

“to empower and
protect consumers”



national **consumer** agency
gníomhaireacht náisiúnta tomhaltóirí

Contents

	<i>Page</i>
Introduction/ Chief Executive’s Statement	3
Board Members and Senior Management	4
Our Mission, Vision & Values	5
The Work of the National Consumer Agency	6
Strategic Priorities	12
Strategic Priority 1	13
Strategic Priority 2	22
Strategic Priority 3	44
Strategic Priority 4	49
Corporate Governance	55
Appendices	62

Introduction/Chief Executive Statement

The National Consumer Agency (the Agency) was set up on the 1 May 2007. This Annual Report sets out the activities of the Agency for the period from the 1 January to 30 October 2014. The Agency is pleased to submit to the Minister for Jobs, Enterprise and Innovation the 2014 Annual Report.

The Competition and Consumer Protection Commission was established on 31 October 2014, with the merger of the Competition Authority and the National Consumer Agency, and is now the statutory body responsible for enforcing consumer protection and competition law in Ireland.

This Annual Report outlines the success of the Agency in delivering on our strategic priorities and measures specific activities undertaken and outcomes achieved in the last 10 months before the amalgamation.

The National Consumer Agency was responsible for the enforcement of a wide range of consumer legislation. This was a very broad and challenging remit as we had statutory responsibilities across all sectors where businesses and consumers transact and interact. Against the background of resource constraints, pending amalgamation and the complexity of business to consumer relationships, the areas where we could make the most impact for consumers was prioritised.

This extensive work programme was achieved by a group of hard-working staff, led by a resourceful and committed staff. 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 staff delivered far beyond expectations given our serious resource constraints and our record for 2014 is testament to their determination.

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 2014.



Karen O'Leary

Chief Executive

Board Members and Senior Management

Board Members

During 2014 the Board consisted of:

Stephen Costello - Chairperson

Karen O'Leary - Chief Executive

Georgina Conroy

Marie Dalton

Fergus J Gallagher

Eugene Gallagher

Isolde Goggin

Tina Leonard

Robin O'Sullivan

David Pierce

Colleen Savage

Senior Management

Sean Murphy - Legal Advisor

John Shine - Director of Compliance and Enforcement

Fergal O'Leary - Director of Public Awareness and Financial Education and Director of Consumer Contacts & Insights

Colette Crowne - Secretary to the Board and Director Corporate Services

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 NCA 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.

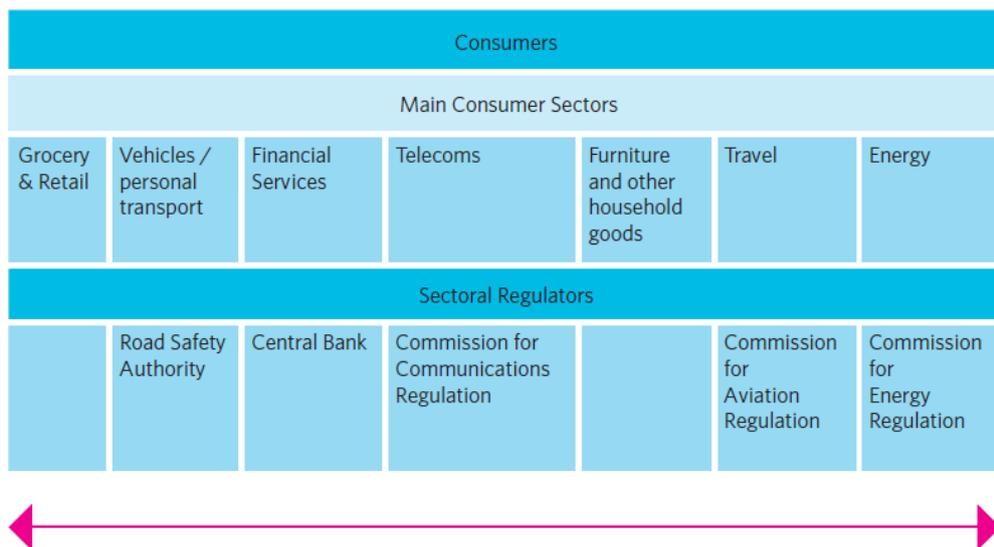


The Work of National Consumer Agency

Up until the 30 October 2014, the National Consumer Agency (the Agency) was the independent State body with responsibility for the enforcement of consumer law. As a statutory body, our remit and functions were established by law, principally the Consumer Protection Act, 2007¹. This Act, alongside other domestic and EU legislation, established requirements and placed limits on what we could do and how we did it. The Agency was funded by a combination of a grant from the Exchequer and a levy on the financial services industry. The latter funded the personal financial information and education functions that were transferred from the Central Bank of Ireland from 1 January 2011.

Context and Challenges

The legislative remit required 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.



The span of our activities was extremely broad given that it was economy-wide and encompassed almost all levels of consumer to business transactions. There were an ever-increasing number of consumer issues that competed for our resources. We therefore frequently made choices in relation to what we did and how to do it most effectively.

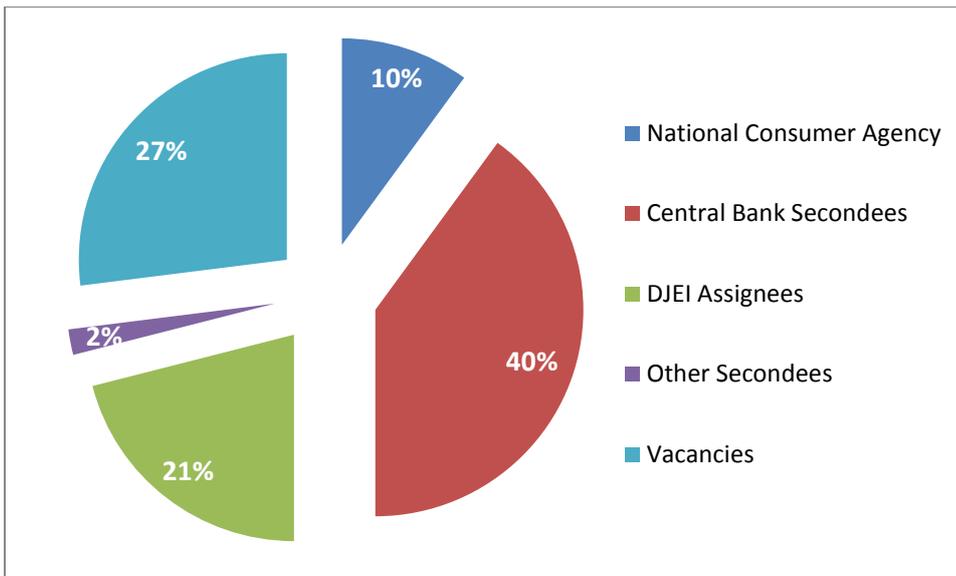
¹ As amended by the Central Bank Reform Act 2010.

Staffing

While demands on our resources continued to increase in 2014 due to more complex consumer markets and the prevailing economic environment, falling staff numbers impacted on how we performed our functions. Resource constraints brought challenges which we met with resilience and determination. It 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 never reached its original full complement of staff. At the end of October 2014, the Agency had an approved staff complement of 37 staff under the ECF, with an actual staff number of 27.8 fulltime equivalent staff. In addition, the Agency had the additional pressure of being overly dependent on staff on temporary secondment or assignment from the civil service and public sector. They comprised the majority of the Agency's Exchequer funded workforce, as only five members of staff were employees of the Agency in 2014.

The fall in staff numbers at the Agency was 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 were funded by way of a levy on regulated financial services providers. By the end of October 2014, the Agency had six levy-funded vacancies. To permanently underpin the transferred functions, the recruitment of ten levy-funded staff was approved in principle in January 2013. To date, two staff have been recruited and the remaining positions will be filled by the newly amalgamated Competition and Consumer Protection Commission in 2015.



Amalgamation with the Competition Authority

In 2008, the Government announced the creation of a combined State Agency with responsibility for enforcement of both consumer and competition law. This new Agency would lead to the amalgamation of the National Consumer Agency and the Competition Authority. The Competition and Consumer Protection Bill 2014 was published on 31 March 2014, enacted on 28 July 2014 and commenced on 31 October 2014, creating a new entity, the Competition and Consumer Protection Commission.

Throughout 2014, the creation of the new body and the amalgamation project was a top priority for the Agency. Significant staff resources were committed to joint working groups with responsibility for delivering operationally-critical outputs both prior to and post-31 October 2014. These working groups focussed on areas such as finance and procurement, human resources, IT, communications and branding. Throughout the project, joint-decision making processes and governance procedures were followed, with close consultation and liaison with the National Consumer Agency Board, the Competition Authority, the Department of Jobs, Enterprise and Innovation and staff in both organisations.

By 31 October, 2014, the following had been delivered:

- A fully integrated corporate structure
- Mission, Vision and Values for the Commission

- Brand and brand guidelines
- An interim launch website
- Communications programmes and procedures
- New financial system
- Over 30 policies and procedures, focussing on HR, communications, finance and procurement, data protection and IT.

All project outputs were delivered on time, in accordance with the project plan, and within the existing budgets of the National Consumer Agency and Competition Authority.

Prioritisation is Essential

Our decision-making approach was based on an assessment of consumer detriment and our decisions were clearly focused on where we could make the greatest impact. Given the option of two competing issues, we endeavoured to choose the issue where we had the best opportunity to mitigate the most consumer detriment.

We gathered 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 arose required us to be flexible and to react quickly to emerging issues.

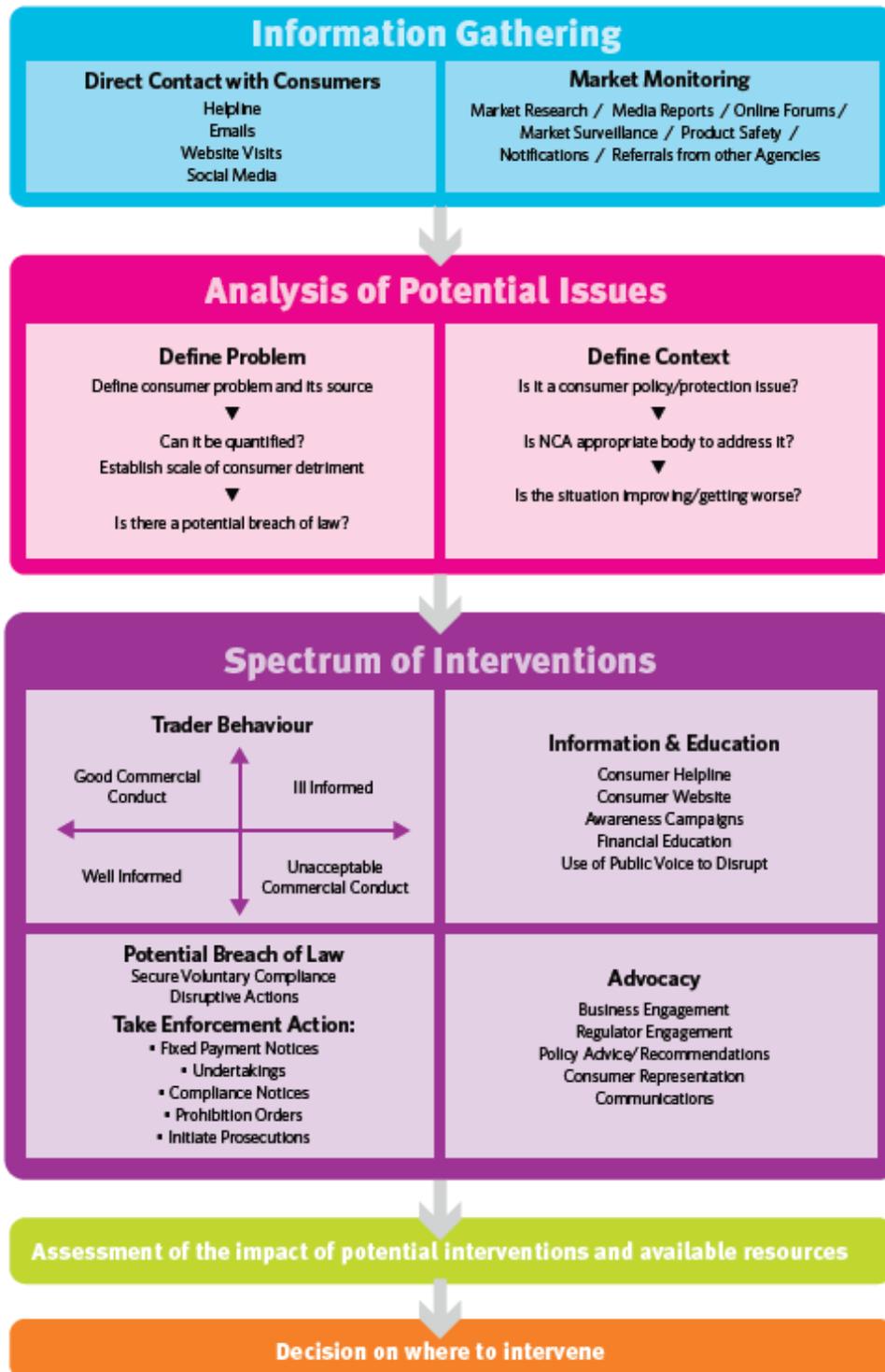
Our interventions focused on the areas where we could make the greatest impact and often involved a number of complementary approaches. In cases where there was a potential breach of consumer law, we took the following into account:

- the likely detriment experienced by consumers;
- the nature of the evidence that was available;
- whether additional evidence needed to be gathered;
- previous trader behaviour and any past actions;
- the motivation ; and
- the level of knowledge of the trader.

We looked for voluntary compliance where that was the most effective and efficient approach or used disruption to interrupt a practice where formal enforcement would have taken too long or

was not justified from a cost / benefit perspective. However, in situations where formal enforcement action was appropriate, we did not hesitate to act and had a range of enforcement tools at our disposal.

Decision Making / Prioritisation



Our Strategic Priorities

In 2013, the National Consumer Agency published its Statement of Strategy for 2013 – 2016. The Statement of Strategy set out the following 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 from 1 January to 30 October 2014 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. This information is published regularly.

Enforcement Tools

Some highlights of our enforcement activity in 2014 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.	3
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.	44

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.	25
Total		72

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. This is a very detrimental activity against consumers with financial and road safety implications. We investigated over 30 cases where breaches of consumer law were suspected in relation to the sale of clocked or crashed cars. Following our investigations, convictions were secured against two individuals and a trader in 2014.

Details of convictions:

- Mr Timmy Keane, a Dublin based car salesman, operating at the former VK Motors premises, 258 Harold's Cross Road, Harold's Cross, Dublin 6W was convicted in the Dublin District Court, in April, of engaging in a misleading commercial practice by providing false information to a consumer in relation to a vehicle's mileage. Mr Keane was fined €500. Following conviction, the Agency secured a compensation order of €7,000 from the Court, against Mr Keane, on behalf of the affected consumer. VK Motors Ltd, formerly trading at 258 Harold's Cross Road, Harold's Cross, Dublin 6W was also convicted of engaging in a misleading commercial practice by providing false information in relation to a vehicle's mileage and fined €500.

- Mr. Brian Fassnidge, formerly operating at Motorcity Naas Road, 15 Naas Road, Dublin 22 was convicted in the Dublin District Court, in September, of four offences under the Consumer Protection Act 2007, of misleading consumers in relation to the sale of crashed cars. Mr. Fassnidge was also convicted of supplying a dangerous product, in breach of the General Product Safety Directive.

Christmas Direct

Following an investigation, enforcement action was taken against Ms Mary Ronan and Mr Damien Daniels, of Rotorua, Ballycraddock, Dunhill, Co. Waterford, trading as Christmas Direct which resulted in five Compliance Notices being issued in connection with contraventions of the Distance Selling Regulations, including the failure to provide information to consumers in relation to their rights to cancellation and refund.

Compliance Activity in the Retail Sector

The Agency receives complaints from consumers regarding potential breaches of pricing legislation in the areas of price display and misleading price indications. During 2014 (January to October), we conducted three pricing blitzes, which involved Authorised Officers inspecting selected traders and, where appropriate, taking follow-up enforcement action. In total, 225 trader premises were visited countrywide across a range of retail sectors. In total, 63 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 forecourt 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, petrol/diesel, hairdressing, and catering establishments.

Product Safety Investigations

From January to October 2014, the Agency investigated 435 product safety cases. Compliance with product safety legislation was achieved in 33% of the cases with appropriate action taken, either with the fault being resolved or the product being withdrawn or recalled from the market. In 53% 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.

Seizure and Detention of Imported Consignments

During 2014, we continued to work closely with Customs Authorities which resulted in six consignments being detained and investigated by the Agency. The goods in question were varied and ranged from assorted toys, electronic ICT equipment, low voltage items, plugs/adaptors and personal protective equipment. Following the investigations it was agreed that all of these consignments would be prevented from entering the market place as the products were deemed to be unsafe.

The following is a breakdown of the separate consignments and the number of units concerned:

Consignment	Number of Units
Personal Protective Equipment (Sunglasses)	7,800
Electrical Low Voltage Items	30
Sunglasses, Toys, Electrical Items & Key Rings	2,586
Low Voltage Items and assorted Toys	1,302
Personal protective Equipment (Sunglasses)	5,000
Computer/Smartphone Equipment	10,270
Total	26,988

Dishwashers

We continued to engage with Bosch Home Appliances (BSH) and Indesit during the course of the year in relation to the progress of the repair programmes being undertaken by the companies due

to a potential fire hazard in relation to certain models of dishwashers. Both companies undertook advertising campaigns in an effort to identify affected consumers.

[Amber Teething Jewellery](#)

Following on from our investigations into the safety of amber teething accessories in 2013, we engaged with a variety of retailers outlining their obligations and highlighting the dangers associated with type of products. All of the retailers contacted have agreed to stop selling the accessories for use by children under 36 months of age and have put the appropriate warnings on the products.

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

[Publication of Guidelines for Businesses regarding Unfair Terms in Consumer Contracts](#)

Following on from earlier work in the domestic waste sector in relation to unfair contract terms, the Agency published guidelines for businesses in 2014 to help them comply with the legislation on unfair terms in consumer contracts so that consumers are dealt with fairly when entering these contracts. According to the legislation, a standard term is unfair if it gives the trader an unfair advantage over the consumer, or takes away the consumer's legal rights. The legislation also requires that standard terms are written in plain and understandable language. Our guidelines are intended to assist in explaining what an unfair term is and how a business can ensure that their standard form consumer contracts terms are fair.

[Ryanair – Sale of Travel Insurance](#)

In September, following an investigation, Ryanair was advised our concerns relating to the manner in which travel insurance was being sold on its website. We considered that Ryanair was presenting information in relation to the sale of travel insurance in a manner which was unclear, ambiguous and could cause some consumers to unwittingly purchase a policy. Following engagement with Ryanair, the website was changed and, in our view, the possibility of a consumer purchasing unwanted travel insurance has been significantly reduced.

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 2014 (January to October), we issued authorisations for 494 credit intermediaries (compared to 453 for the same period in 2013) and received related fee income of €298,787.

Four pawnbroking licences were issued, 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
- 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 €5,079 were received in relation to these applications.

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 2014 (1 January to 30 October inclusive)	
Total RAPEX alerts processed	1,991
Total RAPEX alerts classified as serious risk	1,764
Total RAPEX alerts relevant to Ireland	86
Notified to European Authorities by the National Consumer Agency	9

Alerts notified to the National Consumer Agency by product safety authorities from elsewhere in the EU	77
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Further Information on Alerts Relevant to Ireland

Category	Number
Motor vehicles	59
Electrical appliances and equipment	5
Toys	5
Cosmetics	2
Childcare articles and children's equipment	4
Clothing, textiles and fashion items	4
Communication and media equipment	1
Hobby/Sports equipment	2
Kitchen/Cooking accessories	1
Machinery	1
Chemical Products	1
Miscellaneous	1
Total	86

Type of Danger	Number
Injuries	59
Fire	8
Burns	3
Electric Shock	3
Choking	7
Chemical	3
Microbiological	2
Other	2
Total	86

Product Safety - EU Activity

The Agency continued to engage with various EU product safety committees and working groups including the General Product Safety Committee; the RAPEX Committee (where we are the National Contact Point in Ireland); the Consumer Safety Network and Prosafe, the network of European market surveillance authorities.

We also participated in two EU Market Surveillance projects during the year under Prosafe which covered Cords and Drawstrings in children's clothing and Carbon Monoxide Alarms.

Strategic Priority 2

Empowering consumer 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 2014, we continued to provide information to consumers, in support of our statutory remit, through a variety of channels:

Consumer 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 2014 by 1.2 million visits for the first 10 months of the year.

2014 continued to build on the success of previous year, with online milestones including:

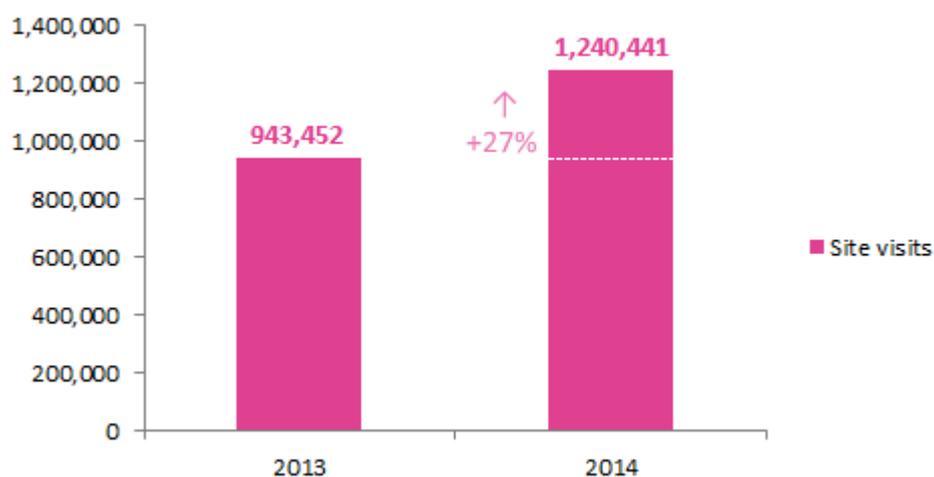
- One million visits to consumerhelp.ie by mid-September.
- In 2014 (January to October) there were a total of 1,240,441 visits to consumerhelp.ie, compared to 1,153,124 (943,452 January to October 2013) in 2013, an increase of 27% compared to the same 10 months in 2013.
- The 1.2 million visits led to over 3.2 million page views during the year.

Throughout 2014, improvements were made to consumerhelp.ie, improving and updating content to reflect changes in legislation and the needs of consumers. Significant redevelopments were included in the 'buying online' section to update the information following the implementation of the Consumer Rights Directive in June, and the 'buying a home' guide was produced in response to the growing number of consumers who were active in the housing market.

Visits to Consumer Website

(first ten months of 2014 compared to the first ten months of 2013)

No. of visits to consumerhelp.ie



Top 10 Most Viewed Pages on consumerhelp.ie in 2014 (1 Jan – 30 Oct)

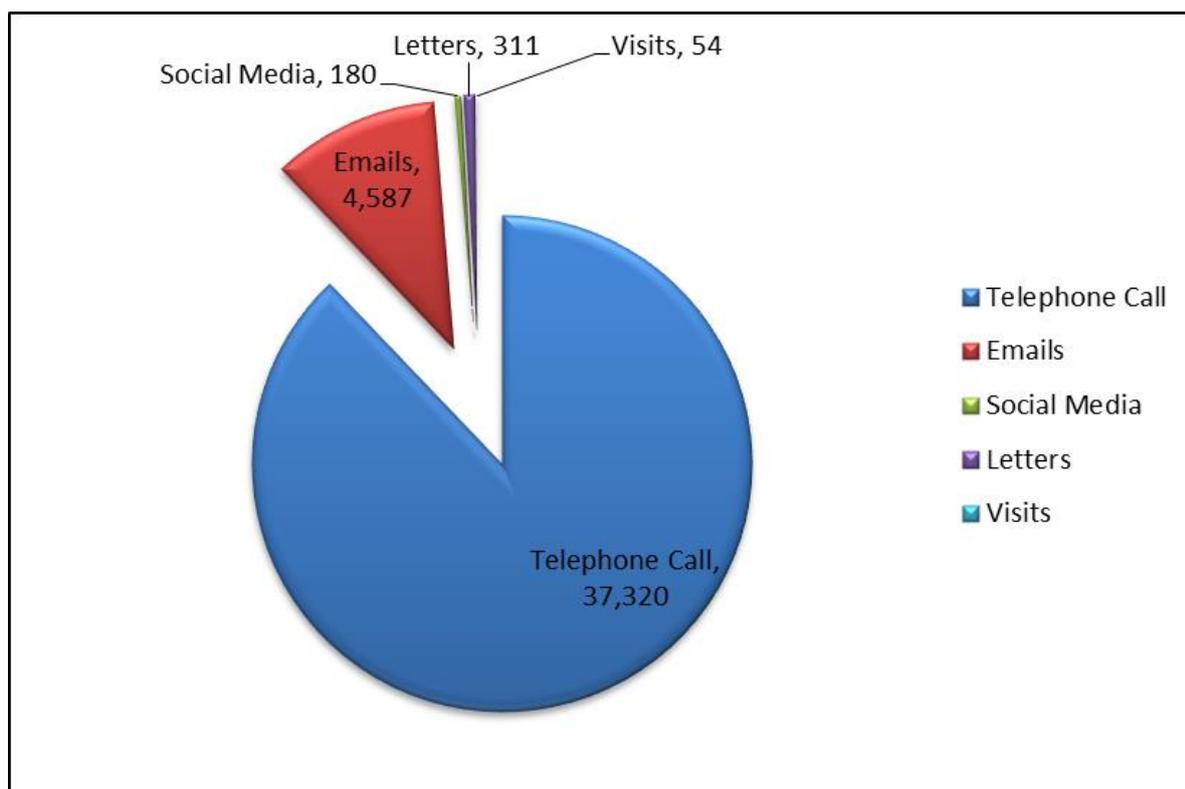
Page

Page views

	Page	Sessions
1	Buying a home step-by-step guide	77,520
2	Lump sum savings account comparison	68,902
3	Faulty goods	59,345
4	Loan calculator	55,068
5	Your rights	50,229
6	Credit card debt	46,819
7	Current account comparison	40,814
8	Budget planner	36,756
9	Saving and investing	34,159
10	Complaint letter template	34,107

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 42,000 consumer contacts were received from 1 January to 30 October 2014.



Consumer Contacts – Companies 2014

From January to October 2014, the Agency received the most contacts about the following companies

Top 10 Companies prompting consumer contacts January – 30 October 2014		
1	Vodafone	1,222
2	Eircom	891
3	Three Ireland	703
4	Meteor	658
5	UPC	622

6	Bank of Ireland	567
7	O2	509
8	Allied Irish Banks plc.	422
9	Harvey Norman	383
10	Powercity	338

Top 10 Products/Services prompting consumer contacts	Number of contacts
Car - Second Hand	2,385
Mobile Phone Handsets	2,023
Clothing	1,407
Internet Services	1,159
PC/Laptop/Notebook	1,141
Mobile Phone Services	1,103
Motor Insurance	989
Mortgages	986
Footwear	703
Landline services	699

Top 10 Issues prompting consumer contacts	Number of contacts
Sale of Goods/Services	14,574
Contracts	4,623
Invoicing/Billing	1,761
Distance Selling/eCommerce	1,117
Pricing	1,086
Deposits	658
Unsolicited/Scam Telephone Calls	509

Customer Service	475
Advertising	432
Product Safety	426

Positive Feedback

The Agency works hard to continually improve the service it gives to consumers and regularly receives positive feedback in relation to the information we provide, some examples of which are outlined below:

Consumer rang to say he had an extremely positive experience when he contacted the helpline in terms of knowledgeability and helpfulness

Consumer said she spoke to retailer and has been offered a full refund and wanted to say thanks for the information.

The consumer called back to say he got the matter resolved and he is very happy with our fantastic service and the information he got was invaluable.

The consumer called back to say she got her issue resolved and said she thinks the NCA is a great service

Consumer rang to say that the helpline was very helpful and that thanks to the information given she was able to get a full refund.

Social Media

The Agency continues to build an audience and engage with 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 October 2014, we had over 15,700

Facebook followers and almost 1,500 followers on twitter. The highest reach for a Facebook post (providing information on what consumers can do if they change their mind after they buy) during 2014 was 3,304 consumers for a non-paid standard post and 175,552 for a sponsored post. In addition to using Facebook to provide information, it has become an important channel for consumer queries, with 180 queries dealt with in the first 10 months of 2014. The establishment of a community of Facebook followers allows consumers to engage with each other and us in an easy way. The followers are maintained through regular, relevant and topical postings. The community have also highlighted consumer issues to us before they have come to our attention through other channels, it is therefore a very useful tool to alert consumers about an important issue.

Media

Traditional media continues to be a key channel in providing information to consumers. In 2014, we successfully pitched a significant 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. Topics included budgeting/ditching credit card debt, shoppers' rights in the sales, bank charges, Money Skills for Life, buying a home, buying a second hand car, teaching children about money, using credit/debit cards abroad, scams, travel insurance and product safety. We also continued to provide content for monthly regional columns in two titles. During the year we also continued with a weekly consumer column in the Irish Independent which responded to readers' personal finance and consumer rights' queries. This finished in August and we began a regular Q and A piece in the Sunday Independent instead. We gave significant numbers of background briefings on a range of consumer topics to the print and online media and to contributors on radio and television shows. In addition to coverage from press releases, we also successfully pitched op-ed pieces and articles by-lined by senior management. This activity enables us to communicate up-to-date, accurate and practical information on a range of issues through the media

Newsletter

In 2014, we issued a monthly consumerhelp.ie newsletter to over 20,000 subscribers. These newsletters highlight topical, relevant and timely consumer information relating to our enforcement actions, consumer rights, product safety and personal finance.

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

In developing public awareness campaigns, our focus is on achieving reach and results. Helpline calls, in-house research and targeted consumer research all inform the development of campaigns in terms of topics, key messages and ensuring that the our information and assistance to consumers is relevant, actionable and timely.

Public Awareness Campaigns

During 2014, we ran an ongoing Adwords and second hand car campaign. In addition our main public awareness campaigns were as follows:

- At the end 2013/start 2014 we ran a 'gift vouchers campaign' targeting both givers and receivers of gift vouchers. The campaign reminded consumers to check terms and conditions and expiry dates and to use vouchers quickly to avoid encountering problems.
- In January we developed a faulty goods campaign to inform consumers of their rights if they are sold a faulty product. The campaign was wide-reaching across radio and online informing consumers of their rights and to encourage them to visit consumerhelp.ie for more information.



- In March and April, we ran a campaign targeting first time home buyers. This online campaign reached consumers through popular property websites with messaging on the steps to take when buying a new home. In conjunction we updated our online information, producing a step-by-step guide for first time buyers. This campaign was very successful, bringing almost 20,000 visitors to the page over three weeks, with an average time on-site of 6.27 minutes.



- From June to September we ran a personal finance campaign, which had three distinct elements; ditching credit card debt, taking control of your finances and saving. The first element was the most successful with a very clear 'call to action' it increased traffic to the credit card information by 600% on the previous month. This campaign reached consumers through online and radio advertising.



- We also ran a wide-reaching brand radio and online campaign at regular intervals from June to October. The campaign 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 ran was higher than the preceding period, and direct traffic increased significantly.
- In addition to the ongoing second hand car campaign in September two home page takeovers on car buyers' sites resulted in an increase of 186% in traffic to the relevant content on consumerhelp.ie when compared with the previous two weeks.
- In September a targeted student online advertising campaign targeting was run on third level students on student sites. This campaign brought students to a mobile optimised page with money saving tips for students and links to student comparisons on current accounts, credit cards and loans. This campaign proved very popular. There were 8,328 visits to the page over this period. The average time on site was substantial at 2 minutes 41 seconds, which is above the site average.

Public Awareness Case Study: Buying online



New EU laws (the Consumer Rights Directive), in place since June 2014, have strengthened consumer rights when buying online. We conducted a public awareness campaign in October to highlight these new rights to consumers. The campaign also targeted Christmas shoppers who may be buying/researching gifts online at this time of year. The campaign included online, social media and radio advertising. The campaign resulted in a 700% increase in traffic to the 'buying online' content on our consumer website – www.consumerhelp.ie with approximately 17,400 visits to the content during the three-week campaign.

The campaign also led to widespread coverage in the media, including national and regional press, online news sites, radio interviews and background briefings with Agency spokespeople.

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 displayed to make it easily accessible for consumers. Accessible and easy to understand pricing information should form an essential part of the basic information informing routine consumer transactions.

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

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 work to create competitive consumer markets and we seek out areas where price transparency is an issue for consumers and work with relevant parties to promote and improve price transparency. Some of our key outputs to achieve this objective in 2014 are outlined below.

[Financial Product Comparisons](#)

Financial product comparisons on our consumerhelp.ie website allow consumers to compare current offers from financial service 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

2014, the comparisons accounted for 22% of the top 10 most visited pages on consumerhelp.ie and the comparisons homepage alone was viewed over 58,192 times.

At the 31 October 2014, the comparisons featured 240 products across nine product categories. A total of 368 updates were conducted from January to the end of October 2014. While the comparisons are always up to date as the data for them is supplied directly by financial service providers, our internal systems and procedures were further improved in 2014 to guarantee accuracy and a regular audit of each product now takes place at least every four weeks.

[Price Transparency Case Study: Prescription Medicines](#)

In February 2013, we conducted a nationwide survey of pharmacists to determine the cost to private customers for a number of commonly recognised prescription medicines. Following this, we engaged with the Pharmaceutical Society of Ireland (PSI) and the Irish Pharmacy Union (IPU) seeking to work with them to improve price transparency in the sector. By the end of October 2014, the IPU had recommended to its members that point of sale information be displayed in pharmacies to advise consumers that there are differences across pharmacies in the price of prescription medicines when purchased privately.

[Price Transparency - Solicitors](#)

During 2014, we continued to work to improve price transparency for consumers using the services of solicitors. This follows a 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. We were consulted on the development of these templates. In July the Law Society approved the quotation templates and these are to be made available in late 2014.

[Price Transparency - CORU](#)

During 2014, the Agency continued to engage with CORU, the regulator for a number of healthcare professions, to promote advance price disclosure. In this regard, the Agency in conjunction with the Competition Authority suggested that the following wording be included in draft Codes of Professional Conduct and Ethics; "to provide full and accurate

fee information to the service user or potential service user, in advance of agreeing to provide your service(s)". This wording was included in the Dietitians, Speech and Language Therapists and Occupational Therapists Codes of Professional Conduct and Ethics which were agreed in 2014.

Help to create competitive markets by encouraging active consumer behaviour

Active consumer behavior brings benefits for consumers themselves in the first instance, 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.

The Agency's research in 2014 showed that the majority of consumers who switched providers saved money. When surveyed, 75% of consumers described the switching process as easy. While these findings were positive, there are still a significant number of consumers who don't consider alternative providers. Also a large percentage of those who have not switched have never checked to see if a better deal is available.

Insurance Surveys

The Agency's research consistently shows that 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. From January to October 2014, we conducted two insurance surveys that highlighted the price differentials between different named providers and

encouraged consumers to make informed choices in the insurance market. The highlights from each of the surveys are as follows

[Life Insurance Survey \(published February 2014\): NCA Survey shows potential savings of over €5,600 available on life insurance](#)

The survey included four consumer profiles, ranging from a consumer who was 23 years of age to a consumer who was 50 years of age. The survey examined quotes from six insurance companies for whole of life insurance, term life insurance and mortgage protection insurance for each of the four consumer profiles. The comparison survey revealed that consumers could make potential savings of €3,087 on mortgage protection insurance and couples could potentially save up to €5,687 on dual life insurance and €3,881 on joint mortgage protection insurance.

The key findings of the survey included:

- Smokers pay on average 85% more for their insurance.
- A small difference in the monthly premium payments can result in very significant savings over the term of the policy.

[Home Insurance Survey \(published July 2014\): Survey shows potential savings of up to €421](#)

The latest home insurance cost comparison survey was published in July. The survey showed that consumers can make significant savings if they get a number of quotes prior to purchasing home insurance. The survey compared quotes from eight insurance companies and highlighted significant differences in quotes, including savings of up to €421 on annual premiums.

Highlights from the survey included:

- Most insurance companies applied the 'average clause' in the case of underinsurance. Consumers were strongly urged to check their property is not underinsured.

- Policy excesses vary depending on reasons for claim. All eight providers surveyed had higher excesses for water damage and subsidence claims.
- Generally insurers operate on a 'new for old' basis when replacing contents, however exceptions may apply in respect of floor coverings, clothing and fabrics where a deduction for wear and tear or depreciation may be applied.
- As a result of the above, the Agency advised consumers not to just compare prices on home insurance quotes but also compare excesses, benefits and key terms and conditions.

Banking & Consumer Behaviour - Research

In February 2014, we published the results of research into banking and consumer behaviour. The research included the following findings:

- 8 in 10 Irish adults currently hold a current account. 34% of current account holders have had their “free” banking withdrawn in the past 12 months.
- The key behavioural changes from losing free banking are; taking out more cash on each withdrawal (28%), using debit cards less often (25%) and using credit card more for routine transactions (13%).
- Nearly 3 in 5 (57%) have never checked to see if there was a better deal/package available.

Consumer Switching Research

In August 2014, we published the results of a market research study on consumer switching behaviour. The key findings include

- 43% of consumers stated that they switched at least one product or service provider within the last year.
- Switching levels are highest for car insurance provider (25%). This is followed by electricity provider (17%), gas provider (17%), gym membership (15%), main grocery shop (14%), and home insurance and broadband/internet provider (13% each).

- Majority (over 80%) of switchers saved money – with average monthly savings resulting from switching being, mobile phone provider (€24), electricity provider (€21) and car insurance provider and gas provider both (€15).
- Over 80% of consumers who switched providers saved money.
- A significant number of consumers said that they have not checked recently to see if there is a better package/deal available to them.

Provide financial education programmes directly to consumers

During 2014, our work in this area focussed on three main activities:

- Workplace programme, Money Skills for Life
- New parents' initiatives, "Baby Steps" and maternity waiting room video
- Second-level Financial Education initiatives for Leaving Certificate Applied and Junior Cycle students

Money Skills for Life

Money Skills for Life is a free one-hour personal finance talk, developed by the National Consumer Agency with assistance from the Workplace Programme Working Group². The talk provides financial education to employees, with the support of their employer. Talks are delivered by a trained presenter and each attendee gets a free handbook to take home.

The talk covers six topics:

- Sorting out your money;
- Saving and investing;

² Members of the working group: AIB, Central Bank, CIB, Citibank Europe plc, Danske Bank, EBS, Insurance Ireland, The Pensions Board, Institute of Banking, Irish Life & Permanent, Bank of Ireland, The Insurance Institute of Ireland, LIA, MABS, Ulster Bank.

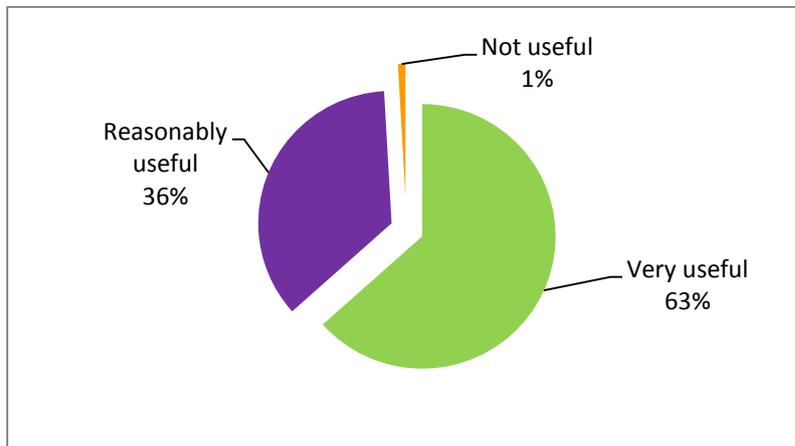
- Insurance;
- Borrowing money;
- Dealing with debt; and
- Planning for later life.

The programme was piloted in 2011 formally launched in April 2012 by Deputy Richard Bruton, Minister for Jobs, Enterprise and Innovation. Since then, the programme has successfully reached employees in public and private sector organisations throughout the country. Talks have been delivered in a wide variety of organisations to groups of 5 to over 200.

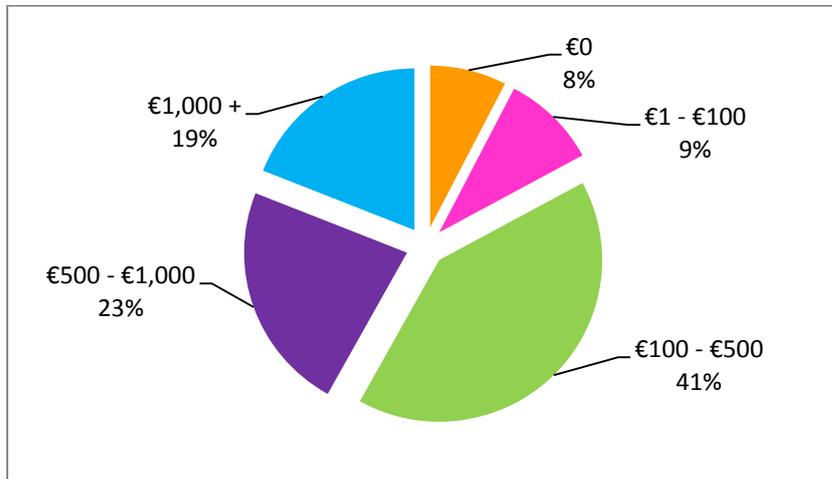
Key Statistics

Month	No. talks given	No. attendees
January	14	468
February	20	760
March	7	247
April	7	325
May	18	430
June	17	458
July	4	85
August	1	40
September	19	1060
October	10	250
Total	117	4,123

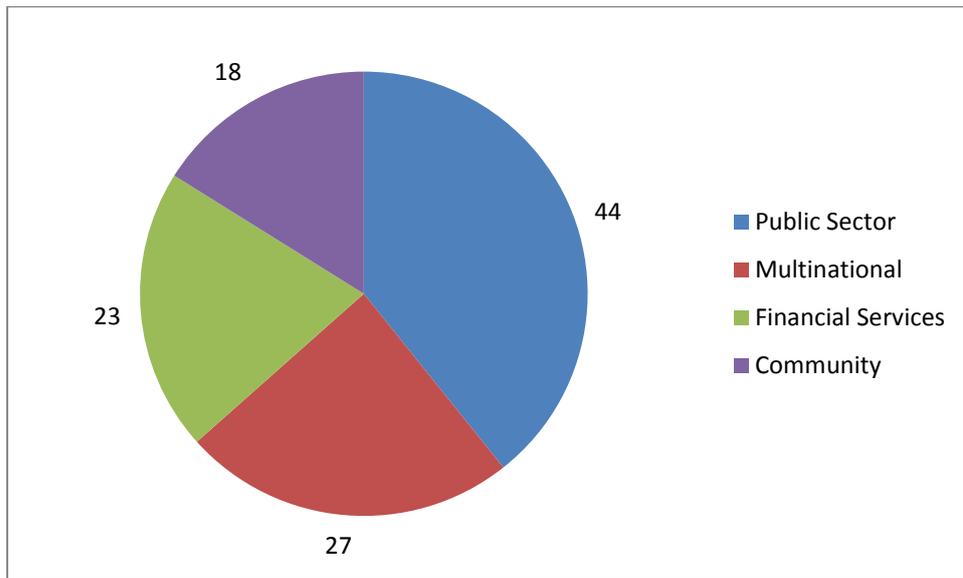
How useful attendees found the talk in 2014?



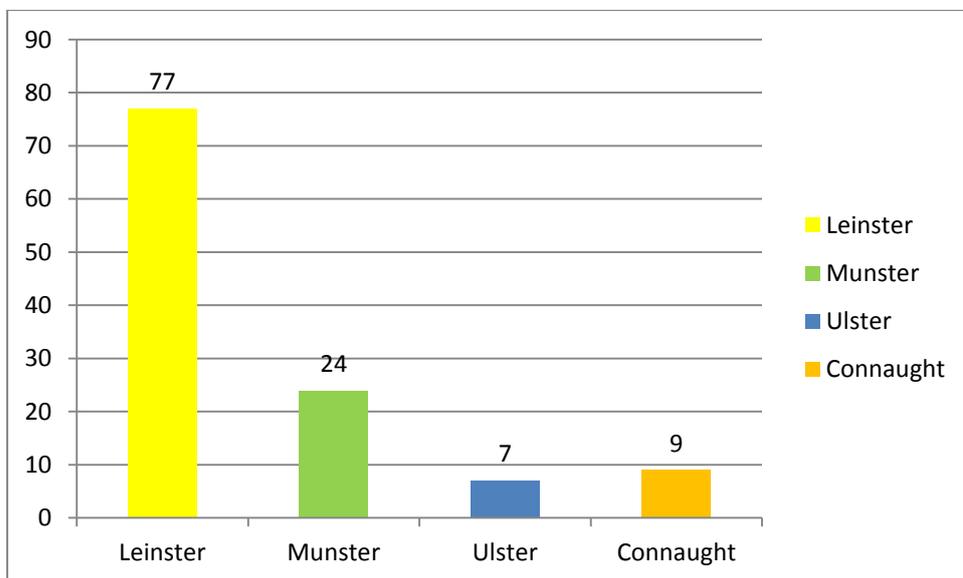
How much attendees think they've saved since attending the talk in 2014?



Types of audience the talks are delivered to



Regional Distribution of talks



Verbatim Employer Comments for 2014

Money Skills for Life is a comprehensive one hour session that everyone will get benefit from. *UCC, Cork*

We found the information contained in the seminar was insightful, practical, simply communicated and very useful regardless of the participant's life stage or personal financial status. *Leinster Rugby*

Helping our employees to be the best they can is part of DoneDeal's culture. Managing your money is a very important part of our lives and the money skills for life presentation was a great way to help anyone kick start budgeting. The large turnout showed that it was a definite area of interest to our employees and the feedback afterwards was very positive. Would definitely recommend it. *Donedeal.ie*

Staff all went away with something to follow up on in their personal finances, a really excellent course for all levels of the organisation. *Bridgestone Ireland*

I would recommend this programme for employers to host for their staff. The presentation and supporting materials are very comprehensive and give all the information for helping staff both save and manage your money. *BDO, Dublin*

I think this is an excellent workshop for anyone in managing their personal finances. No matter how good we are there is always something new to learn. *Letterkenny Chamber, Donegal*

Baby Steps

Baby Steps is a personal finance guide for expectant parents and is distributed directly to parents through maternity hospitals. In 2014, we distributed handbooks to over 43,000 expectant parents nationwide. The programme is designed to be relevant, accessible and user-friendly and supports parents in getting financially prepared for the arrival of a new baby. To complement the handbook, a number of articles were developed. They provide information relating to managing your money when baby arrives, would your family be looked after in the event of your death and teaching your children about money. These are available on Eumom.ie.

[Maternity Waiting Room Video](#)

In addition to these resources and in conjunction with a company called What's Up Mum and the Health Service Executive, the Agency developed a short video clip on managing your money before and after the arrival of your baby. This is currently shown in maternity hospital waiting room screens across the country.

[Second Level Financial Education Initiatives - Money Matters](#)

Money Matters is a resource developed by the Agency in consultation with Leaving Certificate Applied (LCA) teachers. The aim of the resource 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. This programme supports students to develop this key life skill. During 2014, we promoted this resource to schools and teachers and worked to ensure inclusion of the resource at teacher training sessions.

[Junior Cycle Short Course](#)

In addition to the Money Matters LCA resource, we are currently developing a new short course on personal finances and consumer rights for junior cycle students. It is critical to educate students about money management, given how important financial skills are to life.

Strategic Priority 3

Representing consumers 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 Agency's enforcement approach reflects the powers and tools available under the Consumer Protection Act, 2007. 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, an example of this is as follows:.

Sale/Transfer of Loan Books to Unregulated Entities

In 2013, the Agency 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 issue was raised with the Central Bank and the Department of Finance in 2013 with our clear position being that consumers who entered into contracts with regulated entities should be no worse off following the transfer of their loans. We also stated our view that consumers should have access to redress mechanisms, for example to the Financial Services Ombudsman, irrespective of whether the owner of the loan is a regulated entity or not.

In July 2014 the Department of Finance's issued a consultation paper: 'Consumer Protection on the Sale of Loan Books'. In our response we strongly supported the proposed legislation which makes the ownership of credit a newly regulated financial activity which requires Central Bank authorisation. We also welcomed the Government's objective 'to ensure that borrowers whose loans are sold by a regulated entity to a currently unregulated entity will maintain the same regulatory protections as they had prior to the sale'.

We also raised the concerns which it had in relation to the definition of credit being used and also that hire purchase agreements appear to fall outside the proposed legislation.

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 2014, the Agency 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 all consumers in Ireland. Two notable areas in 2014 were as follows:

National Payments Plan

The National Payments Plan (NPP) was approved by Government in April 2013. In 2014, the Agency continued to participate in a number of working groups and was represented on the steering group by the Chief Executive. The objectives of the Agency's 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.

Water Charges

Throughout 2014, we continued to represent consumer interests in relation to the introduction of water charges for consumers in Ireland. Our specific activities in this area in 2014 included membership of the Water Industry Stakeholder Forum and responding to a series of public consultations in relation to water charges .

Working Group Membership

The Agency participated on several working groups during 2014. A record of all the working groups which the Agency participated in are detailed below:

Steering Group/Working Group/Forum	Led by
Communications Subgroup – Implementation Group on Generic Substitution and Reference Pricing	Department of Health
International Network of Financial Educators	OECD
Irish Water Stakeholder Forum	Irish Water
National Smart Metering Programme	Commission for Energy Regulation
National Payments Plan – Card payment Subgroup	Central Bank
National Payments Plan – Cheque Subgroup	Central Bank
National Payments Plan – SEPA Subgroup	Central Bank
National Payments Plan – Steering Group	Central Bank
National Waste Forum	Department of Environment, Heritage and Local Government

Public Consultations

We responded to 11 consultations during 2014. A full list of these consultations is detailed in Appendix 3.

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.

Our strategic priorities can be split between strategic priorities 1, 2 and 3, our frontline commitments to delivering best outcomes for consumers and strategic priority 4 which supports the delivery of these priorities through the effective management of all resources, both human and financial, allocated to the Agency. In addition, strategic priority 4 also covers our governance responsibilities as a public sector organisation.

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

Performance Management

Performance objectives for 2014 were agreed with all staff and were reviewed at mid-year. Training was provided to all managers to provide effective and constructive feedback as part of the Civil Service PMDS and Central Bank PMDP process.

Training

In 2014 a learning and development plan was discussed with all staff, as part of the PMDS/PMDP process and implemented subject to line management approval. The Training Liaison Officer co-ordinated the staff training agreed through the PMDS or PMDP performance management systems.

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

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 project teams are created by assigning the required internal resources with a remit to investigate and develop recommendations. Formal project management training was delivered in 2014 to facilitate this approach.

An example of this was the setting up of an Analysis team. The Analysis team was established to interrogate the helpline database in order to more efficiently identify significant consumer issues and make recommendations to Senior Management for Agency action.

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

Procurement

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

A procurement policy has been in place since July 2012, covering best practice procurement and supporting legislation.

Existing public sector frameworks are used whenever possible to benefit from the cost reduction associated with economies of scale. The Agency participated on ten frameworks in 2014.

Existing procurement frameworks include those relating to the purchase of printer toners, mobile phones and landlines, insurance, couriers, travel agent, translation, branded paper, office paper, envelopes, stationery and office supplies.

Supplier Management and Assessment

All of the Agency's contracts are for a maximum period of 4 years, which must be renewed on an annual basis, subject to a successful outcome of the required review process. During 2014, 8 annual reviews were undertaken and the eight suppliers each received a 'good' rating. In addition, new suppliers are reviewed after the first six months of their contract.

During 2014, 4 tenders were undertaken for work over €25,000 split between new projects (2) and existing projects (2). For the two existing projects, one new supplier was successful.

Evaluation of Financial Education Programmes

Work Place Programme – Money Skills for Life

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 which may be required. This provides vital feedback which is used to ensure the programme continues to be adapted to the changing needs of audiences and also to ensure that presenters receive the necessary support, information and training. Agency staff also spot check talks and any feedback is provided directly to presenters.

Second Level Financial Education Initiatives

The Leaving Cert Applied (LCA) 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 which allows the teachers an opportunity to provide direct feedback. Online surveys are also used to measure the impact of the programme.

Baby Steps

Baby Steps is a personal finance guide for expectant parents and is distributed directly to parents through maternity hospitals. In 2014 this resource was evaluated through online and paper based surveys.

Helpline Quality Assurance

A significant proportion of the contacts received by the Agency's outsourced consumer helpline are subject to a quality control process to ensure that every consumer receives a quality service. Approximately 16% of all consumer contacts were subject to quality control up to 30 October 2014. 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 prior to issue.

In addition to the above, our internal Consumer Contacts team provide extensive training and support to the helpline. Call handling Agents consulted with the Consumer Contracts team on approximately 2,810 consumer contacts up to 30 October 2014. Consultations occur where a consumer query proves particularly difficult or complex in nature and specialist expertise is required to provide useful and actionable information.

Post-Campaign Evaluation

All of the Agency's 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 website visits, increases in traffic to specific information, impact on helpline contacts and 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, the removal of products or product amendments. This is to ensure that the information is always accurate and up-to-date for consumers. In 2014 processes and procedures were further enhanced to improve the quality of the information on the site. This involves systematically comparing, on a regular basis, each product on our site with the provider's own online information.

Detriment Assessment

In 2014 the Agency commissioned the first large scale Consumer Detriment study to be undertaken in Ireland. The study was undertaken by Ipsos MRBI. The aim of the survey was to quantify the amount and type of personal consumer detriment experienced in Ireland in the most recent 12 month period, and to provide a monetary value for total personal consumer detriment experienced.

The study took the form of a nationally representative sample of over 2,500 respondents interviewed face-to-face in their home; all interviews were conducted during May and June 2014. Participants were firstly asked a screening questionnaire in order to identify whether or not they had experienced detriment within the past 12 months. Those that had experienced detriment proceeded to the more detailed core study where they were asked detailed questions on the problems that they had experienced. The findings were published by the Competition and Consumer Protection Commission in late 2014.

Corporate Governance

The Agency was established on 1 May 2007 under the Consumer Protection Act, 2007 and operated in accordance with the provisions of the CPA and under the aegis of the Minister for Jobs, Enterprise and Innovation. The Agency 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 were required to retire each year. The Minister for Enterprise, Jobs and Innovation reappointed the two longest serving members of the Board, Fergus J. Gallagher and David Pierce, on 6 March 2014, until the dissolution of the Agency.

Board Members' Attendance at Board Meetings³

Board Member	2014 Meetings Attended
Stephen Costello	5
Karen O'Leary	5
Georgina Conroy	5
Marie Dalton	4
Eugene Gallagher	5
Fergus J. Gallagher	4
Isolde Goggin	4
Tina Leonard	5
Robin O'Sullivan	4
David Pierce	4
Colleen Savage	3

³ Five Board meetings were between 1 January and 30 October 2014.

Directors' Fees and Expenses ⁴

Board Member	Fees	Expenses
Stephen Costello	€17,045	€2,490
Karen O'Leary	€0	€0
Sean Murphy	€0	€0
Georgina Conroy	€9,943	€0
Marie Dalton	€9,943	€2,146
Eugene Gallagher	€9,943	€0
Fergus J. Gallagher	€9,943	€0
Isolde Goggin	€0	€0
Tina Leonard	€9,943	€0
Robin O'Sullivan	€9,943	€1,503
David Pierce	€9,943	€208
Colleen Savage	€9,943	€0

Board Members - Disclosure of Interest

The Agency was designated as a Public Body with effect from 1 January 2009. Procedures were 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 were provided to the Commission Secretary, Standards in Public Office Commission. In addition, Agency staff members holding designated positions have complied with both Acts.

⁴ The Directors' fees and expenses are for the period from 1 January and 30 October 2014.

Chief Executive Remuneration

The Chief Executive's salary from 1 January to 30 October 2014 was €108,096.80 and her expenses were €189.95. The Chief Executive's pension was in line with the standard entitlements in the model public sector defined benefit superannuation scheme.

Obligations under Code of Practice for the Governance of State Bodies

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

Accountability

Service Level Agreement - Department of Jobs, Enterprise and Innovation

A service level agreement (SLA) was in place between the Agency and the Department of Jobs, Enterprise and Innovation (DJEI) since 2012, which was reviewed and signed on an annual basis. The SLA defined the requirements DJEI had of the Agency, within the resources available to the Agency and assisted 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 had a Customer Charter, available in the 'About Us' 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 was 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 was 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 was in place since 2011 to support staff and Board members who may have had 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 prepared a safety statement that encompassed 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 put in place a process for recording hospitality that was accepted by staff.

Energy Efficiency

Energy Usage in 2014: The Agency worked from 4-5 Harcourt Road, where energy costs are shared between the tenants and are calculated on a pro rata basis. In 2014 (1 January to 30 October), the total energy consumption for the building was 414,599 KWh (Electricity – 251,456 KWh, Gas – 163,143 KWh). The Agency was charged by the anchor tenant for usage of 149,256 KWh (Electricity – 90,524 KWh, Gas – 58,732 KWh) based on the Agency's 36% occupancy of the building from 1 January to 30 October.

Actions Undertaken in 2014: 4-5 Harcourt Road continued to participate in the Office of Public Works Energy Awareness Campaign and a reduction in energy consumption of 24.5% was achieved in 2014.

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 appointed external consultants to act as internal auditor and the following audits were conducted in 2014:

- 2014 of Internal Financial Control (1 January to 30 October)
- Personnel
- Amalgamation Programme
- Finance & Governance Audits – follow-up review
- Compliance Blitzes

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

The Audit Committee completed a Handover Report on the Agency to provide the Commission's new Audit Committee with a summary document outlining the work done to date, ongoing internal audit recommendations and key risks to assist them in bringing continuity into the new organisation.

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 were adopted to ensure the orderly and effective conduct of the meetings of the Board and were drawn up as stipulated in Section 12 (7) of the CPA.

Finance

2014 Financial Statements

At the time of writing, the annual draft financial statements for the year ended 30 October 2014 report expenditure of €3,383,010 for grant assisted activities and €1,824,937 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 provided 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 was outsourced to the Central Bank since it was introduced in 2011, and an Agency Agreement between the Agency and the Bank was in place to cover this process. A collection rate of over 99% of the total levy amount has been successfully collected from 2011 to 2014 from over 600 financial services companies.

Appendix 1: Enforcement Actions taken in 2014

During 2014, the Agency took 72 enforcement actions against traders, which are summarised below.

Number of Convictions: 3

Contraventions of the Consumer Protection Act, 2007 – as described by Section 43 (1) and Section 43 (3)(b)(vii) and contrary to Section 47

- Mr Timmy Keane, a Dublin based car salesman, operating at the former VK Motors premises, 258 Harold's Cross Road, Harold's Cross, Dublin 6W was convicted of engaging in a misleading commercial practice by providing false information to a consumer in relation to a vehicle's mileage. Mr Keane was fined €500. Following conviction, the Agency secured a compensation order of €7,000, against Mr Keane, on behalf of the affected consumer. VK Motors Ltd, formerly trading at 258 Harold's Cross Road, Harold's Cross, Dublin 6W was also convicted of engaging in a misleading commercial practice by providing false information in relation to a vehicle's mileage and fined €500.
- Mr. Brian Fassnidge, formerly operating at Motorcity Naas Road, 15 Naas Road, Dublin 22 was convicted of four offences under the Consumer Protection Act 2007, of misleading consumers in relation to the sale of crashed cars. Mr. Fassnidge was also convicted of supplying a dangerous product, in breach of the General Product Safety Directive.

Compliance Notices : 25

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

Five Compliance Notices issued to Ms Mary Ronan & Mr Damien Daniels, of Rotorua, Ballycraddock, Dunhill, Co. Waterford, trading as Christmas Direct, in connection with contraventions of the European Communities (Protection of Consumers in Respect of Contracts Made by Means of Distance Communication) Regulations 2001.

- Under Regulation 4(1)(a), failure to provide mandatory information to online consumers in a clear and comprehensible manner, namely the existence of a right to cancellation, prior to making the contract;
- Under Regulation 5(2)(a), failure to provide, on the 'Christmas Direct' website, or at the time of delivery, information on conditions and procedures for exercising the right of cancellation;
- Under Regulation 5(2)(b), failure to provide information on the geographical address of the place of the business of the supplier, to which the consumer may address any complaints about the Christmas Direct website, or to consumers at the time of delivery;
- Under Regulation 9(2), failure to inform consumers of their right to a refund of any monies paid by them as soon as possible, and in any case not later than 30 days after being so informed, in cases where Christmas Direct are not in a position to supply the goods or services due to unavailability.

- Under Regulations 9(3)(a) and 9(3)(b), failure in circumstances where goods or services ordered as part of the distant contract are unavailable, and prior to making the distant contract, to notify consumers in a clear and comprehensible manner that they may in these circumstances, be furnished with equivalent goods or services, and if a consumer chooses to exercise their right of cancellation in accordance with Regulation 6, the cost of returning the goods to be borne by Christmas Direct.

Twenty Compliance Notices issued to Traders who charged more for consumer goods than the price displayed, as described by Section 43(3)(c) and contrary to Section 42 of the Consumer Protection Act, 2007.

(Traders listed alphabetically by County)

- Market Hardware Limited, trading at “Market Hardware”, Quin Road Business Park, Ennis, Co. Clare
- Newmarket Stores Limited, trading at “Eurospar”, Ennis Road, Newmarket on Fergus, Co. Clare
- Tesco Ireland Limited, trading at “Tesco”, Ennis Road, Kilrush, Co. Clare
- Clarke Retail Limited, trading at “Spar”, 14 Thorncastle Street, Ringsend, Dublin 4
- Fairview Retail Investments Limited, trading at “Courtney’s Centra Fairview”, 23/27 Annesley Bridge, Fairview, Dublin 3

- Musgrave Operating Partners Ireland, trading at “SuperValu”, The Pavilions, Swords, Co. Dublin
- Musgrave Operating Partners Ireland, trading at “SuperValu”, Ballinteer Avenue, Ballinteer, Dublin 14
- Musgrave Operating Partners Ireland, trading at “SuperValu”, Heuston South Quarter, Kilmainham, Dublin 8
- Ralphps Clonee Limited, trading at “Spar”, Units 1-2 Littlepace Shopping Centre, Clonee, Dublin 15
- Tesco Ireland Limited, trading at “Tesco”, Omni Park Shopping Centre, Santry, Dublin 9
- Tesco Ireland Limited, trading at “Tesco Express”, Lower Kimmage Road, Dublin 6W
- C-Town Limited, trading at “SuperValu”, Ballybane Road, Ballybane, Galway, Co. Galway
- DSG Retail Limited, trading at “PC World”, Unit 5/6 Wellpark Retail Park, Galway, Co. Galway
- M.D. O’Shea & Sons, trading at “M.D. O’Shea & Sons”, Park Road, Killarney, Co. Kerry
- Mr. Maurice Purcell, Ms. Mary Purcell, trading at “Purcell’s Quik Pick Foodstore”, Boherbui, Paulstown, Co. Kilkenny

- Boots Retail (Ireland) limited, trading at “Boots”, Childers Road Retail Park, Childers Road, Limerick, Co. Limerick
- Messrs. John and Edward Glennon, trading at “Spar”, Ballycummin Shopping Centre, Ballycummin Road, Raheen, Limerick, Co. Limerick
- Cloughvalley Stores Limited, trading at “Quinns Superstore”, Castleblaney Road, Carrickmacross, Co. Monaghan
- Tesco Ireland Limited, trading at “Tesco”, Railway Road, Birr, Co. Offaly
- Hammels of Kilmuckridge Limited, trading at “Hammels Centra”, Kilmuckridge, Gorey, Co. Wexford

Fixed Payment Notices : 44

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

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

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

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

43 Fixed Payment Notices were paid to the Agency.

- P & M Lynch Limited, trading at “Eason”, 64/66 Main Street, Cavan, Co. Cavan
- Dunnes Stores, trading at “Dunnes Stores”, Clon Road, Ennis, Co. Clare
- Market Hardware Limited, trading at “Market Hardware”, Quin Road Business Park, Ennis, Co. Clare **(Total Fixed Payment Notices Issued: 2)**
- Newmarket Stores Limited, trading at “Eurospar”, Ennis Road, Newmarket on Fergus, Co. Clare
- Tesco Ireland Limited, trading at “Tesco”, Ennis Road, Kilrush, Co. Clare
- Westlink Service Station Limited, trading at “Westlink Service Station”, Lower Pouladuff Road, Cork, Co. Cork
- Aylwyn Investments Limited, trading at “The Body Shop”, Dundrum Town Centre, Dublin 16 **(Total Fixed Payment Notices Issued: 2)**
- Donnybrook Fair Limited, trading at “Donnybrook Fair”, 89 Morehampton Road, Donnybrook, Dublin 4 **(Total Fixed Payment Notices issued: 2)**
- Fairview Retail Investments Limited, trading at “Courtney’s Centra Fairview”, 23/27 Annesley Bridge, Fairview, Dublin 3
- Griffin Parkwest Limited, trading at “The Market”, Belarmine, Stepside, Dublin 18
- JD Sports Fashion PLC, trading at “JD Sports, Dundrum Town Centre, Dublin 14

- Ralphps Clonee Limited, trading at “Spar”, Units 1-2 Littlepace Shopping Centre, Clonee, Dublin 15
- Spiceworld Wholesale Limited, trading at “Spiceland”, 4 South Richmond Street, Dublin 2
- Tesco Ireland Limited, trading at “Tesco”, Merrion Shopping Centre, Merrion Road, Dublin 4
- Tesco Ireland Limited, trading at “Tesco”, Jervis Centre, Mary Street, Dublin 1
- Ballybrit Forecourt Limited, trading at “Centra”, Ballybrit, Co. Galway
- C-Town Limited, trading at “SuperValu”, Ballybane Road, Ballybane, Galway, Co. Galway
- M.D. O’Shea & Sons, trading at “M.D. O’Shea & Sons”, Park Road, Killarney, Co. Kerry
- Musgrave Operating Partners Ireland, trading at “Supervalu”, Market Cross Shopping Centre, James Street, Kilkenny, Co. Kilkenny
- Mr. Maurice Purcell, Ms. Mary Purcell, trading at “Purcell’s Quik Pick Foodstore”, Boherbui, Paulstown, Co. Kilkenny
- GL Meats Limited, trading at “Garrett’s Butchers”, Unit 3, Castletroy Park Commercial Centre, Castletroy, Co. Limerick
- Messrs. John and Edward Glennon, trading at “Spar”, Ballycummin Shopping Centre, Ballycummin Road, Raheen, Limerick, Co. Limerick

- Belrairie Limited, trading at “SuperValu”, Market Street, Ardee, Co. Louth
- Marks and Spencer (Ireland) Limited, trading at “Marks and Spencer”, Laurence Town Centre, Drogheda, Co. Louth **(Total Fixed Payment Notices Issued: 2)**
- Mr. Sean Mulroy, trading at “Londis”, Mulroy’s Service Station, Moneen Road, Castlebar, Co. Mayo **(Total Fixed Payment Notices Issued: 2)**
- PKD Retail Limited, trading at “Maxol/Mace”, Newport Road, Westport, Co. Mayo
- Thomas Gethin Enterprises Limited, trading at “The Village Store”, Kildalkey, Co. Meath **(Total Fixed Payment Notices Issued: 2)**
- Trizara Limited, trading at “Maxol Service Station”, Flower Hill, Navan, Co. Meath
- Coco Fuels Limited, trading at “Maxol/Spar”, Church Road, Tullamore, Co. Offaly
- Tesco Ireland Limited, trading at “Tesco”, Railway Road, Birr, Co. Offaly
- Mr. James Gully, trading at “Gully’s Daybreak”, The Square, Newport, Co. Tipperary
- Newport Supermarkets Limited, trading at “Ryans Centra, Portryan”, Newport, Co. Tipperary
- Reopetal Limited, trading at “Spar”, Church Road, Newport, Co. Tipperary
- Kelco Tiles Limited, trading at “Right Price Tiles”, Westgate Retail Park, Tramore Road, Waterford, Co. Waterford

- Rooney (Ballymore) Limited, trading at “Rooneys Daybreak”, High Street, Ballymore, Co. Westmeath
- Dunnes Stores, trading at “Dunnes Stores”, Gorey Shopping Centre, Gorey, Co. Wexford
- J & R Oil Limited, trading at “Maxol Service Station”, Main Street, Blessington, Co. Wicklow

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

One Fixed Payment Notice was paid to the Agency.

- Mr. Sean Sheehan, trading at “Clifford Tavern”, Upper Bridge Street, Killorglin, Co. Kerry

Appendix 2: DJEI Service Level Agreement

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

2014

Area /Activity	Estimate (12 months)	Actual (10 Months)
Enforcement		
Enforcement actions	100 +	72
Fixed Payment Notices		44
Compliance Notices		25
Undertakings		0
Convictions secured before the Courts		3
Inspection visits to traders	300 +	225
Product safety investigations	300 +	435
Product safety Rapex notifications	2,400 +	1991
Rapex notifications specific to Irish market	120	86
Credit intermediary applications processed	650	494
Pawnbroker applications processed	6	4
Research & Policy		
Quantitative market research projects	3	2
Qualitative research projects	1	0
Price surveys	3	2
Formal consultation responses		11

Financial product comparisons - updates		368
Financial product comparisons - products live on site		240
Information & Education		
Consumer visits to Agency website(s)	1,200,000	1,240,441
Number of social media followers	16,000	17,200
Number of newsletter subscribers	23,000	20,269
Helpline consumer contacts	51,400	42,452
Calls from consumers	45,000	37,320
Emails and other contacts	6,400	5,078
Money Skills for Life - financial education workplace programme		
Number of Money Skills for Life talks	215	117
Employees reached through Money Skills for Life	7,500	4,123
Partnering with other organisations on Financial Education programmes	1	0
Circulation of parents personal finance publication - Baby Steps	30,000	43,200

Appendix 3: Consultations Responded to During 2014

Financial Services	Consultation Issued By
Consumer Protection on the Sale of Loan Books	Department of Finance
Additional Consumer Protection Requirements for Debt Management Firms	Central Bank of Ireland
Second Consultation on Additional Consumer Protection Requirements for Debt Management Firms	Central Bank of Ireland
Draft Personal Current Account Customer Profiles	Central Bank of Ireland
Energy/Water	
National Smart Metering Programme: Smart Metering High Level Design	Commission for Energy Regulation
Domestic Water Tariffs Principles and Proposals	Commission for Energy Regulation
Irish Water Customer Handbook	Commission for Energy Regulation
The Water Charges Plan	Commission for Energy Regulation
Deemed Contracts in the Electricity and Natural Gas Retail Markets	Commission for Energy Regulation
The Regulation of Household Waste Collection	Department of Environment, Community and Local Government:
Other Consumer Issues	
Reform of the law on Consumer Contract Rights	Department of Jobs, Enterprise & Innovation