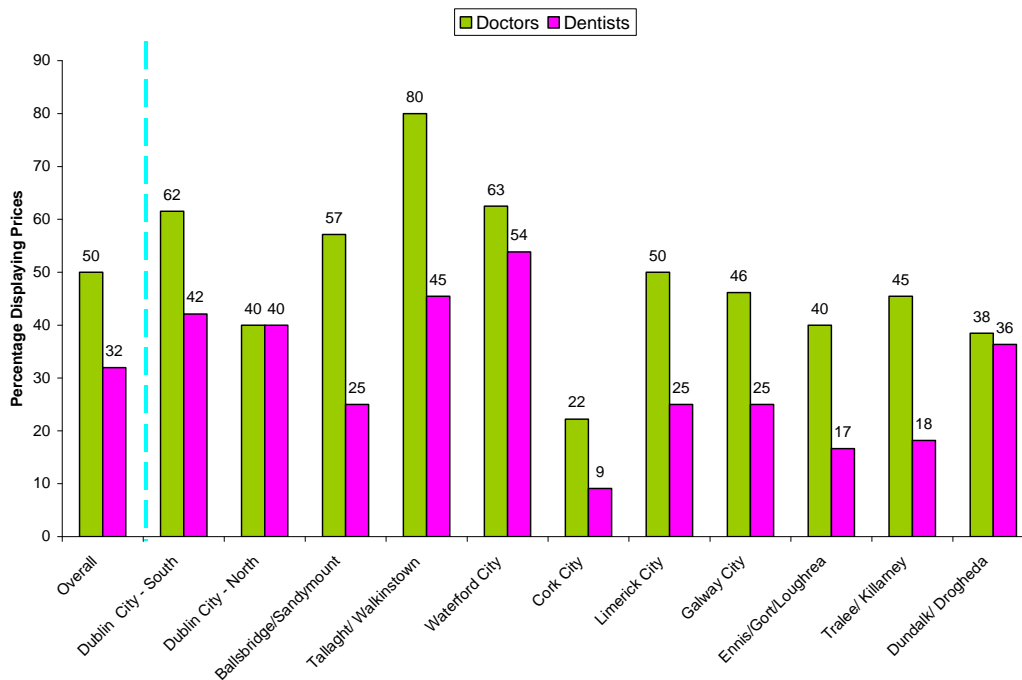
This survey was the first in the Agency's focus on fees charged for professional services. Survey work in this category focuses both on price levels and on accessibility of pricing information.

In May 2010, results were published from a survey of general practice doctors and dentists covering 11 urban locations across Ireland. In March 2010, NCA staff visited a total of 251 doctors' and dentists' premises to ascertain the proportion of doctors and dentists who display a schedule of prices and to document the levels of fees charged for a small but routinely accessed range of services.

The survey showed that:

- 68% of dentists and 50% of doctors surveyed did not display a schedule of fees on their premises
- Significant regional variation in the propensity to display price was found
- 80% of doctors surveyed in the Tallaght/Walkinstown area of Dublin City displaying prices compared with 22% in Cork City
- 54% of dentists surveyed in Waterford City display their prices, while only 9% dentists surveyed in Cork City display prices.



Figure 6: Percentage of Doctors and Dentists who Display Fees

In relation to price levels for doctors, there was variation at both local and national level:

- The overall/national average price for a routine GP consultation was €51
- Prices recorded nationally ranged from €35 in Tralee/Killarney to €70 in Ballsbridge/Sandymount
- Ballsbridge/Sandymount in Dublin recorded the largest difference (€25) between the cheapest and dearest price in an individual location
- In contrast Cork recorded the smallest difference between cheapest and dearest price at €5.

For dentists, the variations were more noticeable:

- The overall/national average price surveyed for a routine examination by a Dentist was €44, the range of prices recorded varied from free/no charge applicable to €86
- The overall/national average price surveyed for a scale and polish was €61. The minimum overall price recorded for this service was €25. The highest price recorded was €90
- The overall/national average price for a simple extraction was €82, the range of prices recorded varied from €40 to €150.



The Agency is of the view that any service provider to the public should display prices for routine services and there is no reason why doctors and dentists should not follow this practice. Since the publication of the survey, the Agency has been working with relevant medical and dental regulator and representative bodies with the aim of implementing a code of practice for doctors and dentists to display a standard fee schedule in a prominent location at their premises.

Home Heating Oil

A home heating oil survey, published in September, examined the prices charged across the country for the supply and delivery of 1,000 litres of home heating oil. Pricing information was collected from 134 home heating oil suppliers on the same day, servicing 21 distinct delivery areas where it was found prices varied nationwide by up to €80, 13%.

- The results show that the average price for 1,000 litres of kerosene across all survey locations nationwide was €670, or 0.67c per litre, inclusive of VAT
- However, price variations around this average were striking - consumers in Ennis, County Clare buying on the day of the survey would, on average, have paid €696 while the lowest average price (€655) was recorded in County Louth (Drogheda)
- Nationally, the lowest price (€640) was recorded in the Sligo and Galway County North areas, but the highest price quoted was in Dublin South, where one supplier was charging €720
- 7 out of the 21 areas surveyed had a price variation of €20 or less
- 4 out of 21 areas had a price variation of €40 or more, with Dublin South recording the highest variation between the lowest and the highest prices quoted of €71.

The survey proved that with just a couple of quick and simple phone calls, consumers could make significant savings on their home heating costs.

Wood Pellets

The second of the NCA's segment-based price surveys focusing on home heating costs, published in December, surveyed prices charged for the supply and delivery of wood pellets in bulk form and for the supply of bagged pellets.

Seven wood pellet suppliers were surveyed for delivery of one tonne of loose bulk pellets. The average price was €226 per tonne with prices ranging from €220 to €232.

Results in relation to bagged pellet prices showed considerably more variation:

- Fifteen suppliers gave quotes for a ten-kilo bag of pellets and the results showed that they ranged in price from €2.99 to €3.70 – a difference of 24%, with an average price of €3.31 per bag



- The price of 15-kilo bags differed by as much as 82% among 14 suppliers, with prices ranging from €4.40 to €8.00 with an average price across all locations of €6.03.

Commenting on the price survey upon its release, the Agency urged consumers to be price aware stating while the individual price differences highlighted in the survey may seem small, they will add up over the course of the winter so it can pay dividends to shop around.

Childcare Costs - Fees Charged and Levels of Price Display

In December 2010, the Agency undertook a nationwide survey of childcare facilities, investigating levels of price display and fees charged for a number of routine childcare scenarios. The Agency surveyed childcare facilities for 13 different areas across the country, focusing on private full day care services on a full-time and part-time basis.

In total, 176 childcare facilities were contacted and of these information was received from 102 (58%). Of the 102 childcare providers that provided information, 81 were private and 21 were community facilities.

The results revealed that:

- The average price surveyed across all areas for full-time care for a baby aged six months was €191 per week. The average price ranged from a high of €233 in the Swords area to a low of €155 in the Waterford and Sligo areas, a difference of 50%
- For full-time care for a baby aged 6 months, the largest variation in an individual area between the maximum and minimum price was surveyed in the Dublin City Centre area, €84 (45%). The smallest variation, €10 (7%), was surveyed in both the Sligo and Letterkenny areas
- The overall average price surveyed across all areas for full-time care for a toddler aged twenty-eight months was €181 per week. The average price ranged from a high of €220 in the Dublin 6 & 6W area to a low of €145 in the Sligo area, a difference of 52%
- The largest variation surveyed in an individual area, between the maximum and minimum price for full-time care for a toddler aged twenty-eight months was recorded in the Cork area, €65 (38%). The Letterkenny area recorded the smallest variation, €10 (6%), between the maximum and minimum price
- 44% of childcare providers displayed prices at their premises.

Having found in over 90% of cases a discount was offered when two siblings attended and discounts on scheduled fees may be available in some cases the Agency advised that parents/guardians could benefit from asking for a lower fee.



POLICY

Long-term change in the consumer environment is best achieved by the joint efforts of consumers themselves, the businesses that serve them and those responsible for the development and the implementation of policy measures to promote competition and fair-trading.

To do this, the Agency continues to develop long term working relationships with key stakeholders such as the business community, relevant Government Departments, representative organisations, the EU and others working in the consumer affairs area. Key activities are set out below:

Consultation Responses

- Questionnaire regarding the OECD Seoul Ministerial Declaration for the Future of the Internet Economy
- Observations on the proposed Road Transport Bill 2010
- Engineers Ireland Proposal for Regulating the Engineering Profession in Ireland
- Department of Environment, Heritage and Local Government Review of the Retail Planning Guidelines Issues Paper
- Draft Memorandum for Government regarding Committee Amendments to Property Services (Regulation) Bill
- DG Sanco's Request for Views with Regard to Preparing Guidelines for the Development of Food Price Comparison Websites
- Commission for Energy Regulation Review of the Regulatory Framework for the Retail Electricity Market: Proposals on a Roadmap for Deregulation
- Observations on the Draft Memorandum for Government regarding Carbon Windfall Levy Legislation
- Development of Anti Money Laundering Guidelines in conjunction with the Central Bank
- Contribution to the European Commission public consultation on access to Basic Bank Accounts
- Central Bank Minimum Competency Requirements
- Central Bank Code of Conduct on Mortgage Arrears



- Central Bank Consumer Protection Code of Conduct
- Engagement with DG Sanco on revisions to the EU General Product Safety Directive 2001/95/EC

NCA Representation

- OECD International Network on Financial Education and through Dolceta/Ireland
- Member of the EU Expert Group on Financial Education
- Department of Finance Steering Group on Financial Inclusion
- Various EU fora dealing with enforcement and product safety issues
- Central Statistics Office, Consumer Price Index Review Group



Pillar Three: Information and Education



INFORMATION

2010 saw renewed focus in communicating the information role of the Agency for consumers. In order to achieve this objective, new TV and radio advertising was developed and went on air in November 2010 leading to an immediate increase in website traffic (28%) and helpline calls (23%) on the previous month. Advertising ran for an initial 2-month period with some initial research undertaken during the first few weeks. Initial responses to the messages of the ad were very positive with 61% of those who recalled the ad saying they are more likely to use the Agency's services as a result.

In addition, the Agency continued to use all available channels to promote relevant information to consumers, particularly PR and publicity. Throughout 2010, the Agency issued press releases and undertook media interviews on issues as diverse as deposit protection, toy safety, grocery prices, faulty gas cookers, pyramid schemes and scams and car servicing and repairs. This activity is crucial to ensuring that consumers know what to look out for and become more aware of issues of potential financial (or other) detriment.

The main campaign themes during 2010 were:

January: Market research - consumers and the recession, Market research - consumer complaining

February: Consumer Protection List, Market research shows switching decrease

March: NCA assumes, on an administrative basis, consumer information and education functions of Financial Regulator, Economiser launch

April: Market research - Scams, NCA welcomes EU Annual RAPEX report on unsafe non-food consumer products

May: Doctor/Dentist pricing survey, Motor insurance cost comparison

June: Money tips for summer holiday spending, Deposit protection

July: NCA taking personal finance queries, Hire purchase, Annual report

August: Grocery pricing survey, Gas cooker recall

September: Consumer Protection List, Home insurance cost comparison, Shopsmart game, Home heating oil pricing survey, Market research shows consumers benefit by switching provider, Pyramid schemes

October: Christmas budget planner, Market research reveals a nation of 'smarter' consumers, Baby care products price survey

November: Motor insurance cost comparison, Toy safety tips, Motorbike insurance survey

December: Wood pellets pricing survey, NCA and Microsoft warn of cybercrime scam, Market research-gift vouchers, Current account charges.



CONSUMER HELPLINE

In 2010 the National Consumer Agency dealt with over 60,000 queries, complaints and requests for information from consumers and businesses on a wide range of issues. The majority of the queries were dealt with by our dedicated helpline, which is accessible via 1890 432432 or 01 4025555. Other queries received were by post, email or from personal callers to the Agency.

Of the consumer contacts received, 65% of those contacting the Agency sought information on their rights relating to the purchase of goods or services, as covered by the Sale of Goods and Supply of Services Act, 1980.

The addition of the personal finance service to the NCA helpline went live on the 1 July 2010. Consumer contacts on personal finance issues accounted for approximately 20% of calls made to the NCA helpline from 1 July to 31 December 2010, which amounted to almost 4,700 contacts on personal finance.

SECTORS: NON-PERSONAL FINANCE

The top sectors in relation to which enquiries or complaints were received were as follows:

Vehicle Related - 12.6%

This includes problems with both new and second hand cars, with a higher percentage for second hand cars, including cars that have previously been crashed or clocked as well as issues consumer have with repairs and car parts.

Telecoms - 10.5%

Included here are problems with mobile handsets, where for example, consumers have difficulties getting redress from retailers, as well as various issues relating to broadband contracts.

Clothing/Footwear/Accessories - 9.8%

Included are issues with faulty goods as well as consumers changing their mind after purchasing items, where they do not have specific rights in law but are depending on store policy to accommodate their request.

Home Entertainment Items - 9.3%

This category includes PCs and laptops, televisions, audio equipment, cameras and game machines. As in the previous categories, those queries mainly relate to sale of goods issues.

Household appliances - 7.6%

This category covers white goods such as cookers, washing machines, dryers etc. An increase in calls was received following reminder alerts during the year, issued to trace potentially lethal gas cookers, and was a follow up to a major product recall campaign in 2009.



Holiday/Travel - 7.3%

Problems found here concern package holidays and flights. Two issues that caused an increase in calls during the year were flight delays and cancellations due to the ash cloud following the volcanic eruption in Iceland and also the collapse of 1800HOTELS, when many consumers were left without holiday accommodation.

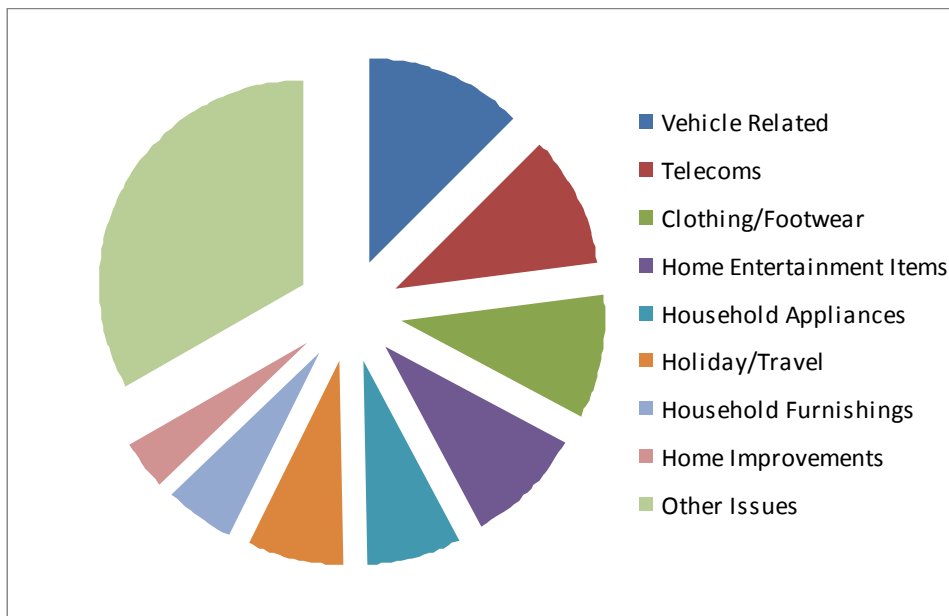
Household Furnishings - 5.7%

Covered issues related to problems with furniture and furnishings.

Home Improvements - 3.7%

Calls in this area concerned a wide range of home improvements but included problems with fitted kitchens, flooring, replacement doors and windows.

Figure 7: High Volume Consumer Issues



SECTORS: PERSONAL FINANCE

The top sectors in relation to which enquiries or complaints were received were as follows:

Banking - 43%

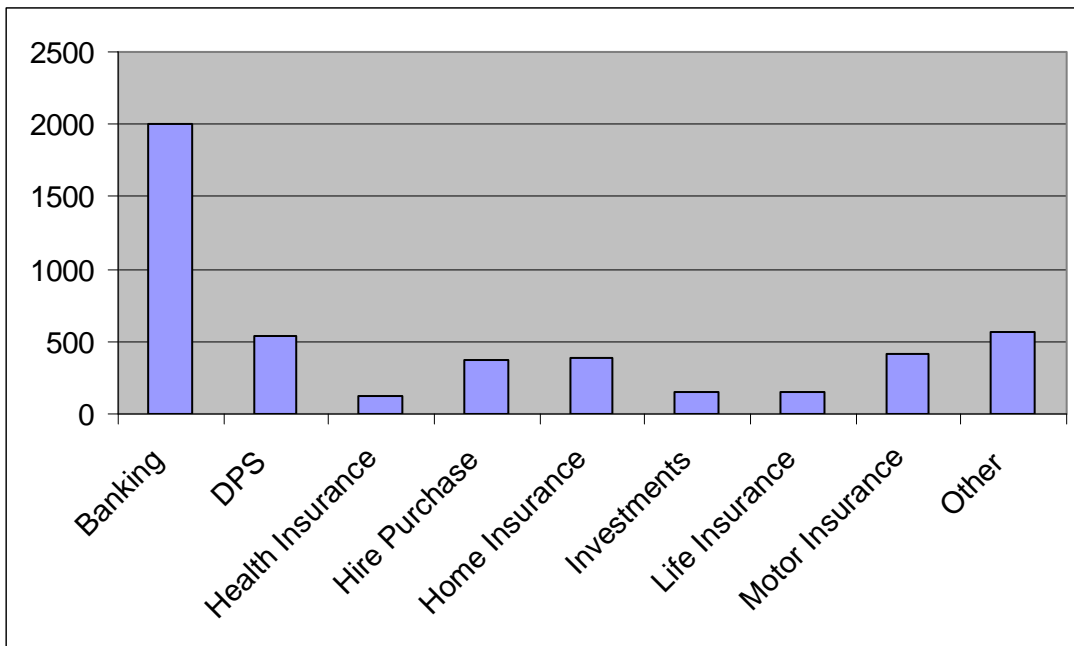
This includes current accounts, savings accounts, foreign exchange, personal loans, credit cards, mortgages, equity release and bank charges.

Deposit Protection Scheme - 12%

Motor Insurance - 9%

Home Insurance - 8.2%



Figure 8: High Volume Personal Finance Issues

WEBSITES AND SOCIAL MEDIA

During 2010, the National Consumer Agency websites continued to experience growth in traffic. Websites, newsletters and social media activity were used to raise awareness of particular consumer issues throughout the year to both existing followers/subscribers and to the general online audience.

During 2010, the National Consumer Agency operated three main websites, a consumer rights website www.consumerconnect.ie; a personal finance website www.itsyourmoney.ie and a corporate website www.nca.ie/eng. In addition, the Agency developed a new 'homepage' at www.nca.ie as a single go-to site for all the Agency's consumer news, primary web content and online tools. This URL is now used in all general communications activity.

CONSUMERCONNECT.IE

www.consumerconnect.ie is the Agency's consumer rights website, featuring a broad range of information to help consumers resolve issues in relation to the purchase of goods and services, as well as more general information to help consumers find the best value and make smarter purchasing decisions.

The website also acts as a valuable source of relevant consumer news, including an up-to-date record of all Product Safety related recalls and information bulletins issued by the Agency as the body in Ireland responsible for European product safety procedures. Consumers can also submit complaints through an online form.



The site is updated frequently, often daily, and traffic growth during 2010 saw visits exceed 319,000 by year-end. A peak in site activity was noted during November 2010, when just over 40,000 visits were received. This coincided with the launch of TV/radio advertising as well as a pre-Christmas online campaign, promoting shoppers' rights, and raising awareness of important issues around the purchase of gift vouchers.

The 5 most popular areas on the consumerconnect website in 2010 were:

- Taking action - how to make an effective complaint, take action and stand up for your consumer rights
- The general relevance Guides and Tips
- The Economiser - online tool to compare household expenditure
- The Learning Zone, which hosts the online consumer rights quizzes
- Guides to consumer law.

ITSYOURMONEY.IE

On 1 March 2010, itsyourmoney.ie transferred to the Agency with the personal finance information and education functions from the Financial Regulator. Itsyourmoney.ie was launched in 2007 and has a strong consumer base and is a valuable addition to the Agency's suite of websites. From 1 March to year-end, there were almost 450,000 visits to the site⁶.

Throughout 2010, Itsyourmoney.ie acted as an up-to-date resource for consumers on matters concerning their personal finances, giving consumer information on a wide variety of topics including deposit protection, bank closures, information for consumers unsure about their mortgage rate options and help with budgeting and money management. The cost comparisons of financial products (banking and insurance products) continued to attract large numbers of visits, with the comparison of lump sum deposit accounts receiving over 56,000 views.

Online tools on itsyourmoney.ie were the most popular pages throughout 2010:

- Mortgage calculator received almost 50,000 visits
- Loan calculator used over 26,000 times
- Budget planner received over 45,000 visits.

Information on compensation and guarantee schemes remained topical throughout the year, with over 39,000 visits.

NCA.IE/ENG

This site is designed to meet the needs of businesses, researchers and the media and contains the latest research undertaken by the Agency and guides for businesses.

No major development or promotion of this site took place in 2010. However, the site was continuously updated with new research, press resources and resources for business to help

⁶ Statistics for www.itsyourmoney.ie are from 1 March 2010, when responsibility for the website transferred to the Agency.



them contribute to improving the consumer environment. Traffic to the corporate site reached 47,275 visits in 2010.

ECONOMISER BUDGETING TOOL

In March 2010, the Agency launched an online budgeting tool, known as The Economist. The Economist is an important step in the Agency's efforts to help consumers assess value for money in four areas - groceries, energy, TV & telecoms and mobile phones. These four areas account for nearly a third of a typical household's weekly spend and outgoings in each of these categories can be reduced quickly, through easy-to-implement steps, without requiring dramatic lifestyle changes.

The Economist was built using data from extensive nationwide research with a sample of just under 2,000 people, to populate 59 distinct profiles across the four expenditure categories. The tool advises consumers how much more or less they are spending than the average most relevant to them, based on the profiling information they have provided.

From March 30th to end December 2010 there were over 24,000 visits. The average time spent on the tool was 5 minutes 16 seconds, which is in line with design. A fifth follow-up motoring costs section is planned for 2011.

SOCIAL MEDIA

In 2010 the Agency undertook to engage in a more direct way with our audiences through social media channels. Prior to this, tentative steps had ensured the Agency a presence in this space, but social media was primarily an extension to the Agency's web channels. However, 2010 saw a realigned approach to social media audience engagement and a demonstrable increase in the Agency's reach and share of voice. The Agency is now arguably one of the most social media-engaged state agencies, with a presence across all key social media platforms including:

- Facebook
- Twitter
- Bebo
- LinkedIn
- Slideshare
- YouTube
- Wikipedia.

The channels have proven increasingly useful in spreading consumer news generally, and the Agency harnessed opportunities during 2010, for example, providing passenger rights information during the volcanic ash incident, and sharing our TV advertisement across multiple media on Facebook, YouTube and Twitter, thereby increasing visibility through both paid and free channels. The Agency's content is regularly shared and spread by users, indicating that it is accurate, timely, relevant and has value for consumers. The Agency will continue to engage with our consumer audiences through these and other new media channels to ensure consumers are kept well informed.



EDUCATION

The personal finance education role previously held by Financial Regulator moved to the NCA in March 2010. The remit is to support consumers in developing the necessary key financial skills and knowledge to understand their own financial circumstances, address their changing needs and become more socially included through their proactive participation in the financial services market.

WORKPLACE PROGRAMME - MONEY SKILLS FOR LIFE...

In 2010 a Working Group was set up and chaired by the NCA as an output from the National Steering Group on Financial Education⁷ to develop a model to educate consumers on their personal finances directly in the work place. The group included key stakeholders⁸ from the public sector and financial services industry. It was established to agree processes and content for: resources (presentation and booklet), recruitment/training of presenters, marketing/promotions, training and quality testing/evaluation.

Much of the development work concluded in 2010, with the pilot programme rolled out from February 2011. An extensive evaluation process and a full report to measure the impact on consumer behaviour, receptiveness to uptake and general feedback on resources will follow this.

TRANSITION YEAR RESOURCE MATERIALS

The 'Get smart with your money' transition year program continued as part of a 3-year partnership with the Money Advice and Budgeting Service (MABS).

It is designed to equip teenagers in their final academic year with some key life skills to help them through their financial life and examines relevant topics such as students' relationship with money, money management, student and family needs and wants, shopping around and saving and borrowing.

Teachers nationwide were given in-service training at intervals throughout the year as well as resource materials to deliver the program. A full independent evaluation is being produced in 2011, which will be used to consider the future of the project.

LEAVING CERTIFICATE APPLIED (LCA)

The Agency continued to support the relevant personal finance modules of the Leaving Certificate Applied Social Education Course. In 2010, a new, web-based, approach to the LCA teacher support resource was developed. Online content for the project was posted on www.financialcapability.ie for teachers to access directly. 2011 activity will include developing

⁷ Established by the Financial Regulator in 2006, the National Steering Group on Financial Education⁷ 'Improving Financial Capability – a multi-stakeholder approach' published a report in 2009. Available at www.financialregulator.ie

⁸ Money Advice and Budgeting Service, Citizens Information Board, The Pensions Board, Institute of Bankers, Insurance Institute of Ireland, LIA, Irish Insurance Federation, Allied Irish Banks plc, Bank of Ireland, Citibank Europe plc, Irish Life and Permanent, National Irish Bank and Ulster Bank are all members.



further class based work activity and meeting with the LCA national coordinator to explore extending our personal finance remit into other modules.

INFORMATION SEMINARS

The information seminar programme continued to be popular in 2010, particularly with a number of key employers: An Garda Síochána, Pepsico, the Central Bank and the Irish Army. As with other years, this programme was not actively marketed and was delivered on a request only basis. While the information seminar programme in its current guise will cease in 2011, we will continue to work with existing employers through the Money skills for life... programme.

A total of 26⁹ personal finance information seminars to 1,175 attendees covering employer pre-retirement courses, workplace seminars, talks to students were given in 2010.

NEW PARENT EDUCATIONAL RESOURCE

The 'Baby Steps' resource was produced in consultation with key representative non-government organisations¹⁰ and provides the requisite personal finance information required for the three main stages of parenthood: planning for your baby's arrival, money matters when you have children and planning for your child's future. Copies of the booklet will be distributed to all expectant mothers in maternity hospitals in Ireland throughout Ireland in 2011. We expect to reach 60,000 families by the end of the year.

INTERNATIONAL ACTIVITY

The NCA took part in the OECD's International Network on Financial Education Financial Literacy measurement pilot, which is being undertaken in 12 member countries of the OECD (including both EU and non-EU countries). It consisted of 19 core questions and allows for measurement of financial literacy, helps identify needs and gaps (in particular in terms of key socio-demographic groups) and comparison of financial literacy levels across participating countries. The fieldwork and comparative study are due to be finalised and made available in 2011.

PUBLICATIONS

A series of consumer booklets, which are available on demand, provide helpful information on topics of interest to consumers and compliment the information contained on the Agency's websites. In line with obligations under the Official Languages Act 2003, Irish Language versions of Agency consumer publications have been developed and can be downloaded from www.consumerconnect.ie

⁹ One seminar in February was delivered while the consumer information function was still with the Financial Regulator. There were 10 attendees at that seminar.

¹⁰ Business in the Community Ireland and National Traveller MABS



The current full list of NCA Publications includes:

- A Guide to the National Consumer Agency
- A Guide to the Sale of Goods and Supply of Services Act 1980
- A Guide to the Small Claims Court
- A Guide to Package Holidays
- A Guide to Advertising and the Consumer
- A Guide to Consumer Law and Prices
- A Guide to Toy Safety
- A Guide to Buying a Car
- Property Management Companies and You
- Buying and Living In A Multi-Unit Development Property in Ireland
- Consumer Guide to the Safety of Window Blinds.



Corporate Governance

The NCA was established on 1 May 2007 under the Consumer Protection Act, 2007 and operates in accordance with the provisions of that Act and under the aegis of the Minister for Enterprise, Jobs and Innovation. The NCA has put in place procedures to ensure compliance with the following specific requirements:

MEMBERSHIP OF THE BOARD

In accordance with Section 10 (7) of the Consumer Protection Act 2007, two Board members, namely Ms. Celia Larkin and Ms. Marie Barry-Ring retired from office on 30th April 2010. The Minister for Enterprise, Jobs and Innovation appointed Mr. David Pierce and Mr. Fergus J. Gallagher to the Board on the 23rd March 2010 and Ms. Georgina Conroy and Ms. Marie Dalton were appointed by the Minister on the 18th May 2010.

BOARD MEMBERS' ATTENDANCE AT BOARD MEETINGS

<u>Board Member</u>	<u>2010 Meetings Attended</u>
Mr. Stephen Costello	6
Ms. Ann Fitzgerald	6
Ms. Inez Bailey	6
Ms. Marie Barry-Ring (1)	1
Ms. Georgina Conroy (2)	4
Ms. Marie Dalton (3)	4
Mr. Patrick Desmond	6
Mr. Fergus J. Gallagher (4)	5
Ms. Celia Larkin (5)	2
Ms. Deirdre McDonnell	6
Mr. Nelius Moriarty	6
Mr. Robin O'Sullivan	6
Mr. David Pierce (6)	4
Mr. Edward Shinnick	6

There were 6 meetings in 2010. The following Board members were not on the Board for the full year as follows:

- (1) Ms. Barry-Ring retired on the 30th April 2010 and was not a member of the Board for the remaining four meetings in 2010
- (2) Ms. Conroy was appointed on the 18th May 2010 and was not a member of the Board for the first two meetings of the year
- (3) Ms. Dalton was appointed on the 18th May 2010 and was not a member of the Board for the first two meetings of the year

- (4) Mr. Gallagher was appointed on the 23rd March 2010 and was not a member of the Board for the first meeting of the year
- (5) Ms. Larkin retired on the 30th April 2010 and was not a member of the Board for the remaining four meetings in 2010
- (6) Mr. Pierce was appointed on the 23rd March 2010 and was not a member of the Board for the first meeting of the year.

DIRECTORS' FEES AND EXPENSES

<u>Board Member</u>	<u>Fees</u>	<u>Expenses</u>
Mr. Stephen Costello	€21,600	€3,445
Ms. Ann Fitzgerald	€0	€0
Ms. Inez Bailey	€12,600	€44
Ms. Marie Barry-Ring	€4,200	€275
Ms. Georgina Conroy	€7,833	€1,243
Ms. Marie Dalton	€7,833	€1,271
Mr. Patrick Desmond	€12,600	€420
Mr. Fergus J. Gallagher	€9,761	€0
Ms. Celia Larkin	€4,200	€890
Ms. Deirdre McDonnell	€12,600	€470
Mr. Nelius Moriarty	€12,600	€1,860
Mr. Robin O'Sullivan	€12,600	€1,566
Mr. David Pierce	€9,761	€130
Mr. Edward Shinnick	€12,600	€2,205

BOARD MEMBERS - DISCLOSURE OF INTEREST

The NCA is designated as a Public Body with effect from January 1, 2009. Procedures have been put in place to ensure compliance with the Ethics in Public Office Act 1995 and Standards in Public Offices Act 2001. NCA Board Members furnished statements of interest to the Secretary and copies have been provided to the Commission Secretary, Standards in Public Office Commission. In addition, NCA staff members holding designated positions have complied with both Acts.

CHIEF EXECUTIVE OFFICER REMUNERATION

The Chief Executive's salary for 2010 was €176,383 and her expenses were €3,063. The Chief Executive's pension is in line with the standard entitlements in the model public sector defined benefit superannuation scheme.

OTHER OBLIGATIONS UNDER CODE OF PRACTICE FOR THE GOVERNANCE OF STATE BODIES

The Agency continues to put in place procedures to ensure that it complies with the provisions of the Code of Practice for the Governance of State Bodies.



FREEDOM OF INFORMATION (FOI)

The Agency is covered by the provisions of the Freedom of Information (FOI) Acts. These Acts established three new statutory rights:

- A legal right for each person to access information held by public bodies
- A legal right for each person to have official information held by a public body relating to him/herself amended where it is incomplete, incorrect or misleading
- A legal right to obtain reasons for decisions affecting oneself taken by a public bod

SAFETY, HEALTH AND WELFARE ACT, 1989

In accordance with the Safety, Health and Welfare Act (2005), the Agency has prepared a safety statement that encompasses all the aspects affecting staff and visitor welfare.

ENERGY EFFICIENCY

Energy Usage in 2010: The NCA works from 4-5 Harcourt Road, where energy costs are shared between the tenants and are calculated on a pro rata basis. In 2010, the total energy consumption for the building was 673,967 KWh (Electricity - 294,450 KWh, Gas - 78,517 KWh). The NCA was charged by the anchor tenant for usage of 294,658 KWh (Electricity - 128,733 KWh, Gas - 165,487 KWh) based on the Agency's 43.72% occupancy of the building.

Actions Undertaken in 2010: The NCA undertook a range of initiatives to improve energy performance including:

- Computer compliance with Energystar 5.0 ratings
- Computers hibernation default mechanism put in place
- Virtual Servers used to save on Power and Cooling requirements, where appropriate
- Powering down of computers at end of the day
- Ensuring lights are switched off at night.

Actions Planned for 2011: In 2011 the NCA intend to further improve energy performance by undertaking the following initiatives:

- Vigorously implementing the energy policies on computers and lights
- Increasing staff awareness on the importance of conservation of energy
- Engaging with the anchor tenant to investigate further energy saving initiatives.

AUDIT COMMITTEE

The Board appointed an audit committee in 2007. The role of the committee is to review, monitor and advise on the robustness and effectiveness of the arrangements and status of the corporate governance, financial management, risk management and internal audit functions of the NCA.



INTERNAL AUDIT

The Agency has appointed external consultants to act as internal auditor who have prepared an audit plan, which is being implemented over the period 2008 to 2010. In 2010 internal audits were conducted in the following areas:

- Call Centre Transition
- Credit Intermediaries
- Fixed Payment Notices
- Procurement
- Follow up review of all NCA audits (2008 to 2010).

The Agency received a substantial (medium) level of assurance that the processes and procedures in place are efficient and effective, which is the 2nd highest level rating achievable, for all the audits.

REMUNERATION COMMITTEE

The Board appointed a remuneration committee in 2007 to examine the Chief Executive's performance annually and to set performance criteria consistent with the corporate plans. The Agency's performance related award scheme was terminated in October 2009.

CUSTOMER CHARTER

The NCA has a Customer Charter, available on the NCA website at www.nca.ie, setting out its commitment to a high quality service to our customers.

STANDING ORDERS

The Board has adopted standing orders to ensure the orderly and effective conduct of the meetings of the Board of the Agency and they have been drawn up as stipulated in Section 12. (7) of the Consumer Protection Act 2007.

FINANCE

The National Consumer Agency is funded by way of annual grant from the Department of Enterprise, Jobs and Innovation. In 2010 the Agency's grant was €7.2 million. The Agency's accounts are subject to audit by the Comptroller & Auditor General and the audit of the 2010 financial statements is underway. At the time of writing, the provisional, unaudited financial statements show an actual expenditure of €5.7 million for 2010. The under spend is due to lower than planned staffing levels and reduced spending in most operational areas due to the current challenging budgetary climate.

ORGANISATIONAL CHANGE

The proposed amalgamation of the National Consumer Agency and the Competition Authority is continuing with a draft Memorandum for Government currently under consideration. Three way discussions have taken place on the corporate structure and staffing requirements involving the Department, the Competition Authority and Agency. The Consumer and



Competition Bill that will give effect to the new organization is included in the Government's 2011 summer legislative programme.

Twenty staff were seconded into the NCA in 2010 from the then Financial Regulator, to perform, on an administrative basis, the consumer information and education functions carried out by the Regulator. Under the Central Bank Reform Act 2010, these functions were formally transferred to the NCA with effect from 1 January 2011. The staff have been seconded for up to two years, underpinned by an agreement between the Central Bank and Financial Services Authority of Ireland and the NCA. These functions will ultimately form part of the amalgamated NCA and Competition Authority.



Appendices



APPENDIX 1

1. Prosecutions

On 5 October, Cuenca Limited, trading as La Boulangerie, of 10 Upper Camden St, Dublin 2, was convicted in the Dublin District Court for failing to display a price list as required under the Retail Prices (Food in Catering Establishments) Display Order 1984. The company was also fined €1,750.

2. Undertakings obtained by the Agency: (Section 73 of the Consumer Protection Act 2007)

Elgarbridge Limited t/a Northside Automotives (In respect of discrepancies in the odometer reading of a car)

On the 31st March 2010, Elgarbridge Limited, Cedair, Daly's Lane, Rush, Co. Dublin undertook to comply with the general prohibition on misleading commercial practices imposed by Section 42(1) of the Consumer Protection Act and undertook to compensate a consumer affected by the misleading commercial practice. An investigation by the Agency related to the sale of a vehicle to a consumer, which displayed a mileage reading different from that declared on a Registration of Used Vehicle form (VRT4) which had been previously submitted to the Revenue Commissioners.

Killarney Crystal, China & Glass Co. Limited (In respect of infringements of hallmarking requirements relating to a jewellery item)

On the 10th February 2010, Killarney Crystal, China & Glass Co. Limited, 19 Maple Avenue, Stillorgan Industrial Park, Blackrock, Co Dublin undertook to comply with the general prohibition on misleading commercial practices imposed by Section 42 (1) of the Consumer Protection Act, refrain from committing an offence as provided for in Section 47 of the Act and recall any jewellery which may have been supplied that is not in conformity with the statutory Hallmarking provisions.



3. Prohibition Orders obtained by the Agency: (Section 71 of the Consumer Protection Act 2007)

Favourite Motors Limited (In respect of the sale of a clocked car)

On the 16th February 2010 the National Consumer Agency was granted an order by Limerick Circuit Court prohibiting Favourite Motors Limited, Ballysimon Road, Limerick from selling or offering for sale, motor vehicles with altered or reduced odometer readings, contrary to Section 42 of the Consumer Protection Act 2007. The Agency also sought and was granted an order for costs in relation to the proceedings.

4. Compliance Notices: (Section 75 of the Consumer Protection Act 2007)

Number of Businesses: 41

Number of Compliance Notices issued: 43

Traders who charged more for consumer goods than the price displayed in contravention of Sections 42 and 43 of the Consumer Protection Act 2007

- Kads Supermarket Ltd. t/a Supervalu, Market Street, Cootehill, Co. Cavan
- Dunnes Stores (Henry Street) t/a Dunnes Stores, Henry Street, Dublin 1
- Fresh Opportunities Ltd. t/a Fresh, 1-4 Camden Street, Dublin 2
- Glenella Foods Ltd. t/a Eurospar, 129 – 131 Ballymun Road, Dublin 9
- Messrs. John and Edward Glennon t/a Eurospar, Northwood, Santry, Dublin 9
- Lidl Ireland GMBH t/a Lidl, North Road, Finglas, Dublin 11
- Marié Avondale Ltd. t/a Marié Centra, 19 Church Road, Ballybrack, Co. Dublin
- Joyce's Supermarket (Athenry) Ltd. t/a Joyces Supermarket, Athenry, Co. Galway
- Laiter Ltd. t/a Costcutter, St. Michael's Square, Ballinasloe, Co. Galway
- Triangle Stores Ltd. t/a Murphys Centra, Unit 5 An Triantan, Bothar An Choiste, Castlegar, Co. Galway
- Duet Holdings Ltd. T/a Supervalu, Ballyragget, Co. Kilkenny
- Ballindoolin Stores Ltd. t/a Eurospar, Castlecomer, Co. Kilkenny
- Griffin Group Hotels Ltd. t/a Hotel Kilkenny, College Road, Kilkenny, Co. Kilkenny
- Brinkhall (Tralee) Ltd. t/a Centra, Dillons, Monavalley, Tralee, Co. Kerry
- PSB Enterprises Ltd. t/a Gala Express, Cullahill, Co. Laois
- Equipet Retail Ltd. t/a Equipet, Unit 5, Ashbourne Retail Park, Ashbourne, Co. Meath
- Mursus River Ltd. t/a Centra, Main Street, Enfield, Co. Meath
- Mr. Fergus Byrne t/a Gala Service Station, Portarlinton Road, Tullamore, Co. Offaly
- Tesco Ireland Ltd. t/a Tesco Express, Main Street, Kilcoole, Co. Wicklow
- Tesco Ireland Ltd. t/a Tesco, Whitegates, Wicklow Town, Co. Wicklow
- Mr. John Roche t/a Londis, Main Street, Doneraile, Co. Cork
- The Belohn Ltd. t/a Foley's Bar, 1 Upper Merrion Row, Dublin 2
- Superquinn t/a Superquinn, 31 – 33 Ranelagh Road, Dublin 6
- Superquinn t/a Superquinn, Castletroy, Limerick, Co. Limerick
- D.B. Kavanagh Ltd. t/a AM PM, 15 Harolds Cross Road, Dublin 6
- Cambio Investments Ltd. t/a Centra, 8 – 11 Stoneybatter, Dublin 7
- Mr. Maurice Brady t/a Spar, 14 – 17 Ellis Quay, Dublin 7
- Griffin Central Ltd. t/a Londis, Unit 2 – 3 Cathedral Court, New Street, Dublin 8
- Halfords Ltd. t/a Halfords, Unit 5, Westend Retail Park, Blanchardstown, Dublin 15



- Laurelmount Ltd. t/a Centra, Laurel Lodge Shopping Centre, Castleknock, Dublin 15
- Capital Stores Ltd. t/a Eurospar, Hartstown Shopping Centre, Clonsilla, Dublin 15
- Marks and Spencer (Ireland) Ltd. t/a Marks and Spencer, Liffey Valley Shopping Centre, Clondalkin, Dublin 22
- Eurospar Lucan Ltd. t/a Eurospar, Ballyowen Shopping Centre, Lucan, Co. Dublin
- Mr. Anthony Hamilton t/a Hamiltons, Leenaun, Connemara, Co. Galway
- LB Retailing Ltd. t/a Spar Oakpark, Listowel Road, Tralee, Co. Kerry
- Lattice Ltd. t/a Garvey's SuperValu, Rock Street, Tralee, Co. Kerry
- D & M (Callan) Supermarket Ltd. t/a D & M SuperValu, Main Street, Callan, Co. Kilkenny
- Mr. Raymond Ryan t/a Ballyroan Stores, Main Street, Ballyroan, Co. Laois
- Triode Newhill Priors Gate Ltd. t/a Eurospar, Fairgreen, Gandon Court, Portlaoise, Co. Laois
- Mariangate Ltd. t/a Costcutter, 130 Marian Park, Drogheda, Co. Louth
- Bissen Trading Ltd. t/a Garvey's SuperValu, The Quay, Dungarvan, Co. Waterford
- Mr. Raymond Lennon t/a Lennons, 40 Connacht Street, Athlone, Co. Westmeath
- Mr. James G. Byrne t/a Byrnes Bookstore & World of Wonder, 2 Court Street, Enniscorthy, Co. Wexford

5. Fixed Payment Notices: (Section 85 of the Consumer Protection Act 2007)

In total, 69 fixed Payment Notices were paid to the Agency by 62 traders in respect of breaches of 4 areas of pricing legislation, namely:

- EC (Requirement to Indicate Product Prices) Regulations, 2002
- Retail Price (Beverages in Licensed Premises) Display Order, 1999
- Retail Price (Diesel and Petrol) Display Order, 1997; and
- Charges (Hairdressing) Display Order, 1976

EC (Requirement to Indicate Product Prices) Regulations, 2002

Fixed Payment Notices paid to the Agency: 64

No of traders: 57

- M & M Foodstore (Ballintemple) Ltd. t/a Ballintemple Centra, 2 Maryville, Ballintemple, Cork, Co. Cork
- Kerry Agri Business Trading Ltd. t/a Kerry Agribusiness, Kilmallock Road, Charleville, Co. Cork
- Petrogas Group Ltd. t/a Petrogas Hollyhill, Hollyhill, Harbour View Road, Cork, Co. Cork
- Crimdale Developments Ltd. t/a SuperValu, Hollyhill, Cork, Co. Cork
- Miletown Enterprises Ltd. t/a O'Callaghan's, Spa Square, Mallow, Co. Cork
- Comron Ltd. t/a Gormleys Centra, Circular Road, Letterkenny, Co. Donegal
- Kavanagh Retailing (Irl) Ltd. t/a SuperValu, Dynawood, Donegal, Co. Donegal
- Feng Yu t/a Fitz Deli, 18a Fitzgibbon Street, Dublin 1
- Mr. Brian Cullen t/a Shop 'n' Go, 58 St. Brigid's Road, Artane, Dublin 5
- BLM Stores Ltd. t/a Centra, Errigal Road, Drimnagh, Dublin 12
- Tesco Ireland Ltd. t/a Tesco, Boot Road, Clondalkin, Dublin 22
- Marié Avondale Ltd. t/a Marié Centra, 19 Church Road, Ballybrack, Co. Dublin
- Grafton Group Plc t/a Woodies, Ballydowd, Co. Dublin
- Laiter Ltd. t/a Costcutter, St. Michael's Square, Ballinasloe, Co. Galway
- Joyce's Supermarket (Knocknacarra) Ltd. t/a Joyces Supermarket, Knocknacarra, Co. Galway
(Total Fixed Payment Notices Issued: 3)



- Brian Fallon Hardware Ltd. t/a Brian Fallon Hardware, Dublin Road, Longford, Co. Longford
- Mr. Gerrard Whyte t/a Whytes Checkout Supermarket, Main Street, Legan Village, Co. Longford
- Mr. Michael Barrett t/a Barretts Costcutter Express, Keel, Achill, Co. Mayo
- Partridge Ltd. t/a Smyth's Service Station, Derry Road, Slane, Co. Meath
- Kinbay Ltd. t/a Summerhill Service Station, Summerhill, Co. Meath
- Suits Distributors Ireland Ltd. t/a Suits Distributors Ireland Ltd, Unit 4, Pier 17, Dingle Road, Tralee, Co. Kerry
- Ms. Sheila Brennan t/a The Sycamores, Freshford Road, Kilkenny, Co. Kilkenny
- Ramkerr Retail Ltd. t/a Gala Express, 75 Main Street, Portlaoise, Co. Laois
- Xtra-vision Ltd. t/a Xtra-vision, Ormonde Centre, New Street, Carrick-on-Suir, Co. Tipperary
- M & M Mulligan Ltd. t/a Mulligans, 9 Roscommon Road, Athlone, Co. Westmeath
- Klubert Trading Ltd. t/a Dalys SuperValu, Church Road, Greystones, Co. Wicklow
- Quinns of Baltinglass Ltd. t/a Quinns Supermarket (Spar), Baltinglass, Co. Wicklow
- Quinns of Baltinglass Ltd. t/a Quinns Superstore, Mill Street, Baltinglass, Co. Wicklow
- Mr. Fergus Byrne t/a Gala Service Station, Portarlinton Road, Tullamore, Co. Offaly
- Mr. Jim O'Donovan t/a Broadale Superstore, Maryborough Hill, Douglas, Cork, Co. Cork
(Total Fixed Payment Notices Issued: 2)
- Mr. Mantas Ambraziejus t/a Hollyhill Service Station, Harbour View Road, Hollyhill, Cork, Co. Cork
- McHugh (Edenmore) Ltd. t/a Centra, Edenmore Shopping Centre, Dublin 5
- Oxtron Ltd. t/a SuperVlau, Howth Road, Raheny, Dublin 5
- D.B. Kavanagh Ltd. t/a AM PM, 15 Harolds Cross Road, Dublin 6
- Towner Trading Ltd. t/a Spar, 133 Galtymore Road, Drimnagh, Dublin 12
- Halfords Ltd. t/a Halfords, Unit 5, Westend Retail Park, Blanchardstown, Dublin 15
- The Carphone Warehouse Ltd. t/a Carphone Warehouse, Unit 25a Liffey Valley Shopping Centre, Clondalkin, Dublin 22
- Khushboo Ltd. t/a Aroma Foods, Crag Avenue, Clondalkin Industrial Estate, Dublin 22
- Caulfield McCarthy Group Retail t/a Caulfields SuperValu, Malahide Mall, Malahide, Co. Dublin
- JDS Newsagents Ltd. t/a Londis, 133 Oliver Plunkett Road, Monkstown, Co. Dublin
- Brackernagh Ltd. t/a Dunnes SuperValu, Brackernagh, Ballinasloe, Co. Galway
- Mr. Anthony Hamilton t/a Hamiltons, Leenaun, Connemara, Co. Galway
(Total Fixed Payment Notices Issued: 2)
- M & S Retail Ltd. t/a Clybaun Stores, Clybaun Road, Knocknacarra, Galway, Co. Galway
- Nibeck Ltd. t/a Gala, Derrinturn, Carbury, Co. Kildare
- D & M (Callan) Supermarket Ltd. t/a D & M SuperValu, Main Street, Callan, Co. Kilkenny
- D & M (Abbeyleix) Supermarket Ltd. t/a Crehan & McCabe SuperValu, Main Street, Abbeyleix, Co. Laois
(Total Fixed Payment Notices Issued: 2)
- Lawlors Gala Durrow Ltd. t/a Lawlors Gala, Durrow, Co Laois
(Total Fixed Payment Notices Issued: 2)
- Triode Newhill Priors Gate Ltd. t/a Eurospar, Fairgreen, Gandon Court, Portlaoise, Co. Laois
- Mr. Raymond Ryan t/a Ballyroan Stores, Main Street, Ballyroan, Co Laois
(Total Fixed Payment Notices Issued: 2)
- Mr. Vincent Kelly t/a Kellys Costcutters, Main Street, Foynes, Co. Limerick
- Superquinn t/a Superquinn, Castletroy, Limerick, Co. Limerick
- Raheen Supermarkets Ltd. t/a Ryans Centra, Courtfields Shopping Centre, Raheen, Limerick, Co. Limerick
- Watchouse Cross Service Station Ltd. t/a Eurospar, Watchouse Cross Shopping Centre, Moyross, Co. Limerick
- Shane Kelly Supermarket Ltd. t/a SuperValu, Elphin Road, Boyle, Co. Roscommon



- Mr. Raymond Lennon t/a Lennons, 40 Connacht Street, Athlone, Co. Westmeath
- Tom Nally Ltd. t/a Rochforts Superstore, 36 Dominick Street, Mullingar, Co. Westmeath
- Mr Peter O'Dwyer, Friar Street, Thurles, Co. Tipperary

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

Fixed Payment Notices paid to the Agency: 3

No of traders: 3

- P.J. Flaherty & Co. Ltd. t/a PJ Flaherty's Bar, Lower Salthill, Galway, Co. Galway
- Chicago Rock Café Ltd. t/a T.G.I Fridays, St. Stephen's Green West, Dublin 2
- The Olde World Inn Ltd. t/a The Shack Old World Inn, Dublin Road, Athlone, Co. Westmeath

Retail Price (Diesel and Petrol) Display Order, 1997

Fixed Payment Notices paid to the Agency: 1

No of traders: 1

- Deced Ltd. t/a Costello's Service Station, Cappawhite Village, Cappagh, Co. Tipperary

Charges (Hairdressing) Display Order, 1976

Fixed Payment Notices paid to the Agency: 1

No of traders: 1

- Jordan Hair Salon Ltd. t/a Jordan Hair Salon, No. 1 Michael Collins Place, Killarney, Co. Kerry



APPENDIX 2

Breakdown of RAPEX alerts relevant to Ireland in 2010

Category	Number	Type of Danger	Number
Motor Vehicle	58	Injuries	62
Toys	14	Fire	18
Cosmetics	12	Chemical	17
Electrical appliances	11	Choking	10
Childcare articles and children's equipment	6	Burns	4
Miscellaneous	18	Electric shock	3
		Suffocation	2
		Drowning	2
		Strangulation	1
Total	119	Total	119

Of the 119 cases above, 26 were initiated in Ireland with the remainder notified from elsewhere in the EU. These are summarised below and all cases relevant to Ireland are set out in more detail in the following appendix.

Breakdown of RAPEX Alerts notified by Ireland

Category	Number	Type of Danger	Number
Motor Vehicle	11	Injuries	12
Toys	2	Fire	2
Cosmetics	8	Chemical	9
Electrical appliances	1	Choking	2
Fitting & fixtures	2	Burns	1
Food-imitating products	1		
Furniture	1		
Total	26		26



APPENDIX 3

Unsafe Products found in Ireland and notified to the European Commission under the RAPEX System (Total 26)

23 notifications submitted as being a serious Risk. 3 Notifications submitted for information.

Ref. No.	Category	Product	Type Risk e.g. Burn, Injury
0200-10	Motor Vehicles	Honda Jazz	Injuries In rare cases, the circuit board can overheat causing melting, smoke or, potentially, fire.
0672-10	Cosmetics	'Trendy Look' Make- up Set	Chemical This product poses a chemical risk due to excessive levels of lead.
0766-10	Cosmetics	Brazilian Keratin	Chemical This product poses a chemical risk as it was found by the HSE to contain levels of formaldehyde in excess of that permitted under European and national legislation. Formaldehyde is a known irritant and sensitizer. Regular inhalation over a long period of time can lead to more serious health consequences.
1062-10	Motor Vehicles	Honda Civic Model ES4	Injuries Risk of injuries to passengers due to airbag inflator producing excessive internal pressure if the airbag deploys in an impact.
1238-10	Cosmetics	'Harmonie Repateur' Strong Bleaching Treatment & 'Harmonie Repateur' Crème Eclaircissant Extreme.	Chemical These products pose a chemical risk as tests by HSE showed that they contained levels of hydroquinone, a bleaching agent which has been found to be toxic and carcinogenic to the skin. Frequent and long-term use of this product can pose a health risk.
1246-10	Motor Vehicles	Honda Jazz	Injuries Risk of accident due to possible tyre failure on affected vehicles.



1252-10	Cosmetics	Kera Straight Hair Treatment	Chemical This product poses a chemical risk as tests by the HSE showed it contained levels of formaldehyde in excess of the maximum authorised concentration.
1301-10	Cosmetics	Keratin Complex Smoothing Therapy Blonde Hair	Chemical This product poses a chemical risk as tests by the HSE showed it contains levels of formaldehyde in excess of the maximum authorised concentration.
1374-10	Motor Vehicles	Toyota Yaris	Injuries Risk of injuries due to improper assembly of airbag inflator.
1405-10	Motor vehicles	Citroen Dispatch III	Injuries Possible water leakage into the drum may cause the brake linings to wear prematurely, resulting in altered braking performance of rear wheels.
1406-10	Motor vehicles	Citroen C4 Picasso	Injuries Risk of injuries due to possible poor performance of the front seatbelt in the event of an accident.
1456-10	Bathroom Fittings	Odin Bath Shower Screen	Injuries Risk of injuries due to a fault whereby the glass attached to the shower screen may become loose and fall out.
1506-10	Toys	Teresa's Beauty Assistant Personal Make-Up	Chemical This product poses a chemical risk as tests detected excessive lead level in the Pink Eye shadow and Yellow eye shadow.
1550-10	Motor vehicles	Citroen Models C2, C3, C3 Pluriel, C8 and Dispatch III	Injuries Risk of vehicle lights randomly going out
1563-10	Toys	Caterpillar Roll Along Playmates	Choking Choking hazard to children due to the potential risk of children being able to access the battery compartment.



1578-10	Cosmetics	Acai Professional Smoothing Solution Brazilian Blowout	Chemical This product poses a chemical risk as tests by HSE found it contains formaldehyde in excess of permitted levels. Formaldehyde is a known irritant and sensitizer. Regular inhalation over a long period of time can lead to more serious health consequences.
1591-10	Motor vehicles	Volvo V60, V70, XC70, S80	Injuries Potential fault in the driver's airbag.
1601-10	Motor vehicles	Lexus GS300	Injuries Possibility of engine stalling during driving posing a risk to motorists.
1603-10	Motor vehicles	Lexus GS300, IS220d, IS250, RX300 & RX330	Injuries Risk that a small amount of brake fluid could slowly leak from the brake master cylinder cup, resulting in illumination of the brake warning lamp.
1713-10	Motor vehicles	Citroen C5	Injuries Loss of efficiency of the parking brake
1836-10	Fittings and Fixtures	Miomare Shower/Bath Grab Handle	Injuries Risk of injuries due to the possibility of the shower grab handle breaking from its mount.
1896-10	Food Imitating products	Cake Slice Novelty Soaps	Choking Risk of choking because of the food imitation nature and loose small parts, which are a potential choking hazard to children.
0186/10 Information	Kitchen/ Cooking Accessories	Camping Kettle	Injuries Risk of injury as screws on handle cannot be tightened and over time may lead to danger of handle becoming loose.



0186/10 Information	Furniture	Windsex Motion Sofas in UP/UPC	Fire The importer was unable to provide documentary evidence in the form of reports from an accredited test house to demonstrate that the consignment of furntite complies with the require standards. The consignment was not released into the marketplace.
0217/10 Information	Cosmetics	Soft-Liss Professional Line Keratin Treatment Step 2 Morango	Chemical The labelling for the product does not comply with requirements. Also as of yet the U.S. manufacturer and/or representative has not provided confirmation that the product has been notified to a European Competent Authority in line with requirements for importation and “first placing on the market”.



APPENDIX 4

Unsafe Products Notified to the Agency by other Member States and found in Ireland.
(Total 93)

Reference Number	Product/Category	Type Risk e.g. Burn, Injury
0531/09	Palmer's Fade cream Skin Success Fade Cream Skin	Chemical
0989/09	Hankook Tyres	Injuries
1232/09	Power Plus Carbon Monoxide Alarm	Chemical
1349/09	Advent and EiSystem Lithium Ion battery pack	Fire
1416/09	Alter Ego Hair Colour Cream	Chemical
1443/09	Cartoon Network Ben 10 Armbands	Drowning
1448/09	Honda Civic	Injuries
1613/09	Gray's International Junior Goalkeeping Helmet	Injuries
1700/09	Winnie the Pooh baby activity toys	Chemical
1701/09	Volvo XC 60	Fire
0002-10	Mercedes-Benz, Sprinter Type 906	Fire
0004-10	Ford Focus	Fire
0027-10	Land Rover Defender	Injuries
0029-10	Ikea Leopard Highchair	Injuries
0164-10	Toyota Aygo	Injuries
0177-10	Travel Log Travel Adaptor	Electric Shock
0232-10	Marvel Mondo Ultimate Spiderman Swim Armbands	Chemical
0240-10	Honda VT 750	Fire
0249-10	Peugeot 107	Injuries
0273-10	Toyota Prius	Injuries
0341-10	Tesco Value Fryer	Burns
0353-10	LCKR Hooded Jacket	Strangulation
0364-10	Draper 1.5 tonne Scissor Jack Motor Vehicle	Injuries
0447-10	Yamaha Motorcycle X Max 250	Fire
0480-10	FamilyFix Base Maxi Cosi Childrens Equipment	Injuries
0518-10	Tacoma Adventure Play Set Play Centres	Injuries
0552-10	Eazee 2 Clean Foaming Drain Cleaner	Chemical
0600-10	Mercedes-Benz, Sprinter	Fire
0602-10	Dyson Vacuum Cleaner, DC05 Motorhead	Electric Shock
0625-10	Body Shop Unfragranced Tea Lights, Candles	Fire
0630-10	Infantino SlingRider	Suffocation
0678-10	Morphy Richards Luxury Heated Overblanket	Fire
0681-10	Salter Deep Fat Fryer	Fire
0688-10	Volvo V70, XC70, S80	Injuries
0712-10	Tiny Love Baby Toys	Injuries
0718-10	Peugeot "Expert"	Fire
0736-10	FIAT Scudo	Injuries
0737-10	Renault Laguna	Injuries
0742-10	Volvo S80	Injuries
0744-10	Lakme Redmotion Cosmetic	Chemical
0747-10	Renault Modus	Injuries
0765-10	Suzuki Alto GF	Injuries
0773-10	FIAT Van Scudo 2.0 JTD Engine	Fire
0781-10	FIAT Ulysse and Scudo Vans	Injuries
0842-10	Braun Hairdryer	Burns

Reference Number	Product/Category	Type Risk e.g. Burn, Injury
0843-10	Honda Motorcycle, Model VFR1200FA, Type SC63	Injuries
0849-10	H.P. Battery Packs	Fire
0855-10	Honda Jazz	Injuries
0858-10	Toyota Lexus	Injuries
0860-10	Lampoassa Heat Pump	Electric Shock, Fire
0908-10	Step2 Toy Push Around Buggy	Injuries
0911-10	Honda Motorcycle VFR1200f	Injuries
0916-10	Renault Scenic II	Injuries
0931-10	Volvo XC60	Injuries
0969-10	Volvo S40, V50, C70, C30, S80, V70, XC70, XC90, XC60	Injuries
0989-10	Q & E Girl's Waistcoat	Injuries
1009-10	Suzuki Grand Vitara	Injuries
1010-10	Miele Washing Machine	Burns
1051-10	Renault Kangoo	Injuries
1057-10	Lexus, GS450h, LS460, LS600h, LS600hL	Injuries
1082-10	BMW Motorcycle R1200	Injuries
1090-10	Alfa Romeo	Injuries
1112-10	Mamas & Papas Bedrail	Injuries
1130-10	Food Imitating Products, Towel and Imitation Strawberry	Choking
1140-10	FIAT Doblo	Injuries
1155-10	Volvo XC90	Fire
1165-10	Ford Focus	Fire
1216-10	XM Yachting Liferrafts	Drowning
1218-10	Fischer-Price, Play 'n go Campsite Lunch Box	Choking
1232-10	Embelleze Hair care products	Chemical
1255-10	Mitsubishi Electric Ecodan Air to Water Heat Pump Unit	Injuries
1278-10	Jaguar, XF, V8 5.0L models	Injuries
1330-10	Webasto Sliding Sunroof	Injuries
1349-10	So Far Baby Walker	Injuries
1379-10	Yellowstone, 2 Man Pop-up Tent	Suffocation
1391-10	Villaverde Glass Stones – Food Imitation Products	Choking
1400-10	Mitre saw Angle blade	Injuries
1476-10	Blue 2 Growing Toy Spider	Choking
1527-10	Step2 Sand & Water Transportation Station Toy	Choking
1565-10	Fischer-Price Mattel, Inflatable Ball Toy	Choking
1566-10	Fischer-Price Mattel, Little People Wheelies	Choking
1568-10	Volvo, S80, V70, XC70, S6	Injuries
1587-10	Opel Astra J & Meriva B	Injuries
1607-10	Volvo S60	Injuries
1655-10	Suzuki AM Swift	Injuries
1673-10	Nissan Navara, Pathfinder	Injuries
1675-10	Renault Master III	Injuries
1706-10	Toyota I.Q.	Injuries
1711-10	Boots Travel Kettle	Electric Shock
1712-10	Suzuki Swift	Injuries
1726-10	Tesco My Baby's Teether	Choking
1729-10	Tesco Value Bath Mat	Injuries
1743-10	Honda Motorcycle, PCX125, WW125EX2A, JF28	Fire



APPENDIX 5

URGENT SAFETY WARNING

BEKO, FLAVEL, LEISURE & NEW WORLD GAS COOKERS

WARNING UNTRACED OWNERS

Despite previous safety campaigns in conjunction with the NCA, NSAI, ILPGA and RGI, we are still trying to trace the remaining owners that have not contacted us regarding their Beko, Flavel, Leisure and New World gas cookers.

**These particular cookers if not operated in accordance with the user instructions produce
DANGEROUS LEVELS OF CARBON MONOXIDE
WHICH CAN CAUSE INJURY OR DEATH**

