

“to empower
and protect
consumers”



Our Mission, Vision and Values

Our Mission

The National Consumer Agency exists to empower and protect consumers.

Our Vision

Empowered consumers who make well-informed decisions in fair and competitive markets.

Our Core Values

The National Consumer Agency has a number of core values which guide the way we act and do our work; Excellence, Integrity, Respect and Efficiency. Our fifth value, Empowerment, underpins and motivates all that we do.



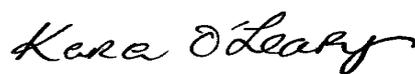
Introduction

The National Consumer Agency was set up on 1 May 2007. This Annual Report sets out the activities of the Agency for the period from 1 January to 31 December 2013.

The Board is pleased to submit to the Minister for Jobs, Enterprise and Innovation the 2013 Annual Report in accordance with Section 22 of the Consumer Protection Act 2007.



Stephen Costello
Chairman



Karen O'Leary
Chief Executive

Chairman's Statement

As we anticipate the imminent amalgamation of the National Consumer Agency and the Competition Authority to become the Competition and Consumer Protection Commission, it is probable that this is the last time that I will report to you as Chairman of the National Consumer Agency.

It is worthwhile, therefore, reflecting on the role and work of the National Consumer Agency since its establishment in May 2007. Ten years ago, in 2004 the Consumer Strategy Group (CSG) established by the then Minister for Enterprise, Trade and Employment recognised that "Informed and empowered consumers are a powerful social and economic force."

The Group which was tasked with examining how the consumer voice could be better heard, recommended the establishment of the National Consumer Agency which would be responsible for consumer research, advocacy, information, enforcement and education and awareness.

In response to the CSG recommendation, the government established the National Consumer Agency as a statutory body in May 2007, and in parallel, transposed the Unfair Commercial Practices Directive marking the biggest reform of consumer legislation in 30 years. For the first time, consumers had a powerful ally which advocated on their behalf, enforced consumer law and which empowered consumers to know their rights and to complain effectively when those rights were impacted.

In the intervening years the National Consumer Agency, despite significant staffing challenges, has responded very effectively to its wide ranging mandate. The role of the Agency further expanded in 2011 when personal financial information and education functions were transferred from the Central Bank of Ireland. Since 2007, the Agency has played a key role in changing the consumer landscape particularly through its work in enforcement, education and awareness.

In 2013, the work of the National Consumer Agency was more important than ever. Consumers continued to seek information and help from the Agency with over one million visits to consumerhelp.ie and more than 56,000 contacts from consumers dealt with during the year. As always, the Agency's work focused on where the potential consumer detriment was greatest and on issues where it could have the greatest impact. The full range of the powers of the Agency were used to protect consumers during the year resulting in a variety of enforcement actions being taken, up to and including prosecution. Further, the Agency has carried out its remit without fear or favour, maintaining its independence and tackling big issues and well-resourced traders and interest groups in the interests of consumers.

I would like to thank the Agency's Chief Executive Karen O'Leary for her dedication and leadership during the past year and to thank the staff of the Agency for their continued professionalism and hard work during the transition period to the new Competition and Consumer Protection Commission.

I also express my thanks to the Minister for Jobs, Enterprise and Innovation, Richard Bruton TD and his officials for their commitment and support of the National Consumer Agency since its establishment.

Finally, I would like to thank my fellow Board members for their work during both 2013 and in years past. Good corporate governance is at the heart of every strong organisation. The Board has shown a unity of purpose in their unfailing commitment to consumers in Ireland and the work of the National Consumer Agency. I know I speak for all my fellow Board members when I say that we are proud of the role the Agency has played in supporting the protection and empowerment of consumers.

The new Competition and Consumer Protection Commission will have a dual mandate to enforce both consumer protection and competition laws. I have no doubt that the Chief Executive and the staff of the National Consumer Agency will continue to undertake their work with diligence, enthusiasm and commitment in the new Commission. Consumers need have no doubts - they will continue to have a strong advocate in the new Commission and I look forward to watching the new organisation build on the strong foundations laid by the National Consumer Agency.



Stephen Costello
Chairman

Chief Executive's Statement

I was honoured to take up the position of Chief Executive in March, 2013. My focus is to lead and drive the Agency's efforts, ensuring that all who work in the Agency share a clear strategic vision, understand our priorities and deliver with measurable impact. To this end in 2013, we published our Statement of Strategy 2013-2016 which sets out our strategic priorities, taking into account our resourcing constraints and the breadth of our remit.

This Annual Report outlines our success in delivering on these strategic priorities and measures specific activities undertaken and outcomes achieved. This provides greater transparency on the value delivered by the Agency. As a statutory body we take our responsibility to provide value for taxpayers' money very seriously.

The National Consumer Agency is responsible for the enforcement of a wide range of consumer legislation. This is a very broad and challenging remit as we have statutory responsibilities across all sectors where businesses and consumers transact and interact. Against the background of resource constraints and the complexity of business to consumer relationships, the need to prioritise those areas where we can make the most impact for consumers has never been greater.

Meanwhile, demand for our services continues to grow. In November 2013 we recorded the highest number of visits - over one million - to our consumerhelp.ie website for the year to date. Traffic to the website increased by 34% on 2012 and we dealt with over 56,000 contacts from consumers by phone, email and social media.

I am therefore very pleased to report that 2013 was a year of strong achievement by the National Consumer Agency. These achievements included:

Enforcement:

- > We took enforcement action against two major airlines, Aer Lingus and Ryanair, issuing them with compliance notices following investigation into their compliance with the eCommerce Directive.
- > We were successful in securing convictions before the Courts of traders for the sale of clocked cars and also securing compensation orders in favour of the affected consumers.
- > We completed our review of terms and conditions being used by domestic waste operators and secured undertakings from a further six operators that their consumer contracts would be amended to remove terms considered unfair.
- > In total, 104 enforcement actions relating to the non-display of prices and misleading pricing were taken following visits by Agency authorised officers to 324 traders across a range of retail sectors.

Protecting consumer from unsafe products:

- > We ordered the destruction of over 26,000 unsafe products before they made it onto the Irish market.
- > We processed over 2,300 alerts concerning unsafe products found across the EU and where these products were on the Irish market, we alerted businesses to the need for remedial action and consumers to the hazard.
- > We investigated a range of safety issues including potential fire risks relating to specific models of dishwashers, leading to the manufacturers launching free in-home repair programmes for consumers in Ireland.

Empowering consumers:

Consumers with clear, timely and actionable information can assert their consumer rights and make good choices.

- > Through calls to our consumer helpline and through contacts via our website we responded to an average 160 contacts daily from consumers.
- > During 2013, we worked to improve price awareness and transparency for financial services, prescription medicines and for consumers using the services of solicitors.
- > The popularity of our on-line information continued to grow with over 1.1 million visits to our consumer help website. This reflects the clear relevance of the site for the challenges facing consumers as they make decisions.

Advocacy:

There are times when issues arise where we have no legal enforcement role. In such cases we assess these issues to determine whether we can be a strong voice for consumers by advocating and intervening on their behalf.

- > In 2013, we highlighted issues concerning the sale of loan books to unregulated entities and the six-year limitation period for consumers to make complaints to the Financial Services Ombudsman.
- > We also represent consumer interests when policy is being formed or implemented and throughout 2013, we allocated significant resources to influencing policy in terms of the National Payments Plan, water charges, the regulation of bank charges and the National Smart Metering Programme.

This extensive work programme was achieved by a group of hard-working staff, led by a resourceful and committed Senior Management team. I want to pay tribute and express my gratitude to the staff of the National Consumer Agency for their commitment and their

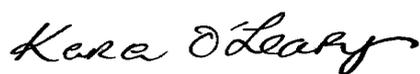
relentless focus on the needs and concerns of consumers. The Senior Management team delivered far beyond expectations given our serious resource constraints and our record for 2013 is testament to their determination.

I want to pay tribute to Sean Murphy, the Agency's Legal Advisor who was acting CEO for the first three months covered by this report. Sean provided stability and leadership during that period and was of tremendous support to me when I took office.

I also extend my thanks to our Chairman and the Board of the National Consumer Agency for championing the consumer cause since our establishment in 2007 and for their support to me during 2013.

In 2014, there are further challenges ahead for the Agency. The publication of the Competition and Consumer Protection Bill in March marked an important step in the establishment of the Competition and Consumer Protection Commission. The task of creating the new Commission is a challenging one, particularly as we must continue to deliver on the Agency's statutory remit while resourcing a major change project that will involve every part of the Agency.

However, I believe that the rights of consumers will continue to be strongly protected with the creation of the new Competition and Consumer Protection Commission. Together with my colleagues in the National Consumer Agency, we look forward to playing our part in building a strong Commission and leading the next chapter of consumer protection in Ireland.



Karen O'Leary
Chief Executive

Board Members and Senior Management

Board Members

During 2013 the Board consisted of:

- > Stephen Costello - Chairperson
- > Karen O'Leary - Chief Executive (Appointed 19 March 2013)
- > Sean Murphy - Acting Chief Executive (Tenure ended 18 March 2013)
- > Georgina Conroy
- > Marie Dalton
- > Patrick Desmond (Retired on 30 April 2013)
- > Fergus J Gallagher
- > Eugene Gallagher
- > Isolde Goggin
- > Tina Leonard (Appointed 31 January 2013)
- > Robin O'Sullivan
- > David Pierce
- > Colleen Savage
- > Edward Shinnick (Retired on 30 April 2013)

Senior Management

- > Karen O'Leary - Director of Public Awareness and Financial Education (Tenure ended 18 March 2013). Appointed Chief Executive 19 March 2013
- > Sean Murphy - Legal Advisor
Acting Chief Executive 18 October 2012 to 18 March 2013
- > John Shine - Director Commercial Practices
- > Fergal O'Leary - Director Research and Policy
Acting Director Public Awareness and Financial Education from 19 March 2013
- > Colette Crowne - Secretary to the Board & Director Corporate Services

The Work of the National Consumer Agency

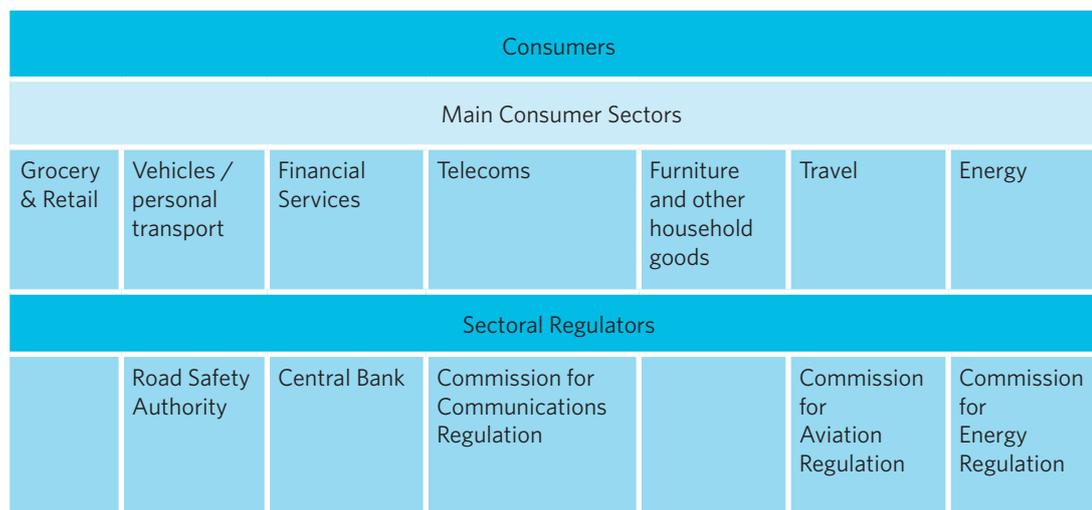
The National Consumer Agency is the independent State body with responsibility for the enforcement of consumer law. As a statutory body, our remit and functions are established by law, principally the Consumer Protection Act, 2007¹. This Act, alongside other domestic and EU legislation, establishes requirements and sets out our remit. We are funded by a combination of a grant from the Exchequer and a levy on the financial services industry. This levy funds personal financial information and education functions that were transferred from the Central Bank of Ireland on 1 January 2011.

Our legislative remit requires us to operate in the business to consumer space. The Consumer Protection Act, 2007, defines a consumer as a person who is acting outside their trade, business or profession.

National Consumer Agency Remit

The span of our activities is extremely broad given that it is economy-wide and encompasses almost all types of business to consumer transactions. There are an ever-increasing number of consumer issues that compete for our resources. We must therefore frequently make choices in relation to our work programme, deploying our resources so that we operate effectively and have the greatest impact for consumers.

We have a role in enforcing consumer law and informing consumers of their rights, even where a sectoral regulator exists.



¹ As amended by the Central Bank Reform Act 2010.

A Strategic Response

Prioritisation is Essential

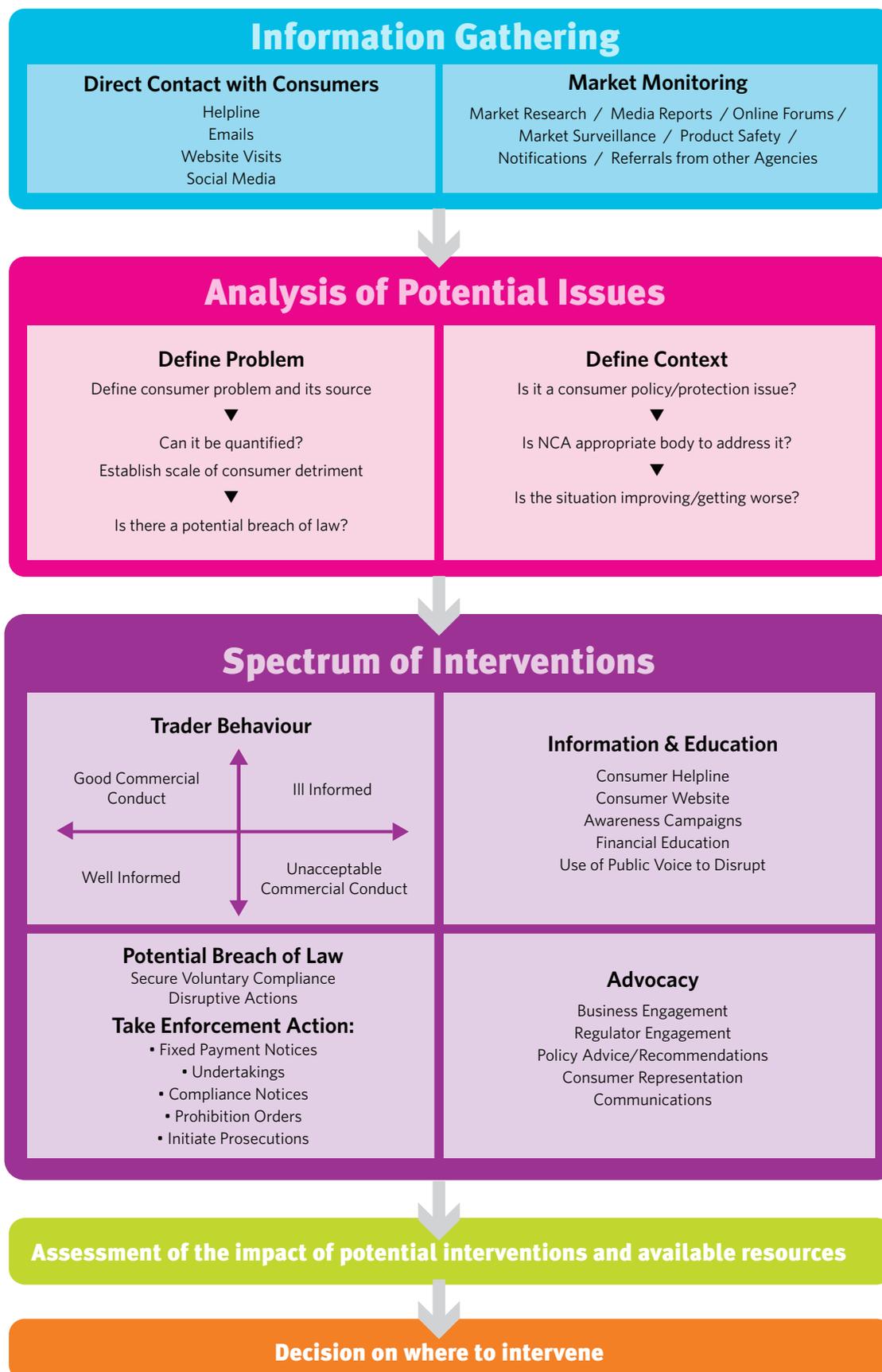
Our decision-making approach is based on an assessment of consumer detriment and our decisions are clearly focused on where we can make the greatest impact. Given the option of two competing issues, we will endeavour to choose the issue where we will have the best opportunity to mitigate the most consumer detriment.

We gather information through our direct contact with consumers, our systematic market monitoring programme, direct market surveillance activity, media reports and information received from other agencies in Ireland and across the EU. The frequency and speed at which new issues arise requires us to be flexible and to react quickly to emerging issues.

Our interventions are focused on the areas where we can make the greatest impact and often involve a number of complementary approaches across enforcement, advocacy, information and education. In cases where there is a potential breach of consumer law, we take the following into account:

- > the likely detriment experienced by consumers
- > the nature of the evidence that is available
- > whether additional evidence needs to be gathered
- > previous trader behaviour and any past actions
- > an assessment of the motivation and the level of knowledge of the trader

Decision Making / Prioritisation



Staffing

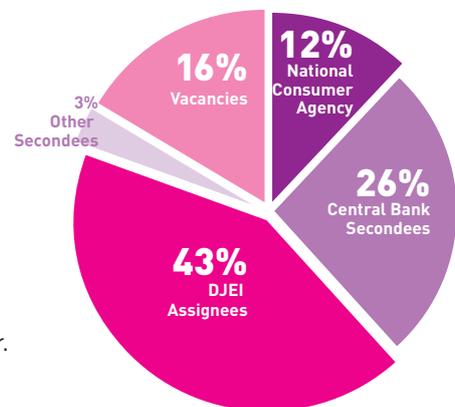
While demands on our resources continue to increase due to more complex consumer markets and the prevailing economic environment, falling staff numbers impact on how we perform our functions. Resource constraints bring challenges which we have met with resilience and determination. It has led us to concentrate on prioritising our work plan and doing more with less.

The Agency was established in 2007 with an approved headcount of 80. The moratorium on recruitment and successive Employment Control Framework (ECF) headcount reductions means the Agency has never reached its original full complement of staff. At the end of December 2013, the Agency had an approved staff complement of 37.5 staff under the ECF, with an actual staff number of 32.4 fulltime equivalent staff. In addition, the Agency has the additional pressure of being overly dependent on staff on temporary secondment or assignment from the civil service and public sector. They comprise the majority of the Agency workforce, as only seven members of staff were employees of the Agency in 2013.

The fall in staff numbers at the Agency is not confined to Exchequer-funded posts. A separate headcount of 20 staff was identified as a requirement to resource our personal finance information and education functions that were transferred from the Central Bank of Ireland on 1 January 2011. These staff are funded by way of a levy on regulated financial services providers. By the end of 2013, the Agency had five levy-funded vacancies. To permanently underpin the transferred functions, the business case to recruit 10 levy-funded staff was made in September 2012. Progress on this recruitment process is being pursued.

Staffing profile at 31 December 2013

The Agency will continue to strive to meet its strategic priorities. It is inevitable that our approach will be tempered by ongoing staffing challenges, including the lack of a permanent workforce and filling vacancies in a timely manner.



Resourcing a Major Change Programme: Amalgamation with the Competition Authority

During 2013, the National Consumer Agency allocated a full-time member of staff, at Assistant Principal level, to work full-time on the project management of the amalgamation with the Competition Authority. In addition, a considerable number of Agency staff are involved in various Working Groups including IT, communications, HR and finance. During 2014, the timetable for the amalgamation will accelerate significantly.

Strategic Priorities

In 2013, the National Consumer Agency published its Statement of Strategy for 2013 – 2016. The Statement of Strategy charts a course for the National Consumer Agency and sets out the following as the Agency's four strategic priorities:

Strategic Priority 1

Protect consumers by enforcing consumer law

Strategic Priority 2

Empower consumers to make informed decisions

Strategic Priority 3

Represent consumer interests

Strategic Priority 4

Continue to develop as an effective and professional public service organisation

Each strategic priority was identified taking into account our legislative responsibilities and our commitment to using available resources to best effect in the collective interest of consumers. This Annual Report accounts for our activities during 2013 in delivering on these strategic objectives and measures specific activities undertaken and outcomes achieved to deliver on these priorities.

Strategic Priority 1

Protect consumers by enforcing consumer law

In order to deliver on this strategic priority, we have committed to the following:

- **Hold business to account by using the range of enforcement tools available to us under legislation**
- **Ensure compliance with regulatory obligations by working with business and promoting responsible trading**

● Hold business to account by using the range of enforcement tools available to us under legislation

The Agency, by law, maintains a “Consumer Protection List” with details of traders that we have taken enforcement action against. We regularly publish this information. Our approach to enforcement is risk-based and is outlined on page 12.

Enforcement Tools

Some highlights of our enforcement activity in 2013 are detailed on the following pages. A full list of all enforcement actions is contained in Appendix 1.

Enforcement Tool	Description	No. actions taken 2013
Prosecutions	Prosecuting a trader who has broken the law is the ultimate sanction available to the Agency. Fines and penalties for prosecutions under the various pieces of legislation that we have responsibility for can be significant, and convicted persons can also be liable for the Agency’s costs in any action taken.	2
Fixed Payment Notices	Under Section 85 of the Consumer Protection Act, the Agency is empowered to issue Fixed Payment Notices to retailers who fail to display prices of consumer products or who fail to comply with the requirements of Price Display Orders, such as displaying catering and drinks price display lists. A fixed penalty of €300 applies and this must be paid within 28 days of issue. If the trader fails to pay the fine within the statutory time limit, the Agency can initiate prosecution proceedings.	72
Compliance Notices	Section 75 of the Consumer Protection Act empowers the Agency to issue a Compliance Notice to a trader who is engaging in or has committed a prohibited act or practice under the Act or contravened other consumer legislation. The Compliance Notice requires the trader to cease the practice. The trader has 14 days to appeal the Notice to the District Court. If no appeal is made, the Notice takes effect.	34
Undertakings	If we have reason to believe that a trader is involved in a prohibited act or practice, we may seek and obtain a written undertaking that the trader will comply with the requirements of the Act.	7
Prohibition Orders	Under Section 71 of the Consumer Protection Act, any person, including the Agency, can apply to the Circuit or the High Court for an order prohibiting a trader from committing or engaging in a prohibited act or practice.	0
	Total	115

ECommerce Directive – Enforcement Action in the Airline Sector During 2013

The Agency examined compliance by airlines with the requirements of the ECommerce directive which requires that traders who engage in ECommerce activity must provide an email address to facilitate contact by consumers. In May 2013, the Agency initiated enforcement actions against Ryanair and Aer Lingus for failing to provide an email address on their websites and issued Compliance Notices to both airlines. Both airlines exercised their right of appeal to the Compliance Notice.

The Aer Lingus appeal was before the Dublin District Court in July. Following engagement between the parties prior to the hearing, Aer Lingus withdrew its appeal against the Compliance Notice. The matter did not proceed to hearing and Aer Lingus agreed to comply with the Compliance Notice. The Compliance Notice was varied by the Court to allow the airline sufficient time (until 30 August) to introduce the necessary arrangements and a contact email address was added to the Aer Lingus website.

The Ryanair case was listed for 30 September before the Swords District Court. On the morning of the case, Ryanair informed the court that the appeal was being withdrawn. As a consequence, the Compliance Notice came into effect and a contact email address was added to the Ryanair website.

Unfair Terms in Consumer Contracts – Domestic Waste Providers

During 2013, the Agency completed a review of the terms and conditions being used by a number of operators in the domestic waste collection sector. Undertakings were received from all operators reviewed – Greyhound (in December 2012), The City Bin Company, Panda Waste, Greenstar Ltd, Advanced Environmental Solutions (AES), Country Clean Recycling Ltd and Oxigen Environmental. Extensive changes were secured to the terms and conditions being applied to consumer waste contracts with terms considered unfair being removed or amended and refunds of unfair charges, where appropriate, being made to consumers.

Unfair Commercial Practices – Sale of Clocked Cars

It is an offence under consumer law for a trader to mislead a consumer as to the true mileage (or odometer reading) of a car. Car clocking is a cause of significant consumer detriment as it misleads the consumer as to the true value of the car. It also potentially exposes owners of these cars, and other road users, to possible road safety issues as clocked cars have significantly greater mileage than indicated on the odometer with implications for servicing and maintenance. Following our investigations, and the initiation of prosecutions before the Courts, convictions were secured against two traders in 2013:

Details of convictions:

- > Mr Damien Hayes, trading at Damien Hayes Car Sales, Kanturk, Co. Cork, was convicted in Mallow District Court in June. The Agency also secured a Compensation Order from the Court, whereby Mr Hayes had to pay €1,750 to the consumer within six months.
- > Mr Nigel Brophy, trading at Services Point Autos, Eurohaul Centre, Greenhills Road, Tallaght, Dublin 24, was convicted in the Dublin District Court in July. The Agency also secured a Compensation Order from the Court, whereby Mr Brophy had to pay €3,500 to the consumer. Costs were also secured by the Agency.

The Agency also received an Undertaking from Healy Car Sales, Parkacunna, Glanworth, Fermoy, Co Cork relating to the sale of a vehicle with an altered odometer reading.

Product Safety – Destruction of Unsafe Products

During 2013, we worked closely with Customs Authorities to prevent consignments of unsafe products from coming into the Irish market. In each case, consignments were detained pending investigation by the Agency. Following investigation and follow up with the importers, we took action in relation to 9 consignments. In total, over 26,000 products were prevented from being placed for sale on the Irish market and were destroyed. Cases investigated included the following :

Consignment	Approx. volume
Mixed - assorted soft toys and sunglasses	20,000
Laser pointers	480
Mobile phone chargers	200
Mixed - plugs / chargers / sunglasses / soft toys	5,600
Assorted dolls	426
Chargers and adaptors	3,500
Assorted toys / dolls	300
Assorted toys / novelty items	2,500
Cigarette lighters (refillable)	50

Dishwashers

Early in 2013, the Agency investigated an issue concerning Bosch dishwashers and a potential fire risk from certain models of Bosch, Neff and Siemens branded dishwashers. Following investigation, we secured the agreement of Bosch Home Appliances (BSH) to extend a voluntary repair action programme, underway in the UK since 2011, to the Irish market. Just under 29,000 affected machines were sold in Ireland between 1999 and 2005.

During our investigation, the Agency became aware that a similar problem affected dishwashers sold under the Hotpoint brand (DWF Series) between 1999 and 2003. Over 13,600 of these dishwashers had been sold in Ireland. Following discussions with the Hotpoint parent company, Indesit Ltd, a similar repair programme was initiated for the Irish market. This was subsequently extended to cover a further 3,900 dishwashers from the Hotpoint FDW Series, manufactured between 2006 and 2007.

Market Surveillance – Amber Teething Jewellery

During 2013, the Agency investigated various amber teething products for sale on a number of Irish based websites. Products were sent to an independent UK test house and test results indicated that the products failed due to the risk of choking, inhalation or strangulation for infants under 36 months. In total, four online traders were identified and their products were tested independently and recalled with the agreement of the traders.

Retail Sector – Pricing

During 2013, the Agency conducted four pricing blitzes, which involve Authorised Officers inspecting selected traders and follow-up enforcement action. In total, 324 trader premises were visited countrywide across a range of retail sectors. These visits were largely informed by complaints received from consumers. In total, 104 enforcement actions arose from this activity relating to the non-display of prices and misleading pricing. Details of these enforcement actions are set out in Appendix 1.

The grocery/supermarket sector (including newsagents/corner shops and shops attached to petrol stations) accounted for the greatest number of visits and the largest number of enforcement actions. On-site visits were also conducted across a range of other sectors including clothing and footwear, hardware/DIY, licensed premises and catering establishments.

Product Safety Investigations

In 2013, the Agency investigated 496 product safety cases. Compliance with product safety legislation was achieved in 36% of the cases with appropriate action taken, either with the fault being resolved or the product being withdrawn or recalled from the market. In 37% of cases, our investigations found that there was no breach of the relevant legislation or standards. In the remainder of cases, information about applicable legislation and standards was provided to consumers and businesses or we were unable to fully progress investigations for reasons such as difficulties identifying the product or retailer or the supplier had ceased trading.

● **Ensure compliance with regulatory obligations by working with business and promoting responsible trading**

We may look for voluntary compliance where that is the most effective and efficient approach or use disruption to interrupt a practice where formal enforcement may take too long or is not justified from a cost/benefit perspective. However, in situations where formal enforcement action is appropriate, we will not hesitate to act and we have a range of enforcement tools at our disposal.

Travel Industry Compliance: “Sweep” of Air Travel and Accommodation Providers

In June 2013, we participated in an EU-wide online “sweep” organised by the EU Consumer Protection Cooperation Network (CPC). In total, we examined 17 websites of airlines and intermediaries offering air travel and accommodation bookings, focusing on unfair commercial practices and e-commerce requirements. We identified various non-compliance issues and followed-up as appropriate. Results of the “sweep” are due to be published by the European Commission during 2014.

Xtra-Vision and Xbox One Orders

During November 2013, we received calls from consumers who had pre-ordered the Xbox One games console from Xtra-Vision. Consumers were being informed that they had to buy a game with the console and they could not buy the console on its own. This had not been made clear to the consumers at the time they ordered the console. Following an investigation and subsequent intervention with the company, Xtra-Vision agreed that consumers who had pre-ordered the Xbox One console would not have to buy a game with it. The company also committed that any consumer who had already paid for and collected their console, with the additional game, could return the unopened game for a full refund of the game cost.

ECommerce – Engagement with the Banking Sector

In Autumn 2013, the Agency engaged with a range of financial institutions regarding their adherence with the requirement, under ECommerce legislation, to provide an email address on their websites through which consumers could contact them in a direct and effective manner. Issues in relation to this were satisfactorily addressed by the institutions without the need for the Agency to engage in formal enforcement action.

Credit Intermediaries and Pawnbrokers

The Agency has specific responsibility for the authorisation of credit intermediaries, for maintaining a public register of such intermediaries and for the licensing of pawnbrokers. During 2013, we issued authorisations for 623 credit intermediaries (up from 598 in 2012) and received related fee income of €378,644.

Six pawnbroking licences were issued in 2013, 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
- > Instant Cash Loans Ireland Ltd, trading as “The Money Shop”, 30 Bolton St, Dublin 1
- > Instant Cash Loans Ireland Ltd, trading as “Robert Biggar”, 6 Talbot St, Dublin 1
- > D.B.E. Pawnbrokers Ltd, 44 MacCurtain St, Cork

As part of the licencing process, we inspected the pawnbrokers’ premises to ensure compliance with the relevant statutory provisions. Fees of €7,618 were received in relation to these applications. Fees relating to authorisations and licencing are remitted to the Exchequer.

Product Safety – RAPEX Notifications

The Agency is the Irish contact point of a Europe-wide rapid alert system for unsafe products called RAPEX, which contains a list of all product recalls that have taken place in the European Union. When we are informed about a product through RAPEX we examine the information to assess whether the product is relevant on the Irish market and take appropriate action. This can include circulating information to businesses, publishing alerts on our consumerhelp.ie website and alerting consumers using social media.

Breakdown of all RAPEX activity in 2013

Total RAPEX alerts processed	2,364
Total RAPEX alerts classified as serious risk	1,981
Total RAPEX alerts relevant to Ireland	122
Notified to European Authorities by the National Consumer Agency	18
Alerts notified to the National Consumer Agency by product safety authorities from elsewhere in the EU	104

Further information on alerts relevant to Ireland:

Category	Number	Type of Danger	Number
Motor vehicles	77	Injuries	69
Electrical appliances and equipment	11	Fire	14
Toys	6	Burns	12
Cosmetics	4	Electric Shock	5
Childcare articles and children's equipment	4	Choking	6
Clothing, textiles and fashion items	2	Asphyxiation	3
Communication and media equipment	3	Chemical	3
Hobby/Sports equipment	1	Cuts	2
Kitchen/Cooking accessories	2	Microbiological	2
Machinery	2	Drowning	2
Furniture	2	Strangulation	2
Miscellaneous	8	Other	2
Total	122	Total	122

Product Safety - EU Activity

The Agency is represented in various EU product safety committees and working groups including the General Product Safety Committee; the RAPEX Committee (where the Agency is the National Contact Point in Ireland); the Consumer Safety Network; the Toy Expert Working Group and Prosafe, the network of European market surveillance authorities.

In the first six months of 2013, during the Irish Presidency, the Agency was heavily involved in discussions at EU level relating to proposals concerning the revision of the General Product Safety Directive and a new market surveillance regulation.

Strategic Priority 2

Empower consumers to make informed decisions

In order to deliver on this strategic priority, we have committed to the following:

-  **Provide timely and useful information to consumers in plain language**
-  **Develop and implement public awareness campaigns, with measurable goals, which are based on identified areas of consumer detriment**
-  **Improve price awareness and transparency in markets where consumers find it hard to make informed decisions**
-  **Help to create competitive markets by encouraging active consumer behaviour**
-  **Provide financial education programmes directly to consumers**

● Provide timely and useful information to consumers in plain language

Consumers with clear, timely and actionable information are in a better position to assert their consumer rights and make good choices in markets. In 2013, we continued to provide information to consumers, in support of our statutory remit, through a variety of channels:



Website

The Agency's consumer website, consumerhelp.ie, provides information and tools to consumers on their consumer rights and information to assist them in making personal finance decisions. The relevance and popularity of the website was demonstrated in 2013 by 1.15 million visits.

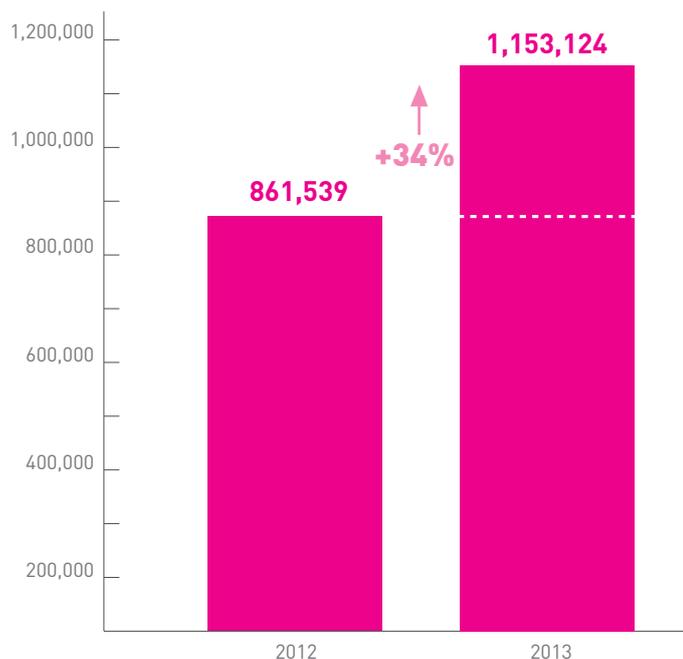
2013 was by far the most successful year to date for the Agency online:

- > We reached one million visits to consumerhelp.ie by mid-November.
- > In 2013 there were a total of 1,153,124 visits to our consumerhelp.ie website, compared to 861,539 in 2012, an increase of 34%.
- > These 1.15 million visits led to over 3.6 million pageviews during the year.

Throughout 2013, we made improvements to consumerhelp.ie, implementing changes as a result of user testing in Quarter 2, completing a full content review of all consumer rights and product safety content in Quarter 4 and launching our new-look consumerhelp.ie

website in August. The website redesign project was undertaken in recognition of the imminent amalgamation with the Competition Authority and the requirement to have a website address that consumers could easily identify. Consumerhelp.ie improves the visitor experience, with a more content-rich homepage and prominent links to our social media activity. The redesign also saw an increase in the average visit duration and the number of pages viewed.

No. of visits to consumer website



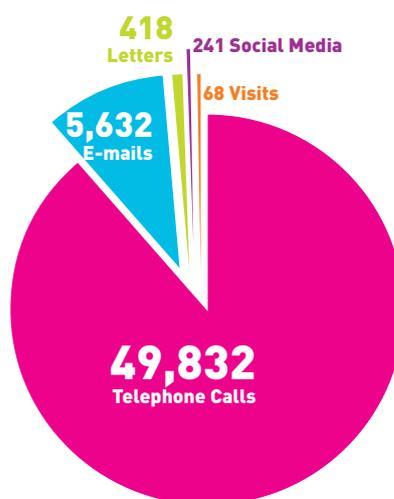
Top 10 most viewed pages on consumerhelp.ie in 2013

	Page	Page views
1	Lump sum savings account comparison	85,775
2	How to complain	47,795
3	Current account comparison	43,452
4	Contact us	39,938
5	Faulty goods	36,361
6	Regular savings account comparison	31,391
7	Mortgage comparison	29,061
8	Budget planner	26,736
9	Credit card comparison	26,647
10	Loan calculator	26,133

Helpline

The Agency's consumer helpline provides guidance to assist consumers in resolving issues that concern their consumer rights or issues they may be having with a financial product or service. Over 56,000 consumer contacts were received during 2013.

The most popular medium used by consumers to contact the Agency was by telephone. Our analysis for 2013 shows that total calls fell by 4.2% on the previous year. In the context of a 34% increase in website visits, this reduction in call volumes may reflect consumer preference for online channels and the Agency's focus on promoting more efficient, 24/7 channels.



Top 10 Products/Services prompting consumer contacts 2013

1	Cars -Second Hand	2,734
2	Mobile Phone Handsets	2,640
3	Clothing	1,895
4	Mortgages	1,599
5	PC/Laptops/Notebooks	1,545
6	Mobile Phone Services	1,506
7	Internet Services	1,119
8	Sofas/Couches	1,069
9	Waste Service Charges	940
10	Footwear	868

Top 10 Issues prompting consumer contacts 2013

1	Sale of Goods and Services	18,988
2	Contracts	5,692
3	Invoices/Billing	2,304
4	Pricing	1,626
5	Distance Selling/ECommerce	1,225
6	Deposits paid on Goods/Services	840
7	Advertising	584
8	Unsolicited Contacts/Scams	517
9	Product Safety	516
10	Loan/Mortgage Arrears	503

Top 10 Companies prompting consumer contacts 2013

	Company	Number of Contacts
1	Vodafone	1,817
2	Bank of Ireland	895
3	Three	816
4	Eircom	815
5	AIB	777
6	Meteor	747
7	Greyhound	742
8	O2	666
9	Ulster Bank	584
10	Harvey Norman	579
10	UPC	579

The number of contacts reflects those consumers who sought information on consumer issues and should not be read as the number of complaints received.

Sample Feedback from Consumers

Consumer called back to say she contacted the company and when she quoted the legislation she got the matter resolved and wanted to say thanks.

Consumer called back to say thank you as the issue has now been resolved. The insurance policy has been amended in line with what had been agreed and the damage has now been covered.

Thanks to the helpline as the insurance company will now cover replacement car cost.

The consumer wanted to say thank you to the whole helpline in general because she finds the service excellent and helpful.

Thank you for all the info: it helped get a full refund of €10,000 for a faulty car.

Social Media

The Agency's main focus is to continue to build an audience and engage consumers using social media, to integrate social media with other online channels and to use social media to deliver timely, relevant information to consumers. By the end of 2013, the Agency had over 15,000 Facebook followers and the average reach for each Facebook post during 2013 was 613 consumers. In addition to using Facebook to provide information, it has become an important channel for consumer queries, with 241 queries dealt with in 2013. The establishment of a community of Facebook followers allows consumers to engage with each other and the Agency in an easy way. The followers are maintained through regular, relevant and topical postings. The community have also highlighted consumer issues to the Agency before they have arisen through other channels.

Newsletter

In 2013, we issued a monthly consumerhelp.ie newsletter to over 22,000 users. These newsletters highlight topical, relevant and timely consumer information on enforcement actions, consumer rights, product safety and personal finance. Over the year, there were over 70,000 click-throughs to consumerhelp.ie from newsletters. In March, we redesigned the consumer newsletter to update its look and feel and made back-end changes that increased its efficiency and usability.



Media

Traditional media continues to be a key channel in providing information to consumers and in 2013, we successfully pitched in a number of features to journalists in national press titles and targeted publications to inform consumers about a range of issues relating to consumer rights and personal finances. These included information on shoppers' rights, reducing current account fees, buying a home, teaching children about money, reducing home heating oil bills, budgeting and travel insurance. The Agency also secured monthly regional columns in two titles which featured pieces on home insurance, budgeting and gift vouchers. During the year, we began a weekly consumer column in the Irish Independent which responds to readers' personal finance and consumer rights' queries. We regularly give background briefings on a range of consumer topics to the print and online media and to contributors on radio and television shows. This activity enables us to contribute to up-to-date, accurate and practical information being communicated through the media.

● **Develop and implement public awareness campaigns, with measurable goals, which are based on identified areas of consumer detriment**

In developing public awareness campaigns, the Agency's focus is on achieving reach and results. Helpline calls, in-house research and market research all inform the development of campaigns in terms of topics, key insights and ensuring that the Agency's information and assistance to consumers is relevant and timely.

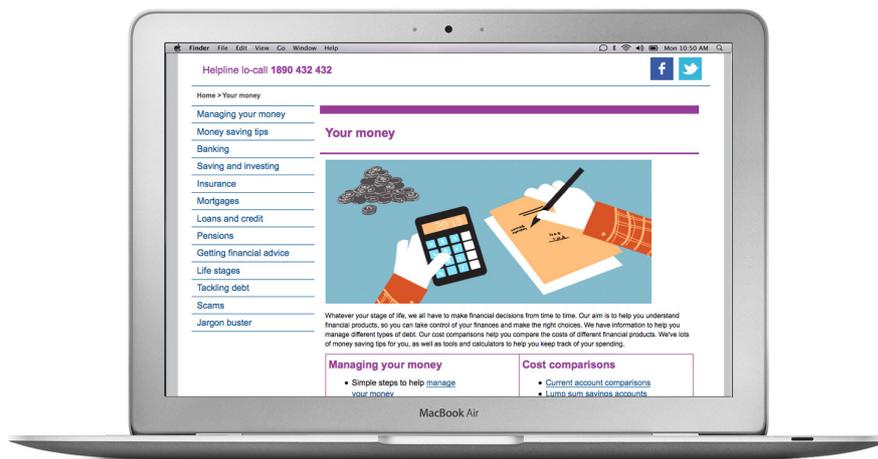
Public Awareness Campaigns

During 2013, our main public awareness campaigns achieved the following:

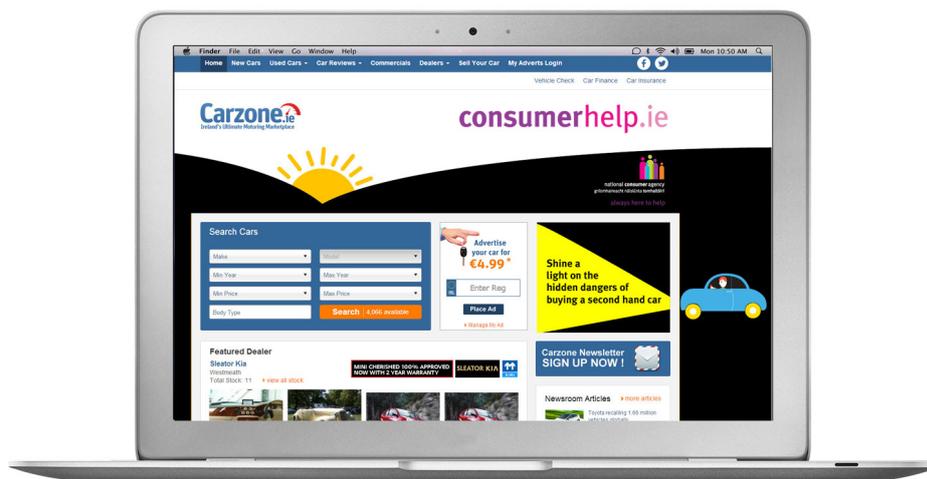
- > We ran a wide-reaching brand radio campaign for three weeks in June 2013, across national and local radio. As this was our first radio campaign in 2013, it highlighted the Agency as the "go to" body for information on consumer rights and money matters. The impact of the campaign was immediate. Website traffic for the weeks the campaign was live were on average 38% higher than the preceding period. The helpline also experienced an increase in calls.
- > A public awareness campaign commenced in September to coincide with the launch of consumerhelp.ie. Radio advertising ran for the first three weeks of September across national, urban and regional radio stations. Homepage takeovers and online display advertising ran across a broad network of websites. As a result, direct website traffic increased by 20% on the previous month which was a positive start for the newly-launched website.



- > We launched a personal finance campaign in October that ran for three weeks. In the post-budget period, consumers focus on the impact of the budget on their personal finances and plan ahead for the coming year. The Agency's online information and tools can help consumers get on top of their finances. The "Your money" content on consumerhelp.ie was revamped and saw a 199% increase on the previous month.



- > A two-week campaign on second-hand cars ran during October across national and urban radio stations. Traffic to the buying a car content on consumerhelp.ie increased by over 600% on the previous month. The campaign also consisted of online advertising, including commencing a year-long presence on a second-hand car website.



Public Awareness Case Study:

The Agency's helpline received over 800 calls relating to gift vouchers and gift cards in 2013. In response to this, the Agency conducted market research into consumer knowledge/awareness of gift voucher terms and conditions. Using this data a campaign was developed to highlight important information for consumers in relation to gift vouchers. A gift vouchers consumer awareness campaign commenced at the beginning of December 2013 and ran until the end of the year. The campaign had a number of different elements; a press release on 5 and 27 December including research on gift voucher usage by consumers, a pre-Christmas and post-Christmas radio ad, pre and post-Christmas outdoor advertising and online display ads. The pre-Christmas campaign focused on checking the terms and conditions before buying a voucher. Post-Christmas, consumers were advised to use gift vouchers quickly. There was a 220% increase in traffic to gift voucher information on consumerhelp.ie compared to the previous month. The campaign also led to widespread coverage in the media, including national and regional press, online news sites, radio, including 20 radio interviews with Agency spokespeople and four TV interviews.



● Improve price awareness and transparency in markets where consumers find it hard to make informed decisions

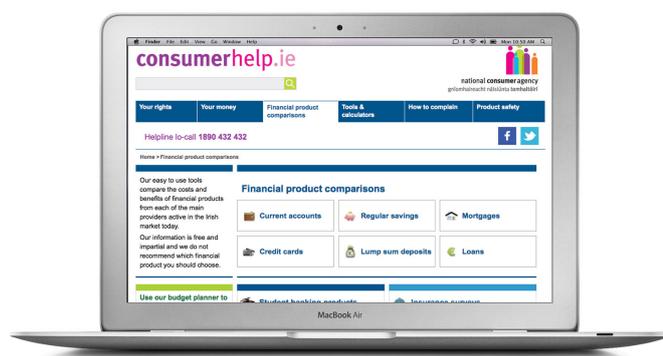
The Agency's long-held view is that routine pricing information should be openly available to make it easily accessible for consumers.

While price is not the only deciding factor for a consumer, we believe that by increasing price transparency, and therefore price awareness, consumers can:

- > make more informed choices or purchasing decisions by being able to evaluate the options available
- > shop around for best value, by easily obtaining a number of prices/quotes
- > become more active and engaged in markets, thereby promoting competition

We firmly advocate and work towards the provision of transparent pricing information, wherever reasonable and possible, in order to foster competitive consumer markets. We encourage traders, offering goods and services to the general public, to follow best practice in displaying clear pricing information.

Where price transparency is an issue for consumers, we work with relevant parties to promote and improve it. Some of our key outputs to achieve this objective in 2013 are outlined below.



Financial Product Comparisons

The financial product comparisons on our consumerhelp.ie website allow consumers to compare current offers from financial services providers on a range of products including current accounts, savings accounts, loans, credit cards and mortgages. Maintenance and quality control of this service for consumers is an ongoing key priority for the Agency.

In 2013, the comparisons accounted for five of the top 10 most visited pages on consumerhelp.ie and the comparisons homepage was viewed over 139,000 times.

By the end of 2013, the comparisons featured 232 products across nine product types. There were a total of 540 updates conducted in 2013. The data is supplied directly by financial service providers. In 2013, we enhanced our internal systems to ensure weekly reviews and a review of each product at least every four weeks. These systems also involve close liaison with financial institutions to ensure we receive prompt notification of updates and changes.

Price Transparency Case Study: Prescription Medicines

We conducted a nationwide survey of pharmacists in February 2013 to determine the final price charged to private customers for a number of commonly recognised prescription medicines. The objective was to highlight the level of price variation in the private prescription market and to enable consumers to make a more informed decision when choosing the services of a pharmacist. The survey requested the prices charged to private customers for 42 common prescription medicines as well as information relating to the pharmacist's dispensing fee policy. The list of products was derived from data submitted by the Health Service Executive. Survey letters and questionnaires were issued to 132 pharmacies, (88 independent stores and 44 chains), across eight urban areas (Dublin, Cork, Galway, Limerick, Waterford, Tralee, Louth and Sligo).

In all, 45 pharmacies provided information for the study and prices for 39 products were included in the findings. The findings were reported at a national level and for the five main urban centres of Dublin, Cork, Limerick, Galway and Waterford.

Key findings include:

- > Large variations in prices of prescription medicines were found both nationally, up to 199% and at local area level, up to 122%.
- > Nationally the percentage differences in prices of individual prescription medicines ranged from 37% to 199%, the average percentage difference was 56%.
- > When the average prices of all 39 products were summed, Dublin was found to be the most expensive area surveyed at 4.4% above the national average. Galway was the least expensive area with average prices 4.5% less than the national average.
- > In relation to dispensing fees it was found that different policies apply across the pharmacies, from a standard dispensing fee to the dispensing fee varying with the price of the prescription medicines and in some instances a dispensing fee is not charged. Dispensing fees ranged from €3.15 to €7.

The survey results highlighted the variation that exists and offered advice to consumers on how to best compare prices of prescription medicines given the level of price transparency in the sector.

In July, along with the Competition Authority, we met with the Troika, at their request. Discussion focussed on competition issues in the health sector, in particular relating to costs of prescription drugs. We took the opportunity to highlight our views on the sector.

Price Transparency – Solicitors

During 2013, we continued our work to improve price transparency for consumers using the services of solicitors. This follows our solicitor's survey in 2012. Following discussions between the Agency and the Law Society, the Law Society's Guidance and Ethics Committee produced draft templates for consumers seeking a quote for three common scenarios; making a will, obtaining a grant of probate and a conveyance. The Agency has provided comments on a number of iterations of these templates and will work with the Law Society to bring about the introduction of these templates in 2014.

Building Energy Rating (BER) Certificates

In May we published the findings of a study into the cost of obtaining a Building Energy Rating (BER) Certificate from a registered assessor. The objective in conducting the survey was to assess the level of price variation in the market for BER certificates and to provide nationally representative fee information.

The telephone survey was conducted anonymously via a mystery shopping exercise in 12 urban areas across the country. A total of 210 quotes were received, representing approximately 25% of the total number of domestic assessors registered with the Sustainable Energy Authority of Ireland.

The average quote nationally for a three bedroom semi-detached house was €165, with quotes ranging from €99 to €300, a difference of €201. Eight of the 12 areas surveyed had a variation of €100 or more. For a two bedroom apartment the average quotation nationally was €156 with a difference in quotes nationally of €208, ranging from €100 to €308. All areas surveyed had a variation of over €50 with six of the 12 areas surveyed having a variation of €100 or more.

Average, minimum & maximum quotes – 3 bedroom semi-detached house

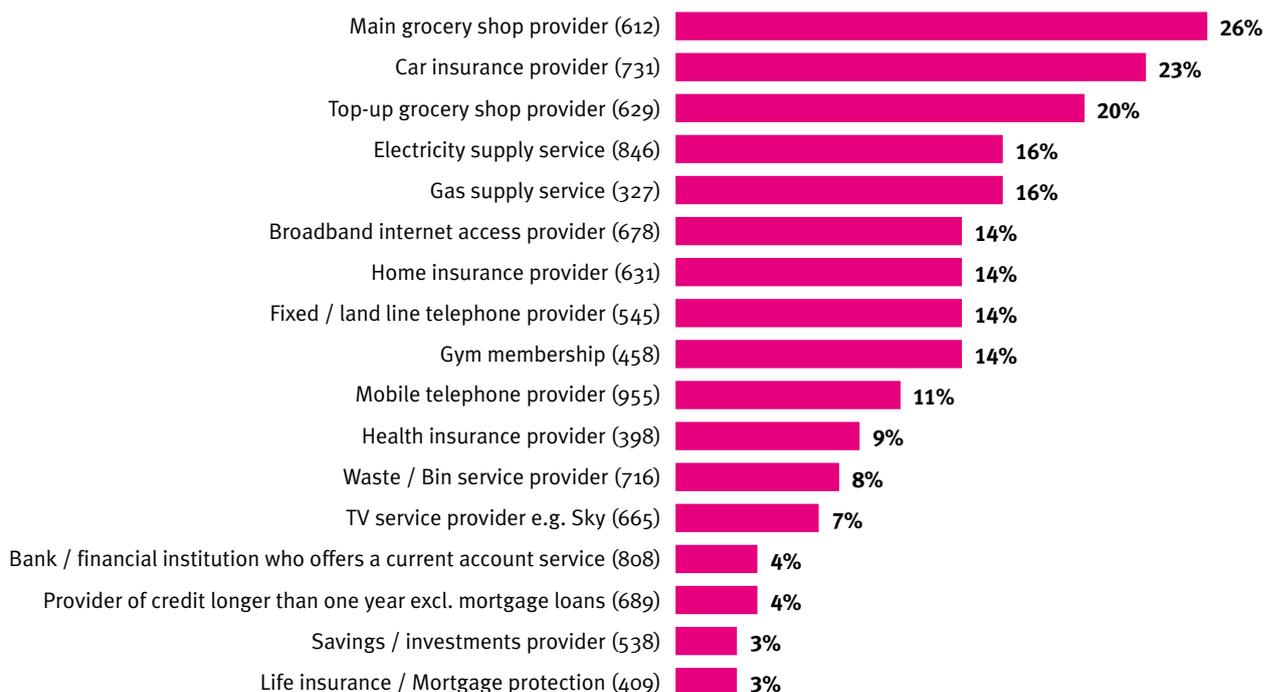


● Help to create competitive markets by encouraging active consumer behaviour

Active consumer behaviour brings benefits for consumers themselves, as they can seek out better products and prices. It also brings benefits for the economy as a whole, promoting and stimulating competition between providers. Publishing the results of surveys and market research creates an opportunity for people to think about their own choices as consumers. The media plays a key role in making this happen, by giving time and space to these important issues.

Our research in 2013 showed that more consumers are aware that shopping around and switching providers can save them money. However, in certain sectors there remains a high level of inertia amongst consumers with large numbers of consumers sticking with the same provider. A significant number of those who have not switched have never checked to see if a better deal is available.

Consumers who have switched provider in the past 12 months, by sector.



Base: All who hold products (1,012 consumers surveyed, June 2013)

Insurance Surveys

General and life insurance markets offer some of the best opportunities for consumers to actively compare costs, risks and benefits and as a result, save money. During 2013, we conducted three insurance surveys that highlighted the price differentials between different providers and encouraged consumers to make informed choices in the insurance market. The highlights from each of the surveys were:

Life Insurance Survey (published January 2013): Potential savings of over €7,500 on life insurance

The survey included four consumer profiles, including a consumer over 50 years of age. The survey published quotes from seven insurance companies for term life insurance and mortgage protection insurance for each of the four consumer profiles. The survey found that there were significant savings to be made across all profiles, potentially up to €7,509 on term life insurance and €6,841 on mortgage protection insurance.

The key findings highlighted included:

- > Smokers pay, on average, 90% more for their life insurance.
- > A small saving per month can add up to a significant amount over 10 to 35 years. For example, a difference in monthly premium of €3.16 for a 27-year old non-smoker seeking term life insurance cover over 35 years, results in a saving of €1,327 over the lifetime of the policy.

Motor Insurance Survey (published May 2013): Potential savings of up to €1,335

We published the results of our motor insurance survey in May, showing quotes and policy benefits from seven insurance companies for comprehensive and third-party, fire and theft insurance for eight sample consumers. This was the first motor insurance comparison survey since the implementation of the EU Gender Directive in December 2012. We requested quotes for both male and female drivers and found the quotations to be equal, in accordance with the law.

The survey found that significant savings could be made, across all eight driver profiles. There was a difference between the highest and lowest quote of up to:

- > €1,335 on third-party, fire and theft cover and up to €1,038 on fully comprehensive cover for a 20-year-old student from Mayo with a full licence and driving experience of less than one year; and
- > €595 on third-party, fire and theft cover and up to €625 on fully comprehensive cover for a 25-year-old teacher from Kilkenny with a full licence for 3 years.

The survey also highlighted:

- > The implications of penalty points on the cost of motor insurance
- > The company's policy in regard to the benefit of breakdown assistance
- > The application of excess on motor insurance policies
- > The cost effectiveness for consumers of paying motor insurance by instalments or in full

Home Insurance Survey (published September 2013): Potential savings of up to €362

The latest home insurance cost comparison survey was published on 19 September. The survey consisted of seven profiles. All companies provided a quote for five of the seven profiles. The average potential saving for these five profiles was €318.

The survey showed potential savings of up to €362 on the price of insurance for a 2-bed terraced house in Waterford City. The excess on policies in the survey ranged from €250 to €500, but interestingly, a lower quote did not necessarily mean a higher excess and vice versa. In five of the six profiles included in the survey the highest quote also carried the highest excess of €500.

The survey also found that consumers were in a stronger bargaining position if they approached the providers with quotes from other suppliers. Six of the eight companies included in the survey said they would be willing to negotiate with existing consumers on their renewal price if that consumer had quotes from competitors.

Switching Research

In February 2013, we published the results of quantitative research into consumer switching behaviour. The main findings of the research included:

- > Across the 19 key markets surveyed, overall 37% of consumers have switched at least one product or service provider in the past year
- > In most sectors surveyed, over 50% of consumers have not checked in the past three years to see if there is a better package/deal available to them
- > Approximately 1 in 4 consumers who checked for better deals subsequently switched landline, broadband, mobile phone or electricity provider

In September 2013, the results from a second iteration of market research in relation to consumer switching behaviour were published. It found that:

- > There was an increase in the level of switching with 45% of consumers having switched at least one product or service provider in the past year, but perception of barriers remain

- > Large numbers have never checked for better deals in key sectors
- > The majority of those who shopped around and switched providers saved money, with savings reported of an average of €15 - €20 per month per service

Complaints and Shopping Research: A third of consumers have had a reason to complain or return an item

This research, published in February 2013, found the following:

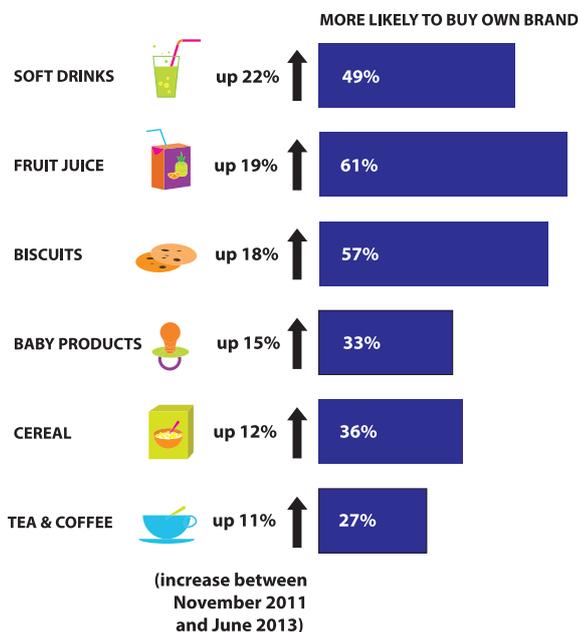
- > 33% of consumers (up 10% points on our last survey) have had a reason to complain or return an item
- > 3 in 4 (76%) of those who had a reason to complain/return an item actually did so
- > Approximately 4 in 5 consumers are now more prepared to negotiate, delay or deliberate before purchasing

Grocery Habits: More than 50% of consumers buying more own-brand than a year ago

In September 2013, we published the results of research into the grocery shopping behaviour of Irish consumers.

- > 72% of women continue to be responsible for food and grocery shopping
- > Shoppers will seek out favourable prices, but not at the expense of quality
- > Supermarket own brand is increasingly popular
- > More than 50% of consumers are buying more own-brand than a year ago

Significant shifts towards Own Brand products



● Provide financial education programmes directly to consumers

Financial education is an important life skill. In developing and delivering financial education programmes, the Agency seeks the key teachable moments where consumers can be reached. We seek opportunities to engage consumers to motivate them to make changes to their personal finance habits and behaviours.

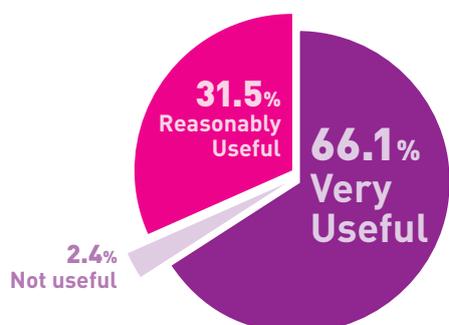
During 2013, our work in this area focussed on three main activities:

- > Our workplace programme, Money Skills for Life
- > Our new parents' programme, Baby Steps
- > Second-level school programme, Money Matters (Leaving Cert Applied resource)

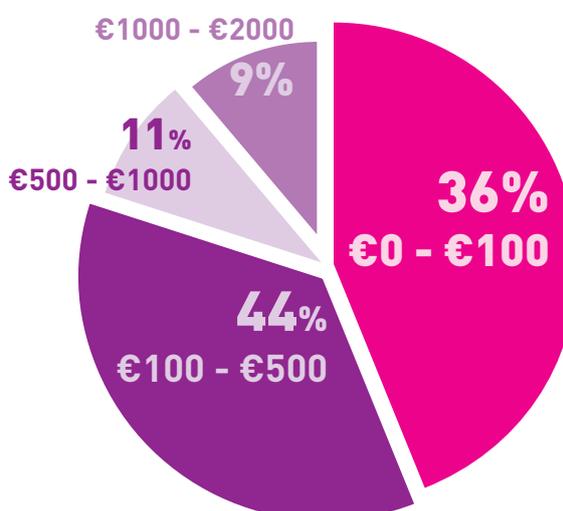
Our Workplace Programme, Money Skills for Life

Money Skills for life provides free and impartial personal finance education to people at their place of work. In 2013 the Agency delivered 207 talks and reached 7,200 people (393 talks and 14,000 people since launch in April 2011). Money Skills for life was delivered to audiences of 5 to 300, across multiple sectors including public sector, multinational, financial institutions, community organisations and universities.

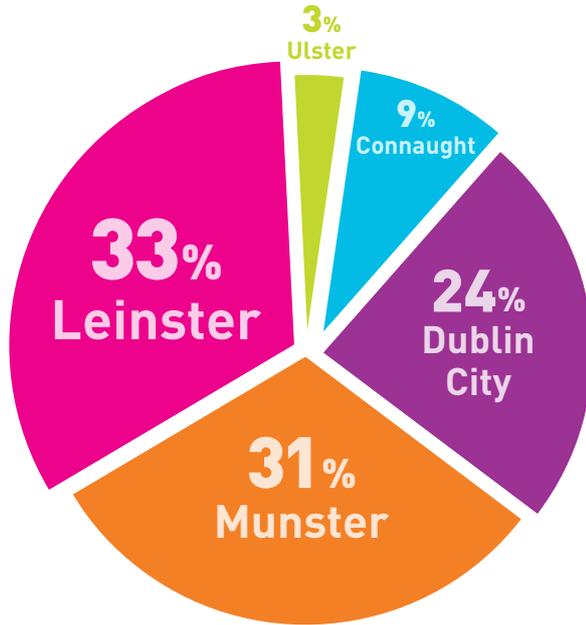
How useful attendees found our programme



How much attendees think they've saved since attending the programme



Regional Distribution of Programme



Great Feedback from all that attended, practical approach to managing your money and planning for the future. Would highly recommend the talk.
- 123.ie

The comprehensive resource pack will be an excellent tool in navigating the minefield of personal finances.
- EPA

Very insightful and helpful to our employees.
- Gilead, Cork

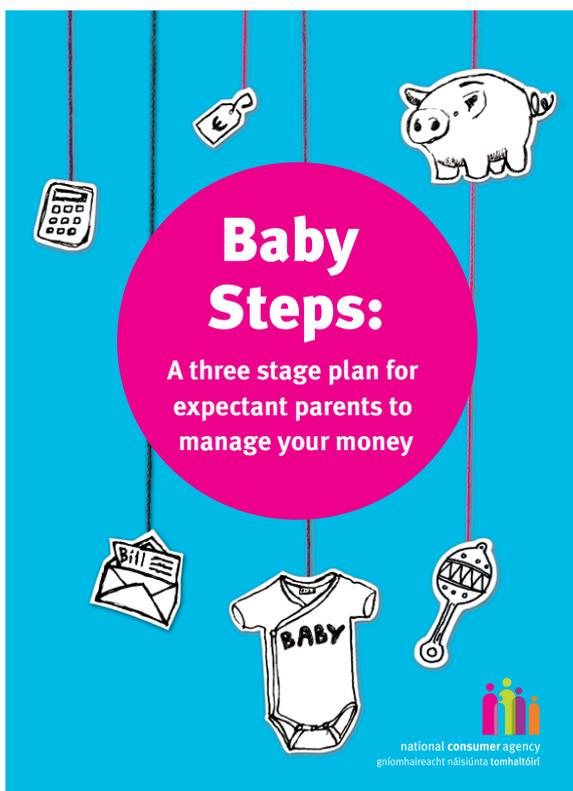
It is a very relevant presentation for today's economy. It has aided our employees to look at managing their money better and to look around for value. The materials are excellent and the presenters are very informative. The guide is very useful and there has been very positive feedback from employees.
- Citi, Dublin

We were provided with excellent literature that all our staff found very useful. The presenter was very helpful and went through the various topics very efficiently. All our attendees found it a very worthwhile experience. - Race, Kildare

The programme offers good, practical advice and information, and meets the needs of all participants from those experiencing financial difficulties, to those with extra cash for investment etc. - ESB

Our New Parents' Programme, Baby Steps

In 2013 the Agency continued to provide personal finance information to support expectant parents. The 'Babysteps' handbook, which helps consumers to manage their money at this life stage, reached 60,000 parents through pregnancy packs delivered into the hands of expectant parents. During 2013, the Agency conducted focus groups to consider the most effective ways of delivering information to consumers at this stage. This process and further information on the evaluation of this resource is included on page 56.



Second-level School Programme, Money Matters (Leaving Cert Applied resource)

Money Matters is a free resource developed by us in consultation with Leaving Certificate Applied (LCA) teachers. Our aim is to help LCA teachers and students to complete the units of Module 6 of the LCA Social Education course, 'Taking Charge', that relate specifically to personal finance education. During 2013, we promoted this resource to schools and teachers that offer the LCA programme and worked to ensure inclusion of the resource at teacher training sessions.

Strategic Priority 3

Represent consumer interests

In order to deliver on this strategic priority, we have committed to the following:

- **Advocate and intervene on significant issues of consumer detriment**
- **Influence policy by establishing close relationships with relevant stakeholders to ensure that consumer interests are given due consideration when important decisions are being made**

● Advocate and intervene on significant issues of consumer detriment

The National Consumer Agency's enforcement approach reflects the powers and tools available under the Consumer Protection Act, 2007 and various other pieces of legislation. However, when significant issues of consumer detriment emerge that do not fall within the scope of our enforcement powers, we advocate on behalf of consumers and their interests. Three key cases that fell into this category of intervention during 2013 are outlined below:



HMV – Decision by Hilco to accept HMV Vouchers

In January 2013, HMV stores in Ireland refused to accept gift cards from consumers stating that the company was in administration. Subsequently, HMV stores in Ireland closed and the company entered into receivership.

With the takeover by Hilco of the HMV business in Ireland, the Agency approached Hilco on behalf of consumers in Ireland. Our objective was to ensure that unredeemed HMV gift cards would be accepted by the new owners. Hilco confirmed in August that they would honour HMV gift cards that had been issued by the previous owners. While Hilco had no legal obligation to adopt this policy, it was a gesture of fair treatment and goodwill towards HMV's customers and a positive outcome for consumers following events in January. We also followed up with customers who had contacted us on this issue earlier in 2013 to inform them of this outcome achieved by the Agency on behalf of consumers.

Sale/Transfer of Loan Books to Unregulated Entities

In 2012, we began receiving queries from consumers who held mortgages, loans and other finance agreements with financial institutions whose loan books had been sold onto unregulated entities. The impact of such an event on consumers can be considerable. Firstly, consumers can only make complaints to the Financial Services Ombudsman about the conduct of regulated entities. Secondly, regulatory provisions such as the Code of Conduct on Mortgage Arrears are not binding on unregulated firms. Thirdly, from our contacts with consumers, we had serious concerns about the extent to which some firms were denying consumers their rights under sections of the Consumer Credit Act, 1995 (as amended).

We formally raised this issue with the Central Bank and the Department of Finance in 2013, advocating that consumers who entered into contracts with regulated entities should be no worse off following the transfer of their loans. We have also commented publicly on this issue via the media.



Six-year Limitation Period for Making Complaints

The Agency has concerns regarding the six-year limitation period which applies when making complaints to the Financial Services Ombudsman (FSO). In practice, this means that once six years has passed from the 'conduct complained of' in relation to a product or service, a consumer is effectively barred from making a complaint to the FSO (or the Courts). For certain products and practices, this is wholly inadequate as it can sometimes take several years for issues to emerge, as is obvious from recent Payment Protection Insurance mis-selling concerns. During 2013, we formally raised this issue with both the Central Bank and the Department of Finance.

The Agency has pointed out that the Financial Ombudsman Service in the UK has a three-year fall-back provision and we have recommended that a similar provision be considered in Ireland.

We understand that legislation is needed to tackle both of these issues and we look forward to seeing the introduction of legislation as soon as possible.

● **Influence policy by establishing close relationships with relevant stakeholders to ensure that consumer interests are given due consideration when important decisions are being made**

During 2013, we allocated significant resources to activities in this area, through participation on working groups, steering groups and project groups across a range of important policy areas that affect the lives of consumers in Ireland. The areas that have the most potential impact on consumers, and therefore are of the highest priority in terms of our resources are the National Payments Plan, water charges, the review of the regulation of bank charges, financial inclusion, pensions, Smart Metering and Better Energy Financing.

National Payments Plan



The National Payments Plan (NPP) was approved by Government in April 2013. The Agency represents consumer interests through participation on the Steering Committee, the Communications Sub-Committee and a number of Working Groups. Our objectives in involvement in the NPP are as follows:

- > To ensure that consumers are adequately represented and considered in the implementation of the NPP.
- > To ensure that the NPP's recommendations do not have a detrimental effect on consumers.
- > To make policy recommendations that are underpinned by robust research.
- > To ensure that consumers benefit proportionately from any efficiencies achieved.

In 2013, our work to achieve these objectives included the following activities:

- > We made public statements when bank charging policy changes appeared to be at odds with the objectives and delivery targets for the NPP. The NPP should bring financial benefits for all – including consumers. We support measures and charging structures that incentivise efficient electronic payments. Together with the NPP, we commissioned market research into cheque usage to measure the impact the NPP’s goal of a reduction of 60% in cheque usage could have on consumers. This research found that 30% of cheque users said they would encounter difficulties if cheques were removed entirely. This research was crucial to the debate surrounding the future of cheques as a part of the payments system.
- > Commissioning research on consumer awareness of sort codes, BIC and IBAN in the context of the roll-out of the Single European Payments Area (SEPA). This research, and our membership of the NPP-SEPA Sub-Group, has influenced the SEPA Communications Plan.
- > Parents paying for school activities has been identified as one driver of cheque usage. We conducted market research, in conjunction with the NPP, on the methods of payment for school activities, parents’ choices and preferences.

Water Charges

Through 2013, the Agency has been involved in representing consumer interests in advance of the introduction of water charges for consumers in Ireland. Consumer interests must be represented as important policy decisions are made and it is important that the experiences and impact on consumers in other jurisdictions are factored into the decision-making process.

The areas of concern that we have raised in terms of consumer protection and regulation include the proposed regulatory structures, consumer complaints and redress handling, the proposed introduction of an assessed charge before metering and the exclusion of apartments from metering. We also expressed concerns regarding how the introduction of charging is being communicated to consumers.

Our specific activities in this area in 2013 were:

- > Participation in the Water Industry Stakeholder Forum
- > Regular meetings and discussions with Irish Water and the Commission for Energy Regulation (CER) on the proposed regulatory approach
- > Response to CER’s consultation on Economic Regulatory Framework for the Public Irish Water Services
- > Presentation to conference on Reform of the Water Services Sector

Regulation of Bank Charges

The Department of Finance conducted a review of the regulation of bank charges in Ireland, as part of the EU/IMF Programme of Financial Support. The Agency submitted a joint response with the Competition Authority. The review concerned Section 149 of the Consumer Credit Act 1995, which regulates non-interest bank charges.

Our joint response opposed the removal of Section 149, at the time of the review, given the prevailing market conditions and the lack of competition which exists in the banking sector. We outlined our concerns that the removal of price regulation for existing providers could result in significant cost increases for consumers.

The response included detailed evidence to support the position taken, for example, the low level of switching, the increases in fees by banks and the withdrawal of bank services. It also queried the rationale for the timing of the review, given the relatively recent examination which was conducted by the Competition Authority in 2010 and the changes to Section 149 as a result of the sectoral commitments. We welcome the main conclusion of the review, which was in accordance with our views - that it would not be appropriate to repeal Section 149 at this point in time. The review found that the lack of competition in the banking sector means that the removal of section 149 would give unfettered price setting power to the incumbent banks.

Pensions

The Agency represented consumer interests in a number of forums relating to pensions in 2013. This included responses to three consultations; namely from the European Commission, Department of Social Protection and the Pensions Board², and presentations at fora hosted by the Pensions Board. The focus of this work was on the transparency and disclosure of information and charges on pensions to consumers.

Financial Inclusion

The Agency is an active member of the Financial Inclusion Implementation Working Group, chaired by the Department of Finance. This Working Group manages the introduction of the Standard Bank Account (SBA). Throughout 2013, we participated on this Working Group and the Communications and Marketing Group for the SBA project. This included significant input into the report on the evaluation of the pilot of the SBA, which was published in November 2013.

The Agency fully supports and takes action to bring people towards financial inclusion. The national roll-out of the SBA, including targeted communications, is an essential step in moving towards full financial inclusion, especially access to electronic payments and ultimately, affordable credit.

2 Now the Pensions Authority

Better Energy Financing

The development of a national Better Energy Financing scheme represents a commitment in the Programme for Government to transition from Exchequer-funded grants for energy efficiency measures towards a market-orientated approach to achieving energy efficiencies. The Agency participated in the scheme and was represented in the setup of the Project Board. Our input in 2013 included:

- > Contributing to the development of the consumer proposition.
- > Speaking at the Sustainable Energy Authority of Ireland (SEAI) retrofitting seminar, presenting our views on consumers' ability to afford retrofitting, their prioritisation of it and how best to target and build an audience.
- > Inputting into recommendations submitted to the Minister for Communications, Energy and Natural Resources for Government consideration.

National Smart Metering Programme

The Agency is represented on the National Smart Metering Programme Steering Group and is committed to representing consumers by engaging constructively with the Commission for Energy Regulation in relation to key decisions and the smart metering process. In 2013 the Agency responded to four consultation papers on the following aspects of the smart metering programme.

- > Steady State Model (SSM)
- > Time of Use Tariffs (TOU)
- > Pay As You Go (PAYG)
- > Presentation of Energy Usage Information

Working Group Membership

In addition to the activities outlined above, the Agency participated on several working groups during 2013. For clarity, all working groups, including those mentioned above, are listed below:

Steering Group/Working Group/Forum	Led by
Better Energy Financing Project Board	Department of Communications, Energy and Natural Resources
Communications Subgroup - Implementation Group on Generic Substitution and Reference Pricing	Department of Health
Expert Group on Consumer Education	European Commission - DG Sanco
Irish Water Stakeholder Forum	Irish Water
National Smart Metering Programme	Commission for Energy Regulation
National Payments Plan Steering Group	Central Bank of Ireland
National Payments Plan - Card Payments Subgroup Cheque Subgroup Communications Subgroup Communications Working Group SEPA Subgroup	Central Bank of Ireland
National Waste Forum	Department of Environment, Heritage and Local Government
Financial Inclusion Working Group Marketing and Communications Subgroup	Department of Finance

Public Consultations

We responded to 23 consultations during 2013. A full list of these consultations is broken down in Appendix 3.

Speaking Engagements

The CEO and executives of the Agency make themselves available to address stakeholder groups on issues impacting consumers in Ireland. These speaking engagements promote the work of the Agency and create greater awareness of consumer issues.

- > Chief Executive presented at Central Bank Stakeholder Roundtable on “EU Financial Regulatory Reform”
- > Chief Executive presented at EU Consumer Policy Network, Country Presentation: Ireland
- > Chief Executive co-hosted European Competition and Consumer Day
- > Chief Executive presented at The Pensions Forum on “The Future of Defined Contribution Pensions”
- > Director of Public Awareness and Financial Education presented at The Pensions Forum on “The Future of Defined Contribution Pensions”
- > Director of Research & Policy presented at SEAI Retrofitting Seminar
- > Director of Research & Policy presented at Engineers Ireland in Cork, Reform of the Water Services Sector
- > Director of Research & Policy presented at the Nordic Consumer Research Network meeting in London

Money Skills for Life Presentations

In 2013, Agency staff presented 85 talks as part of our workplace personal finance education programme.

Strategic Priority 4

Continue to develop as an effective and professional public service organisation

In order to deliver on this strategic priority, we have committed to the following:

- **Focus on excellence in people management, training and leadership to support the continued development of our people**
- **Foster and develop project-based cross-divisional collaboration to best effect**
- **Ensure value for money by critically assessing spending and projects and evaluating outcomes**

● **Focus on excellence in people management, training and leadership to support the continued development of our people**

The quality of the service we provide to and on behalf of consumers depends on having staff with the right skill sets. We are committed to monitoring and improving our competencies and capabilities by focusing on staff performance and development to achieve our strategic priorities.

Performance Management

Performance objectives for 2013 were agreed with all staff and were reviewed both at mid year and at year end. Revisions to the Performance Management and Development System (PMDS) as recommended by the Department of Public Expenditure and Reform to improve fairness and consistency were implemented at the start of 2013.³

Calibration, where the performance ratings of staff at the same grade were considered by their supervisors using a specific protocol, was also introduced for all staff at Assistant Principal level (already in place for staff on secondment at an equivalent Central Bank grade), in addition to that required at Principal Officer level in the Agency.

Training

In 2013 a learning and development plan was discussed with all staff, as part of the PMDS process and implemented subject to line management approval. A Training Liaison Officer was appointed in Q3 2013 to co-ordinate the staff training agreed through the Civil Service PMDS process or the Central Bank's PMDP performance management system.

As the majority of Agency staff are on secondment or assignment from other organisations who hold their personnel files, a skills register was introduced in Q4 2013 to record the educational qualifications and work experience of all staff. The register will assist the Agency in working with staff on aligning their expertise with future needs of the Agency.

³ PMDS 2013 Changes (Fairness and Consistency): Goal setting and competencies linked in the PMDS form, new grade based competency framework introduced, performance descriptions have been revised - no numeric ratings, 'fully acceptable' performance, or better, needed for increments, fewer sign offs in the PMDS form, performance calibration introduced for Principal Officer grade on pilot basis.

● **Foster and develop project-based cross-divisional collaboration to best effect**

To address consumer issues as they arise in a focussed and timely manner, we are implementing an approach where we create project teams by assigning the required internal resources with a remit to investigate and develop recommendations.

A cross divisional project was created to examine evidence of detriment in a significant consumer market in 2013. The intention is to use this approach again to consider important issues. Formal project management training will be delivered in 2014 to facilitate this approach.

● **Ensure value for money by critically assessing spending and projects and evaluating outcomes**

A best practice procurement approach is in place to ensure we source goods and services from suppliers that meet our value for money criteria. Programmes are formally reviewed to measure activity versus objectives and to continually improve our programmes.

Procurement

A procurement policy has been in place since July 2012, covering best practice procurement and supporting legislation. A staff training workshop was carried out in 2013 to explain the procurement policy to key staff.

Existing public sector frameworks are used whenever possible to benefit from the cost reduction associated with economies of scale. The Agency participated on ten frameworks⁴ in 2013.

⁴ Existing procurement frameworks: printer toners, mobile phones, insurance, couriers, travel agent, translation, branded paper, office paper, envelopes, stationery and office supplies.

Supplier Management and Assessment

All Agency contracts are for a maximum period of 3 years, which must be renewed on an annual basis, subject to a successful outcome of the required review process. During 2013, seven annual reviews⁵ were undertaken and 2 suppliers received an excellent rating, 4 suppliers received a good rating, 1 supplier received a poor rating. In addition, new suppliers are reviewed after the first six months of their contract.

During 2013, 9 tenders were undertaken for work over €25,000 split between new projects (4) and existing projects (5). For the five existing projects, one supplier was reappointed and four new suppliers were successful.

Evaluation of Financial Education Programmes

Feedback is sought from employers, attendees and presenters of the Money Skills for Life programme and is collected primarily through online surveys. These surveys are used to evaluate the programme and also serve to highlight areas where improvements can be made. Presenters are required to complete a survey after each talk, detailing their experience and any comments or follow-up that may be required. This provides very useful feedback which is used to ensure the programme continues to be adapted to the changing needs of audiences and that presenters are receiving the necessary support, information and training. Agency staff also spot check talks and this feedback is provided to our presenters. As part of the measurement process, the Agency contacts people three months after they have attended a Money Skills for Life talk to determine if they have made changes to their personal finance habits as a result of attending and the impact of these changes on their lives.

The Leaving Certificate Applied resource material is measured through website statistics as all resource materials are available in a password protected area on [financialeducation.ie](#). The Financial Education team also present to LCA teachers at teacher training days in September which allows the teachers an opportunity to provide feedback. Online surveys are also used to measure the impact of the programme.

Baby Steps is a personal finance guide for expectant parents and is distributed directly to parents through maternity hospitals. In 2013, we undertook focus groups and an online survey to measure the audience's need for and attitude towards the information being provided. As a result, a number of recommendations were implemented, including shortening the content, improving accompanying online content and developing a video resource for use in maternity waiting rooms. As a result of the improvements and enhancements, the programme is relevant, accessible and user-friendly and supports parents in getting financially prepared for the arrival of a new baby.

⁵ The review process covers delivery of contract obligations, level of supervision required and level of co-operation with the NCA. The ratings are excellent-total score of 80-100%, good-total score of 40-80%, poor-total score up to 40%.

Helpline Quality Assurance

A significant proportion of the consumer contacts received by the Agency's consumer helpline are subject to a quality control process to ensure that all consumers who contact the Agency receive a quality service. 14% of all consumer contacts were randomly selected for quality scoring in 2013. For telephone calls, this involved assessing the call against a detailed quality control form. For emails and social media the process involved a complete review of content before it was issued.

Post-Campaign Evaluation

All public awareness campaigns have clear objectives against which the impact and results of campaigns are measured in the post-evaluation period. Metrics used to measure impact include increases in website visits, increases in traffic to specific information, impact on helpline call volumes and the volume and depth of media coverage.

Quality Systems Review of Financial Product Comparisons

The data for the financial product comparisons is received from financial institutions, who are obliged to submit prior notification of new products, removal of products or product amendments in advance. This is to ensure the site is always accurate and up-to-date for consumers. In 2013 internal systems were further enhanced to improve the quality of the information on the site. This involved checking each product on our site against the provider's own online information at least once every four weeks. In line with this, a full review of all products on the site was completed during September to November 2013 and the resulting findings have been actioned.

Corporate Governance

The Agency was established on 1 May 2007 under the Consumer Protection Act, 2007 and operates in accordance with the provisions of the CPA and under the aegis of the Minister for Jobs, Enterprise and Innovation. The Agency has put in place procedures to ensure compliance with a range of requirements that are detailed below.

Membership of the Board

In accordance with Section 10 (7) of the CPA, two Board members, namely Patrick Desmond and Edward Shinnick retired from office on 30 April 2013. The Minister for Enterprise, Jobs and Innovation appointed Tina Leonard on 31 January 2013.

Karen O'Leary was appointed Chief Executive of the Agency on 19 March 2013. Sean Murphy's (also the Agency Legal Advisor) tenure as interim Chief Executive ended on 18 March 2013.

Board Members' Attendance at Board Meetings

Board Member	2013 Meetings Attended
Stephen Costello	6
Karen O'Leary (1)	5
Sean Murphy (2)	1
Georgina Conroy	5
Marie Dalton	5
Patrick Desmond (3)	2
Eugene Gallagher	6
Fergus J. Gallagher	6
Isolde Goggin	3
Tina Leonard	6
Robin O'Sullivan	5
David Pierce	6
Colleen Savage	6
Edward Shinnick (3)	2

There were six meetings in 2013. The following Board members were not on the Board for the full year as follows:

1. Karen O’Leary was appointed Chief Executive on the 19 March 2013 and she was not a member of the Board for the first meeting in 2013
2. Sean Murphy’s tenure as acting Chief Executive finished on the 18 March 2013 and he was not a member of the Board for the remaining five meetings in 2013
3. Patrick Desmond and Edward Shinnick retired on the 30 April 2013 and were not members of the Board for the remaining four meetings in 2013

Directors’ Fees and Expenses

Board Member	Fees	Expenses
Stephen Costello	€20,520	€3,415
Karen O’Leary	€0	€0
Sean Murphy	€0	€0
Georgina Conroy	€11,970	€0
Marie Dalton	€11,970	€2,146
Patrick Desmond	€3,990	€377
Eugene Gallagher	€11,970	€0
Fergus J. Gallagher	€11,970	€0
Isolde Goggin	€0	€0
Tina Leonard	€11,005	€0
Robin O’Sullivan	€11,970	€0
David Pierce	€11,970	€383
Colleen Savage	€11,970	€0
Edward Shinnick	€3,990	€944

Board members - Disclosure of Interest

The Agency is designated as a Public Body with effect from 1 January 2009. Procedures have been put in place to ensure compliance with the Ethics in Public Office Act 1995 and Standards in Public Office Act 2001. Agency 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, Agency staff members holding designated positions have complied with both Acts.

Chief Executive Remuneration

The Chief Executive's salary from 19 March 2013 to 31 December 2013 was €95,121 and her expenses were €1,116. The Chief Executive's pension is in line with the standard entitlements in the model public sector defined benefit superannuation scheme.

Mr. Sean Murphy who is an existing member of staff with the grade of Principal Officer, held the position as Acting Chief Executive in a temporary capacity from 18 October 2012 to 18 March 2013. Mr. Murphy did not receive any additional remuneration in 2012 as the position of Acting Chief Executive must be held for a continuous period of 86 days before a higher duty allowance can be paid retrospectively. Mr. Murphy received a total acting up allowance of €16,702, which was paid from 28 February 2013.

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.

Accountability

Joint Oireachtas Committee

The Agency's Chief Executive and Director of Commercial Practices attended the Joint Oireachtas Committee on Agriculture, Food and the Marine in July 2013 at the Committee's invitation. At the appearance, the Chief Executive outlined the statutory role of the Agency and addressed specific issues as requested by the Committee, including the impact of further consolidation of the grocery sector.

Service Level Agreement - Department of Jobs, Enterprise and Innovation

A service level agreement (SLA) has been in place between the Agency and the Department of Jobs, Enterprise and Innovation (DJEI) since 2012, which is reviewed and signed on an annual basis. The SLA is in place to define the requirements DJEI has of the Agency, within the resources available to the Agency and assist DJEI in monitoring the Agency's performance. Full details of Key Performance Indicators in meeting the SLA are outlined in Appendix 2.

Customer Charter

The Agency has a Customer Charter, available in the corporate section of the Agency website at www.consumerhelp.ie, setting out its commitment to a high quality service to Agency customers. Any complaint regarding the services of the Agency is investigated as a matter of priority. The Agency also came under the remit of the Ombudsman with the introduction of the Ombudsman (Amendment) Act 2012 which came into effect on 1 May 2013.

Freedom of Information

The Agency is covered by the provisions of the Freedom of Information 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 himself/herself amended where it is incomplete, incorrect or misleading
- > A legal right to obtain reasons for decisions affecting oneself taken by a public body.

Confidential Disclosure

A confidential disclosure policy has been in place since 2011 to support staff and Board members who may have concerns about possible irregularities in the running of the Agency or the activities of colleagues, contractors or suppliers.

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.

Gifts, Business Hospitality and Speaking Engagements Policy

A detailed Gifts, Business Hospitality and Speaking Engagements Policy was approved in 2013 to clearly outline the responsibilities of staff and the Board and put in place a process for recording hospitality that is accepted by staff.

Energy Efficiency

Energy Usage in 2013: The Agency works from 4-5 Harcourt Road, where energy costs are shared between the tenants and are calculated on a pro rata basis. In 2013, the total energy consumption for the building was 572,845 KWh (Electricity - 289,016 KWh, Gas - 283,829 KWh). The Agency was charged by the anchor tenant for usage of 238,247 KWh (Electricity - 120,627 KWh, Gas - 117,620 KWh) based on the Agency's 43.72% occupancy of the building in Quarter 1 to 3, which reduced to 36% in Quarter 4.

Actions Undertaken in 2013: 4-5 Harcourt Road continues to participate in the Office of Public Works Energy Awareness Campaign and a reduction in energy consumption of 18% was

achieved in 2013. The Agency reduced its office space requirements in Quarter 4 which automatically reduced its energy consumption requirements.

Actions Planned for 2014: 4-5 Harcourt Road will undertake an out of hours energy audit to track consumption outside office hours in order to raise staff awareness of areas where energy consumption can be reduced further. The Agency will report its energy performance to the Sustainable Energy Authority of Ireland as part of the new Public Sector Energy Monitoring & Reporting System.

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 Agency.

Internal Audit

The Agency has appointed external consultants to act as internal auditor and the following audits were conducted in 2013:

- > 2013 of Internal Financial Control
- > Bank and Cash
- > Budgetary Control
- > Corporate Governance
- > Credit Intermediaries
- > Fixed Assets
- > Fixed Payments
- > ICT
- > Information Security
- > Payroll, Travel and Subsistence

The audit assurance classification system is substantial, satisfactory, limited or unacceptable. Recommendations are progressed in all cases, with progress on implementation reported to the Agency Audit Committee.

Performance and Remuneration Committee

The Board appointed a Performance and Remuneration Committee in 2013 to set performance objectives for the Chief Executive consistent with the Statement of Strategy, on which performance is reviewed. The Agency's performance related award scheme was terminated in October 2009.

Statement of Strategy

As required by section 20 (1) of the CPA 2007, the Agency completed and published a Statement of Strategy 2013-2016 - *Making a Difference for Customers*.

Standing Orders

Standing orders have been adopted to ensure the orderly and effective conduct of the meetings of the Board and they have been drawn up as stipulated in Section 12 (7) of the CPA.

Finance

2013 Financial Statements

At the time of writing, the annual draft financial statements for the year ended 31 December 2013 report expenditure of €4.8 million for grant assisted activities and €2.4 million for levy funded activities. The financial statements will be audited by the Comptroller and Auditor General. The financial statements are prepared on the accruals basis of accounting, except in respect of the Oireachtas Grant, in accordance with generally accepted accounting principles.

Levy on Financial Services Providers

The levy was imposed by Regulations made by the Agency under the powers conferred on it by Section 24B of the CPA (as inserted by the Central Bank Reform Act 2010). The legislation granting the Agency power to impose levies provides that an arrangement can be made between the Agency and a prescribed body, for the collection of the levies. In 2013, such an arrangement was in place between the Agency and the Central Bank of Ireland (one of the prescribed bodies).

The collection of the levy from financial services firms has been outsourced to the Central Bank since it was introduced in 2011, and an Agency Agreement between the Agency and the Bank is in place to cover this process. A collection rate of over 99% of the total levy amount has been successfully collected from 2011 to 2013 from over 600 financial services companies. The cost of collection which the Central Bank charges to the Agency has reduced from 1.2% of the total levy in 2011 to 0.4% of the total levy in each of the years 2012 and 2013.

Financial Procedures and Value for Money

Financial Procedures are in place to cover every area of the financial payments process, where the roles of Agency staff and the outsourced accountant are clearly outlined. It is a formal requirement that all changes to the Financial Procedures are approved by the Audit Committee. The most recent update was presented to the Audit Committee in July 2013.

Two sets of internal accounts have been maintained since 2011 so that all income and expenditure relating to Exchequer and Levy activities, which are funded differently, are kept separate. This approach is continued in the annual financial statements.

The processing of all financial transactions, excluding the levy collection process, has been fully outsourced to an accountancy company since April 2013. They provide specialist expertise at a senior associate, manager and partner level, which could not be provided in-house and the Agency retains full control of the payment authorisation functions.

Customised reports for purchase orders and actual expenditure for Exchequer and Levy were introduced in 2012 and 2013. They are circulated to managers every month, in addition to accruals based expenditure reports.

Over the last 12 months the Agency has moved to paying the majority of its suppliers electronically. The Agency continues to adhere to the government direction from 2011 to endeavour to pay suppliers within 15 days; 93% of payments to suppliers were paid within this timescale in 2013, with the balance of payments being paid between 15-30 days. The Agency complies with the provisions of Prompt Payment of Accounts Act, 1997 and no late payment interest was paid to suppliers in 2013, as all Agency payments were within 30 days.

The Agency reduced its office space requirements from Q4 2013 for which rent savings of €19,498 were achieved for 2013. Total rent savings in 2014 will amount to €77,996.

Appendix 1: Enforcement Actions taken in 2013

During 2013, the Agency took 115 enforcement actions against traders, which are summarised below.

Convictions: 2

The Agency secured two convictions regarding the provision of false information in relation to vehicles' odometer readings, as provided for under Section 43(1) and Section 43(3)(b)(vii) of the Consumer Protection Act 2007.

- > Mr. Damian Hayes, trading at Damian Hayes Car Sales, Kanturk, Co. Cork
A Compensation order of €1,750 was granted in favour of the consumer.
- > Mr. Nigel Brophy, trading at Service Point Autos, Eurohaul Centre, Greenhills Road, Tallaght, Dublin 24
A Compensation order of €3,500 was granted in favour of the consumer. Costs were awarded to the National Consumer Agency.

Undertakings: 7

As provided for under Section 73 of the Consumer Protection Act 2007.

Domestic Waste Sector: 6 Undertakings

Following an investigation, initiated in 2012, into the terms included in standard form contracts being used by operators in the domestic waste collection sector, the Agency was of the view that various terms were unfair. Undertakings were received from the following operators to address issues arising :

- > The City Bin Company
Undertaking provided on 5 February, 2013 by The City Bin Company, Oranmore Business Park, Oranmore, Galway
- > Nurendale Limited t/a Panda Waste
Undertaking provided on 6 February, 2013 by Nurendale Limited t/a Panda Waste, Beauparc Business Park, Navan, Co. Meath
- > Greenstar Limited (In Receivership)
Undertaking provided on 7 March, 2013 by Greenstar Limited (In Receivership), Unit 6, Ballyogan Business Park, Ballyogan Road, Sandyford, Dublin 18
- > Advanced Environmental Solutions Limited (AES)
Undertaking provided on 12 March, 2013 by Advanced Environmental Solutions Limited (AES), Bord na Móna Head Office, Main Street, Newbridge, Co. Kildare

- > Country Clean Recycling Limited
Undertaking provided on 20 March, 2013 by Country Clean Recycling Limited, Shanballymore, Mallow, Co. Cork
- > Oxigen Environmental
Undertaking provided on 26 March, 2013 by Oxigen Environmental, Merrywell Industrial Estate, Ballymount Road Lower, Dublin 22

Used Car Sales: 1 Undertaking

- > Healy Car Sales (relating to the selling or offering for sale of a vehicle with an altered odometer reading)
Undertaking provided on 18 February, 2013 by Healy Car Sales, Parkacunna, Glanworth, Fermoy, Co Cork to comply with the prohibition on misleading commercial practices imposed by Section 42 and Section 43 of the Consumer Protection Act 2007

Compliance Notices: 34

As provided for under Section 75 of the Consumer Protection Act 2007.

Two Compliance Notices were issued by the Agency to businesses, who had not provided contact e-mail addresses on their websites, in contravention of Regulation 7(1)(c) of the European Communities (Directive 2000/31/EC) Regulations 2003 (S.I. No. 68 of 2003).

- > Aer Lingus Limited, Dublin Airport, Co. Dublin
- > Ryanair Limited, Dublin Airport, Co. Dublin

Thirty two Compliance Notices were issued by the Agency to businesses, who charged more for consumer goods than the price displayed, in contravention of Sections 42 and 43 of the Consumer Protection Act 2007.

- > Newmarket Stores Limited, trading at "Eurospar, Ennis Road, Newmarket-on-Fergus, Co. Clare"
- > AIM Retail Holdings Limited, trading at "Iceland, Bargaintown Centre, Green Castle Parade, Coolock, Dublin 5"
- > AJ Stores Limited, trading at "Centra, Unit 1 Killinarden Shopping Centre, Killinarden, Tallaght, Dublin 24"
- > A.S. Watson (Health & Beauty Ireland) Limited, trading at "Superdrug, The Square Shopping Centre, Dublin 24"
- > Barry's Northern Cross Retail Company Limited, trading at "Eurospar, Northern Cross Shopping Centre, Malahide Road, Dublin 17"
- > Capital Stores Limited, trading at "Eurospar, Hartstown Shopping Centre, Hartstown, Dublin 15"

- > Dunnes Stores, trading at "Dunnes Stores, The Mill Shopping Centre, Ninth Lock Road, Clondalkin, Dublin 22"
- > Dunnes Stores, trading at "Dunnes Stores, The Pavilions Shopping Centre, Swords, Co. Dublin"
- > Fairview Retail Investments Limited, trading at "Courtney's Centra Fairview, 23/27 Annesley Bridge, 2 Fairview Corner, Fairview, Dublin 3"
- > Ladgrove Stores Limited, trading at "Moriarty's Supervalu, Palmerstown Shopping Centre, Kennelsfort Road, Palmerstown, Dublin 20"
- > LCML Limited, trading at "Eurospar, 625-627 South Circular Road, Kilmainham, Dublin 8"
- > Messrs. Bill Kiely, Eamonn Mulligan, Derek Plant, Alan Sweetman, trading at "Costcutter, 3 Castlekeep, Balrothery, Co. Dublin"
- > Messrs. John and Edward Glennon, trading at "Eurospar, Gullivers Retail Park, Northwood, Santry, Dublin 9"
- > Mothercare Ireland Limited, trading at "Mothercare, The Park, Carrickmines, Dublin 18"
- > Mr. Gerard Farrelly, trading at "Spar, 131 Upper Leeson Street, Dublin 4"
- > Tesco Ireland Limited, trading at "Tesco, Hillcrest Estate, Lucan, Co. Dublin"
- > Tesco Ireland Limited, trading at "Tesco, Jervis Shopping Centre, Mary Street, Dublin 1"
- > Tesco Ireland Limited, trading at "Tesco, Omni Park Shopping Centre, Dublin 9"
- > Joyce's Supermarket (Athenry), trading at "Joyce's 365, Athenry, Co. Galway"
- > Joyce's Supermarket (Tuam), trading at "Joyce's Supermarket, Tuam Shopping Centre, Tuam, Co. Galway"
- > Tesco Ireland Limited, trading at "Tesco, Galway Shopping Centre, Galway"
- > Tesco Ireland Limited, trading at "Tesco, Killarney Park, Killarney, Co. Kerry"
- > Derek Downes Spar Greenpark, trading at "Spar, Greenpark Shopping Centre, Punches Cross, Ballinacurra, Limerick"
- > Trimill Limited, trading at "Morans Eurospar, Bredin Street, Drogheda, Co. Louth"
- > Derfal Limited, trading at "Gulf Oil/Mace, Castlebar Road, Ballinrobe, Co. Mayo"
- > Hickey's Pharmacy Limited, trading at "Hickey's Pharmacy, Navan Shopping Centre, Navan, Co. Meath"

- > Tesco Ireland Limited, trading at "Tesco, Tullamore Retail Park, Tullamore, Co. Offaly"
- > Raftery's (Bellaghy) Limited, trading at "Raftery's Centra, Bellaghy, Charlestown, Co. Sligo"
- > M & M Mulligan Limited, trading at "Mulligans Londis, Roscommon Road, Athlone, Co. Westmeath"
- > Tesco Ireland Limited, trading at "Tesco, Ashe Road, Mullingar, Co. Westmeath"
- > A.S. Watson (Health & Beauty Ireland) Limited, trading at "Superdrug, 85 North Main Street, Wexford"
- > Tesco Ireland Limited, trading at "Tesco Extra, Wexford Road, Arklow, Co. Wicklow"

Fixed Payment Notices : 72

As provided for under Section 85 of the Consumer Protection Act 2007.

In total, seventy two Fixed Payment Notices were paid to the Agency in respect of breaches of 3 areas of pricing legislation, namely:

- i. EC (Requirement to Indicate Product Prices) Regulations, 2002
- ii. Retail Price (Beverages in Licensed Premises) Display Order, 1999
- iii. Retail Price (Food in Catering Establishments) Display Order, 1984

(i) Breaches of EC (Requirements to Indicate Product Prices) Regulations, 2002

Sixty nine Fixed Payment Notices were paid to the Agency.

- > Musgrave Operating Partners Ireland, trading at "Superquinn, Kennedy Road, Carlow" (Total Fixed Payment Notices Issued: 2)
- > Rudden Service Station Limited, trading at "Ruddens Service Station/Londis, Railway Road, Cavan"
- > Newmarket Stores Limited, trading at "Eurospar, Ennis Road, Newmarket-on-Fergus, Co Clare"
- > Woulfe Service Station Limited, trading at "Mace Maxol, Limerick Road, Ennis, Co. Clare"
- > Tesco Ireland Limited., trading at "Tesco, Ennis Road, Kilrush, Co. Clare"
- > Drinagh Sales Limited, trading at "Drinagh Co-Operative, Drinagh, Co. Cork" (Total Fixed Payment Notices Issued: 2)
- > Edward and Claire Ryan, trading at "Ryan's The Village Grocer, Main Street, Durrus, Co. Cork"

- > Mr. Niall O'Driscoll, trading at "J.J. O'Driscolls Superstore, Ballinlough Road, Cork"
- > AJ Stores Limited, trading at "Centra, Unit 1, Killinarden Shopping Centre, Killinarden, Tallaght, Dublin 24"
- > Ard Services Limited, trading at "Topaz Service Station, Hartstown Road, Clonsilla, Dublin 15"
- > Arun Kumar and Rajan Chandi, trading at "Mace Maxol, Beach Road, Sandymount, Dublin 4" (Total Fixed Payment Notices Issued: 2)
- > Dunnes Stores, trading at "Dunnes Stores, The Pavilions Shopping Centre, Swords, Co. Dublin" (Total Fixed Payment Notices Issued: 2)
- > Fallon & Byrne Limited, trading at "Fallon & Byrne, 11-17 Exchequer Street, Dublin 2" (Total Fixed Payment Notices Issued: 2)
- > Fresh Opportunities Limited, trading at "Fresh, Grand Canal Square, Dublin 2"
- > Grafton Group Public Limited Company, trading at "Woodies, Slaney Road, Glasnevin, Dublin 9"
- > Griffin Parkwest Limited, trading at "Londis, 1 & 2 Sentennial Building, Adamstown, Dublin 22"
- > Halfords Limited, trading at "Halfords, Malahide Road, Dublin 17"
- > Helgian Limited, trading at "Supervalu, 7 Lorcan Avenue, Santry, Dublin 9" (Total Fixed Payment Notices Issued: 2)
- > John Ormsby, trading at "Ormsby's Newsagents, 407 North Circular Road, Dublin 7"
- > LCML Limited, trading at "Eurospar, 625-627 South Circular Road, Kilmainham, Dublin 8"
- > Lidl Ireland GmbH, trading at "Lidl, Racecourse Shopping Centre, Baldoyle, Dublin 13"
- > Messrs. Bill Kiely, Eamonn Mulligan, Derek Plant, Alan Sweetman, trading at "Costcutter, 3 Castlekeep, Balrothery, Co. Dublin"
- > Mr. Anthony Martin Carey, trading at "Carey's, Main Street, Lucan, Co. Dublin"
- > Mr. Kevin Farrelly, trading at "Spar, Waterville Shopping Centre, Blanchardstown, Dublin 15"

- > Messrs. John and Edward Glennon, trading at "Eurospar, Gullivers Retail Park, Northwood, Santry, Dublin 9" (Total Fixed Payment Notices Issued: 3)
- > Nova Aroma Food Limited, trading at "Nova Aroma Food, Crag Crescent, Clondalkin Industrial Estate, Dublin 22"
- > Oxtron Limited, trading at "Supervalu, Raheny Shopping Centre, Raheny, Dublin 5" (Total Fixed Payment Notices Issued: 2)
- > Petrogas Group Limited, trading at "Applegreen, 90 Tyrconnell Road, Inchicore, Dublin 8"
- > Q E C Limited, trading at "Top Oil, Ushers Quay, Dublin 8"
- > Raps Limited, trading at "Spar, 239 Swords Road, Santry, Dublin 9"
- > Robert and Jackie Casey Limited, trading at "Supervalu, Station Road, Lusk, Co. Dublin" (Total Fixed Payment Notices Issued: 2)
- > Stefco Limited, trading at "Spar, Talbot Street, Dublin 1"
- > Tesco Ireland Limited, trading at "Tesco Express, St. Agnes Road, Crumlin Village, Dublin 12"
- > Tesco Ireland Limited, trading at "Tesco, Millfield Shopping Centre, Balbriggan, Co. Dublin" (Total Fixed Payment Notices Issued: 2)
- > Tesco Ireland Limited, trading at "Tesco, Omni Park Shopping Centre, Santry, Dublin 9"
- > Joyce's Supermarket (Tuam), trading at "Joyce's Supermarket, Tuam Shopping Centre, Tuam, Co. Galway" (Total Fixed Payment Notices Issued: 2)
- > Joyce's Supermarket (Athenry), trading at "Joyce's 365, Athenry, Co. Galway"
- > Ricadette Limited., trading at "Londis Mountbellew, Ballygar Road, Mountbellew, Co. Galway"
- > Mr. Gerard Noonan, trading at "Noonan's Gala Express, Rathstewart Service Station, Monasterevin Road, Athy, Co. Kildare"
- > Tesco Ireland Limited, trading at "Tesco Extra, Monread Shopping Centre, Naas, Co. Kildare"
- > Tienda Newsagents Limited, trading at "Lynchs Centra, Main Street, Celbridge, Co. Kildare"
- > Arena Service Station Limited, trading at "Twohig's Supervalu, Church Street, Askeaton, Co. Limerick"
- > CD One Limited, trading at "Carraig Donn, Crescent Shopping Centre, Dooradoyle, Limerick"

- > Belrairie Limited, trading at "Lanney's Supervalu, Market Street, Ardee, Co. Louth"
- > DPL Group Limited, trading at "DPL, Donore Road, Drogheda, Co. Louth" (Total Fixed Payment Notices Issued: 2)
- > Mariangate Limited, trading at "Costcutter, 130 Marian Park, Drogheda, Co. Louth"
- > Trimill Limited, trading at "Morans Eurospar, Bredin Street, Drogheda, Co. Louth"
- > Derfal Limited, trading at "Gulf Oil/Mace, Castlebar Road, Ballinrobe, Co. Mayo"
- > A. O'Gorman & Company Limited, trading at "O'Gormans Supervalu, Market Square Shopping Centre, Carrickmacross, Co. Monaghan" (Total Fixed Payment Notices Issued: 2)
- > Tesco Ireland Limited, trading at "Tesco, Tullamore Retail Park, Tullamore, Co. Offaly" (Total Fixed Payment Notices Issued: 2)
- > John Duffy (Supermarket) Limited, trading at "Duffy's Supervalu, Main Street, Ballaghaderreen, Co. Roscommon"
- > Raftery's (Bellaghy) Limited, trading at "Raftery's Centra, Bellaghy, Charlestown, Co. Sligo"
- > Dunnes Stores, trading at "Dunnes Stores, Harbour Place Shopping Centre, Mullingar, Co. Westmeath"
- > Railway News Limited, trading at "Butlers, 95-97 North Main Street, Wexford"

(ii) Breaches of the Retail Price (Beverages in Licensed Premises) Display Order, 1999

Two Fixed Payment Notices were paid to the Agency.

- > Mr. Patsy Gillespie, trading at "Phil Hegarty's, Main Street, Buncrana, Co. Donegal"
- > Quinn Hospitality Ireland Operations 2 Limited, trading at "Quinns Bar, 42/44 Lower Drumcondra Road, Dublin 9"

(iii) Breaches of the Retail Price (Food in Catering Establishments) Display Order, 1984

One Fixed Payment Notice was paid to the Agency.

- > Mr. Darragh Walsh, trading at "Silver Spoon, Castlecourt Shopping Centre, Castleknock, Dublin 15"

Appendix 2: DJEI Service Level Agreement

A service level agreement (SLA) has been in place between the NCA and our parent department, the Department of Jobs, Enterprise and Innovation (DJEI) since 2012, which is reviewed and signed on an annual basis. The SLA is in place to define the requirements DJEI has of the NCA, within the resources available to the NCA and to assist DJEI in monitoring NCA's performance.

2013

Area	Activity	Estimate	Actual
Enforcement			
	Enforcement actions	100 +	115
	<ul style="list-style-type: none"> ▪ Fixed Payment Notices 		72
	<ul style="list-style-type: none"> ▪ Compliance Notices 		34
	<ul style="list-style-type: none"> ▪ Undertakings 		7
	<ul style="list-style-type: none"> ▪ Convictions secured before the Courts 		2
	Inspection visits to traders	350 +	324
	Product safety investigations	450 +	496
	Product safety Rapex notifications	2,300 +	2,364
	<ul style="list-style-type: none"> ▪ Rapex notifications specific to Irish market 	120	122
	Credit intermediary applications processed	600 +	623
	Pawnbroker applications processed	5	6
Research & Policy			
	Quantitative market research projects	5	5
	Qualitative research projects	2	2
	Price surveys	7	5*
	Formal consultation responses	12	23
	Financial product comparisons - updates	555	540
	Financial product comparisons - products live on site	250	232

* Impacted by vacancies

Information & Education

Public awareness initiatives	56	56
Consumer visits to Agency website(s)	900,000	1,153,124
Number of social media followers	7,250	15,100
Number of newsletter subscribers	22,850	22,934
Helpline consumer contacts	58,000	56,191**
▪ Calls from consumers	52,000	49,832
▪ Emails and other contacts	6,000	6,359
Money Skills for Life - financial education workplace programme		
▪ Number of Money Skills for Life talks	325	207*
▪ Employees reached through Money Skills for Life	10,000	7,200*
Partnering with other organisations on Financial Education programmes	2	1
▪ Circulation of parents personal finance publication - Baby Steps	60,000	60,000

* Impacted by vacancies

** Demand driven

Appendix 3: Consultations responded to during 2013

Financial services - domestic	Consultation issued by
Claims Management Companies	Department of Finance
Code of Conduct on Mortgage Arrears	Central Bank of Ireland
Consultation on the Authorisation Requirements and Standards for Debt Management Firms	Central Bank of Ireland
Consumer Protection in third Pillar Retirement Products	European Commission – DG Sanco
Future of Defined Contribution Pension Schemes	Pensions Board
Guidance Notes on Online and Social Media Advertising	Central Bank of Ireland
Proposal for a Directive on Insurance Mediation	Department of Finance
Proposal for a Directive on Payment Accounts	Department of Finance
Report on Pension Charges 2012	Department of Social Protection
Review of Independent Financial Element of Mortgage Arrears Information and Advice Service	Department of Social Protection
Review of the Regulation of Banking Fees in Ireland	Department of Finance
Updating Consumer Profiles for Contactless Transactions	Central Bank of Ireland
Financial services - international	
Multi-Stakeholder Dialogue on Comparison Tools	European Commission – DG Sanco
Review of Comparison Sites	World Bank
Energy/water	
Economic Regulatory Framework for the Public Irish Water Services	Commission for Energy Regulation
National Smart Metering Programme: Information Channels	Commission for Energy Regulation

National Smart Metering Programme: Pay As You Go	Commission for Energy Regulation
National Smart Metering Programme: Steady State Model	Commission for Energy Regulation
National Smart Metering Programme: Time of Use Tariffs	Commission for Energy Regulation
Other consumer issues	
Complaints and Redress Procedures: Consultation on Proposed Guidelines for Postal Service Providers	Commission for Communications Regulation
Managing Back to School Costs	Joint Oireachtas Committee on Education & Social Protection
Regulation Small Print in Consumer Contracts	Department of Jobs, Enterprise & Innovation
Survey for Vehicle Fuels Market Study	European Commission - DG Sanco

