

Competition and Consumer Protection Commission

Annual Report 2018

2018

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2018 in numbers

1,607,864

visits to our website



42,364

consumers contacted
our helpline to seek
information about their
rights and
financial services



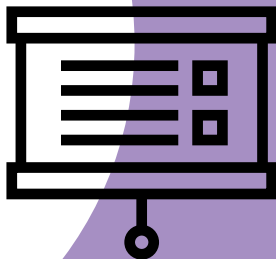
36%

increase in merger
notifications (98)
from 2017



15

Fixed Penalty Notices
issued to traders for
breaches of consumer
protection law



1,910

employees benefitted
from our Money skills
for life financial education
programme

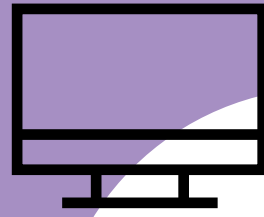
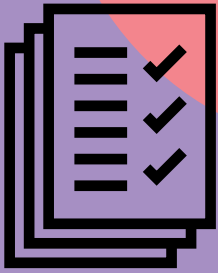
3

studies published
on PCP car finance,
waste and financial
well-being



3

business compliance
guides published on
Bid-rigging, Selling
online and Geo-blocking
Regulation

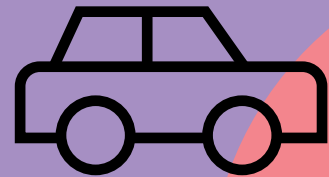


181,172

visits to our
financial product cost
comparisons
on ccpc.ie

€45,000

fine imposed on a
former company
director for engaging
in bid-rigging



8

enforcement
actions against
vehicle traders

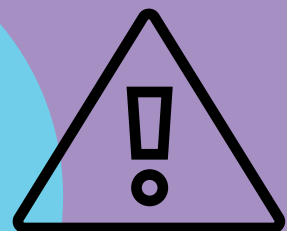


23

new positions
filled across the
organisation

346,739

potentially unsafe
products were
examined because
of our concerns



From the Chairperson



There is almost no area of Irish life that is not touched in some way by competition and consumer protection issues. Our areas of focus are guided by our strategic goals and last year was the first year of activity

under our Strategy Statement 2018-2020. Our outputs highlight the importance of the work of the Competition and Consumer Protection Commission (CCPC) and the role and impact we have on consumers, businesses and society. This was a year when our enforcement activities were combined with proactive business compliance actions to bring about better business conduct. Our advocacy and public awareness work sought not only to empower and equip consumers to make informed choices and assert their rights, but also to highlight the importance of consumer welfare in policy-making.

One of our primary aims is to enable markets to work better. This allows businesses to succeed, and ensures consumers have choice and are protected. Our role in investigating breaches of competition and consumer protection law is at the centre of this and we have taken firm and robust action where failures are evident. Following Ireland's first conviction for a bid-rigging cartel offence in 2017, the sentences imposed were appealed by the Director of Public Prosecutions on the basis that they were unduly lenient and the Court of Criminal Appeal duly increased the fine handed down from €7,500 to €45,000. Our investigations in the motor insurance and ticketing sectors continued as we examined numerous lines of enquiry. We issued clear warnings to trade associations where we had concerns about anti-competitive conduct and we took numerous enforcement actions in the motor sector.

2018 was an important year of progress in terms of our legislative powers. We saw the advancement of the European Commission's ECN+ Directive which is an important piece of legislation that will bring us in line with other European countries by allowing non-criminal financial penalties for breaches of competition law. We welcome the ongoing progress in the implementation of this Directive.

We engaged with businesses across the country to help them to ensure that they met and understood their obligations under competition and consumer protection law. 2018 was the most active year on record for merger and acquisition activity notified to the CCPC and during the year, we issued 95 determinations. We also opened a consultation to inform the development of a simplified merger procedure to increase the efficiency of Ireland's merger control regime.

Improving consumer welfare is the guiding principle for everything that we do. In specific sectors, we have worked to inform the development of policy that enhances competition and consumer welfare. Our report 'The Operation of the Household Waste Collection Market' was a significant and important body of work due to the sector's wide-ranging impact and environmental and societal needs. Our report set out the evidence on the need for an enhanced regulatory regime. We also advocated for a holistic approach to responding to issues in the agri-food sector, outlining our views on the upcoming Directive on Unfair Trading Practices.

Our report on Personal Contract Plan car finance was an important step in understanding this growing market. It was clear from our research that there is an inherent complexity in this financial product and we advocated for legislative changes to improve the underlying consumer protection structures. Following on from this research, we carried out an extensive awareness campaign to help inform consumers and to provide a resource where consumers' questions could be answered. We also carried out a major study into financial well-being which informed not only our own work in the area of financial education, but provided a solid basis for the consideration of appropriate interventions by other stakeholders.

Our annual report demonstrates clear progress in our commitment to meet our strategic goals. I am particularly proud of our impact in 2018, given the ever-increasing complexity of markets and the demands on our resources. It presents a significant challenge to meet these demands, especially in an environment where we need to constantly assess our priorities. In 2018, in common with many organisations, Brexit posed an immediate priority. We were part of the wider Government assessment and preparation in advance of Brexit and published research by the Economic and Social Research Institute on the potential impact of Brexit scenarios on Irish households.

On behalf of the Commission I would like to express my gratitude to the staff of the CCPC whose effort and dedication has made all of this work possible. This is a changing organisation that is defined by the commitment of its people. It is an organisation that has had to adjust and expand and meet increased responsibilities and challenges. Our staff come from a variety of backgrounds and specialisms and it is this diverse mix of people that, working together, successfully bring their experience and expertise to bear to solve issues in markets.

I would also like to acknowledge the ongoing support of our parent Department, the Department of Business, Enterprise and Innovation. Our vision for open and competitive markets where consumers are protected and businesses actively compete, remains as important as ever. It is the necessary ingredient for innovation and expansion and it is the safety net that gives consumers the confidence to trust in the market. I am confident that 2019 will see the CCPC develop this further and spread that message. We will continue to enforce, protect and inform where it is needed most and work towards markets that work better for all.



Isolde Goggin

Chairperson

Making an impact in priority markets

We use our enforcement and regulatory powers to make markets work better and get the best results for consumers. Our dual competition and consumer protection mandate allows us to assess and intervene in markets from both of these perspectives. Last year we were involved in assessing numerous markets across the economy. Below are four case studies of markets where we identified issues and used our resources to improve consumer welfare.



Case study 1:

Increasing awareness of bid-rigging

Anti-competitive conduct increases business costs and can make Ireland a less attractive place to do business. Bid-rigging, which is a form of cartel, in particular distorts the competitive tender process and can result in artificially high priced bids winning the contract. It is a serious form of anti-competitive behaviour and occurs when a number of suppliers come together and agree to manipulate a tender process. Cartels are, and will continue to be, one of the CCPC's main enforcement priorities.

Securing Ireland's first criminal conviction for a bid-rigging cartel offence

Ireland's first conviction for a bid-rigging cartel offence occurred in May 2017 when Mr. Brendan Smith and Aston Carpets and Flooring pleaded guilty to implementing and taking part in an anti-competitive bid-rigging agreement in the procurement of flooring contracts for the offices hosting major international companies between 2012 and 2013. This followed an investigation by the CCPC and subsequent prosecution by the Director of Public Prosecutions (DPP). Mr. Smith was convicted of impeding a criminal prosecution and given a three-month suspended sentence. Mr. Smith was also fined €7,500 and disqualified from acting as a company director for a period of five years. Aston Carpets and Flooring was also fined €10,000.

The original sentences imposed by the Central Criminal Court in 2017 were appealed by the DPP on the basis that they were unduly lenient. In June 2018, the Court of Criminal Appeal increased the fine handed down to Mr. Smith to €45,000.

Raising awareness

During 2018, raising awareness about bid-rigging was a high priority for the CCPC and we worked with State agencies and organisations to develop awareness of the warning signs of bid-rigging and explore the potential of developing screening processes that will both detect and deter bid-rigging generally.

Our work included:

- Hosting a workshop, 'Screening for Bid-rigging in Public Procurement,' for procurement officials at which delegates from the Dutch, Portuguese and Swiss competition authorities delivered informative presentations to an invited audience from across the State sector dealing with public procurement. Information was also shared on different methods that are used to detect bid-rigging, including new screening tools being developed internationally that will be better at detecting patterns.
- We developed a new bid-rigging information booklet and checklist for businesses involved in procurement, highlighting the common signs of collusive tendering and information on steps that can be taken to mitigate them.
- We presented at Public Affairs Ireland's 'Certificate in Public Procurement' course. The CCPC is a regular guest speaker on this course. Our presentations aim to raise awareness of bid-rigging among attendees from local authorities and other public bodies and to inform them of the CCPC's role in this regard.

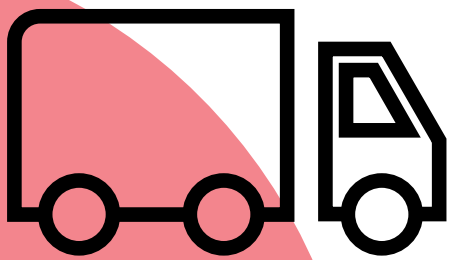


Case study 2:

Ireland's waste market

Over the years, the CCPC has had significant engagement with the waste sector, from both a competition and consumer protection perspective.

Last year we examined this market from a number of different perspectives, including publishing a detailed study of the market, issuing two merger determinations, examining complaints in relation to potential anti-competitive behaviour and providing information to the consumers who contacted us about their consumer rights.



'The Operation of the Household Waste Collection Market' Report

Following a request from Government, in September 2018 we published a report assessing how the household waste collection market operates in Ireland. Our report examined the market from the competition, consumer protection and regulatory perspectives. We examined the current structure and the evolution of the waste collection market, the economic theory behind utility markets and compared Ireland's market to those of other European countries.

The report found that Ireland's waste collection sector is complex and atypical among other European States, with State, commercial, and consumer interests continually overlapping and often in conflict with each other. And in our report we made recommendations to ensure that the waste market delivers the best outcomes for the State, consumers and operators. Our recommendations included:

- Establishing an economic regulator for household waste collection.
- Reviewing the Government's 2012 policy document, "A Resource Opportunity: Waste Management Policy in Ireland" on foot of the evidence collected by the CCPC.
- Ensuring that all of the State's resources are co-ordinated to deliver optimal outcomes for this market.



Engaging with industry stakeholders

Following the publication of the report, a key priority for the CCPC was to highlight the findings to stakeholders. This activity included meetings with:

- The Minister and Department of Communications, Climate Action and Environment.
- The Department of An Taoiseach.
- Waste Regional Offices.
- The County and City Management Association.
- The National Waste Collection Permit Office.
- The Irish Waste Management Association.

The Irish Waste Management Conference is the national conference for waste management companies, environmental engineers, senior business professionals and local authorities. This conference provided a further opportunity for the CCPC to engage with the sector. In November 2018, Fergal O’Leary, Member of the Commission, delivered a presentation to over 350 attendees at this conference. Along with providing details on the relevant competition and consumer protection legislation and the CCPC’s work in the sector, the presentation set out the findings of our waste report, and how the findings could be used to help industry, consumers and the State to develop the waste sector into the future.



Fergal O’Leary, Member of the Commission speaking at the Irish Waste Management Conference in November 2018.



Great presentation on the role played by @ccpclreland in the Irish waste industry in @CrokePark followed by a ‘lively’ discussion on the characteristics of the Irish Market. #irishwasteconf

Waste mergers

Every year we review proposed mergers and acquisitions which reach certain financial thresholds to determine whether the transaction could result in a substantial lessening of competition in a particular market. Last year, we examined two transactions in the waste sector: Thornton’s acquisition of A Plus and the acquisition by Enva of the Rilta Group. The Thorntons/A Plus transaction was cleared unconditionally.

In relation to the Enva/Rilta transaction, we undertook a significant Phase 2 investigation and analysed the likely competitive impact of the proposed transaction across multiple waste management markets. This analysis identified competition concerns in three markets in the State. To address the identified competition concerns, the parties submitted proposals providing both structural and behavioural remedies. We concluded that these commitments were sufficient to address the identified competition concerns and cleared the transaction.

Case study 3:

Motor sector

Our work is informed by consumer contacts, information that we gather through complaints and our own market intelligence. This information has helped inform our work in the motor sector. Last year we were particularly active in the areas of vehicle crime, Personal Contract Plan (PCP) car finance and motor insurance.

What we heard from consumers

In 2018, the CCPC received a total of 3,880 contacts from consumers requesting information on motor-related issues. This information was extremely valuable in helping to inform our enforcement actions against car traders who misled consumers in the sale of a crashed or clocked car. The contacts we received and the information we obtained through consumer research also helped inform our PCP report. Below is a breakdown of the main issues highlighted to us by consumers.

Tackling vehicle crime

Misleading a consumer about the history of a car is an offence under the Consumer Protection Act 2007. Not only can it be costly for the consumer but critically, it can be dangerous. In 2018, tackling vehicle crime continued to be a priority for the CCPC. Throughout the year we carried out a number of unannounced inspections at motor garages around Ireland and used our powers to challenge and take enforcement action against traders found to be misleading consumers. In summary:

- We inspected six vehicle traders' premises in Dublin, Kerry and Limerick and carried out three unannounced searches under warrant of suspected disguised traders in Carlow, Dublin and Meath.
- We served four compliance notices on traders in Dublin, Louth and Galway and obtained a further four undertakings from traders in Dublin, Monaghan and Limerick who were in breach of consumer law.

Consumer contacts on motor related issues	
Motor Insurance	1,259
Faulty Car	688
Car Repair/Service Issue	477
Guarantee/Warranty Issue	328
Clocked/Crashed Cars	296
Car Rental	227
Car Finance including PCP	220
Charges - Unexpected/Excessive/Unauthorised	195
Poor Quality Service	190

PCP car finance

In March 2018, we published a detailed report analysing the PCP car finance market in Ireland. This was prompted by the growing popularity of this type of finance, the large sums of money involved and the complexity of the agreements. Our report contained the first public analysis of the PCP market in Ireland, explored consumers' experiences to-date and assessed the consumer protections in place for those who sign up to PCP contracts. We strongly believe that further protections are needed in this market and we made a number of recommendations to policymakers in relation to actions that could be considered to help safeguard consumers into the future.

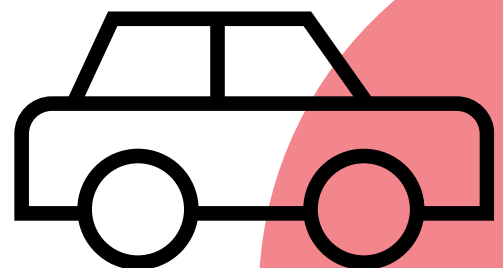
To improve consumers' understanding of PCP car finance, we reviewed the information we provide to consumers on our website and conducted a public awareness campaign on 'buying a car' in May 2018. From our contacts with consumers, we are aware that when buying a car, there is the potential for significant detriment, both financially and to the consumer's safety, if consumers sign up to a finance agreement that they don't fully understand or if the car later turns out to be faulty, clocked or crashed. The aim of our campaign was to inform consumers about what to consider when financing a car using PCP finance. Over the five-week campaign, our PCP videos received over 539,000 views and reached an audience of 3.1 million on social media. Through our digital media partnership with the Journal.ie, our car-finance related articles received almost 100,000 views and we reached audiences of more than 1.1 million through our relationships with other media outlets. Our website content also received 31,000 views.



'A partnership with the journal.ie for our 'buying a car' campaign

Motor insurance

Last year we made further progress in our motor insurance investigation, examining considerable information and potential lines of enquiry. We are investigating whether insurers, brokers and industry associations engaged in anti-competitive price signalling and information sharing by openly signalling upcoming increases in motor insurance premiums in the State. Our investigation is of the utmost priority for the CCPC and we continue to invest significant resources in our work in this sector, not just in terms of our investigation, but from an advocacy and consumer information perspective. Last year, we met with the Department of Finance and the Department of Justice and Equality to outline our views on the development of insurance databases as part of the work of the Cost of Insurance Working Group, and how making such data more openly accessible to market participants had the potential to positively impact competition.



Case study 4:

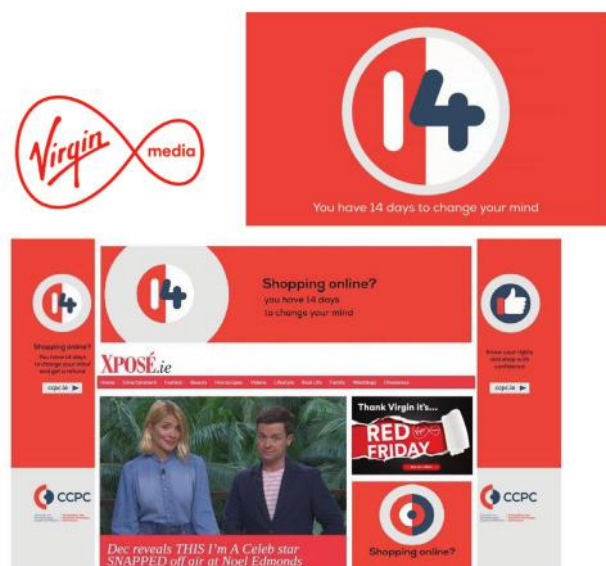
Retail sector

Each year in the build-up to the busiest shopping periods of the year (Black Friday and Christmas), we run information campaigns to help consumers understand their rights when they shop online, buy in the sales or have issues with faulty goods.

Buying online campaign

We launched a 'buying online' campaign in November to remind consumers that they have strong rights when they buy online from a company based in the European Union (EU). Our campaign consisted of a TV partnership, digital display, social media, a digital partnership and paid search. Over Black Friday/Cyber Monday weekend we sponsored all unsponsored TV programmes across the three Virgin Media TV channels. These advertisements were a big success with 479,000 adults aged 18-44 seeing them at least once. We also had bumper video advertisements on YouTube to target 'heavy

online shoppers' in the build up to Black Friday and Cyber Monday. These advertisements received 1.3 million views. Also, as the campaign was coming to an end, on 2 December we ran a high impact display format, YouTube Masthead, to remind consumers that they have rights when they shop online. The format ran across desktop and mobile and was displayed over 8.4 million times which was a record-breaking result for this format in Ireland.



'Buying online' campaign launched in November.



Help for businesses

Last year we undertook our first major business information campaign and developed information booklets aimed at helping businesses who sell online to understand their rights and responsibilities under

consumer protection law. This campaign was particularly focused on helping small businesses or those who have recently started to sell online, setting out the responsibilities online retailers have to consumers under the Consumer Rights Directive (CRD). To help inform our campaign we commissioned research to gauge awareness of the CRD among 200 Small to Medium Enterprises (SMEs) involved in online retailing.



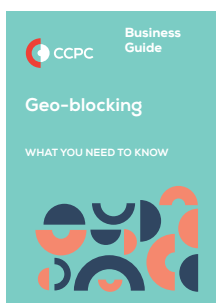
The research showed that while the vast majority of companies reported that they are aware of, and adhere to, the CRD's requirements to refund customers who cancel their order for any reason within the legal time frame, there were considerable variations in the time frames businesses gave consumers to cancel, return their order and get a refund.

Our research findings:

- Most companies that sell online offer refunds for customers who change their minds, with 82% of them allowing at least 14 days, which is the statutory requirement.
- Over a third (39%) calculate the 14 days from either when the order is placed or the goods have been dispatched. It should be calculated from the day the goods are received.
- 25% alter their 'change of mind policy' when items are on sale. Consumer protection law applies irrespective of whether an item is discounted.



Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection, Pat Breen TD, with Fergal O'Leary and Martina Nee from the European Consumer Centre at a photo call to launch the commencement of the Regulation.



Geo-blocking

In December 2018, the new Geo-blocking Regulation, for which the CCPC is the enforcement body, took effect. During the year, we worked with DBEI and the European Commission to prepare for the commencement of the

Regulation in Ireland. Under this new legislation online traders selling goods in any EU Member State will no longer be able to refuse a sale based on the consumer's nationality or location. We also developed a guide for businesses to help them comply with the new Regulation and in early 2019 will be running advertisements to make businesses aware of the Regulation and the CCPC's resources.

Strategic Goal 1

We will use our statutory powers to increase compliance with competition and consumer protection law, taking enforcement actions where appropriate.

Highlights

Operating an effective merger regime

The year in summary

Last year was the most active year on record in terms of merger notifications to the CCPC, with a total of 98 mergers notified to us. This represents a 36% increase when compared to 2017. During 2018, we issued 95 determinations. The number of complex mergers also increased as there were 14 extended Phase 1 investigations, three of which required a Phase 2 investigation. In spite of the significant increase in merger notifications, the CCPC issued a Phase 1 decision in an average of 24 working days, which is consistent with our 2017 timelines.

Real estate was the most active sector for merger activity. Information and communications, healthcare and financial and insurance services were also prominent. There was also increased merger activity in both the motor sector and in the entertainment and recreation sector. In the case of five mergers, formal commitments to address competition concerns were required and obtained from the merger parties. The types of commitments obtained ranged from requirements to divest significant business facilities to restrictions on access to confidential information amongst parties.

Developments in merger policy

On 2 October 2018, the Minister for Business, Enterprise and Innovation, Heather Humphreys TD, signed an order which revised the financial thresholds at which a merger or acquisition must be notified to the CCPC. The new thresholds are effective from 1 January 2019 and mean that a merger or acquisition must be notified to the CCPC if, in the most recent financial year:

- The aggregate turnover in the State of the undertakings involved is not less than €60,000,000 (increased from €50,000,000) and;
- The turnover in the State of each of two or more of the undertakings involved is not less than €10,000,000 (increased from €3,000,000).

In November 2018, we undertook our own public consultation to invite stakeholders' views on whether we should introduce a simplified procedure for the review of certain mergers on the basis that they clearly do not raise competition concerns. At the end of 2018, we were in the process of reviewing the responses.

We believe that the new financial thresholds and a simplified notification procedure will improve the efficiency of Ireland's merger regime and will help us ensure that our efforts are focused on those transactions which present a significant risk to competition and are most likely to harm consumers and businesses.

Ireland's first criminal investigation involving "gun-jumping"

In 2018, a file was referred to the DPP following a criminal investigation by the CCPC into a suspected incident of "gun-jumping" i.e. where a merger that meets the turnover thresholds was implemented without being notified to, and cleared by, the CCPC. We had received information indicating the possibility that Armalou Holdings Limited, through its subsidiary Spirit Ford Limited, had acquired Lillis O'Donnell Motor Company Limited without notifying the transaction to us.



Legal briefing

In December, we invited stakeholders in the legal community to a briefing. The aim of the briefing was to discuss recent developments in Irish merger control and to provide a more in-depth look into our merger function and the likely challenges ahead.

Full details of our merger activity for 2018 are available in the CCPC's Merger and Acquisitions Report 2018 on ccpc.ie.



Brian McHugh, Member of the Commission and Ibrahim Bah, Director of Competition Enforcement and Mergers Division discussing recent developments in Irish merger control with invited stakeholders from the legal community in December 2018.

Keeping consumers safe

We enforce product safety legislation for a wide range of non-food consumer products covered by three EU Directives and two EU Regulations. Our aim is to ensure that goods placed on the Irish market do not pose a safety risk to consumers. Each year we investigate hundreds of potentially unsafe products, we inform consumers of product recalls and we alert consumers in Ireland to safety warnings from other EU States.

In 2018, a total of 42 consignments containing approximately 346,739 items were referred to the CCPC by Customs. These products ranged from an assortment of toys, sunglasses, kitchen appliances, electronic IT equipment such as chargers/adaptors, to hoverboards and other low voltage electrical equipment products. Following our investigations, we determined that 30 of these consignments, containing approximately 33,688 items, did not meet the requirements of relevant product safety legislation and could not be placed on the Irish market.

In September, we issued 'Seizure and Disposal Notices' to three economic operators, who had imported consignments of electrical products which posed a risk to consumers and did not comply with the requirements of the European Union (Low Voltage Electrical Equipment) Regulations 2016 (Low Voltage Regulations). We directed the seizure and disposal of these products.

During the year, we undertook proactive inspections to assess the compliance and safety of mobile phone chargers and other similar electrical equipment products. This included inspections of Christmas markets on Henry Street in December which we undertook alongside other enforcement authorities. The aim of our inspections was to verify that traders and the products they were selling complied with relevant product safety legislation. During our inspections we found that a number of products were non-compliant with the Low Voltage Regulations, as some of these products did not have CE markings, manufacturer's name and address or clear warning labels. As a result, a number of products were withdrawn from sale on a voluntary basis by relevant traders.

Consumer protection

As part of our consumer protection remit, we undertake unannounced inspections to monitor compliance with a number of consumer protection legal requirements. These inspections focus on on-premises, off-premises and distance sales.

Last year, we carried out a number of themed on-premises compliance checks with a focus on retail pricing requirements, including misleading price indications and hallmarking. Our teams inspected 78 traders which resulted in 15 Fixed Penalty Notices and five Compliance Notices being issued for particular breaches.

More details can be found in the Consumer Protection List in Appendix 3 of this report. Outside of the inspection framework, we also achieved compliance without reverting to enforcement measures by engaging with a number of traders for particular breaches.

Our work in Europe

The CCPC, through a network called the Consumer Protection Cooperation Network (CPC), works with other national consumer protection authorities to enforce European consumer protection law. Under the CPC framework, any authority in a country where consumer protection law has been broken can ask its counterpart in the country where the trader is based, to take action. Authorities can also alert each other to malpractices that could spread to other Member States and, with the European Commission's support, authorities can coordinate their approaches to applying consumer protection law so as to tackle widespread infringements.

In 2018:

- We participated in the annual CPC sweep. The sweep is a set of checks that are carried out by the CPC Network across Europe. These checks show whether traders comply with consumer protection laws. Where the checks reveal potential breaches by Irish traders, the CCPC contacts the relevant companies and asks them to take steps to address the identified issues. Price transparency was the focus of the 2018 CPC sweep. Some of the potential concerns identified included how prices and special offers were presented; the accuracy of information in relation to consumers' right to cancel and exercising that right; and the absence, or accessibility, of a link to the European Online Dispute Resolution platform.
- We engaged with the French consumer protection authority (DGCCRF) in relation to complaints from Irish purchasers of French leaseback properties. Last year, the DGCCRF carried out a review of information we provided in 2017 and 2018, of over 150 complaints about potential breaches of consumer protection legislation. Following a request from the DGCCRF, the CCPC contacted 49 Irish complainants to collate additional documentation. As consumers in other jurisdictions have also been impacted by this issue, we also continued to liaise with the Competition and Markets Authority in the UK in relation to this matter.
- We actively contributed to the CPC Network's engagement with Airbnb to address concerns relating to their terms and conditions, as well as the presentation of prices on their website. Following this engagement, Airbnb committed to implement changes in 2019 which included:
 - » Presenting the total price of bookings, including extra fees, such as service and cleaning charges. When it is not possible to calculate the final price in advance, Airbnb committed to clearly informing the consumer that additional fees might apply.
 - » Making a series of changes in its terms of service to bring them in line with EU consumer rules.
- The CCPC participated in a CPC Network joint action that requested the main social media operators (Facebook, Twitter, Google+) to bring their consumer terms of service into conformity with EU consumer protection law and create a "notice and action" procedure for CPC authorities to report and request the removal of online illegal content. All three operators committed to implement changes to their consumer terms and introduce a "notice and action" procedure.



Compliance with competition law

In 2018, we secured competition law compliance commitments from Nursing Homes Ireland (NHI) following an examination into a suspected breach of competition law by NHI that began in October 2017. We became aware of a meeting organised by NHI at which collective action against the Fair Deal Scheme was allegedly discussed. Competition law requires businesses to act independently. The focus of our examination was to determine whether NHI and its members had implemented any of the suggestions made at the meeting, which included collective action to potentially increase the contributions required from nursing home residents, refuse new admissions from acute hospitals and limit the number of new beds made available under the Fair Deal Scheme. NHI confirmed that it had not implemented any of the measures discussed. It also entered into commitments with us to not engage in discussions with its members in relation to anti-competitive collective actions and not seek to influence the pricing or supply decisions of its members.

Last year we also launched a civil competition law investigation into the conduct of the Restaurants Association of Ireland (RAI). This investigation followed several months of engagement with the RAI to address our concerns about public statements made by the RAI recommending that its members should introduce booking policies, including obtaining non-refundable deposits from customers to counteract 'no show' bookings. The RAI also suggested to its members a deposit amount that should be sought from customers. This investigation was ongoing at the end of 2018.

Engaging with businesses to achieve compliance

In September small business owners or those thinking about starting their own business were invited to a free event – Taking Care of Business. Organised by our parent Department, DBEI, Taking Care of Business is a unique annual event which gives business owners access to 30 State bodies, including the CCPC, under one roof.

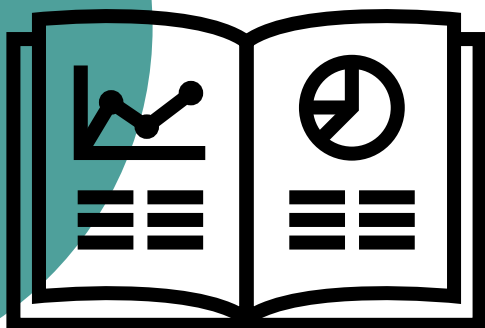
The purpose of the event is to:

- Help individuals and businesses understand the main regulations that affect them.
- Provide an opportunity to meet experts from a broad range of public bodies.
- Find out about the supports that are available to businesses.

Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection, Pat Breen TD, gave the keynote speech. Fergal O'Leary, Member of the Commission, gave a presentation on relevant competition and consumer protection legislation that affects SMEs.

Publications for businesses

One of our strategic priorities is to develop a programme of business-focussed compliance activities aimed at increasing knowledge of competition and consumer protection law. In 2018, along with making various presentations and attending events, we produced a number of guides to help businesses comply with competition and consumer protection legislation.



Our new guides include:



Grocery Goods Regulations, Are you complying?

To coincide with the commencement of proactive inspections of grocery goods retailers and wholesalers for compliance with the Grocery Goods Regulations, we ran full

page advertorials in the main retail trade publications to remind traders of what they are required to do under these Regulations.



Geo-blocking

We developed and published a guide to help businesses understand their obligations under the new Geo-blocking Regulation. Geo-blocking is the practice, by online traders, of using technology to restrict

access to online cross-border sales for reason of nationality, residence, or place of establishment.



Bid-Rigging

A detailed booklet for businesses who are involved in procurement. This guide provides information about bid-rigging, the common signs of bid-rigging and the steps that can be taken to mitigate

collusive bidding. We also created a handy checklist of warning signs.



Selling Online

We ran our first business awareness campaign aimed at businesses who sell online, to make them aware of their obligations under the CRD.

Strategic Goal 1

A summary of our work

Criminal investigations of competition law:

- » The Court of Criminal Appeal increased a fine handed down to a former director of an undertaking convicted of engaging in bid-rigging in the procurement of flooring contracts, from €7,000 to €45,000.
- » We completed an investigation into a failure to notify and implement a notifiable merger ("gun-jumping"). The file was referred to the DPP who gave direction to prosecute.

– Civil investigations of competition law:

- » An examination into NHI was concluded when the association provided us with commitments.
- » Investigations in the ticketing and motor insurance sectors continued with further evidence gathered and analysed.
- » A formal investigation was opened into the conduct of the RAI. This followed several months of unsuccessful engagement with the RAI to ensure voluntary compliance with competition law.

– Investigations into the sale of crashed/clocked cars:

- » Four compliance notices were served.
- » Four undertakings were signed by traders.
- » Six inspections of vehicle traders and three searches under warrant of suspected disguised traders.
- » 223 screening files were opened in relation to potential vehicle crime.

– Product safety inspections and investigations:

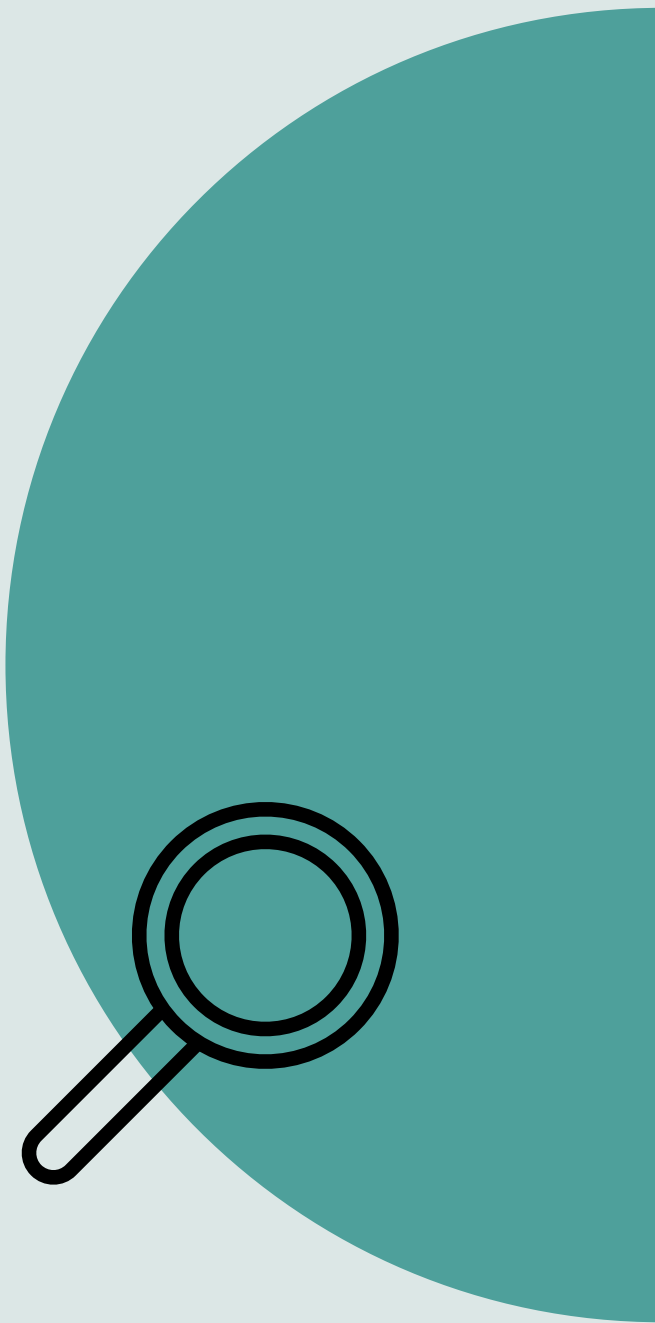
- » 346,739 potentially unsafe products stopped/seized.
- » 482 investigations of potentially unsafe products.
- » 42 cases were referred to us from Customs to assess the safety of the products.
- » Six inspections of products on sale from market stalls.
- » 156 Rapex recall notifications relating to products on the Irish market were published and 394 Rapex recall notifications were published where the recalled product may have been placed on the Irish market. Rapex is the EU system for the rapid exchange of information.
- » Eight inspections took place under the Low Voltage Regulations.

– Merger examinations:

- » 98 mergers notified in 2018 (a 36% increase on 2017).
- » 95 determinations made, five of which required commitments to secure clearance.
- » 14 extended Phase 1 investigations, three of which required a Phase 2 investigation.

- **Consumer protection law activity:**
 - » We undertook inspections of 78 premises to check compliance under consumer protection law.
 - » We secured 15 Fixed Payment Notices and five Compliance Notices from traders in respect of breaches of consumer protection law.
 - » We received five enforcement requests and one information request via the CPC Network, relating to potential consumer protection infringements and we issued 10 information requests to competent authorities in other European countries through the Network.

- **Other regulatory activities:**
 - » We commenced on-site monitoring and compliance inspections with a representative sample of relevant grocery goods retailers and wholesalers for compliance with Grocery Goods Regulations.
 - » 840 authorisations were issued for credit intermediaries and three licences for pawnbrokers.
 - » We published a privacy protocol regarding information seized in unannounced inspections and searches.
 - » We approved the Royal Institute of Architects of Ireland as an official Alternative Dispute Resolution entity under the European Union (Alternative Dispute Resolution for Consumer Disputes) Regulations 2015.



Strategic Goal 2

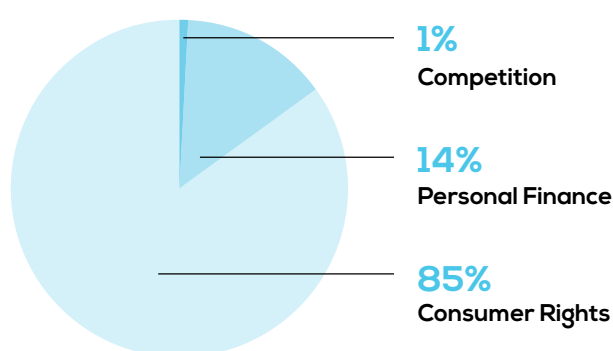
We will empower consumers to help them make informed decisions.



Highlights

Consumer helpline

One of the ways in which we help consumers is by providing them with information about their rights and personal finance products and services through our dedicated helpline. In 2018, we provided information to 42,364 consumers and businesses on issues relating to their consumer rights, personal finance products and services and competition issues. The contacts we received can be broken down into three categories:



The types of queries we received remained broadly similar to previous years and the following chart breaks down the top ten categories.

- Telecoms continued to dominate
 - » We received 4,213 contacts relating to the telecommunications sector. Over one third of these related to mobile phone handsets (1,637 contacts), followed by mobile phone services (668 contacts) and internet/broadband services (630 contacts).
- 17% increase in travel, transport & holiday contacts
 - » A total of 1,876 contacts were received in relation to travel, transport & holidays, which represents an increase of 17% on 2017. Contacts relating to flights (957 contacts) comprised the bulk of this increase.
- Motor insurance – highest volume of personal finance contacts
 - » From the 5,378 personal finance contacts recorded in 2018, motor insurance had the highest volume of contacts with 1,258. However, this represents a decrease of almost 13% when compared to 2017 figures. The main motor insurance issues experienced by consumers in 2018 related to claims (324 contacts), and costs and fees (260 contacts), of which 182 concerned an increase in premiums.

Most frequent contacts in 2018

Telecommunications	4,213
Vehicles & Personal Transport	4,042
Clothing/Footwear/Accessories	2,331
House Buildings/Maintenance/Improvements	2,070
Travel, Transport & Holidays	1,876
AV/Electronic and Assoc. Goods	1,829
Furniture & Furnishings	1,708
Domestic Appliances	1,543
Motor Insurance	1,258
Mortgages & Equity Release	1,226

- Mortgages and equity release
 - » 1,226 contacts related to mortgages and equity release, which represents an increase of over 45% compared to 2017. Contacts relating to payment protection insurance (303 contacts) were the main driver within this category.

"A caller to our helpline had been trying to resolve her issue for a long time and had previously sent seven emails. After speaking to an agent she got in touch with the company and followed the steps outlined and she has been awarded a full refund as per her statutory rights. The caller was delighted."

– Feedback from a caller to our helpline

"I was very happy. I went to the store armed with the information given by the CCPC. The Manager who previously refused to replace our hob agreed to replace it. Thank you."

– Feedback from a caller to our helpline



@CCPCIreland This is the second time I've needed your help and again the help I got was amazing. Your agent really listened to what I was saying and gave me clear and relevant directions. I really appreciate your helpful service.

Consumer awareness campaigns

Given the breadth of consumer purchases that take place every day, it is important that we focus our efforts on the sectors where consumers need our help most. Our consumer awareness campaigns are influenced by the information we gain through the 40,000+ contacts and the website visits we receive each year. In 2018, we ran four significant consumer awareness campaigns on personal finance and consumer rights including: buying a car (including finance), switching mortgages, booking a holiday and buying online.

More information on our 'buying a car' campaign can be found on page 11 and our 'buying online' campaign can be found on page 12.

Mortgage switching

As house prices in some areas continued to rise in 2018, a greater number of mortgage holders became eligible to switch their mortgage as their loan-to-value ratio reduced. Banks continued to offer more attractive rates to those looking to switch and also advertised special offers such as cashback or a contribution towards other switching costs such as legal fees and valuation reports.

However, the complexity and costs of switching mortgages often deters mortgage holders from switching. Last year we developed a consumer awareness campaign particularly aimed at switchers. This campaign ran in September and October.

The aim of the campaign was to explain the switching process, highlight how much people could save and encourage potential switchers to use our mortgage comparison tool. Our tool gives switchers up-to-date and independent information and can be used to compare their current mortgage to other rates available and calculate both the potential monthly mortgage repayments and the total cost of their mortgage over its term.

We used radio, including programmatic radio, digital media partnerships, digital display, social media and paid search to reach potential switchers. Our mortgage videos received almost 700,000 views and our mortgage-related articles received over 50,000 views. A Facebook live interview on mortgage switching garnered over

7,700 views. Our activity on social media reached over 253,000 users and an audience in excess of 1.1 million was reached through our media partnerships. The campaign-related content on our website received over 35,000 visits by the end of the campaign.



Booking a holiday

Once Christmas has been and gone, spring can prove a popular time for consumers to book a summer holiday. With this in mind, in March 2018 we launched a campaign on booking a holiday.

The aim of this campaign was to give consumers the information they need when they are booking a holiday, taking out travel insurance or renting a car abroad. We used video content on social media, a digital partnership and

paid search to reach consumers. Over the course of the campaign the videos received almost 65,700 views and we reached an audience of over 282,000 on social media. Through our digital media partnership, our holiday-related articles received almost 41,000 views. We also reached an audience in excess of 200,000 through our media partnerships. Campaign-related content on our website achieved over 2,600 visits.

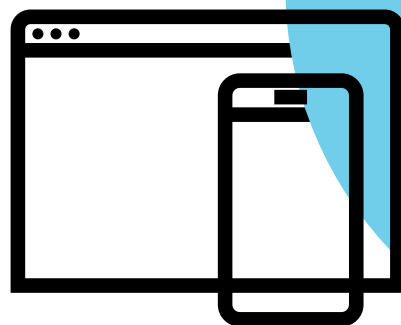


Financial education programmes

Last year we made strong progress in our financial education work. This included expanding our Money skills for life programme (Msfl), which is our workplace financial education programme. With the invaluable help of experienced presenters, from the public and private sector, Msfl provides impartial, independent information on managing your money, budgeting, savings and investments, insurance, borrowing money, dealing with debt and planning for retirement. The programme is delivered through workplace talks, at the request of employers and every attendee goes away with a useful personal finance handbook.

New developments

In 2018, we delivered 56 Msfl talks in 12 counties, reaching 1,910 people. This was more than double the number of talks delivered in 2017. We also developed a less detailed presentation focusing on the basics of day-to-day banking and budgeting. This was successfully delivered to organisations such as the National Learning Network and it was used as part of the pre-release programme in Wheatfield Prison.





Attendees from Junior Achievement Ireland at a 'Money skills for life' talk in September 2018'

Of the attendees surveyed, 98% said they found the talk very or reasonably useful. 98% also said that the content of the presentation and the free handbook met or exceeded their expectations. To ensure that we were keeping up with developments we updated our handbooks to include new information on cryptocurrencies and PCPs.

Training

Our Msfl programme is reliant on volunteer presenters, and so we recruit not just from within the CCPC but also those who work in financial services. Last year we sought to increase our numbers and we undertook a very successful recruitment drive. As a result 21 new volunteer presenters joined the programme and were trained during the year. This meant our presenter base more than doubled which has the benefit of increasing our ability to deliver talks across the country. We also re-launched our quarterly presenter newsletter as a way to keep presenters informed of CCPC developments and to create greater engagement with our volunteers.

"Money skills for life is an excellent presentation. The material supplied is so informative, relevant and easy to use. This presentation will change my day to day living and reduce my stress levels/worries about the future."

– Feedback from a participant in 2018

Junior Cycle financial education programme

There were also developments in relation to our Junior Cycle financial education programme Money Matters. Money Matters is a personal finance course made up of four strands that can be taught as an entire short course or as individual units in support of the Business Studies and Home Economics curricula.

We consulted with relevant stakeholders as part of an assessment of the programme. This will inform the redevelopment of the website and our resources in 2019. We also attended the Business Studies Teachers' Association of Ireland's annual conference in November to promote the resource and get feedback from teachers.



Financial well-being strategy

Last year, we used the findings of our 'Financial Capability and Well-being' study (see Strategic Goal 3 for more information) to inform a three year financial well-being strategy which will focus on three pillars: educating children and young people, encouraging active saving and planning for retirement. In developing our new strategy, we consulted with stakeholders and international counterparts on their financial capability strategies and approach to financial education and we assessed our current programmes.

Research on consumer behaviour and experiences

In 2018, we commissioned research in a number of areas to help us further understand consumers' experiences and inform our awareness campaigns. These included:

- **Consumer switching behaviour**

During 2018, we conducted quantitative research to understand consumers' attitudes and behaviours in relation to switching products or service providers. The findings showed that car insurance and utilities (electricity, gas and broadband) are most likely to be switched. Price was the main reason consumers switched.

- **Consumer's experiences with online shopping and their knowledge of consumer rights**

We commissioned this research to help inform our buying online campaign. The research examined what goods and services consumers buy online, identified any difficulties when they purchased online and examined consumers' knowledge of their rights in this area. We found that just under two-thirds of Irish adults have bought goods or services online. Those who shop online are most likely to buy clothes, footwear, holidays, flights and holiday accommodation. The majority of consumers have not experienced any issues when buying online, and of those who did the most common complaint was a delay in receiving the goods. The research also showed that 28% of Irish adults incorrectly think that consumers have the same rights for EU and non-EU websites.

Our work with PRICE Lab

PCP car finance

Last year, we continued our joint funding of PRICE Lab (Programme of Research Investigating Consumer Evaluations). PRICE Lab is a collaborative research programme in behavioural economics undertaken by the Economic and Social Research Institute (ESRI), and has been underway since 2013.

In 2018, we commissioned research with PRICE Lab on consumers' understanding of PCP car finance, which helped inform our PCP report. As part of the research, a sample of consumers were given information about PCPs typically given to car buyers. They were then tested to see if they could judge PCP offers accurately and if they understood the key features. The results showed that many car buyers are unlikely to grasp important aspects of these large financial transactions. Also, of particular concern, was consumers' lack of understanding of what happens at the end of a PCP agreement.



Default settings on loan choice engines

We also commissioned PRICE Lab to undertake research to look at the effect of 'default' settings on loan choice engines (such as loan calculators or price comparison websites). 180 consumers took part in the experiment, where they were asked to choose the repayment term and provider for a €10,000 personal loan.

The research found that the default term influences consumers, and that simply changing the default from 1 year to 5 years cost the average consumer in the experiment approximately €275 in annual repayments. The majority of participants chose the cheapest of the available loans, but participants were more likely to choose the cheapest loan when the options were ordered by price compared to alphabetically. The results of this research will inform the redevelopment of our online tools and calculators in 2019.

Strategic Goal 2

A summary of our work

- 1,607,864 people visited, and received, information from ccpc.ie.
- Information was provided to 42,364 consumers and businesses who contacted the CCPC seeking information on a range of issues.
- There were 181,172 visits to our financial product comparison tools. 518 financial products were featured in the CCPC's financial product comparison tools allowing consumers to independently compare different products to get the best rate.
- Four consumer awareness campaigns provided information to consumers on what to consider when booking a holiday, buying a car (including car finance which was informed by the CCPC's PCP report), switching mortgages and buying online.
- 1,910 employees in organisations across the country received information on personal finance through the CCPC's Money skills for life financial education programme.
- As of December there were 4,030 subscribers to the CCPC consumer newsletter. During the year, 12 consumer newsletters were issued with an average open rate of 49%, and a click through rate of 27%.
- 9,769,221 people engaged with CCPC content on external websites.
- As of December 2018, we had 35,770 social media followers (Facebook, Twitter, Instagram, and LinkedIn).
- 1,000 respondents were surveyed to gauge consumers' perceptions and experiences of switching a number of products, such as current accounts, health insurance, mobile phone providers, utility providers etc.
- To help improve our information service, the CCPC undertook a customer satisfaction survey on a sample of people who contacted the CCPC's helpline by phone or email. The results are due in early 2019.



Strategic Goal 3

We will work to influence public debate and policy development, promoting competition and highlighting the interests of consumers.



Highlights

Studies published to promote competition and highlight the interests of consumers

Assessing the household waste collection market

In September 2018, we published a report assessing the household waste collection market in Ireland. The CCPC was asked to conduct this report following a Dáil debate and subsequent ministerial request.

Our report examined the waste market from a competition, consumer protection and regulatory perspective and assessed the current structure and the evolution of the waste collection market, comparing Ireland's market against that of other European countries. In order to ensure that we adequately captured the relevant consumer and competition issues in the household waste collection market we:

- Conducted a public consultation process on key market issues covering competition, operational barriers to entry, market coverage, waiver of waste collection charges, landfill and incinerator capacity and the regulatory environment.
- Completed in-depth interviews with public sector bodies with a remit in the sector, individual operators, industry representative groups and academics.
- Commissioned Professor Patrick Paul Walsh, Professor of International Development Studies at University College Dublin, to conduct detailed econometric analysis of the household waste collection market in the State.
- Developed a questionnaire that was issued to 44 household waste collection operators in 11 local authority areas in the State.
- Sent detailed questionnaires using the European Competition Network to competition authorities in other Member States.

- Carried out market research to ascertain the views and behaviours of consumers.
- Carried out extensive desk-based research to consider international best practice for the regulation of utility markets, to identify relevant competition and consumer issues and to assess the evolution of the household waste collection market.

Our analysis found that the household waste collection market shows characteristics of a natural monopoly, including strong local economies of density and scale, high fixed costs and a large cost advantage for single operators in a given area.

In the report, we made a number of recommendations to help policymakers address the issues identified and also support the development of future waste management policies in Ireland.

A list of our recommendations is on page 8 and the full report is available on ccpc.ie.

PCP car finance

In recent years, PCPs have become increasingly popular and we became aware of potential issues relating to this form of car finance through our contacts from consumers, queries from public representatives and from market monitoring. Against this background, in July 2017, we announced that we would undertake a study of the PCP car finance market and, in March 2018, we published Ireland's first report into this area of consumer credit. The report contains the first public analysis of the PCP market in Ireland, explores consumer experiences to date and assesses the consumer protections in place for those who sign up to PCP contracts.

The CCPC is of the view that further consumer protection measures are required in this market and we made a number of recommendations to policymakers in relation to actions to be considered to help safeguard consumers into the future.

A full list of our recommendations is available on ccpc.ie.

Financial capability and well-being in Ireland in 2018

In December 2018, we published the first financial well-being study ever conducted in Ireland. The aim of the research was to examine the behaviours and circumstances that influence financial decision making and well-being, the extent to which Irish people are able to meet all of their current financial needs comfortably and their financial resilience to do so.



As part of our research we interviewed 1,500 people across Ireland to examine the behaviours and circumstances that influence their financial decision making and well-being. Overall, our report found that most people in Ireland are faring well in terms of general financial well-being but they have low levels of resilience for the future, including retirement. The study will inform the development of our financial education programmes and help us to better target the information we give to consumers. Following the publication of the study, we developed a three year financial well-being strategy which focuses on three pillars of activity: educating children and young people, encouraging active saving and planning for retirement.



Minister of State for Training and Skills, John Halligan TD with Chairperson Isolde Goggin at a photo call to launch the CCPC's report on 'Financial Capability and Well-being in Ireland in 2018'.

The Minister of State for Training and Skills, John Halligan TD, launched the report and we also held an event to present our findings to over 40 stakeholders including representatives from the Department of Finance, the Money Advice and Budgeting Service, the Central Bank of Ireland, Citizens Information and other groups.

The full report is available on our website ccpc.ie.

Assessing the impact of Brexit on Irish households

Throughout 2018, we worked with our parent Department, DBEI and inputted to the wider Government assessment and preparation in advance of Brexit. We also commissioned the ESRI to carry out research on the potential impact of Brexit scenarios on Irish households, which was aimed at informing a wider understanding of the potential impact of Brexit.

As the UK is a significant source of imports into the Irish economy, there is considerable integration of the retail sectors of both countries. The report estimated that under a hard Brexit there could be potential Consumer Price Index increases of between 2% and 3.1% as a result of tariffs or other increases in trading costs which would mean cost increases of €892 and €1,360 annually for the average household.

Following the publication of the report, we presented the findings to our parent Department, DBEI's Brexit Co-ordination Group, which is chaired by Minister Heather Humphreys, as well as the

Interdepartmental Economic and Sectoral Issues Group in the Department of Foreign Affairs and Trade.

The full report is available on ccpc.ie.

Improving competition and consumer welfare

Addressing gaps in the Irish competition law enforcement regime

Our functions under Irish competition law are primarily investigative. Currently, Ireland is one of a very small number of European countries where the power to impose financial sanctions for breaches of competition law is reserved exclusively for the criminal courts. We do not have either the power to impose financial sanctions, or the ability to apply to the civil courts for the imposition of financial penalties. We use all of our existing powers and resources to investigate anti-competitive practices, however, in contrast to our European counterparts the CCPC is precluded from securing significant financial penalties in non-criminal cases. Also, at present, the CCPC cannot operate a leniency programme which is a vital mechanism in the detection of competition law breaches as it allows competition authorities to offer reductions in fines if a business comes forward with evidence of a breach of competition law.

Directive 1/2019, known as the ECN+ Directive, will update the public competition enforcement regime in Ireland including the introduction of non-criminal financial sanctions. In 2018, the CCPC began to assist our parent Department, DBEI in the transposition of the ECN+ Directive to ensure that Ireland's competition law regime can meet the challenges that modern markets and trading practices present.

In 2018, we made presentations on the ECN+ Directive, including to the Joint Oireachtas Committee on Business, Enterprise and Innovation and to the Management Advisory Committee which is made up of senior officials in our parent Department on the details of the ECN+ Directive and its potential impact on Ireland's competition enforcement regime. Our work in this area is a priority for 2019.

Proposed European Directive on Unfair Trading Practices in Agriculture

In October 2018, the CCPC was requested to appear before the Joint Committee on Agriculture, Food and the Marine to give its views on the then proposed EU Directive on Unfair Trading Practices in business-to-business relationships in the food supply chain (UTP Directive). The UTP Directive aims to address imbalances in the bargaining power between suppliers and buyers of agricultural and food products. The CCPC was asked for its views based on its experience in the sector to date and in particular its role in promoting compliance with the Grocery Goods Regulations 2016.

The CCPC offered the view that the proposed UTP Directive was a very significant piece of regulation which would apply to thousands of agribusinesses in Ireland. It is a step change increase on the scale and scope of the current Grocery Regulations. As a result, if its aims are to be met then significant resources will need to be allocated and a competent authority with the necessary expertise and focus will need to be nominated. We suggested that policy makers may wish to consider the appointment of a dedicated sectoral regulator for this task. We also highlighted that the core aim of the UTP Directive is at odds with the CCPC's current remit and that we would be very concerned that our ability to fulfil our statutory mandate would be severely curtailed, should the role of competent authority be given to us, as had been suggested in some quarters.



Enhancing relationships with stakeholders and sharing perspectives on market issues

Citizens' Dialogue – new deal for consumers

In September, Fergal O'Leary participated in a panel organised by our parent Department, DBEI and the European Commission to discuss a set of proposed consumer protection laws. The aim of the new laws is to enhance the rights of consumers across Europe and to enable bodies, like the CCPC, to do more to protect consumers and take action where warranted. During the event, the panel shared perspectives on how the proposed laws will impact on consumers and businesses in Ireland. For our part, we welcomed the legislative proposals as they will help the CCPC to continue to effectively work on behalf of consumers, increasingly so in fast moving digital markets and on issues which effect consumers across the EU.



Fergal O'Leary, Member of the Commission participating in a panel discussion at the Citizens Dialogue on the 'New Deal for Consumers'.

White collar crime

As part of the Government's request to strengthen Ireland's response to white collar crime, a commitment was made to review Ireland's anti-corruption and anti-fraud structures and procedures in criminal law enforcement. The extent to which the various State bodies involved in the prevention, detection, investigation and prosecution of fraud and corruption are working

effectively together will be assessed as part of the review, to identify any gaps or impediments in this regard. The Minister for Justice and Equality appointed Mr. James Hamilton, former Director of Public Prosecutions and anti-corruption expert, to chair the review. The review group, which comprises of a range of relevant Government Departments, State agencies, including the CCPC (represented by Member of the Commission, Pat Kenny) and other experts, held its first meeting in November 2018. Findings and recommendations are expected to be published in the summer of 2019.

International engagement

The CCPC is increasingly active in an international context, particularly at an EU level and through our engagement with a variety of international competition and consumer protection organisations. This work includes participation in EU related networks, working groups, advisory committees, including the Organisation for Economic Cooperation and Development (OECD), the European Competition Network (ECN), International Competition Network (ICN) and the International Consumer Protection and Enforcement Network (ICPEN).

During 2018, we participated in the following meetings:	Number of meetings
European Competition Network	32
International Competition Network	4
International Consumer Protection and Enforcement Network	1
Consumer Protection Committee Network	16
OECD	7
RAPEX	2

Hong Kong Competition Exchange

In October, our Chairperson Isolde Goggin joined competition law judges, academics, enforcers and business professionals from around the world at the Hong Kong Competition Exchange. The effects of competition law on businesses and their innovation and international perspectives on adjudicating competition cases were discussed. Isolde took part in a panel discussion with representatives from Canada, the US, and Indonesia to share perspectives on how promoting a competition culture through both international and local collaboration is key to success for new agencies.

ICN Merger workshop

In November, Brian McHugh, Member of the Commission, joined more than 200 merger review investigators, lawyers and other academics from over 40 countries at the ICN Merger workshop in Tokyo. The theme of the event was 'Merger Review in the 2020s: Do Digitisation and Globalisation Change the Analysis?' Discussions at the event focussed on the role of merger reviews in the digital economy and the challenges of globalisation for merger review. Brian took part in a panel discussion on the topic of 'Big Tech Mergers' which focussed on the concerns and potential benefits of tech giants acquiring start-ups, whether competition authorities have the tools to address these concerns, how prior acquisitions have affected these markets and the role of data in reviewing the competition aspects of mergers involving technology companies.



A snapshot of our advocacy work in 2018

Significant meetings	
Topic	Stakeholder
Waste	<ul style="list-style-type: none"> Department of Communications, Climate Action and Environment Department of An Taoiseach Regional Waste Offices County and City Management Association National Waste Collection Permit Office
Unfair Trading Practices Directive	<ul style="list-style-type: none"> Department of Agriculture, Food and the Marine
Insurance	<ul style="list-style-type: none"> European Commission - DG Comp Personal Injuries Commission Department of Health
Legal reform	<ul style="list-style-type: none"> Legal Services Regulation Authority
Bid-rigging	<ul style="list-style-type: none"> Office of Government Procurement
Brexit	<ul style="list-style-type: none"> Central Bank of Ireland (Brexit Stakeholder Forum) Department of Business, Enterprise and Innovation (Management Board, Brexit Co-ordination Group, Retail Consultation Forum) Department of Finance Department of Foreign Affairs and Trade (Economic & Sectoral Issues Group) Department of Transport, Tourism and Sport - Irish Maritime Development Office
Ports financial transparency	<ul style="list-style-type: none"> Department of Transport, Tourism and Sport
Geo-blocking	<ul style="list-style-type: none"> Department of Business, Enterprise and Innovation
Gift vouchers	<ul style="list-style-type: none"> Department of Business, Enterprise and Innovation
Banking and finance	<ul style="list-style-type: none"> The Directorate-General for Financial Stability, Financial Services and Capital Markets Union
Summary of key submissions/consultation responses:	
Sector	Stakeholder
Insurance	<ul style="list-style-type: none"> Feasibility of an insurance claim-by-claim register (Department of Finance)
Insurance	<ul style="list-style-type: none"> Consumer Contracts Insurance - Private Members Bill (Oireachtas Committee on Finance, Public Expenditure & Taoiseach)
Legal reform	<ul style="list-style-type: none"> Education and training arrangements in the State for Legal Practitioners (Legal Services Regulation Authority)
Legal reform	<ul style="list-style-type: none"> Review of the operation of the Legal Services Regulation Act 2015 (Legal Services Regulation Authority)
Veterinary practice ownership	<ul style="list-style-type: none"> Providing a Code of Practice that vets can incorporate (Veterinary Council of Ireland)
Transport	<ul style="list-style-type: none"> Proposal to directly award a public bus service contract to Bus Eireann and Dublin Bus (National Transport Authority)
Retail	<ul style="list-style-type: none"> Gift vouchers: Setting minimum expiry dates and deciding type and level of fees, if any, that should apply (DBEI)
Retail	<ul style="list-style-type: none"> Casual Trading Act 1995 and Occasional Trading Act 1997 (DBEI)
Confidential disclosure	<ul style="list-style-type: none"> Protection of persons reporting on EU law (DBEI)

Strategic Goal 3

A summary of our work

- The CCPC published a report assessing the household waste collection market, this followed a Government request and involved a public consultation.
- The CCPC published the first report into PCP car finance which assessed the consumer protections in place for those who sign up to PCP contracts. The CCPC also contributed to the Department of Finance's report on the sector.
- The CCPC published research by the ESRI on the potential impact of Brexit scenarios on Irish households. We also examined the potential impacts of Brexit across our range of responsibilities (including market surveillance, merger control, enforcement of competition and consumer protection legislation and our consumer awareness activity).
- The CCPC issued 12 formal consultation responses and held 20 meetings with Government, regulators and law makers (see page 37 for a summary of our work).
- The CCPC provided the Joint Oireachtas Committee on Agriculture with a briefing on the CCPC's concerns in relation to the proposed European Directive on Unfair Trading Practices in the agriculture sector.
- The CCPC also addressed the Joint Oireachtas Committee on Business, Enterprise and Innovation, on the subject of the ECN+ Directive and its role in strengthening competition enforcement in Ireland.

Strategic Goal 4

We will support our staff's ambition to maximise the CCPC's impact and help our people achieve their potential.



Priorities and resources

Work planning & performance management

2018 was the first year of our new three year Strategy Statement. Our Strategy Statement is at the centre of what we do. It outlines the vision and ambitions of the CCPC and articulates how, over the next three years, we will go about proactively choosing what to focus on, the impact that the CCPC will have and how that impact will be measured.

It is important that each staff member's work is connected to our strategic goals and vision and so once the new strategy plan was developed each Division developed their own supporting work plans for 2018. To help embed our commitment to this collaborative process, new recruits also attend a presentation on the CCPC's strategy and culture as part of their induction programme.

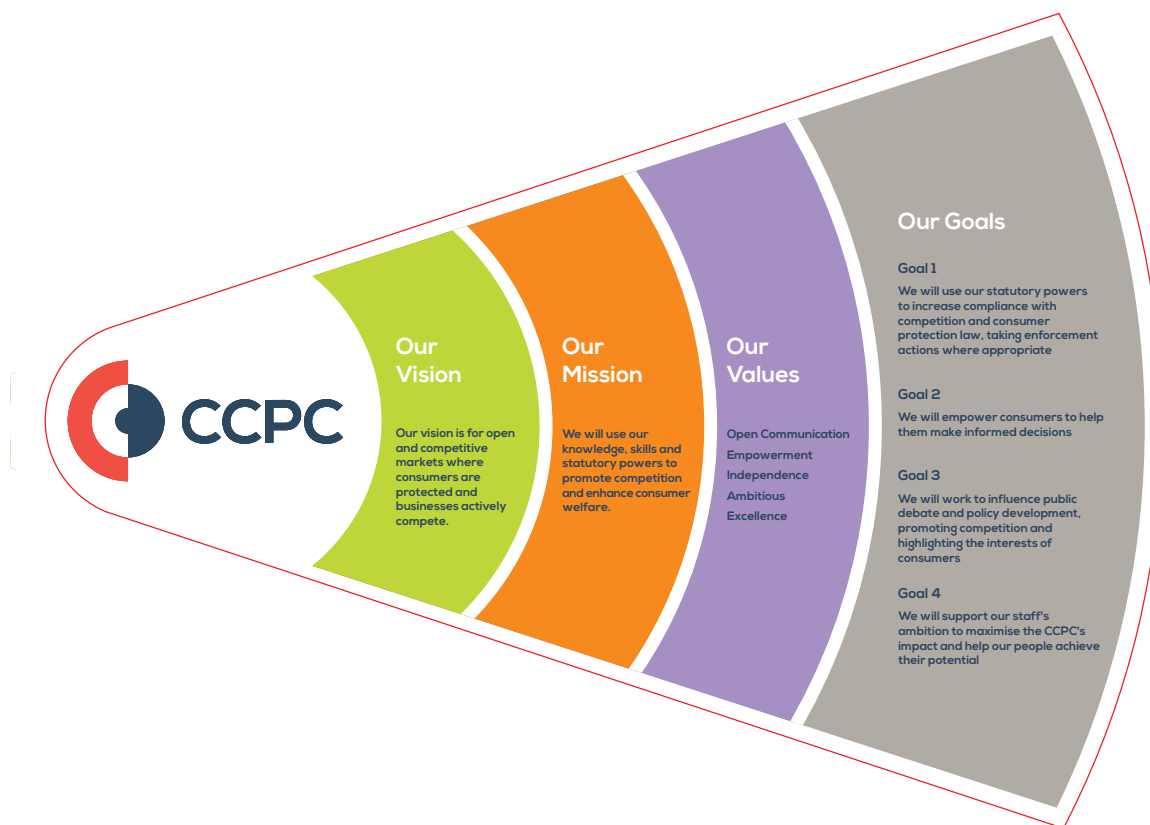
A core priority for us is to maintain and improve individuals' skills and capability and, in turn, enhance and recognise staff members'

performance. We do this through performance management and our learning and development (L&D) programme. Our performance management system enables robust goal setting, ongoing feedback on performance and meaningful work to our staff.

Increasing staff capacity to fulfil our broad remit

Throughout 2018, we continued our recruitment drive to build and develop our capacity. During the year we filled 23 positions across the organisation in multiple disciplines including law, economics, investigations, human resources, analytics and communications. By the end of 2018, the CCPC had 102 staff.

We also continued to assess and prepare for the impact of Brexit on our remit. This included working with our parent Department, DBEI in securing additional resources in our Competition Enforcement and Mergers Division and Product Safety Unit to ensure that the CCPC has the capacity to address the impact of Brexit on these areas.





Reaching our best

Learning and development goals

Our L&D programme reflects the needs of the organisation and ensures that we have the right skills, knowledge and competence to fulfil our objectives now and into the future. To help oversee and guide this process, in 2018, we established an L&D Committee. The Committee is made up of representatives from across the organisation. Their role is to:

- Review current policies and procedures and develop new policies as required.
- Propose an action plan for delivery of the agreed L&D programme taking the organisation's needs and available resources into consideration.
- Review the strategy to ensure that it continues to deliver on the requirements of the organisation.

Throughout the year, our staff attended 53 internal L&D events and 57 external public events, conferences and seminars. On average, employees attended nine events each contributing to their continual professional development. We also continued to support further formal learning under our Advance of Fees programmes in areas of competition law, business, leadership and governance.

Continual personal & professional development

To support individuals in the performance of their duties and to enhance our knowledge management capabilities, we developed an eight-part modular programme on enforcement practice. The objectives of the programme were to underpin the CCPC's Enforcement Guidelines and to increase the knowledge, skills and the competence of enforcement teams and authorised officers, ensuring the transfer of tacit knowledge from more experienced staff members.

Last year, 28 staff members completed the programme and were awarded a 'Certificate in Enforcement Practices'. This was the first year of the programme and the feedback from staff who participated was extremely positive.



In April, representatives from both the Federal Bureau of Investigation (FBI) and the United States Department of Justice delivered two days of training on antitrust cartel

investigations to CCPC staff. The FBI's investigative methodology, how to work with co-operators and informants, and how the US Leniency Program works was discussed as part of the training. This training provided staff with an opportunity to exchange knowledge and develop a relationship with recognised experts on this important topic.

We also delivered a comprehensive 14-part modular programme for all members of the CCPC's Product Safety Unit. This increased the knowledge and capabilities across the Product Safety Unit as well as facilitating knowledge transfer on technical and legislative areas of product safety.

Following these, we undertook a detailed evaluation and the information will be used to enhance future programmes and similar new initiatives in 2019. Staff were also given opportunities to participate in cross-Divisional projects in the areas of administration, policy and enforcement. This provided staff from across the CCPC with an opportunity to actively learn and contribute to the work of other Divisions, as well as increasing their skills and knowledge.

Although all staff of the CCPC are appointed as Authorised Officers, not all work in enforcement Divisions. The programmes above built on our Authorised Officer training from 2017 which is designed to increase the competence of all Authorised Officers in the CCPC. We reported on our L&D achievements as part of Our Public Service 2020. Our Public Service 2020 is a framework that supports continuous development and innovation across the public service. The framework was developed to build a stronger public service and deliver better quality services to the Irish public.

Developing excellence

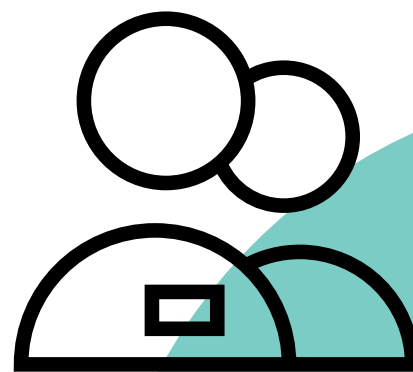
Mentoring

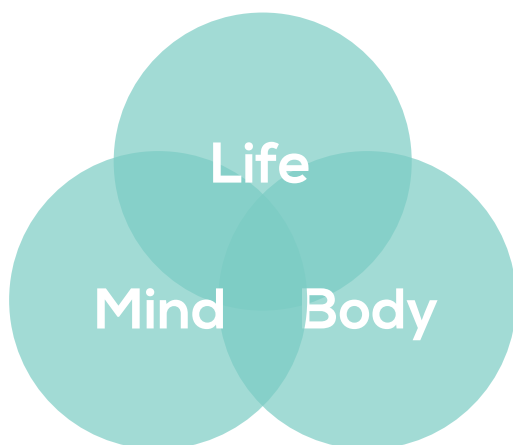
In April 2018, we launched our first Mentoring Programme. Mentoring is widely recognised as a valuable support both for personal development and for helping organisations pass on knowledge and experience. The programme began as a pilot with six pairings of mentors and mentees from different Divisions and levels across the organisation. Mentor and mentee workshops were facilitated. Using our values and behaviours, the pilot group were asked to define what mentoring means in the CCPC and this has been adopted. The programme was a success and will be expanded in 2019.

Mentoring in the CCPC is a process to support, guide and empower people to help them to achieve their full potential, through an honest relationship based on trust for the benefit of the individual and the organisation.

Lessons learnt

We are of the view that lessons learnt exercises, after major projects and cases, are essential to improve processes, distil knowledge and share learnings. Last year, we undertook lessons learnt exercises on major cross-Divisional projects. These learnings will help us to improve our processes, procedures and practices in the future.





Employee well-being

Increasingly organisations across the public and private sector recognise the importance of employee well-being and mental health. Our employees are fundamental to the delivery of the CCPC's vision and when our employees are healthy and motivated, their experience and outcomes in the workplace improve.

While the CCPC has always had supports in place for staff, such as Employee Assistance Services, in 2018, we launched our first formal well-being strategy and established a cross-Divisional Well-being Committee to assist us in delivering our strategy. The aim of the strategy is to provide our staff with the supports and services they need to help them maintain and improve their health and well-being. There were 12 well-being initiatives and awareness campaigns in 2018, under three pillars, 'life' 'mind' and 'body,' here are three examples.

National Workplace Well-being Day

In April, the CCPC took part in National Workplace Well-being Day for the first time. This is an annual day dedicated to raising awareness about employee health and well-being. Over 700 organisations and companies across Ireland participated by organising wellness day events and activities that promote the health and well-being of employees. Here in the CCPC, we embraced our inner peace as we organised a relaxation and mindfulness session for staff. 25 staff took part, many of whom had never tried mindfulness before. On the day we also did the Lunchtime Mile. Our Well-being Committee continued to facilitate weekly mindfulness and lunchtime walks for staff throughout the year.



National Bike Safety Week

The CCPC participates in the bike to work scheme. We actively encourage staff to utilise the scheme and so we have a number of staff who make their way to work every day by bike. Bike Week is a celebration and promotion of the benefits of cycling. Each year it is held over a week in June with bike themed events organised by local authorities, community groups and cycling groups throughout Ireland. To mark National Bike Safety Week, we organised for a local bicycle shop to come in and give a workshop on bike safety and maintenance. Along with providing information on safety the workshop provided tips on how staff can carry out basic maintenance and repairs on their own bikes.

Staff relay series

Our well-being programme encourages staff to get active. In addition to the CCPC football team and facilitating Pilates classes, every year we enter two teams into the Staff Relay Series, in the Phoenix Park. In 2018, both teams as part of their participation raised funds for Abacas Special School for Autism.



CCPC staff at the Staff Relay Series in the Phoenix Park in June 2018.

CCPC Corporate Information



CCPC Corporate Information

Corporate governance

The CCPC is governed by a Commission which consists of a Chairperson and three full time Members. The Chairperson is responsible for the running of the organisation and for its corporate governance. The Chairperson is assisted in the management, control and direction of the CCPC by the Members and other senior executives. The Chairperson and Members form a collegiate decision making Commission for key statutory decisions, in addition to having whole time executive responsibilities.

The Commission

The Commission is appointed by the Minister for Business, Enterprise and Innovation following an open Public Appointments Service competition for a term not exceeding five years. The Commission conducted a self assessment evaluation of its own performance in 2018.

Board Member	Role	Date Appointed
Isolde Goggin	<i>Chairperson</i>	1 Oct 2016 (date renewed)
Patrick Kenny	<i>Member</i>	9 Jan 2017 (date renewed)
Fergal O Leary	<i>Member</i>	18 July 2016 (date appointed)
Brian McHugh	<i>Member</i>	1 Sept 2017 (date appointed)

The Commission meets at least twice monthly to 1) review CCPC activities, 2) provide direction and strategic guidance in particular areas and 3) make formal decisions. Each Member and the Chairperson has a vote and the Chairperson can cast a deciding vote where necessary. The vast majority of decisions are made on a consensus basis without the need for formal votes. The following is a non-exhaustive list of matters reserved for decision by the Commission:

1. Major investments and capital projects.
2. Delegated authority levels, financial policy and risk management policies.
3. Approval of terms of major contracts, annual budgets and corporate plans.
4. Assurances of compliance with statutory and administrative requirements in relation to the approval of the appointment, number, grading and conditions of all staff, including remuneration and superannuation.
5. Approval of annual reports and financial statements.
6. Making a determination following a full investigation that a merger may/may not be put into effect.
7. Initiating civil proceedings in the Circuit Court or High Court in respect of a breach of Section 4 or 5 of the Competition Act 2002 or Articles 101 or 102 of the Treaty of the Functioning of the European Union.
8. Initiating a prosecution in relation to an offence under Section 47 of the Consumer Protection Act 2007.
9. Referring a file to the DPP for involvement in an alleged cartel.
10. Making a recommendation to the DPP to grant or revoke conditional immunity in relation to involvement in a cartel.

Day to day organisational matters are progressed through informal meetings, discussions and consultation between the Chairperson and the Members. As far as possible, operational decision making is delegated to individual Members and staff members. The CCPC's organisational and governance structure is designed to enable us to deliver our strategic goals, deliver our business programmes cost-effectively, and meet our statutory requirements.

Attendance at Commission meetings 2018

	Meetings
Normal Commission Meetings	24
Ad hoc Commission Meetings	26
Total	50
Isolde Goggin	45
Patrick Kenny	47
Fergal O Leary	47
Brian McHugh	48

Managing risk

The Commission has overall responsibility for risk management, including determining the nature and extent of significant risks that it is willing to accept in pursuit of its strategic and operational objectives. To address this, risk management policies and procedures have been implemented and are reviewed periodically to provide for the continuous identification, assessment, monitoring and reporting of significant risks within the CCPC.

Risk is managed in the CCPC through formal, quarterly reviews and approval by the Commission of changes to the corporate risk register, which identifies the principal risks to the organisation. In addition, the CCPC requires each Division to keep an up to date register of its risks and to inform the Chief Risk Officer of any significant changes to these risks. The Chief Risk Officer reports to the Commission every month on any significant changes to Divisional Risk Registers or reports of risk incidents or risks mitigated, as appropriate.

In 2018, the CCPC further strengthened its risk management policy and procedures through:

1. An internal audit of the risk management process and implementation of the recommendations made.
2. A series of risk challenge meetings between the Commission and the owners of the Divisional risk register.
3. The introduction of a risk incident management policy.
4. The development of a monthly risk reporting process in respect of Divisional risks.

The CCPC's risk management policy will be further developed in 2019 to incorporate a risk appetite statement and other internal audit recommendations.

Audit and Risk Committee

The role of the Audit and Risk Committee is to support the Commission in relation to its responsibilities for issues of risk, control and governance, and associated assurance. The Audit and Risk Committee is independent in the performance of its functions and is not subject to direction or control from any other party. The roles and responsibilities of the CCPC's Audit and Risk Committee are set out in its Charter and Terms of Reference, as approved by the Chairperson of the CCPC. Its work programme is guided by the obligations laid down under the Code of Practice for the Governance of State Bodies. In particular, the Committee ensures that the internal control systems, including audit activities, are monitored actively and independently. The Audit and Risk Committee reports to the Commission after each meeting and formally, in writing, annually.

Membership of the Audit and Risk Committee during 2018 comprised of: Brian Whitney (Chairperson), Patrick Kenny, Conor Blackwell and Jimmy Murphy. Brian Whitney, retired from the Audit and Risk Committee at the end of 2018 with Conor Blackwell agreeing to take over the position from the beginning of 2019.

The Committee met four times in 2018, detailed in the table below:

Committee Member	Meeting took place in:				
	Mar	July	Oct	Dec	Total
Brian Whitney <i>Chairperson</i>	x	x	x	x	4/4
Patrick Kenny <i>Commission Member</i>	x	x	x	x	4/4
Conor Blackwell <i>External Member</i>	x	x	x	x	4/4
Jimmy Murphy <i>External Member</i>	x	x	x	x	4/4

Internal audit

The CCPC has a properly constituted internal audit function which reports to the Audit and Risk Committee. The internal audit function operates in accordance with the Code of Practice for the Governance of State Bodies (revised 2016). The following external reviews were carried out in 2018:

1. Review of risk management.
2. Governance review – Compliance with the 2016 Code of Practice for the Governance of State Bodies.
3. Product safety – Implementation of legislation and review of resourcing.
4. Organisational development plan and HR processes.
5. Review of effectiveness of internal financial controls.
6. Implementation of the General Data Protection Regulation (GDPR).
7. Audit of ICT security.

Progress on the implementation of associated recommendations was reported to the Audit and Risk Committee.

Delivery Agreement

In 2018, there was a written Oversight and Performance Delivery Agreement (OPDA) in place between the CCPC and our parent Department, DBEI, which clearly defined the terms of the relationship. In 2018, the CCPC prepared quarterly reports for the DBEI, outlining how we fulfilled our commitments under the OPDA. In addition, there were four formal OPDA meetings between the CCPC and DBEI officials.

Freedom of Information requests

The CCPC continues to meet its obligations in relation to responding to Freedom of Information requests. In 2018, the CCPC dealt with 19 Freedom of Information requests. Of these, two were granted, five were part granted, four were refused and six were withdrawn/handled outside the Freedom of Information legislation. Two were carried into 2019.

Data protection

The CCPC is committed to protecting the integrity of personal data supplied by those who contact us and third parties. In 2018, along with all organisations that process personal data of citizens within the EU, the CCPC prepared for and adhered to the GDPR which came into effect in May. We updated all policies and procedures to ensure compliance with GDPR. These are available on ccpc.ie. The impact of the GDPR on all regulatory and enforcement actions undertaken by the CCPC was also considered. As part of this assessment, all methods of information gathering and data analysis in the CCPC's investigations were reviewed, and updated if necessary, to ensure compliance and reflect the new data protection landscape.

Ethics, standards and behaviour

In 2018, all CCPC employees who held designated directorships or occupied designated positions of employment, prescribed by regulation for the purposes of the Ethics Legislation (i.e. the Ethics in Public Office Acts 1995 and 2001), submitted Statements of Interest as required by the legislation. The CCPC has a Code of Conduct that sets out the principles, standards and values that CCPC employees are expected to adhere to.

Protected Disclosures Act 2014

As a public body, the CCPC is required under section 22 of the Protected Disclosures Act 2014 to publish an annual report in relation to the number of protected disclosures made to it in the preceding year, and the action taken in response to any such protected disclosures.

No protected disclosures were made to the CCPC in the period 1 January 2018 – 31 December 2018.

Customer Service Charter

The CCPC has a Customer Service Charter, available in the 'About Us' section of our website, ccpc.ie. The charter sets out our commitment to a high quality customer service, provides information on what customer service those who contact us should expect to receive when contacting the CCPC, and details how consumers can help when contacting us. Any complaint regarding the services of the CCPC is investigated as a matter of priority. The CCPC continued to adhere to its customer service commitments during 2018 and can report that no complaints were lodged under the charter. During 2017, the CCPC also introduced a Customer Action Plan, a three year plan developed to assist the CCPC in achieving its aim of excellent customer services which details how we plan to provide the best possible service to everyone who contacts us. The commitments in the plan have associated performance indicators and the CCPC is performing effectively against these indicators.

Other Governance matters in 2018

The CCPC continues to adhere to the Code of Practice for the Governance of State Bodies, in a manner consistent with its underpinning legislation, the Competition and Consumer Protection Act 2014.

The CCPC complies with the Prompt Payment of Accounts Act 1997 and the European Communities (Late Payment in Commercial Transactions) Regulations 2002. Our Prompt Payment Returns are published on our website. In 2018, 94% of all payments were made within 15 days.

We continued our commitment to legislative energy reporting.

2018 Financial statements

The CCPC's budget allocation in 2018 was €12,226,000, of which €10,126,000 was provided from exchequer funding and €2,100,000 came from a financial services industry levy, in respect of specific personal finance information and education functions in the financial sector.

At the time of writing, the annual draft financial statements for the year 1 January 2018 – 31 December 2018, report expenditure of €9,529,651 for grant-assisted activities and €2,342,968 for levy funded activities. The Office of the Controller and Auditor General will audit the financial statements. The financial statements are prepared on the accruals basis of accounting, except in respect of the Oireachtas Grant, which is prepared in accordance with generally accepted accounting principles.

Levy on financial service providers

The CCPC has the power to impose levies on regulated financial service providers under the powers conferred on it by section 24B of the Consumer Protection Act 2007 (as inserted by the Central Bank Reform Act 2010). Levies were imposed by regulations made under this section. A collection rate of over 99% of the total 2018 levy amount imposed was successfully collected from approximately 430 financial services companies.

Chairperson and Commission Member expenses (1 Jan 2018 – 31 Dec 2018)

Isolde Goggin	€2,896
Patrick Kenny	€593
Fergal O Leary	€628
Brian McHugh	€1,382

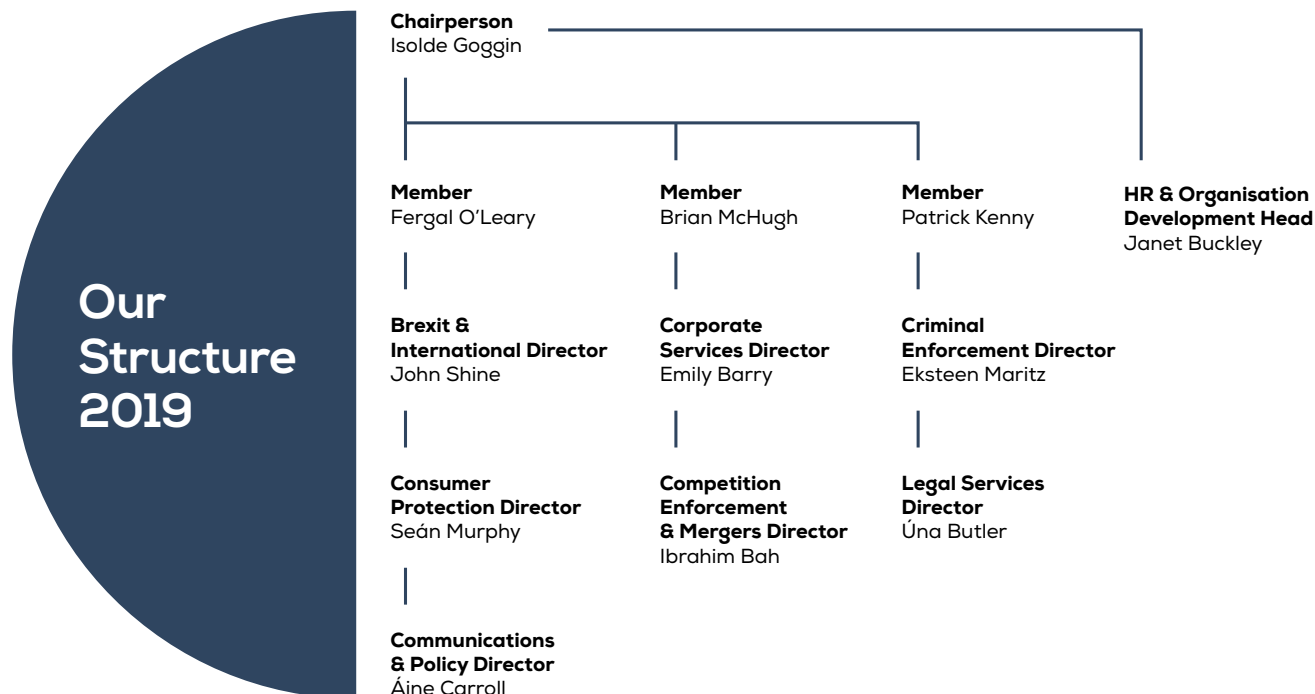
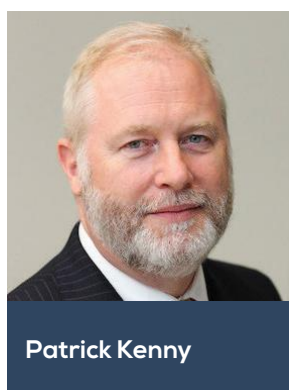
Remuneration

The Chairperson is a member of an unfunded defined benefit public sector scheme and her entitlements are in accordance with the terms of the relevant Public Service defined benefit superannuation scheme.

Appendix 1:

Organisational chart

The CCPC is governed by a Chairperson and Commission. Isolde Goggin is the Chairperson and during 2018 there were three Members – Patrick Kenny, Fergal O’Leary and Brian McHugh. Each Member oversaw a number of Divisions in the CCPC on behalf of the Commission.



Appendix 2:

Website engagement

Top 10 pages visited – Consumer

1. Loan calculator
2. Mortgage calculators
3. Mortgage comparison
4. Paying for your car – PCP
5. Shopping – faulty goods
6. Disputed card transactions – chargeback
7. Buying a home step-by-step guide
8. Extra mortgage repayment calculator
9. Buying online – your rights
10. Loan comparison

Top 10 pages visited – Business

1. Merger notifications
2. Credit intermediaries
3. Consumer protection law – how does it apply to my business
4. About us
5. Current news
6. Careers
7. Contact
8. Guidelines for business
9. Enforcement – Competition and Consumer Protection Act
10. Selling online – what you need to know

Appendix 3: Consumer Protection List

Consumer protection enforcement concluded in 2018

1. Convictions/Fines, Penalties/ Compensations/Compensation Orders

None recorded in 2018.

2. Undertakings (pursuant to section 73 of the Consumer Protection Act 2007)

Total number of undertakings: Four

Legislation breached

Engaging in a misleading commercial practice prohibited under section 42 and as described by section 43(1) and section 43(3)(b)(vii) and contrary to section 47 of the Consumer Protection Act 2007.

Pat O'Connell Cars and Commercials Limited, Garryglass Road, Ballysimon, Co. Limerick

On 13 September 2018, following an investigation relating to an alleged misleading commercial practice, Pat O'Connell Cars and Commercials Limited, Garryglass Road, Ballysimon, Co. Limerick gave an undertaking pursuant to section 73 of the Consumer Protection Act 2007. Pat O'Connell Cars and Commercials Limited undertook to:

- Comply with the prohibition on misleading commercial practices provided by section 42 of the Consumer Protection Act 2007.
- Refrain from committing or engaging in misleading commercial practices in the course of its business, in particular, as described by section 43(1) and 43(3)(b)(vii) of the Consumer Protection 2007.
- Carry out appropriate due diligence on the history and usage of every used vehicle advertised or offered for sale by Pat O'Connell Cars.

- Maintain records of all such due diligence referred to above for a period of three years from the date of sale of any such vehicle.
- Provide consumers in all communications, advertisements and on all odometer displays with a correct and accurate mileage reading of every vehicle advertised or offered for sale by Pat O'Connell Cars.

Derek Delaney, formerly trading as Derek Delaney Motors, 232 North Circular Road, Dublin 7

On 18 October 2018, following an investigation relating to an alleged misleading commercial practice, Derek Delaney who had formerly traded as Derek Delaney Motors, 232 North Circular, Dublin 7, gave an undertaking pursuant to section 73 of the Consumer Protection Act 2007. Derek Delaney undertook to:

- Comply with the prohibition on misleading commercial practices as provided by section 42 of the Consumer Protection Act 2007.
- Refrain from committing or engaging in misleading commercial practices in the course of his business, in particular, as described by sections 43(2) and 43(3)(b)(vii) of the 2007 Act and contrary to section 47 of the Consumer Protection Act 2007.
- Carry out appropriate due diligence on the history and usage of every vehicle offered for sale in the course of his trade.
- Provide consumers with a correct and accurate mileage reading of every vehicle offered for sale by Derek Delaney in the course of his trade.
- Maintain a record of the due diligence carried out on the history and usage referred to above for a period of three years from the date of advertisement or the date of sale, whichever is later, of every used vehicle advertised or offered for sale by Derek Delaney.
- Within four weeks of receiving an application from the consumer prejudiced by the misleading commercial practice in which he has engaged reimburse the consumer €2,000.00 for the price paid by the consumer for the used car.

Kieran McArdle and Doohamlet Motors Limited, Doohamlet, Castleblaney, Co. Monaghan

On 7 December 2018, following an investigation relating to alleged misleading commercial practices, Kieran McArdle and Doohamlet Motors Limited, Doohamlet, Castleblaney, Co. Monaghan both gave an undertaking pursuant to section 73 of the Consumer Protection Act 2007. Kieran McArdle and Doohamlet Motors Limited each undertook to:

- Comply with the prohibition on misleading commercial practices as provided by section 42 of the Consumer Protection Act 2007.
- Refrain from committing or engaging in misleading commercial practices in the course of their business, in particular, as described by sections 43(2) and 43(3)(b)(vii) of the Consumer Protection Act 2007.
- Carry out appropriate due diligence on the history and usage of every vehicle offered for sale in the course of their trade.
- Provide consumers with the usage or prior history, in particular any crash history and a correct and accurate mileage reading and accurate details of the standard of repair of every vehicle offered for sale by Kieran McArdle and Doohamlet Motors Limited in the course of trade.
- Maintain a record of the due diligence carried out on the history and usage referred to above for a period of three years from the date of advertisement or the date of sale, whichever is later, of every used vehicle advertised or offered for sale by Kieran McArdle and Doohamlet Motors Limited.

Legislation breached

Engaging in an unfair commercial practice as described by section 41(2) contrary to section 41(1) of the Consumer Protection Act 2007.

Engaging in a misleading commercial practice as described by section 46(1) contrary to section 42(1) of the Consumer Protection Act 2007.

GC Autos Limited trading as Kylemore Cars, Unit 7, Royal Liver Business Park, Naas Road, Dublin 12

On 13 November 2018, following an investigation relating to an alleged misleading commercial practice and an alleged unfair commercial practice, GC Autos Limited trading as Kylemore Cars, Unit 7, Royal Liver Business Park, Naas Road, Dublin 12 gave an undertaking pursuant to section 73 of the Consumer Protection Act 2007. GC Autos Limited trading as Kylemore Cars undertook to:

- Comply with the prohibition on unfair commercial practices provided by section 41 of the Consumer Protection Act 2007.
- Comply with the prohibition on misleading commercial practices provided by section 42 of the Consumer Protection Act 2007.
- Exercise professional diligence with regard to the standard of skill and care which it may reasonably be expected to exercise in respect of consumers, including in circumstances where repair works are outsourced by Kylemore Cars to a third party.
- Provide consumers with all material information, including information relating to the condition of motor vehicles, that the average customer would need, in the context, to make an informed transactional decision.

3. Compliance Notices (as provided for by Section 75 of the Consumer Protection Act 2007)

Total number of Compliance Notices that took effect: Nine

Legislation breached

Engaging in a misleading commercial practice prohibited under section 42 and as described by Section 43(1) or (2) and Section 43(3)(b)(vii) and contrary to section 47 of the Consumer Protection Act 2007.

Ken Horan, trading as Ken Horan Motors, Kilcolgan, Co. Galway.

On 26 January 2018, the CCPC served a compliance notice on Ken Horan, trading as Ken Horan Motors, Kilcolgan, Co. Galway, directing him to do the following:

- To cease engaging in misleading commercial practices contrary to Section 47 and as described by Section 43(2) and Section 43(3)(b)(vii) of the Consumer Protection Act 2007.
- To remedy the matter occasioning the notice by compensating the consumer in the sum of €1,500.
- To provide true and accurate information to consumers with respect to the usage and prior history of his products.

Michael Hughes, Dublin 20.

On 7 August 2018, the CCPC served a compliance notice on Michael Hughes, a trader with an address in Dublin 20, directing him to do the following:

- To comply with the prohibition on misleading commercial practices provided by section 42(1) of the Consumer Protection Act 2007.
- To cease engaging in misleading commercial practices contrary to Section 47 and as described by Section 43(2) and Section 43(3)(b)(vii) of the Consumer Protection Act 2007.
- To remedy the matter occasioning the notice by compensating the consumer in the sum of €1,450.
- To provide true and accurate information in all communications, including advertisements, with or to consumers with respect to the usage and prior history of his products.
- To carry out appropriate due diligence on the history and usage of every motor vehicle offered for sale by Michael Hughes.
- To maintain a record of the due diligence carried out on the history and usage for a period of three years from the date of advertisement or the date of sale, whichever is later, of every used vehicle advertised or offered for sale by Michael Hughes.

Greenhills Motors Limited, 17 Elmwood Close, Drogheda, Co. Louth.

On 24 October 2018, the CCPC served a compliance notice on Greenhills Motors Limited, of 17 Elmwood Close, Drogheda, Co. Louth, directing it to do the following:

- To comply with the prohibition on misleading commercial practices provided by section 42 of the Consumer Protection Act 2007.
- To cease engaging in misleading commercial practices, contrary to section 47 and as described by section 43(1) and section 43(3)(b)(vii) of the Consumer Protection Act 2007.
- To provide true and accurate information in all communications, including advertisements, to consumers with respect to the usage and prior history, in particular odometer mileage reading, of every vehicle advertised or offered for sale by Greenhill Motors Limited.
- To carry out appropriate due diligence on the history and usage of every used vehicle advertised or offered for sale by Greenhill Motors Limited.
- To maintain a record of the due diligence carried out on the history and usage for a period of three years from the date of advertisement or the date of sale, whichever is later, of every used vehicle advertised or offered for sale by Greenhill Motors Limited.

Legislation breached

Engaging in a prohibited commercial practice contrary to section 55(1)(x)(i) of the Consumer Protection Act 2007.

Jalal Khan, a director of Greenhills Motors Limited, 17 Elmwood Close, Drogheda, Co. Louth.

On 24 October 2018, the CCPC served a compliance notice on Jalal Khan, a trader, directing him to do the following:

- To comply with the prohibition on prohibited commercial practices provided by section 55(1)(x)(i) of the Consumer Protection Act 2007.
- To cease engaging in prohibited commercial practices provided by section 55(1)(x)(i) of the Consumer Protection Act 2007.
- To provide true and accurate information with respect to his status as a trader in all communications, including advertisements, to consumers of every motor vehicle advertised or offered for sale by him.
- To publish all advertisements to consumers for motor vehicles offered for sale by him on online classifieds websites as an advertisement by a trader rather than as an advertisement by a private seller or as a consumer.

Legislation breached

Engaging in a misleading commercial practice as described by Section 43(1) and 43(3)(c) of the Consumer Protection Act 2007.

Dublin - Lidl Ireland GmbH, trading at 18 Rathfarnham Road, Terenure, Dublin 6.

On 20 April 2018, the CCPC served a compliance notice on Lidl Ireland GmbH in relation to their premises at 18 Rathfarnham Road, Terenure, Dublin 6, directing it to do the following:

- To cease engaging in the misleading commercial practice of providing false information in relation to the price of a product, as described by Section 43(1) and 43(3)(c) and contrary to Section 47 of the Consumer Protection Act 2007.
- To amend its pricing practice to ensure that the price that the consumer has to pay for the product matches the displayed price.

No Ordinary Designer Label Limited, trading at Ted Baker, House of Fraser, Dundrum Shopping Centre, Dundrum Dublin 14.

On 26 April 2018 the CCPC served a compliance notice on No Ordinary Designer Label Limited, trading at Ted Baker at House of Fraser, Dundrum Shopping Centre, Dundrum, Dublin 14, directing it to do the following:

- To cease engaging in the misleading commercial practice, of providing false information in relation to the price of a product, as described by Section 43(1) and 43(3)(c) and contrary to Section 47 of the Consumer Protection Act 2007.
- To amend its pricing practice to ensure that the price that the consumer has to pay for the product matches the displayed price.

Tesco Ireland Limited, trading at Millfield Shopping Centre, Balbriggan, Co Dublin.

On 30 May 2018 the CCPC served a compliance notice on Tesco Ireland Limited, in relation to their premises at Millfield Shopping Centre, Balbriggan, Co Dublin, directing it to do the following:

- To cease engaging in the misleading commercial practice of providing false information in relation to the price of a product, as described by Section 43(1) and 43(3)(c) and contrary to Section 47 of the Consumer Protection Act 2007.
- To amend its pricing practice to ensure that the price that the consumer has to pay for the product matches the displayed price.

Limerick - The Range Home & Leisure Limited, trading at The Range, Childers Retail Park, Childers Road, Limerick.

On 17 May 2018 the CCPC served a compliance notice on The Range Home & Leisure Limited, trading at The Range, Childers Retail Park, Childers Road, Limerick, directing it to do the following:

- To cease engaging in the misleading commercial practice, of providing false information in relation to the price of products, as described by Section 43(1) and 43(3)(c) and contrary to Section 47 of the Consumer Protection Act 2007.
- To amend its pricing practice to ensure that the price that the consumer has to pay for the product matches the displayed price.

Louth- Smyths Toys HQ Unlimited Company, trading at Smyths Toys Superstore at Dundalk Retail Park, Dundalk, Co Louth

On 30 May 2018, the CCPC served a compliance notice on Smyths Toys HQ Unlimited Company trading at Smyths Toys Superstore at Dundalk Retail Park, Dundalk, Co Louth, directing it to do the following:

- To cease engaging in the misleading commercial practice of providing false information in relation to the price of products, as described by section 43(1) and 43(3)(c) and contrary to Section 47 of the Consumer Protection Act 2007.
- To amend its pricing practice to ensure that the price that the consumer has to pay for the product matches the displayed price.

4. Fixed Payment Notices (as provided for by Section 85 of the Consumer Protection Act 2007)

Total Number of Fixed Payment Notices (FPNs) paid: 15

Legislation breached

Failing to indicate the selling price of a product, in contravention of Regulation 4(1) of the European Communities (Requirements to Indicate Product Prices) Regulation 2002

Number of FPNs – 13 (Traders listed alphabetically by county).

Clare

- Market Hardware Limited trading at Market Hardware, Quin Road Business Park, Ennis, Co. Clare.

Cork

- Eason and Son Limited trading at Easons, Unit 32, Wilton Shopping Centre, Cork.

Dublin

- Capital Stores Limited trading at Eurospar Hartstown, Hartstown Shopping Centre, Hartstown, Dublin 15.
- Evelyn Supermarkets Limited trading at Eurospar, 66 Main Street, Applewood Village, Swords, Co. Dublin.
- Heatons Unlimited Company trading at Heatons, Level 1, The Square, Tallaght, Dublin 24
- Mr. Kevin Farrelly trading at Spar Waterville, Village Centre, Waterville, Blanchardstown, Dublin 15 – **received 2 FPNs.**
- Pelco Limited trading at Centra, Clonkeen Service Station, Clonkeen Road, Deansgrange, Co. Dublin, A94 V8A0.
- Tesco Ireland Limited trading at Tesco Express, 51-52 Thomas Street, Merchants Quay, Dublin 8.

Kildare

- Davrone Enterprises Limited trading at McCabe Gala, Kilmeague, Naas, Co. Kildare.

Kilkenny

- Mr. Maurice Purcell and Ms Mary Purcell, Purcell's Quik Pick Foodstore, Boherbui, Paulstown, Co. Kilkenny.

Limerick

- The Range Home & Leisure Limited trading at The Range, Childers Retail Park, Childers Road, Limerick.

Offaly

- Heatons Unlimited Company trading at Heatons, Unit H, Tullamore Retail Park, Cloncollig, Tullamore, Co. Offaly.

Legislation breached

Failing to display a notice as required by Article 3 of the Retail Price (Beverages in Licensed Premises) Display Order 1999.

- Blue Anchor Limited trading at The Blue Anchor (Bar), Bellurgan Point, Dundalk, Co. Louth.

Legislation breached

Failing to display a notice as required by Article 3 of the Charges (Hairdressing) Display Order, 1976.

- UMI Salon Limited trading at Leona Collins Professional, 8 West Street, Drogheda, Co. Louth, A92 HO23.

