



Competition and Consumer Protection Commission

ANNUAL REPORT

1 January 2021 – 31 December 2021



Coimisiún um
Iomáiocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission



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2021 IN NUMBERS



First
legally binding
commitments
obtained for price
signalling
practices



First
legally binding
commitments
obtained for resale
price maintenance
conduct



34
enforcement actions
for breaches of
consumer
protection law



38
products
sent to laboratories
for product safety
testing



3
new
organisational
Divisions
and Units



45
positions
filled
across the
organisation



74
merger
determinations
issued



735,338
visitors to
our online
Money Tools



44
positions provided to
Government policy
development



136
product
safety notifications
investigated



1,512
participants in our
Money Skills for Life
programme



37,094
consumers
contacted
our helpline

FROM THE CHAIRPERSON

2021 was a year of change and progress for the CCPC. It was the first year of our new Strategy Statement 2021-2023, which itself was drawn up amid the challenges of Brexit and Covid-19. While our Strategy acknowledged the uncertainties of these times, we devised four Goals which have guided our work during the last year. Our strategic focus has underpinned the development of the capabilities of our people and how we support competition in the State and safeguard the rights of consumers. It is my privilege to have joined the CCPC, taking up the position of Chairperson in January 2022. The great work and commitment of my predecessor Isolde Goggin is clear to see, and she has left a strong legacy and organisation that I am committed to leading in the years ahead.

The CCPC has continued to grow in recent times and our structure has developed so that we can operate more effectively across our remit. During the last twelve months we established a new Digital Investigations Division, rapidly expanded our Policy and Product Safety teams, and set up a Platform to Business unit. In parallel with changes to our structure, all of our people have actively enhanced many aspects of how we work. At an organisational level we started to prepare for the introduction of agile working in the CCPC, which I am expecting will become fully operational during 2022. October saw our people return to our Bloom House office once-a-week, as per health guidelines. While public health circumstances meant much of the organisation had to return to full-time remote working as the year ended, it reminded us of the value of in-person interactions, and showed us how flexible working arrangements can be managed. Our new ICT Strategy also got underway this year, which will put our ICT function at the centre of how we manage new business requirements, digital technologies, data intelligence and 'ways of working'.

Our wide-ranging mandate means that we have many issues that we must progress in any given year. I am particularly pleased that significant headway was made on the progression of the Competition (Amendment) Bill and the Consumer Rights Bill. Both bills are important pieces of legislation and will mark a sea-change for competition and consumer protection law in Ireland. We are now preparing with our staff and key stakeholders for their full implementation from next year. At the same time, we concluded a number of important investigations that impact consumers on an everyday basis. We published the findings of our investigation into ticketing services in the State, and closed our investigation into allegations of price-signalling in the private motor insurance industry, which saw important commitments secured from the industry that will help to maintain a fairer market into the future. We also obtained legally binding commitments for Resale Price Maintenance (RPM) practices this year.

Mergers began to return to pre-pandemic levels, and we adjusted our resources accordingly to efficiently manage the higher volumes. We also saw a return to on-site inspections for cars, Christmas markets and imported goods. Our use of technology continued to compliment the enforcement activities of the CCPC, and we conducted a number of online sweeps during the year. Our coordinated activities with our EU and EEA counterparts, ensured that over 900,000 non-complaint face masks were destroyed before they could reach the Irish market.

We continued to expand our work in financial education, which is a vital area for consumers and indeed the economy. It is one of the most complex areas for consumers to navigate but financial well-being is critically important to overall well-being. Over 1,500 people participated in our 'Money skills for life' programme, and over three quarters of a million people used our online Money Tools. Our sponsorship of the television series 'How to Be Good with Money' saw us reach ever-increasing audiences. We ran several important consumer campaigns during the year, and in particular I would mention our travel research campaign which came at an important time, as consumers started to plan to holiday abroad once more.

I would like to take this opportunity to thank all of our staff for their hard work over another challenging year. Their enthusiasm and dedication have stood out for me across the organisation and allowed us deliver real results for competition and consumer protection. I also want to thank the Department of Enterprise, Trade and Employment for their assistance throughout the year and all of our stakeholders on prioritising fair competition and consumer protection. We continue to face even greater challenges ahead as we navigate changing international geo-political events, ongoing developments from Brexit and embedding new legislation and powers. I am confident the CCPC will continue to effectively manage these challenges and deliver fair and open markets, underpinned by respect and protection for the consumer.



A handwritten signature in white ink, which appears to read 'mohmy'.

Jeremy Godfrey, Chairperson

1



We will use our powers to deliver effective enforcement and compliance outcomes.

2



We will empower consumers to make informed decisions by providing information about their rights, personal finance and product safety.

3



We will be a leading voice in representing the interests of consumers and promoting competition.

4



We will continue to invest in our people, governance and infrastructure, continuously improving in a changing workplace environment.



STRATEGIC GOAL 1

We will use our powers to deliver effective enforcement and compliance outcomes.



HIGHLIGHTS



We secured legally binding commitments to address alleged anti-competitive price-signalling practices in the private motor insurance sector. We highlighted our broader concerns about this sector.

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We secured legally binding commitments from Coach House not to engage in resale price maintenance (RPM) conduct. We alerted Irish retailers to the harm that RPM practices can cause.



The Director of Public Prosecutions directed charges to be laid against 13 suspects in a CCPC investigation on alleged bid-rigging of public transport tenders.

.....



We put in place an anonymous whistleblowing system for cartel informants and received our first complaints.

.....



We carried out 115 proactive consumer protection compliance inspections.



We took a leadership role on a coordinated action concerning TikTok by the EU Consumer Protection Cooperation Network.

.....



We published guidance for businesses based in Ireland on their post-Brexit obligations under consumer protection law.

.....



We carried out unannounced inspections of used car sales dealers with An Garda Síochána. We issued a warning to car dealers to provide complete and correct information to consumers.



We investigated two suspected pyramid promotional schemes and we issued warnings to consumers.

.....



We directed the destruction of 928,000 non-compliant face masks before they reached the Irish market.

.....



We implemented measures to address product safety issues with the Oculus Quest 2 virtual reality headset for 422,000 consumers in Europe.



Our work with other EU market surveillance authorities resulted in the recall of 4,460 unsafe baby product units from the Irish market.

.....



Our proactive product safety investigations resulted in the withdrawal of nine products and the recall of three products from the Irish market.

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We received 81 merger notifications and issued 74 determinations. We used the Simplified Merger Notification Procedure to make 43% of our determinations.

Market Surveillance Regulations



The Market Surveillance (MS) Regulation (2019/1020) came into effect in July and applies to 70 pieces of legislation, including several which the CCPC enforces: the Low Voltage Directive, the Toy Safety Directive, the Gas Appliances Regulation and the PPE Regulation.

The MS Regulation replaces and improves the market surveillance legal provisions¹ by providing more effective enforcement tools to EU Market Surveillance Authorities (MSAs), including the CCPC, to address online sales. It comes into effect as more complex supply chains and increasing online sales are leading to challenges to MSAs across the EU. During 2021, we actively engaged with the Department of Enterprise, Trade and Employment on developing Statutory Instruments to give further effect to the MS Regulation.

Competition (Amendment) Bill



The development of the Competition (Amendment) Bill, which will transpose Directive (EU) 2019/1 (ECN+) into Irish law, continued in 2021. The Directive empowers EU national competition authorities, such as the CCPC, to be more effective enforcers of EU competition law. The legislation also includes other amendments to enhance the CCPC's powers in the enforcement of EU and Irish competition law and the statutory merger review regime. In February, we addressed a hearing of the Joint Oireachtas Committee on Enterprise, Trade and Employment, where we welcomed the Bill as a once in a generation opportunity to reform Irish competition law and to align our enforcement regime with the rest of the EU.

Throughout 2021, we engaged with our parent department, the Department of Enterprise, Trade and Employment, on the detail of the legislation and considered how the powers will impact on the CCPC. We put in place project groups to develop the organisational policies and structures that will be needed when the legislation commences. In October, we informed stakeholders that we will carry out a series of public consultations on the proposed new policies and procedures for the Bill in early 2022.

Consumer Rights Bill



The Consumer Rights Bill, which will enhance and modernise consumer protection law to meet the needs of today's consumers, continued its progress during 2021, with the Department of Enterprise, Trade and Employment (DETE) holding a public consultation on the General Scheme of the Bill. The CCPC's submission set out our views and we welcomed the Scheme as a very positive development for consumers in Ireland. We will continue to work with DETE in 2022 to progress this important piece of legislation.



¹Regulation 765/2008.

Compliance with Competition Law

Private Motor Insurance



In 2016, the CCPC opened an investigation into allegations of anti-competitive price-signalling in the private motor insurance sector in Ireland. Price-signalling is a harmful anti-competitive practice that can impact on competition and ultimately on the price consumers pay.

The potential for consumer harm was particularly high in the private motor insurance sector.

In August 2021, we closed the investigation after securing legally binding commitments from six parties under investigation. Although the parties disputed the CCPC's preliminary findings, AIG Europe SA, Allianz PLC, AXA Insurance DAC, Aviva Insurance Ireland DAC, FBD Insurance PLC and AA Ireland Limited all agreed to enter into commitment agreements with the CCPC under which they are required to implement and maintain an appropriate internal competition law compliance programme. The CCPC's preliminary view was that one of Brokers Ireland's predecessor organisations, the Irish Brokers Association, had also engaged in price-signalling. Brokers Ireland disagreed with the CCPC's preliminary findings, and was not willing to enter into legally binding commitments with the CCPC.

We also wrote to the Central Bank of Ireland, outlining broader concerns about the industry including the unregulated role of trade associations in this sector.

Resale Price Maintenance



In 2019, the CCPC opened an investigation into suspected anti-competitive practices by Chairs Limited, trading as "Coach House", a supplier of household furniture products and accessories based in the UK. Our investigation looked to establish whether Coach House had engaged in resale price maintenance (RPM) conduct, which is an anti-competitive practice of imposing and enforcing a fixed or minimum resale price.

Coach House denied breaching competition law but nonetheless entered into an agreement with the CCPC containing legally binding commitments not to engage in RPM conduct. We obtained, with Coach House's consent, a High Court Order on the terms of the agreement, which came into effect on 29 June 2021. We subsequently closed the investigation.

Cartels



Cartels occur when businesses work together to restrict competition and maintain prices at a high level. Due to their negative impact on society and consumers, in Ireland they are usually considered a criminal matter rather than a civil breach of competition law.

During 2021, we carried out a range of activities to identify potential cartels in the Irish economy. These included assessing complaints, undertaking research and monitoring specific sectors and areas. We opened two cartel investigations and two gun-jumping investigations. The Office of the Director of Public Prosecutions (DPP) directed charges on indictment to be laid against 13 suspects in a CCPC investigation into suspected bid-rigging of public transport tenders. We also introduced an anonymous whistleblowing system for cartels.

Compliance with Consumer Protection Law

Non-Delivery of Goods



The Consumer Protection Act 2007 prohibits businesses from engaging in misleading commercial practices and providing misleading information to consumers. In late 2020, we received complaints from consumers who placed orders for Sony PlayStation 5s with Mr. Umar Anwar, trading as Innovate, but did not receive either the gaming consoles or a refund.

In 2021, we determined that Mr. Anwar had engaged in a prohibited commercial practice by advertising and selling products without disclosing that he may not be able to supply the product. We found that the trader had also provided misleading information to consumers about the availability of the product; the date and method of delivery; where the products were being sourced from; the handling of their complaints, and the supply process.

We served Mr. Anwar with a Compliance Notice in October 2021, directing him to comply with consumer protection law and to issue refunds to consumers who did not receive their purchased PlayStation 5. We also served two Fixed Payment Notices on Mr. Anwar in November 2021, for breaches regarding the requirement for businesses to provide certain information to a consumer when selling online.

Compliance Inspections



We conducted 60 proactive online compliance inspections in 2021. These inspections assessed trader websites selling goods and services, for compliance with consumer protection legislation. The key areas assessed during these inspections were requirements under product pricing legislation and the Consumer Rights Directive.

As the Covid-19 public health situation improved in the second-half of 2021, we recommenced visits to stores to monitor compliance with consumer protection legislation. We conducted 55 proactive in-store compliance inspections which primarily focussed on compliance with pricing regulations. When we identified a breach of consumer protection legislation, we engaged with the trader to ensure they addressed the issue and we took enforcement action when necessary.

Tackling Vehicle Crime



The Consumer Protection Act 2007 prohibits traders from misleading consumers if selling crashed or clocked cars. Some 220 of the contacts we received during the year from the public, concerned potentially clocked or crashed cars.

Throughout 2021, with the cooperation and support of An Garda Síochána, we carried out unannounced inspections of traders engaged in used car sales across the country, which were the subject of multiple complaints to the CCPC. We inspected vehicles for evidence that traders may have misled consumers about their history.

Following these inspections, we issued a warning to car dealers reminding them of their legal obligation to give complete and correct information to consumers when they are selling a car. We also reminded consumers to exercise caution and independently research the car history before they buy a second-hand vehicle.

Pyramid Promotional Schemes



In 2021, we were alerted to the possible existence of two suspected pyramid promotional schemes. Under Section 65 of the Consumer Protection Act 2007, it is illegal to establish, operate, promote or knowingly take part in a pyramid promotional scheme.

In March, we became aware of a potential promotional pyramid scheme that was active on social media. Consumers reported being asked to make an initial investment of €150 and then recruit others to invest in order to move to the next tier of the model. The scheme targeted students and young people. We issued a warning to consumers and continued to investigate the potential pyramid scheme during 2021.

In November, we searched two properties in County Donegal, as part of an investigation into an alleged pyramid promotional scheme by a multi-level marketing company in the health and wellness sector. The CCPC and Food Safety Authority of Ireland were supported by members of An Garda Síochána and the Garda National Economic Crime Bureau in carrying out the searches. As 2021 ended, this investigation was ongoing.

Greenwashing Warning



'Greenwashing' is a practice where businesses falsely suggest that a good or service has a positive, minimal or no impact on the environment. In 2021, we took part in an International Consumer Protection and Enforcement Network (ICPEN) Green Claims Sweep to check if environmental claims made by certain traders were false or misleading under the Unfair Commercial Practices Directive. ICPEN's Fraud Prevention Month subsequently focussed on greenwashing, and we published information to raise awareness of greenwashing and advise consumers how to protect themselves.

**Every
second-hand
car has a
story to tell.**

**I've a
private
seller**



**keeping
the fact
they're a
dealer
private
that is.**

At Home and Abroad – Joint Enforcement Activities

Product Safety Surveillance



We saw positive results during the year from two market surveillance projects carried out with our counterparts across the EU and EEA.

The Coordinated Activities on the Safety of Products (CASP) project commenced in 2020 and involved testing five Personal Protective Equipment (PPE) face masks and five baby products including baby nests, sleep bags and bedside sleepers.

All of the five PPE face masks that were tested failed to comply with regulatory requirements². Four were withdrawn from the Irish market and the enforcement action for the fifth face mask continues into 2022. Three of the five baby products tested failed to meet regulatory requirements³ and all three were recalled, resulting in the recall of 4,560 unsafe baby products from the Irish market. We also issued guidance to consumers.

Online Consumer Reviews Sweep



Consumers often rely on reviews when they make purchasing decisions. In 2021, we participated in the EU's Consumer Protection Cooperation (CPC) Network's sweep on online consumer reviews, which involved the inspection of trader websites for misleading practices for online reviews.

Over 220 websites across the EU were inspected by CPC Network Authorities as part of the sweep, and the CCPC targeted six traders selling goods and services to consumers in Ireland. The sweep found that in almost two-thirds of the trader websites examined, there were doubts about the reliability of the reviews. Following the sweep, CPC Authorities committed to follow-up with traders to rectify their websites and, where necessary, to initiate enforcement actions.

French Leaseback



We continued to engage with and support the French consumer protection authority (DGCCRF) on their investigation of complaints from Irish purchasers of French Leaseback properties. This included forwarding DGCCRF updates to Irish complainants, providing material requested by the DGCCRF, and forwarding information, concerns and queries received from Irish complainants. In July, on behalf of DGCCRF we informed complainants that their investigation was complete and final reports were ready for transmission to the French public prosecutors. We subsequently informed the complainants in December that DGCCRF had advised that the reports had been provided to the relevant prosecutors who would decide on the next steps.

TikTok Dialogue



In February, the European Consumer Organisation (BEUC) made a complaint to the European Commission alleging breaches of EU consumer law by TikTok, the social media video sharing platform. Areas of specific concern included hidden marketing and aggressive advertising techniques targeted at children.

Following the complaint, the European Commission launched a formal dialogue with TikTok. The CCPC, as a member of the European Union Consumer Protection Cooperation (CPC) Network, is co-leading this formal dialogue alongside the Swedish Consumer Authority. Significant progress was made during 2021, and it is expected the action will be concluded by mid-2022.

We also contributed to a number of other similar actions coordinated by the CPC Network, including actions involving Google, Viagogo, Airlines and Shopify.

² European Union (Personal Protective Equipment) Regulations 2018 (S.I. No. 136 of 2018).

³ European Communities (General Product Safety) Regulations 2004 (S.I. No. 199/2004).

Product Controls - Our Work with Customs



The CCPC has a bi-lateral relationship with Customs to ensure that effective controls are in place to prevent unsafe products entering the State. During the year, we screened and assessed 42 consignments referred by Customs, where eight consignments required further investigation.

The CCPC is the Irish Market Surveillance Authority for Personal Protective Equipment (PPE) for consumer use. In January, we investigated a Customs consignment as part of an EU-wide Customs initiative to carry out checks on PPE imports. The consignment included 564,000 PPE face masks intended for sale to consumers.

We subsequently investigated a second consignment of 364,000 PPE face masks from the same importer. We determined that the face masks in both consignments did not comply with the relevant legislation and standards, and they were not permitted to be placed on the Irish market.

The importer voluntarily disposed of all 928,000 PPE face masks and certificates of destruction were received by the CCPC. This was one of the largest cases of non-compliant product units which required corrective action by the CCPC. We also alerted other Member States to the non-compliance of these masks.



Product Safety Notifications



Products that could be a safety risk are notified to the CCPC by other market surveillance authorities and businesses. We received 136 notifications in 2021 which we investigated, where we were the lead Member State for 17 of the product notifications, a 240% increase from 2020. For each of the 17 product notifications, we assessed the risk and corrective measures to address the safety issue which we submitted to Europe via Safety Gate⁴. We also subsequently verified that the corrective measures were fully implemented and we will continue to monitor their effectiveness. We published 68 web notices alerting consumers to product recalls.

One notable CCPC product safety notification to Safety Gate in 2021, related to a virtual reality headset. There was a potential skin irritation issue associated with the Oculus Quest 2 headset's removable foam facial interface. Oculus, which is owned by Meta (formerly Facebook), implemented measures to replace the facial interface for approximately 422,000 consumers in Europe.

Christmas Market Inspections



The CCPC undertakes proactive inspections to monitor compliance and to raise awareness of businesses' obligations under product safety law. In December, we carried out an inspection of 25 Christmas market traders in Dublin city centre, which focussed on toy and electrical product safety. Our activity resulted in the immediate voluntary withdrawal of unsafe electrical toys presenting a button battery risk to consumers. We also specifically highlighted to traders how their obligations have changed, post-Brexit, when importing products from the UK.

⁴ The Safety Gate system (formerly known as RAPEX) enables the quick exchange of information between 31 European countries and the European Commission about dangerous non-food products posing a risk to health and safety of consumers.

Help for Business

Guiding Businesses Through Brexit Uncertainty



As businesses responded to the changes brought about by Brexit during 2021, we continued to provide them with information and guidance to help them navigate the challenges. In January, we published guidance for businesses registered in Ireland on our website to help them understand their obligations under consumer protection law. The guidance was particularly aimed at businesses that source products from the UK, and who may have experienced delays on orders or increased costs, and whose customers may also have had to pay VAT/Customs charges.

Resale Price Maintenance Awareness



In July, we launched a business compliance campaign to alert Irish retailers to the harm that Resale Price Maintenance (RPM) practices can cause. The campaign included the publication of guidance on our website to help businesses recognise such practices. The guidance explained what RPM is, how it is different to a recommended retail price suggested by a supplier, common forms of RPM, 'Dos and Don'ts' for retailers, and general information about pricing and competition law.

Reaching out to Business

Training with the Local Enterprise Offices



We delivered training on consumer protection legislation to SMEs as part of a series of training sessions run by Local Enterprise Offices (LEOs) on online selling in response to Brexit and Covid-19. We participated in seven virtual sessions with the LEOs in the North East and North West. We also developed a 'Selling Online Retailer Checklist', which provided retailers with a useful checklist for their online shops.

Enterprise Ireland Online Retail Scheme



During the year, Enterprise Ireland (EI) administered funding to help tackle the impact of the Covid-19 pandemic on retailers. In October, EI hosted a webinar for the grant recipients where we delivered a presentation on consumer protection law and how it applies to sales in Ireland. We also shared our 'Retailer Guide to Selling' and 'Selling Online Retailer Checklist' with participants. The materials were shared with over 300 recipients of the grant.

Be Safe - Chargers Campaign



Retailers are accountable for the non-compliance of any electrical product they place or make available on the market. As the Christmas season approached, we launched a business information campaign on the importance of only selling electrical chargers which conform with EU product safety legislation and have a legitimate CE mark.

Our awareness campaign generated 12,055 visits to the information on our website. Visitors to our website could also view and download our online guide and checklist on what they need to know to meet their legal obligations.

Safe chargers
carry the  mark



If you don't  it don't sell it.

2021 – An Overview in Numbers



81 mergers were notified to the CCPC in 2021, a 98% increase on 2020. We issued 74 determinations, three of which required commitments to secure approval. Eight determinations were in respect of proposed transactions notified at the end of 2020 and carried over to 2021.

14 notifications required an extended Phase 1 review, five of which required a Phase 2 investigation.

Our drive for efficiency was reflected in the average time taken to issue a determination on a non-extended Phase 1 investigation, which reduced from 22.9 working days in 2020 to 20.2 working days in 2021. We cleared 32 mergers using the Simplified Merger Notification Procedure (SMNP), which represented 43% of the determinations issued by the CCPC in 2021.

The most prominent sectors in the transactions notified to us during the year were 'Financial' and 'Insurance Services'. Sectors with reduced activity in 2021 included 'Information & Communications' and 'Healthcare'.

Merger Moments – Ones that were Watched in 2021



We received a significant number of merger notifications related to the banking sector, which is a key sector for the Irish economy.

In January, we rejected a merger notification for a proposed joint venture between AIB, Bank of Ireland, Permanent TSB and KBC. The proposed joint venture was subsequently re-notified, and following an extended Phase 1 investigation, we decided to carry out a full Phase 2 investigation into the proposed transaction.

We began a Phase 2 investigation into the proposed acquisition by AIB of certain assets, consisting of performing commercial loans, of Ulster Bank. We also opened a Phase 2 investigation in October 2021 into the proposed acquisition of certain assets and liabilities of KBC by Bank of Ireland. Both investigations were ongoing at the end of 2021.

Other significant mergers in 2021 included the acquisition by Pandagreen Limited of Exomex (Ireland) Limited, in the commercial and industrial waste collection sector, subject to legally binding divestment commitments; and the clearance, subject to a number of legally binding commitments, of a joint venture between the Electricity Supply Board (ESB) and Coillte Cuideachta Ghníomhaíochta Ainmnithe (Coillte), to develop and construct renewable energy generation facilities.

Developments in Merger Control Processes



In November, we made changes to our merger notification procedures based on our learnings from the steps we put in place during Covid-19. These changes included requiring that all notifications are made electronically and clarifying notification times.

We continued to engage with our European colleagues on developments within the European merger regime. Significant work was done on considering appropriate measures to deal with the fast-moving digital sector and international competition issues, including what additional tools and powers could be useful to address these issues.

The increasing use of Article 22, which allows national competition authorities in the EU to refer merger transactions to the European Commission for determination, was a key development in 2021. The CCPC made one referral under Article 22 in the Facebook/Kustomer case.



Grocery Goods Regulations



The CCPC is responsible for enforcing the Consumer Protection Act 2007 (Grocery Good Undertakings) Regulations 2016.⁵ We monitor the submission of Annual Compliance Reports (ACRs) from entities covered by the Regulations, and we conduct on-site compliance inspections.

During the year, we commenced an investigation into an entity who had not submitted their ACR by the requested deadline, which we subsequently closed on receipt of the report. In 2021, it was announced that the Regulations will be revoked on 31 March 2022.

SEPA



Under the 2012 Single Euro Payments Area (SEPA) Regulation, anyone with a bank account within the EU should be able to make payments in euro anywhere in the EU. This means that businesses in Ireland should accept EU bank accounts for payments, including direct debits. The CCPC is the designated competent authority⁶ in respect of business-to-consumer transactions.

Over the course of the year, we reviewed the practices of 19 traders that came to our attention through our consumer helpline. We wrote to eight traders where we had concerns over their level of compliance. At the end of the year, one trader was continuing to make changes to achieve compliance.

Credit Intermediaries

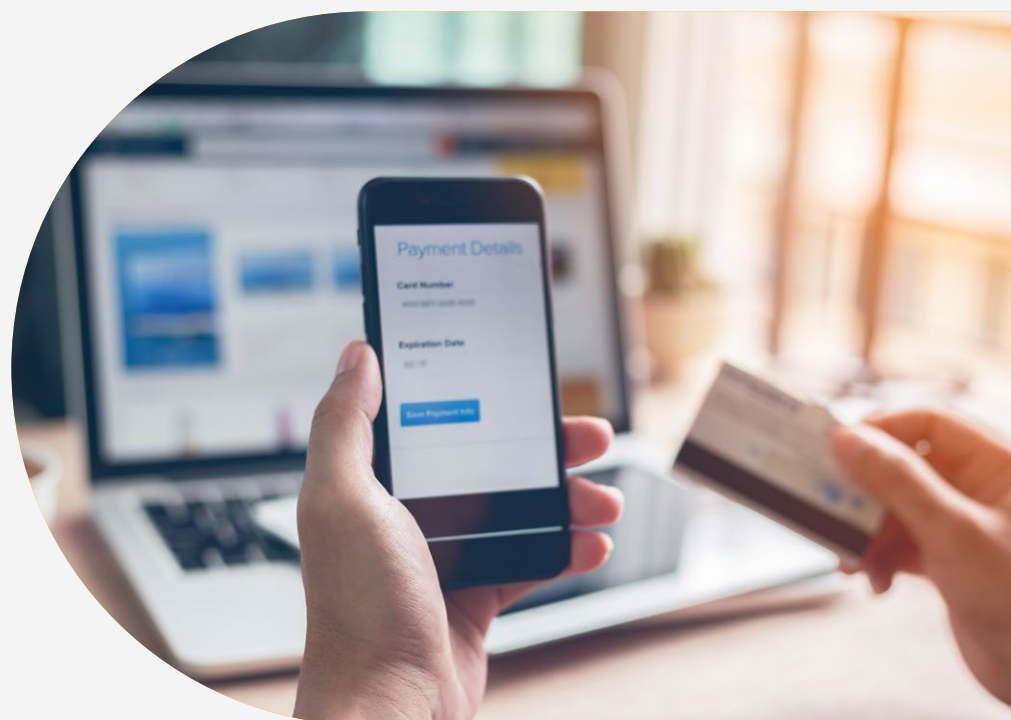


The CCPC shares responsibility for the advertising of credit facilities with the Central Bank of Ireland and has specific responsibility for the authorisation of credit intermediaries and for maintaining the Register of Credit Intermediaries. We issued 952 credit intermediary authorisations during 2021 along with three licences for pawnbrokers.

Alternative Dispute Resolution



Alternative Dispute Resolution (ADR) covers a wide variety of processes used by an independent third-party to resolve disputes out-of-court. The CCPC is the body responsible for the list of notified ADR entities in Ireland. We encouraged bodies interested in becoming a notified ADR entity to contact us, and we engaged with bodies during the year who enquired about becoming a notified ADR entity.



⁵ The Regulations apply to retailers and wholesalers of food and drink in Ireland who have, or are part of a group of related companies, with a worldwide turnover in excess of €50 million. These entities are known as Relevant Grocery Goods Undertakings (RGGuS).

⁶ For the purposes of Article 9 of Regulation (EU) No. 260/2012.



STRATEGIC GOAL 2

We will empower consumers to make informed decisions by providing information about their rights, personal finance and product safety.

HIGHLIGHTS



We continually updated our online Brexit hub to inform consumers how their consumer rights were changing when the UK left the EU. We published an online shopping guide and reminded consumers to check where a website is registered before they buy.

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We promoted the money management and product comparisons information in our online Money Tools, to help consumers deal with the financial pressures caused by Covid-19.



We developed user-friendly material for the public to easily understand their consumer rights for DIY and package holidays as they started to make holiday plans again.

.....



Our research showed a growing trend of consumers having crypto products as investments. We developed practical information to help consumers who were thinking about online investments, to make informed choices.



We encouraged consumers to manage their use of credit at Christmas to avoid repayment burdens in the New Year.

.....



We reminded consumers to think about product safety when buying children's toys or gifts at Christmas.

.....



We delivered most of our 'Money skills for life' talks virtually in 2021 and increased our activity by 42% on 2020.



We developed four explainer videos to help consumers understand some key pension concepts that we promoted during 'Pension Awareness Week'.

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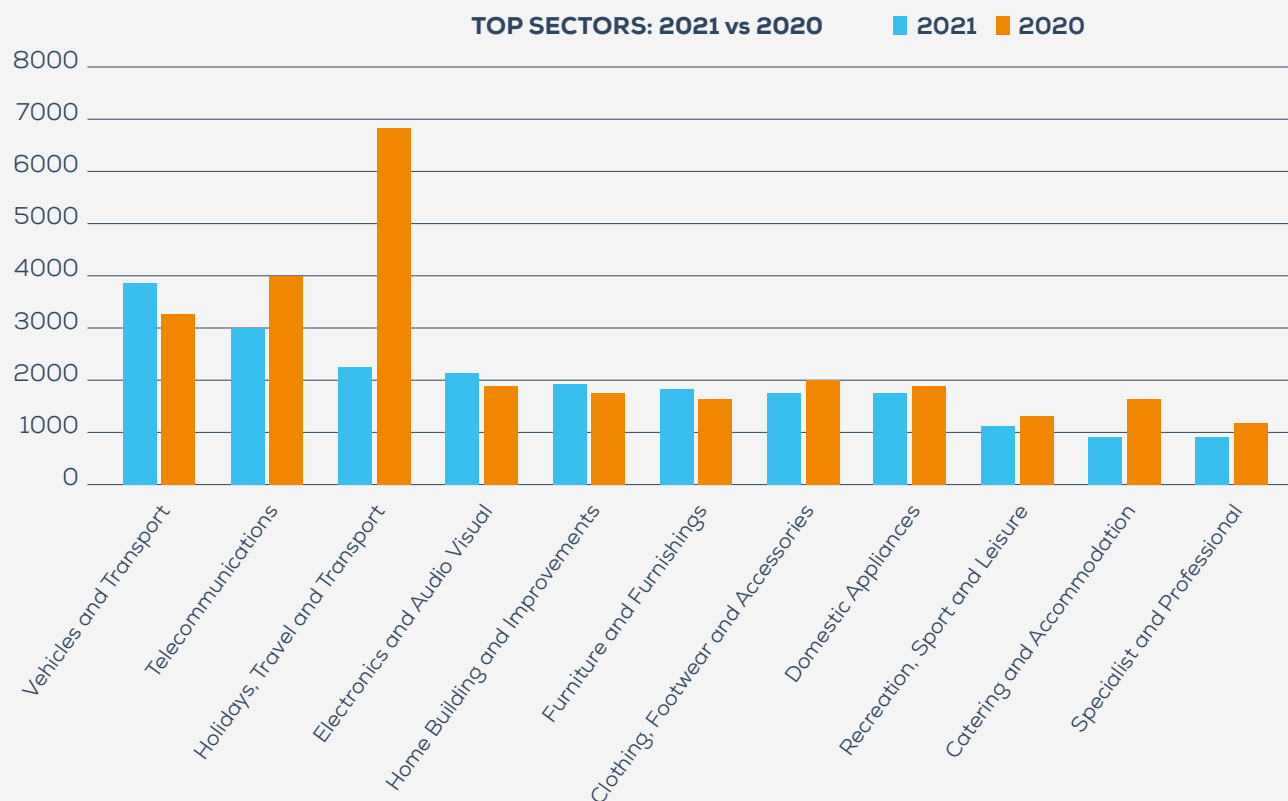
Our sponsorship of 'How to Be Good with Money' on RTÉ One continued to be a success. 8.2 million viewers have watched the programme to date. Our social media activity for Series 3 reached 1.8 million consumers.

Providing Information to Consumers

Our Helpline Activity

One of the most important ways in which we help consumers is by providing them with information about their consumer rights through our dedicated helpline. In 2021 our helpline provided information directly to 37,094⁷ consumers.

"I want to thank the helpline agent for the information they gave us on our consumer rights when we were having issues buying a new car. We met with the garage owner and outlined our preferences and quoted our rights. They are now doing what we asked which is a great result for us. The service provided by the helpline was invaluable." **Feedback from a caller to our helpline.**

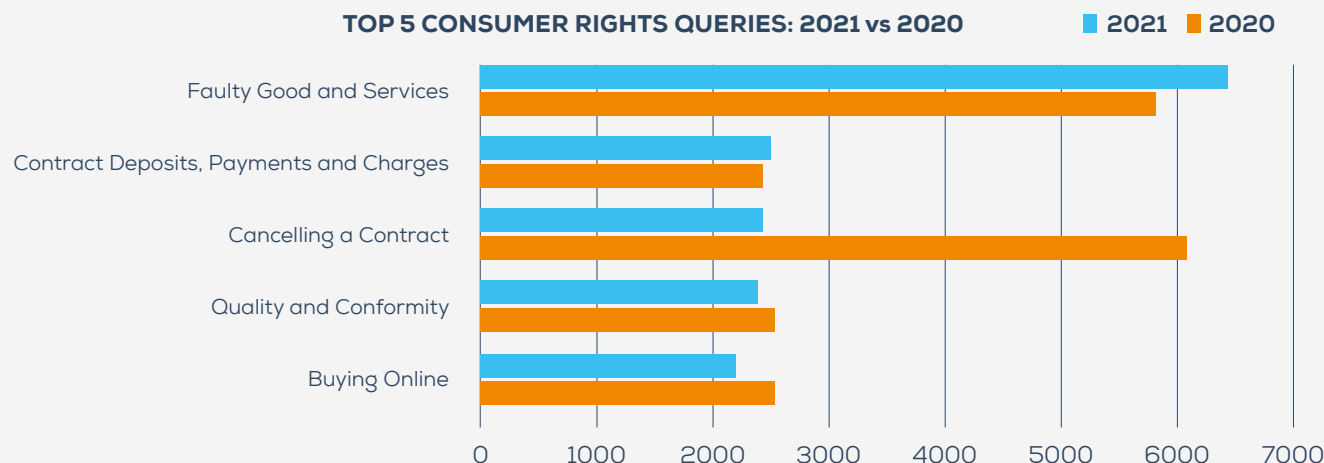


Contacts from consumers returned to pre Covid-19 levels

'Holidays, Travel and Transport' contacts reduced by 66% from 2020. There was also a small increase in 'Vehicles and Transport' contacts, which primarily related to second-hand car purchases, and 'Electronics and Audio Visual' contacts.

⁷ The 2021 figures reflect that call centre volumes returned to pre-Covid levels with a 9% decrease in activity compared to 2020. In 2021 we began recording call centre activity based on the total number of cases rather than the number of calls. This gives a more accurate depiction of the number of consumer issues raised with the CCPC. The actual number of calls made to the helpline in 2021 was 41,040 with the switch to case-based tracking resulting in a reduction of 15% of overall contacts.

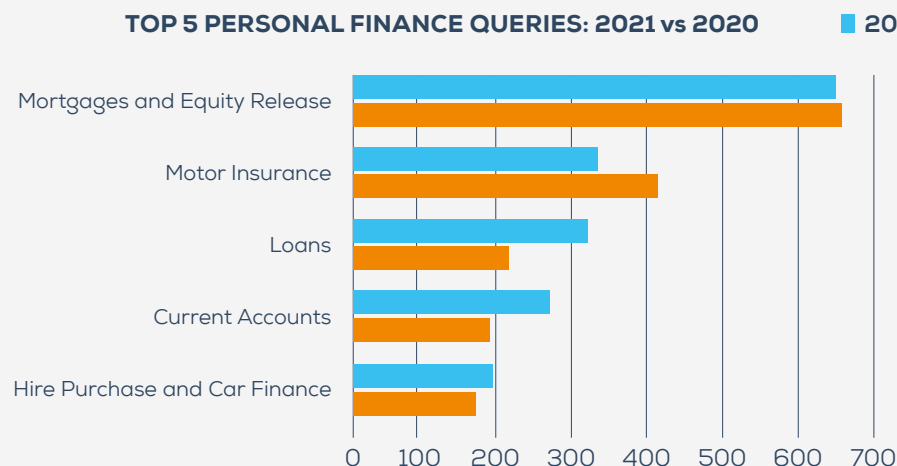
TOP 5 CONSUMER RIGHTS QUERIES: 2021 vs 2020



59% reduction in queries related to contract cancellations

Consumers seeking information on 'Cancelling a Contract' declined significantly in 2021, and was replaced by 'Faulty Goods and Services' as the top reason consumers contacted our helpline in 2021.

TOP 5 PERSONAL FINANCE QUERIES: 2021 vs 2020



Personal Finance products and services accounted for 8% of our overall consumer contacts in 2021, with 'Mortgages and Equity Release' remaining the top call driver. Contacts relating to loans and current accounts increased in 2021.

"A consumer called back to thank the helpline agent for their advice. After speaking to them they contacted their bank straight away and received a refund for the amount paid."

Feedback from a caller to our helpline.

Website Engagement



Our website, ccpc.ie, provides information on consumer rights and personal finance products and services. In 2021, we had 2,029,718 visits to our website, an increase of 5% when compared to 2020.⁸

Our online Money Tools offer consumers comparison tools for the main financial products available in the Irish market, and are the most visited pages on our website – there were 735,338 visitors to our Money Tools in 2021. Consumers using our mortgage comparison Money Tool were most likely to use our First Time Buyers Tool, with 60% of users using this tool, while 35% of users used our Mortgage Switchers Tool and 5% used our Home Movers Tool. Our loan comparison tool had over 90,000 views.

We also have calculators to help consumers track their income and expenses and manage their money better. Our mortgage calculator Money Tool was visited over 180,000 times during the year.

Outside of our Money Tools, the most popular consumer content on ccpc.ie was our step-by-step homebuying guide, our Brexit hub and our shopping content. Within our Brexit hub, our most popular content was shopping online (41%), followed by information on additional taxes and charges (26%) and information on buying from UK retailers based in Ireland (13%).

Consumer – Top 5 pages visited	<ol style="list-style-type: none"> 1. Mortgage calculator 2. Money Tools homepage 3. Mortgage comparison 4. Buying a home 5. Loan comparison
Business – Top 5 pages visited	<ol style="list-style-type: none"> 1. Consumer protection law – How does it apply to my business 2. Merger notifications 3. Distributor and retailers product safety legislation guide – Electrical chargers 4. About us 5. Current news

⁸ Our 2021 website stats are recorded using Matomo which is a cookie-free analytics platform.

FAQ Friday and Consumer Newsletter



Our helpline receives hundreds of queries from consumers each week looking for information on their consumer rights, personal finance products and services, and product safety concerns. On Fridays we shared the answers to some of the most frequently asked questions on our website.

In the FAQs during 2021 we shared information and useful tips on a wide range of areas covering; product guarantees, warranties and what they mean when it comes to your consumer rights, wedding cancellations and deposit refunds, and managing your finances.

We also issue a consumer newsletter each month with all of the latest updates on consumer news for our subscribers. Our subscriber list grew by 10% to 7,576 in 2021. We addressed a variety of topics each month and the most popular articles in 2021 were: credit history, a guide to managing your finances and online shopping post-Brexit. Our consumer newsletter has an open rate of over 46% which is well above the average open rate across all industries of 21%.

Media Campaigns

Adjusting to Brexit

We began the year by supporting consumers to understand the changes to their consumer rights due to Brexit. We ran a four-week public awareness campaign on the impact of Brexit on online shopping. We highlighted that shopping online from UK websites had changed due to Brexit and we encouraged online shoppers to check the information on ccpc.ie. We developed an online consumer guide with clear information and practical tips on what consumers need to know before filling their virtual shopping baskets. During the year we continued to update our Brexit hub with the latest information to reflect the experiences of shoppers.



Brexit means changes for your consumer rights

Budgeting and Money Management



Over December 2020 and January 2021, we ran an eight-week campaign to remind consumers of how our Money Tools could help them manage their money. The campaign resulted in 26,894 visits to the Money Tools on our website, an increase of 71% on pre-campaign traffic.

In June we ran a five-week campaign on using our Money Tools to find out what alternative financial products were available to consumers if they were switching to another provider. We received 65,974 visits to our Money Tools webpage, an increase of 268% compared to the pre-campaign period.

Mortgage Savings



A mortgage is the most significant financial investment that most consumers will make in their lifetime, and moving or switching mortgage can deliver significant savings. We ran a public awareness campaign in October to encourage consumers to use our Money Tool to find out their mortgage options. The campaign drove 17,978 visits to the mortgage Money Tool, an increase of 169% on the pre-campaign period.

Travel Tips



As the summer approached, we ran a national media campaign to remind consumers about the importance of knowing their consumer rights before they made travel plans, due to the continued uncertainty created by the Covid-19 pandemic. The campaign was informed by CCPC research on consumer travel plans and awareness of consumer travel rights.

As part of the campaign, we developed a holiday checklist for consumers, as well as a 'travel rights snapshot' to help consumers quickly compare their rights when booking a package holiday versus a 'DIY' holiday. The campaign received widespread coverage across both national and regional media.

Shopping in the Sales



Ahead of the 2021 Black Friday and Cyber Monday sales, we launched a nationwide media campaign, reminding online shoppers of the importance of checking where a business is based before they buy.

Our campaign message was informed by CCPC research which showed that the majority of consumers who shop online look to the currency and website domain, rather than the registered address of the business, before they buy goods.

The campaign attracted widespread media attention and we took part in several national media interviews, including on RTÉ's 'Morning Ireland', Virgin Media's 'Tonight Show' and Today FM's 'Dermot & Dave'.

Seasonal Campaigns



As we approached the Christmas shopping season, we ran a consumer rights campaign in November to remind consumers of their rights if they have a problem with something they buy. The four-week campaign drove 45,249 visits to the campaign webpage, an increase of 206% compared to the pre-campaign period.

We commissioned research on Christmas spending and finances which showed that 1-in-3 consumers planned to borrow to help cover their Christmas costs, with credit cards being the most popular type of finance. The findings informed a national media campaign, focused on encouraging consumers to closely manage their use of credit to fund their Christmas expenses, to avoid being overwhelmed by New Year repayment demands. We also developed a consumer guide with practical tips to help consumers manage their finances over the festive period and limit their debt in 2022.

The run up to Christmas also coincided with media reports on potential stock shortages and delivery delays due to Covid-19 and Brexit. We issued a consumer warning, advising consumers of steps to follow before buying online. Our media campaign focused on providing practical advice to consumers to help protect themselves from rogue traders who may attempt to take advantage of those having trouble sourcing a particular product or toy over the Christmas period.

Used Car Checks



Each year we receive over 1,000 calls from consumers reporting issues with used cars. We carried out research which found that 1-in-5 consumers who bought used cars did not carry out any checks before buying. When it came to vehicle history, less than half of consumers checked if the used car had previously been crashed or seriously damaged before buying.

We carried out a public awareness campaign in May to remind consumers to check the history of a used car before they buy. The campaign drove 11,133 visits to our car checks webpage. The public information campaign was reinforced by a national media campaign in June on the same topic.

Toy Safety



Christmas usually means toy shopping for many consumers and we ran a toy safety awareness campaign in November on the risks posed by poor quality or unsafe toys. Our key message to consumers was to always check that what they're buying is safe, particularly when it comes to children's toys or gifts. The four-week campaign drove over 17,000 visits to the campaign landing page, an increase of 5,950% compared to the previous four-week period.

Safe toys carry
the **CE** mark



Charger Safety



Electronic goods are very popular gifts so we used the Christmas shopping season to remind consumers to check that the chargers they buy for these devices are safe. Our four-week awareness campaign in December reminded consumers to always buy from a reputable retailer and check that chargers have a genuine CE mark. The campaign resulted in 9,034 visits to the campaign landing page which was an increase of 888% compared to the previous four-week period.



Financial Education Sponsorship

RTÉ One's 'How to Be Good with Money'



In January and February, we continued our sponsorship of the financial education television series 'How to Be Good with Money' on RTÉ One. During the eight episodes in the third series, well-known financial planner Eoin McGee helped households learn how to manage their money better and achieve their goals. Viewers were given practical financial information and solutions they could apply to their own lives.

The programme had an average viewership of 344,375 per episode and the average audience share was 20%. The programme's continuing popularity is reflected by the 8.2 million viewers who have watched all three series. Our supporting campaign activity for series 3 on social media reached over 1.8 million consumers. The total visits to our website during the series increased by 15% on the same eight-week period in 2020.



⁹ Ábhair Airgid is an Irish-language personal finance resource for Junior Cycle Business Studies or Home Economics teachers and students, that is part of our Money Matters website.

Education Programmes

Students



Money Matters is our personal finance course for second-level students which can be taught to support the Junior Cycle Business Studies or Home Economics curriculum requirements. During the year we continued to add more information to our Money Matters website and our pageviews increased by 9% from 2020.

We started a project to create Irish-language videos for our Ábhair Airgid⁹ programme, that will be a valuable resource to teachers and students from 2022 and also contribute to our responsibilities in relation to the Official Languages Act.

Adults



Our volunteer Qualified Financial Advisors support the delivery of our Money skills for life programme (Msfl), which provides impartial, independent information on a range of financial topics. These include managing money, budgeting, savings and investments, insurance, borrowing money, dealing with debt and planning for retirement. Msfl is delivered through workplace talks, as well as to community groups and other organisations.

We delivered 53 online talks to 1,512 attendees, a 42% increase on the number of consumers reached in 2020.

"I developed a budget and am sticking to it as far as possible, it was an eye opener tracking what I was spending money on needlessly." **Feedback from an attendee of Msfl talks.**

"I am more conscious about planning for my future." **Feedback from an attendee of Msfl talks.**

Online Educational Resources

Pension Planning



We developed four explainer videos to help consumers with retirement planning. We teamed up with financial planner and 'How to Be Good with Money' presenter, Eoin McGee, to explain key pension terms including compound interest, tax relief and the difference between defined benefit and defined contribution pensions.

We ran a media campaign to coincide with the industry-led 'Pensions Awareness Week' initiative in September to provide consumers with independent information on pensions. The two-week campaign generated 26,436 visits to the campaign landing page and 3,781 video views (an increase of 7,171% compared to the previous two-week period).

Investment Information



The very low interest rates for deposits is driving public interest in investments. We updated our website content on new types of investment products including unregulated crypto products. We ran a national media campaign to drive awareness among consumers of the potential risks on investing in products that may not suit their needs or risk appetite. Our campaign message was informed by CCPC research findings which showed a clear preference amongst investors to go online, not only in terms of how they invest, but also where they find investment information. The campaign achieved strong media engagement.

Credit Information



In December we published new content on Buy Now Pay Later credit on our website. The popularity of this type of credit started to grow in Ireland during 2021 with the entry of new providers. Credit facilities are being offered for low value items and targeted at younger consumers. The content provides consumers with information on how this type of credit works and potential pitfalls.





STRATEGIC GOAL 3

We will be a leading voice in representing the interests of consumers and promoting competition.

HIGHLIGHTS



The Consumer Protection (Regulation of Retail Credit and Credit Servicing Firms) Bill was published. It covers issues that we highlighted in our 'Personal Contract Plans (PCP) Market Study'.

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The Department of Enterprise, Trade and Employment published a consultation on expanding PIAB's role, which we proposed in our 'Public Liability Insurance Market Study'. Our response included a number of ways to develop PIAB's role to support greater transparency in the insurance market.



We responded to the Legal Services Regulatory Authority's consultation on the challenges faced by legal professionals at the start of their career and on increasing diversity. We drew on our 'Competition in the Legal Profession Study' for our suggestions to encourage greater entry and competition.

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We addressed a Joint Oireachtas Committee on the Veterinary Practice (Amendment) Bill 2021. Our position was informed by our 'Competition in the Veterinary Profession Study', and we stated that the Bill will impose disproportionate restrictions on competition.



We are actively supporting the implementation of the Hamilton Review Group Report on white collar crime. We participated on the Economic Crime and Corruption Forum, are members of the National Economic Council, and we set up an internal working group to deliver the recommendations that apply to the CCPC.

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We supported Ireland's negotiations at the European Council on the proposed Digital Markets Act (DMA) and Digital Services Act. The Irish negotiation position included our suggested amendments to improve the draft DMA which was adopted as part of the European Council text.



We worked with a range of stakeholders to identify emerging issues and mitigate the impact of the UK's departure from the EU, when the transition period ended. During the year, we worked to address medium and long-term issues for consumers, businesses and for the CCPC internally.

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We submitted 44 policy positions to Government and other organisations. Our priority responses mirrored our broad remit where we reviewed 14 different topics across 11 economic sectors. Our stakeholder engagement was equally wide ranging with significant activity in 22 different areas.

General Product Safety Directive



We responded to a consultation by the Department of Enterprise, Trade and Employment on the proposed revision of the existing General Product Safety Directive (GPSD). The CCPC is the market surveillance authority in Ireland with responsibility for the GPSD. The proposed EU Regulation aims to reinforce product safety arrangements, address digital and technological developments, and align product safety rules across 'harmonised' and 'non-harmonised' consumer products.

We stated our strong support for the measures which will provide clearer and stronger obligations on all economic operators for product safety along the supply chain, including online marketplaces. We welcomed that the proposed Regulation includes many of the measures we recommended in previous submissions to the European Commission. Our response detailed that some of the proposed measures will require further clarification on how they will operate in practice, or how they will align with other legislation.

Platform to Business (P2B) Regulation



We increased our activity on the Platform to Business (P2B) Regulation in 2021, with the formation of a new P2B unit which undertook a significant amount of stakeholder engagement during the year. This included engagement with platforms in Ireland and their business users where we provided information on their respective P2B obligations and rights. As the Regulation applies across the EU, we reached out to the European Commission and competent authorities in other member states. Our engagement focused on learning best practice across the EU and building a network for sharing knowledge and experiences into the future.

Price Indication Directive



We continued to engage with the Department of Enterprise, Trade and Employment on the amendment of S.I. 639/2002 on price indication. The proposed changes will bring in new rules on announcements of price reductions required by Directive 2019/2161 on better enforcement and modernisation of consumer protection. It is currently expected that the revised legislation will be enacted during 2022.

Digital Markets Act and Digital Services Act



Throughout the year we engaged with the Department of Enterprise, Trade and Employment concerning the negotiations at the European Council on the proposed Digital Markets Act (DMA) and Digital Services Act (DSA). Both proposals aim to create a safer and more open digital space, and to establish a level playing field to foster innovation, growth and competitiveness in the Single Market.

We suggested amendments to improve the draft DMA proposal which were incorporated into the Irish negotiating position, leading to the adoption of the language that we proposed in the European Council text. We advocated for enhanced consumer protection, aligned with effective enforcement in the draft DSA proposal. We extensively engaged with other regulators in Ireland to ensure that the regulatory landscape is designed to facilitate effective cooperation and enforcement of the digital proposals.

Representative Actions Directive



The Department of Enterprise, Trade and Employment (DETE) published a consultation on the transposition of Directive 2020/1828 on representative actions for the protection of the collective interests of consumers. The Directive will provide a basis for redress for groups of consumers arising from a breach of European legislation, including consumer protection law, which can be taken by qualified entities.

In our submission to DETE we outlined that many breaches of consumer protection law cause small losses to large numbers of individual consumers which results in large overall gains for individual businesses. We endorsed representative actions as an additional and effective enforcement tool for combating this type of consumer harm. We highlighted that representative actions are likely to be the most effective way of achieving compensation for categories of consumers harmed by breaches of consumer protection law. The Directive is expected to be transposed in 2022.

General Scheme of the Gambling Regulation Bill 2022



The Department of Justice (DOJ) continued to progress legislation providing for the regulation of gambling services and the establishment of a regulator for the sector. We met with officials from the Department to discuss a range of issues and to provide an overview of relevant consumer contacts to the CCPC. We subsequently provided observations to DOJ on the content of the General Scheme of the Gambling Regulation Bill 2022 to assist DOJ's development of the legislation.

Vertical Block Exemption Regulation



The European Commission's Vertical Block Exemption Regulation (VBER) provides that certain agreements and practices between undertakings at different levels of the market are not prohibited by EU competition law when neither undertaking has a market share exceeding 30%. The Vertical Guidelines provide guidance for undertakings to assess vertical agreements for compatibility with the VBER and EU competition law.

The European Commission completed a review process in 2021 as part of having a revised VBER and Vertical Guidelines in place from 1 June 2021. We provided feedback as part of the European Competition Network Verticals Working Group. The review found that the VBER and Vertical Guidelines are generally working well and that updates will reflect the increased use of the internet as a selling and distribution platform, provide more flexibility to undertakings and use clearer language to simplify the assessment of vertical agreements.

Competition Law and the Solo Self-Employed



In 2021 the European Commission commenced a public consultation process on potential options to define the scope of EU competition law on collective bargaining by the solo self-employed. We provided our views stating that the application of competition rules to self-employed workers promotes efficiency and benefits consumers. We emphasised that competition law should not act as a barrier for self-employed workers facing precarious working conditions to access collective bargaining rights. We concluded that exemptions to competition rules should be provided to limited groups of self-employed workers.

Foreign Subsidies and the Internal Market



In 2021, the European Commission published a proposal for a regulation on foreign subsidies that distort the internal market, which also complements existing rules on State Aid, public procurement and mergers. The proposal also sets out what remedies would be appropriate for such distortions. We provided our views on the proposal to the Department of Enterprise, Trade and Employment as part of a public consultation. We welcomed the alignment of the proposal's measures with those contained in other legislative instruments, such as the EU Merger Regulation. We suggested that aspects of the proposal required further clarity, particularly on the role and level of involvement for Member States and national competent authorities in supporting the European Commission to enforce the Regulation.



Engaging on our Market Studies

Insurance Reform



In the CCPC's Public Liability Insurance Market Study, which was published in 2020, we proposed that the Personal Injuries Assessment Board (PIAB) should become the main settlement channel for claims in the State and its role expanded to include a mediation and/or quasi-judicial function.

The Department of Enterprise, Trade and Employment published a consultation in March 2021 seeking views on the expansion of the role of PIAB. In our response to the consultation we supported PIAB having a mediation role. We also suggested a number of other ways that PIAB could contribute to greater transparency in insurance markets to the benefit of consumers and competition.

Legal Reform



We provided views to the Legal Services Regulatory Authority's consultation on 'Barriers for Early Career Solicitors and Barristers, and Increasing Diversity'. Our submission drew on our experience from the CCPC's 'Legal Profession Study'. We restated previous CCPC proposals on reforming the system of education and training of legal professionals to encourage greater entry in the profession and foster greater competition. We discussed the role of competition policy in fostering diversity. Our submission endorsed facilitating the entry of additional legal education and training providers in the market, the creation of new routes to legal qualification, and the introduction of new forms of service delivery in the legal profession to encourage entry to the professions.

Veterinary Practice Ownership



We addressed the Joint Oireachtas Committee on Agriculture, Food and the Marine, to discuss the Veterinary Practice (Amendment) Bill 2021. The Bill aims to prevent corporate bodies owning and managing veterinary practices in Ireland by restricting the ownership of practices to veterinary practitioners.

Prior to addressing the Committee, we wrote to the Chairperson indicating that we opposed the creation of barriers to entry proposed in the Bill, as it sought to impose a disproportionate restriction on competition in the market for the provision of veterinary services and could lead to negative outcomes for consumers.

We restated our concerns about these provisions in the Bill when we appeared before the Committee. We proposed that enhanced regulation could be employed to ensure that veterinary practices continue to provide a high standard of care irrespective of ownership structure.

Retail Credit Regulation



The Consumer Protection (Regulation of Retail Credit and Credit Servicing Firms) Bill 2021 was published in July, and provides for additional regulation and consumer protections across newer and emerging credit products and companies. This includes non-cash loans and circumstances where credit is provided indirectly to the consumer, such as 'buy now, pay later' agreements when shopping for goods.

The Bill extended the Central Bank of Ireland's regulatory powers to include Personal Contract Plan (PCP) finance, which addressed issues highlighted by the CCPC in our 2018 Market Study into PCPs. At that time, we recommended that PCPs be brought within the scope of the Central Bank of Ireland's Consumer Protection Code (the Code).

We welcomed the publication of the Bill but noted that it did not bring credit intermediaries under the remit of the Central Bank of Ireland, unlike other entities in the credit process. This means that credit intermediaries will continue to fall outside the Code.



Buying a new car?
Get the facts about PCP at ccpc.ie

Comisión um Iomparáid agus Cosaint Tiontairí
Competition and Consumer Protection Commission

Advocates for Change

Public Procurement Bid-Rigging



We actively supported the work of the Hamilton Review Group on white collar economic crime.¹⁰ The recommendations that will impact our work include creating a specific offence for bid-rigging and introducing legislation to collect and analyse all public procurement data to detect and deter bid-rigging. The report also recommends that guidance, awareness raising and education on bid-rigging is provided to public procurers to complement the introduction of a bid-rigging screening system. We advocated for these changes as international studies estimate that bid-rigging raises the cost of public procurement by 20%.

We have representatives on the Economic Crime and Corruption Forum and on the National Advisory Council, which have been established to implement the Hamilton Review Group's recommendations. We set up an organisational working group to support the implementation of the recommendations relating to the CCPC. We presented on bid-rigging to the Small and Medium-Sized Enterprise Advisory Group, hosted by the Office of Government Procurement.

Insurance Differential Pricing Review



The Central Bank of Ireland published its 'Review of Differential Pricing in the Private Car and Home Insurance Markets' which found that many consumers may have been paying a 'loyalty penalty' due to so-called price walking in the sector. We responded to the public consultation where they requested views on their proposals to improve the consumer protection framework.¹¹ We welcomed the broad aims of the proposals and we made a number of specific observations on how they should be implemented and evaluated.

¹⁰ Department of Justice (2020) 'Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption'.

¹¹ 1. The practice of price walking should be banned 2. Insurance firms should be required to review their pricing practices annually 3. Improvements should be introduced on how consumer consent is provided for automatic renewals.

Summary of Key Submissions/Consultation Responses

Sector (A-Z)	Topic	Stakeholder
Collective Bargaining	Proposal for guidelines for solo self-employed	European Commission
Competition Law	Competition (Amendment) Bill	Department of Enterprise, Trade and Employment
Consumer Finance	Consumer Protection (Retail Credit and Credit Servicing Firms) Bill	Joint Oireachtas Committee on Enterprise, Trade and Employment
	High Cost Credit Providers	Joint Oireachtas Committee on Finance, Public Expenditure and Taoiseach
	Standard Financial Statement (Mortgage Arrears Resolution Process)	Central Bank of Ireland
Consumer Rights and Redress	Consumer Rights Bill, Representative Actions Directive	Department of Enterprise, Trade and Employment
Digital Sector	Digital Markets Act, Digital Services Act	Department of Enterprise, Trade and Employment
Foreign Subsidies	Foreign Subsidies Regulation	Department of Enterprise, Trade and Employment
Insurance	PIAB Reform	Department of Enterprise, Trade and Employment
	Differential Pricing	Central Bank of Ireland
Legal Professions	Barriers to Early Career Professionals, Admissions Policies	Legal Services Regulatory Authority
Product Safety	Review of General Product Safety Directive	Department of Enterprise, Trade and Employment
Retail Investment Strategy	DG FISMA Retail Investment Strategy	European Commission
Veterinary Profession	Veterinary Practice (Amendment) Bill	Joint Oireachtas Committee on Agriculture, Food and the Marine

Responding to Market Issues

Adjusting to Brexit



In the lead-up to Brexit in 2020 and in the first three months of 2021, we worked closely with the Department of Enterprise, Trade and Employment (DETE), other government departments and the EU to ensure that issues for the CCPC internally, and for consumers and businesses, were quickly identified and appropriate action taken. This included daily engagement with DETE to support the Government's response to Brexit, including highlighting issues arising with cross border purchases and deliveries from the UK.

We liaised with DETE on the operation of the terms of the Trade and Cooperation Agreement. From a regulatory perspective we highlighted the urgent necessity for a legal basis to allow for the exchange confidential information with the UK. We raised this issue at the relevant national and international forums across issues of competition, consumer protection and product safety during the year. We regularly engaged with the European Commission to advocate for the progression of cooperation agreements provided for under the Trade and Cooperation Agreement.

In January and November, we attended the North/South Consumer Organisations Working Group meeting, to discuss issues such as post-Brexit cooperation and divergence between EU and UK legislation. We participated at the Citizens Information Board event 'Brexit's Impact on Citizens Information's Needs' in March and presented on 'What does Brexit mean for the consumer' to 200 online attendees. In May, we attended a meeting with the Office of Product Safety and Standards (OPSS) and Northern Ireland local authorities to discuss post-Brexit cooperation and we presented on our product safety activity.

Beef Taskforce



The Beef Taskforce was established by the Department of Agriculture, Food and the Marine in 2019 to monitor the implementation of the actions under the Irish Beef Sector Agreement. We presented to the members of the Beef Taskforce in July 2021 on competition law, mergers and the operation of the Grocery Goods Regulations. During the presentation, we highlighted the rules against cartels and the importance of evidence to detect such anti-competitive conduct, the development of a whistleblower tool to bring evidence of cartels to the CCPC's attention, and the history of engagement by the CCPC, and the Competition Authority, with the beef sector.

In November 2021, Minister for Agriculture, Food and the Marine Charlie McConalogue announced that the Beef Taskforce, in its current format, was to be wound up.



Significant Stakeholder Engagement

We met many of our key stakeholders during the year in order to contribute to relevant policy and legislative developments, cooperate on enforcement and exchange best practice. Examples of our significant engagements include:

Areas (A-Z)	Stakeholder
Agriculture and Fisheries Policy	Beef Taskforce Department of Agriculture, Food and the Marine Veterinary Council of Ireland
Artificial Intelligence	Department of Enterprise, Trade and Employment National Standards Authority of Ireland
Banking, Insurance and Finance Policy	Central Bank of Ireland Department of Enterprise, Trade and Employment Department of Finance International Monetary Fund Office to Promote Competition in Insurance (Department of Finance) Personal Injuries Assessment Board Money Advice and Budgeting Service (MABS)
Bid-Rigging and Public Procurement	Department of Enterprise, Trade and Employment Department of Justice Economic Crime and Corruption Forum National Advisory Council OECD Competition Committee Office of Government Procurement
Collective Redress	Department of Enterprise, Trade and Employment Irish Business and Employers Confederation (IBEC)

Areas (A-Z)	Stakeholder
Competition Crime and Cartels	Brazilian Competition Authority (CADE) Cartel Working Groups of the European Competition Network International Competition Network Office of the Director of Public Prosecutions
Competition Policy Development (International)	International Competition Network OECD Competition Law and Policy Committee
Consumer Protection Policy Development (International)	Consumer Protection Cooperation Network (European Commission) (International Consumer Protection Enforcement Network) OECD Committee on Consumer Policy United Nations Conference on Trade and Development
Digital Regulation	Broadcasting Authority of Ireland Commission for Communications Regulation (ComReg) Data Protection Commission Department of Enterprise, Trade and Employment Department of the Taoiseach

A Voice for Competition and Consumer Protection

Areas (A-Z)	Stakeholder
European Legislative and Policy Development/Cross Border Cooperation	<p>Competition and Markets Authority UK</p> <p>Consumer Protection Cooperation Network</p> <p>Danish Competition and Consumer Authority</p> <p>Department of Enterprise, Trade and Employment</p> <p>European Commission:</p> <ul style="list-style-type: none"> - Directorate-General for Competition - Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs - Directorate-General for Justice and Consumers <p>Irish legal practitioners</p> <p>Office for Product Safety and Standards</p> <p>Office of the Parliamentary Counsel to Government</p> <p>Swedish Consumer Agency Konsumentverket</p>
Financial Well-being and Education	<p>Banking and Payments Federation Ireland</p> <p>Central Bank of Ireland</p> <p>Centre for Co-Operative Studies (UCC)</p> <p>Citizens Information Board</p> <p>Department of Children, Equality, Disability, Integration and Youth</p> <p>Department of Education</p> <p>Department of Enterprise, Trade and Employment</p> <p>Department of Finance</p> <p>Economic and Social Research Institute</p> <p>Financial Services and Pensions Ombudsman</p> <p>Free Legal Advice Centre</p>

Areas (A-Z)	Stakeholder
Financial Well-being and Education [cont]	<p>Irish Banking Culture Board</p> <p>Irish League of Credit Unions</p> <p>Junior Cycle for Teachers</p> <p>Money Advice and Budgeting Service (MABS)</p> <p>Money and Pensions Service (UK)</p> <p>National Adult Literacy Agency</p> <p>National Council for Curriculum and Assessment</p> <p>Pensions Authority Ireland</p> <p>St Vincent De Paul</p>
Foreign Subsidies	<p>Department of Enterprise, Trade and Employment</p> <p>Directorate-General for Competition</p>
Gambling Regulation Policy	<p>Department of Enterprise, Trade and Employment</p> <p>Department of Justice</p>
Housing Policy	<p>Department of Finance</p> <p>Department of Housing, Local Government and Heritage</p> <p>The Housing Agency</p>
Legal Services	<p>Department of Justice</p> <p>Legal Services Regulatory Authority</p>
Package Travel	<p>Commission for Aviation Regulation (CAR)</p>

A Voice for Competition and Consumer Protection

Areas (A-Z)	Stakeholder
Platform to Business Regulation	<p>Austrian Federal Competition Authority</p> <p>Authority for Communications (AGCOM – Italy)</p> <p>Authority for Consumers and Markets (Netherlands)</p> <p>Consumer Rights Protection Centre (Latvia)</p> <p>Danish Competition and Consumer Authority (KFST)</p> <p>Department of Enterprise, Trade and Employment</p> <p>Directorate-General for Communications Networks, Content</p> <p>Directorate-General for Competition</p> <p>Enterprise Ireland</p> <p>Ministry of Economic Affairs and Digital Transformation (Spain)</p> <p>Ministry of Economic Affairs and Employment (Finland)</p> <p>Ministry of the Economy (Luxembourg)</p> <p>National Board of Trade (Kommerskollegium – Sweden)</p>
Pricing Practices	<p>Central Bank of Ireland</p> <p>Commission for Communications Regulation (ComReg)</p> <p>Commission for the Regulation of Utilities</p> <p>Department of Enterprise, Trade and Employment</p> <p>Department of Finance</p> <p>Economic and Social Research Institute</p> <p>Health Insurance Authority</p>

Areas (A-Z)	Stakeholder
Productivity and Competitiveness	National Competitiveness and Productivity Council
Statement of Strategy	<p>Commission for Communications Regulation (ComReg)</p> <p>Financial Services and Pensions Ombudsman</p> <p>National Standards Authority of Ireland</p> <p>Office of the Ombudsman</p>
Transport Policy	<p>Department of Enterprise, Trade and Employment</p> <p>Department of Transport</p>

Research and Market Insights

Covid-19 and Brexit



We continued our multi-year research to track the impact of Covid-19 and Brexit on consumer awareness and behaviour while shopping online, which continues the research we completed in 2020. The findings were also used to inform key campaign messages to consumers. The overall trend of online consumer behaviour before, during and after the impact of Brexit and Covid-19 will be published in 2022.

Pricing Practices



We continued our work on the CCPC Pricing Practices project which is examining the prevalence of practices with the potential for consumer detriment in a range of regulated markets in Ireland, with a particular focus on more vulnerable consumers. It is intended that the findings will inform potential recommendations to assist consumers in these markets.

In 2021, the project team carried out a comprehensive review of the research and initiatives undertaken by regulators in Ireland and internationally to assist consumers. We also commissioned consumer market research and we engaged with relevant stakeholders, including sectoral regulators, to discuss pricing practices in regulated markets.

Social Media Influencer Marketing



We commenced a research project on social media influencer marketing, against the background of a wider international discussion in consumer protection arenas. The project will examine online consumer behaviour when engaging with influencers, including with commercial content on influencers' posts. The findings will be published in 2022 and will be based on the data gathered from focus groups, surveys and interviews.



Financial Well-being Strategy



2021 was the final year for our three-year Financial Well-being Strategy and during the year we completed a review and consultation process to inform our strategy for 2022 to 2024. Our review involved internal and external stakeholder engagement on what worked well from our strategy and what we should focus on in our new strategy. We met 18 external stakeholders including policy makers, government departments, representatives from the financial services industry, academics and NGOs. The learnings have informed the development of the CCPC's Financial Well-being Strategy 2022-2024 which we expect to launch in 2022.

Savings Research



In 2021, the Economic Social Research Institute completed the trial stage of our behavioural savings research project where we partnered with a financial services provider to test interventions with real-life consumers. The research is investigating ways to encourage consumers to actively save so that they have short-term savings buffers¹² to deal with unplanned financial expenses.

The findings will be published in 2022 and will inform our financial well-being activities and also provide learnings for financial providers on how to help their customers save and improve their financial well-being.



¹² A savings buffer is a fund set aside for unexpected expenses that can be accessed quickly and easily. It should ideally amount to three months' salary.

Air Passenger Rights



The European Court of Auditors (ECA) published a special report on Air passenger rights during the COVID-19 pandemic in June. The report recommended improvements to the application and enforcement of air passenger rights and more clarity on the roles and responsibilities for ticket refunds where intermediaries are involved. We followed these developments closely which included; attending the ECA's presentations, engaging with our EU counterparts in the context of a Consumer Protection Cooperation (CPC) coordinated action involving 16 airlines, and liaising with the European Commission and the Commission for Aviation Regulation.

Cartel Criminal Investigations Group



We continued our leading role in the Cartel Criminal Investigations Group, where we chaired three meetings in 2021. We presented a session on solicitor-client privilege on the execution of search warrants or dawn raids and we chaired meetings on disclosure requirements for criminal cartel matters and co-operation between competition authorities and law enforcement on progressing investigations.

Competition Law Conference



We gave the key note address at the European Commission's competition law conference where we provided our perspective on the ECN+ Directive. We also participated in a panel discussion on what the ECN+ Directive will mean for enforcement in Ireland and shared our perspectives on merger control and foreign direct investment rules.

Fight Against Cartels Week



We attended the Brazilian Competition Authority (CADE) virtual event to discuss recent global developments in cartel enforcement. Webinars that were relevant to our work included CADE's screening tool for detection of bid-rigging cartels and the global decline in leniency applications.

Guidance on Consumer Rights, Unfair Commercial Practices and Price Reductions



We attended a workshop on the update of the European Commission's guidance on the Consumer Rights Directive and the Unfair Commercial Practices Directive, as well as new guidance on price reductions. The CCPC provided feedback on these documents, which were published in the EU Official Journal in December.

ICN Cartel Workshop



We spoke in a breakout session on how to manage informants and whistle blowers, we moderated a session on developments in bid rigging detection that included screening public procurement data and we participated in an online session on effective deterrence and the criteria that should be considered when calculating fines.

International Monetary Fund



We presented to the International Monetary Fund (IMF) as part of the Financial Sector Assessment Program (FSAP) for Ireland, which happens every five years. We detailed our insights on competition and consumer protection in financial services, upcoming merger evaluations in banking and our insurance sector engagement. Our presentation and follow-on discussion will feed into the IMF's consideration for the FSAP report which is due in 2022.

Misleading Environmental Claims



We are participating in a working group of the International Consumer Protection Enforcement Network (ICPEN) on misleading environmental claims. The work will continue until mid-2022 and deliverables include better compliance and enforcement outcomes through compliance checks and a handbook to assist enforcers tackle greenwashing.

OECD Competition Weeks



CCPC staff attended OECD Competition weeks held in May and November, which addressed competition issues in books and e-books.

We participated in the OECD Competition Division Working Party 3 (WP 3) where we submitted a note and presented on bid-rigging/tender collusion. We outlined our work on introducing public procurement data screening to detect and deter bid-rigging activity in a follow-on WP 3 meeting in November. We submitted written comments on the draft revised Recommendation of the OECD Council on Fighting Bid-Rigging in Public Procurement.

OECD Consumer Conference



We moderated a panel on cross-border cooperation and enforcement for consumer protection at the OECD international conference "Consumer Marketplace of the Future". The panel discussion also coincided with the release of the OECD Implementation Toolkit on Legislative Actions for Consumer Protection Enforcement, which we were involved in developing through our work on the OECD Committee on Consumer Policy.

OECD International Network on Financial Education



We virtually attended two International Network on Financial Education meetings and we joined numerous webinars on financial education related topics throughout the year. We also fed into the development of a new OECD/European Commission adult financial competence framework through the Department of Finance, which will be launched in 2022.

Product Safety and Market Surveillance



We engaged with a range of international product safety organisations which included working with the Consumer Safety Network (CSN) and Safety Gate Contact Point Groups as part of our market surveillance remit. We participated in four DG GROW Administration Cooperation (AdCo) working groups and expert groups relating to toys, low voltage, gas appliances and personal protective equipment.

We actively participated with the Organisation for Economic Co-operation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD) and European Centre for International Political Economy (ECIPE).

During the year, we attended bilateral meetings with our colleagues in other European Market Surveillance authorities, in the United Kingdom, Finland, and Denmark.

Pyramid Promotional Schemes



CCPC staff spoke at a virtual conference hosted by the College of New Jersey on protecting consumers in the multi-level marketing industry. We sat on a panel with other international regulators, and gave an overview of the CCPC's 2020 communications campaign that targeted pyramid promotional schemes linked to multi-level marketing.

We commenced an International Consumer Protection Enforcement Network (ICPEN) project on pyramid promotional schemes with the Office of Competition and Consumer Protection in Poland. The project will focus on the exchange of knowledge and practices in fighting pyramid promotional schemes and setting up a network for international enforcement cooperation. The project will run until June 2022 with a series of workshops and presentations at ICPEN conferences.

BEWARE OF PYRAMIDS

Be alert to ads offering easy money. It could be an illegal pyramid scheme. If it sounds too good to be true, it probably is.

**KNOW THE WARNING SIGNS
PROTECT YOURSELF, LEARN MORE**





STRATEGIC GOAL 4

We will continue to invest in our people, governance and infrastructure, continuously improving in a changing workplace environment.



HIGHLIGHTS



We prioritised the delivery of our Well-being Strategy and organised over 20 events and initiatives to support the mental and physical health of our staff during the extended Covid-19 lockdown.

.....



All our staff successfully returned to the office once a week for a period that aligned with public health advice. We provided staff with a range of communications and supports to manage their transition back to the office.



We made significant progress on developing an agile work model based on industry best practice and staff collaboration. We will introduce the first organisation-wide pilot of agile working in early 2022.

.....



We continued to increase our staff capacity and expertise to effectively deliver our remit. Our organisational growth included the establishment of a new Digital Investigations Division and two new Units; the Platform to Business (P2B) Regulation, and Research and Market Insights.



We continued our commitment to staff learning and development with the delivery of a wide range of educational initiatives covering formal courses, coaching, workshops and internal seminars.

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We began implementation of our ICT Strategy 2021-2023, to position our ICT function as a key enabler of our corporate requirements.



We commenced work on an International Strategy to harness and maximise our engagement with key stakeholders, which will be finalised in 2022.

.....



We were finalists in the Concurrences Antitrust Compliance Awards for our work on developing awareness of bid-rigging among business.

We were shortlisted in the International Consumer Protection and Enforcement Network (ICPEN) Consumer Education Awards for our work on supporting our sponsorship of series 3 of RTÉ One's 'How to Be Good with Money'.

Our Work Practices

Response to Covid-19



After almost 19 months of remote working, we returned to the office once a week in October. This was aligned with public health advice at the time. We managed a range of initiatives to prepare for the return and to ensure that staff felt safe which included a 'Return to the office' employee guide and a buddy system for new staff who joined us during the pandemic. Throughout the first week, members of our Corporate Services team were on-site to support staff. In November, changes to public health advice resulted in a return to remote working for the majority of our staff.

Agile Working



In June, we started a project to prepare for the introduction of agile working as a positive development for our people. During the year, we met with a range of public and private sector bodies in Ireland and abroad who are implementing a blended work model, to ensure that our policy met or exceeded industry best practice. Our work on this project will continue with the aim of introducing the first pilot of agile working in early 2022.

Corporate Development

Building Capacity and Expertise



We filled 45 positions through our online recruitment drive, which covered multiple disciplines including law, economics, digital investigations, organisational development, analytics and communications. At the end of the year we had 137 staff, an increase of 19% from 2020.

Our continued growth was reflected in the expansion of two Divisions: our Consumer Protection Division expanded to include a new Platform to Business (P2B) Unit and our Policy and International Division set up a Research and Market Insights Unit.

We established a new Digital Investigations Division to enhance our digital intelligence capability in the areas of Digital Forensics, eDiscovery and Open Source Intelligence. The Digital Investigations Division provides support to our enforcement divisions in a partnership approach and offers advisory services to the wider organisation.



ICT Strategy



We developed a CCPC ICT Strategy 2021-2023, which maps out how we will develop and deliver ICT services using four pillars:

1. Providing the CCPC with fit-for-purpose IT systems
2. Enhancing the capabilities of the organisation
3. Optimising the supplier ecosystem
4. Supporting a digital enterprise

The strategy will position our ICT function as an integrated and strategic part of our new business requirements, digital technologies, data intelligence and 'ways of working'.

International Strategy



As we continually engage with a wide range of international stakeholders, we started work on an international strategy to better harness our work from this activity.

The aim of the strategy is to lead, influence, collaborate and learn from our international engagement. The strategy will be finalised in 2022.

ICPEN Consumer Education Awards



The International Consumer Protection and Enforcement Network (ICPEN) Consumer Education Awards acknowledge significant initiatives undertaken by ICPEN members on consumer education.

Our sponsorship and wider activities related to the RTÉ show 'How to Be Good with Money' was listed as a finalist in the 'Financial Inclusion and Financial Services' category.

Corporate Social Responsibility

Working with the Community



Each year, we organise community-based initiatives in the local area. Due to Covid-19, we could not continue some of our community Corporate Social Responsibility initiatives in-person, however we continued to support these causes through online fundraisers.

In April, we contributed to an online fundraiser to buy Easter eggs for children and adults in local emergency accommodation in Dublin 1. At Christmas, we created a 'Virtual Giving Tree' as an online fundraiser for our staff to contribute to.

Award Finalists

Concurrences Antitrust Compliance Awards



The Concurrences Antitrust Compliance Awards promote competition law compliance and antitrust advocacy. We made a submission to highlight our work on bid-rigging which included creating an awareness video for business.

Over 90 entries were received from agencies, law firms and academics, and we were included in the final shortlist of 27 entries.

Our Green Agenda



Due to Covid-19, our Green Team primarily focused on raising staff awareness on the environmental and sustainability improvements they could achieve while working from home. We also implemented a new waste management initiative in the office during the year.

We report our energy management and performance data to the Sustainable Energy Authority of Ireland (SEAI) on an annual basis.¹³ The provisional 2021 SEAI data shows that we delivered 75.2% in energy savings since the baseline year (2009) which is well in excess of the initial 33% target set for public bodies.

¹³ This is required by Statutory Instrument 426 of 2014.

Well-being

Supporting our People



We recognise the importance of the mental health, physical health and well-being of our people, which we actively support through the ongoing delivery of our Well-being Strategy. During the year we supported positive mental health in line with the principles advocated by the Green Ribbon Campaign and the Healthy Ireland agenda.

As Covid-19 continued to affect every aspect of life in 2021 we provided as much flexibility as possible when our staff faced childcare and other carer challenges. Our Well-being Committee organised over 20 events and initiatives to support staff members during the extended lockdown. This included resilience and managing change workshops. We encouraged staff to step away from their screens which was underpinned by the 'Right to Disconnect' Code of Practice.

Sharing our Culture



Working remotely meant that many informal and social interactions with colleagues did not happen in 2021. To help bridge that gap, and to ensure that our CCPC culture was sustained, the Well-being Committee launched a new initiative called 'Storytelling'. During these storytelling sessions, staff members took to the virtual stage to share their CCPC experiences with colleagues.

Professional Development

Education Initiatives



We provide a multifaceted approach to learning and professional development for our staff. From the outset, new staff are provided with an induction seminar series, governance workshops, internal seminars and role-related training, which is continued through our performance management system.

All of our staff can avail of our Advance of Fees Programme which promotes life-long learning and in 2021 we had 39 successful applicants. We also continued our popular internal seminar series where we delivered 14 presentations.

We launched our Information Station, which is a central learning digital hub that facilitates knowledge sharing and self-learning for all our staff. The Station has over 20 learning disciplines with a wealth of materials and resources from academics and experts, which we will continue to grow and develop.

We launched a digital literacy programme to support staff to continually improve their IT skills. This was mirrored by professional training in forensic digital literacy during the year. We implemented a baseline security awareness training programme and additional training material on simulated phishing campaigns was made available.

We provided Disability Awareness and Equality training online through the National Disability Authority and followed up with online seminars to further embed knowledge and understanding.

Leadership and Management



Our senior management teams continued to develop this year through our Executive Leadership Programme. This involved providing executive coaching sessions to directors, deputy directors and heads of units.

We supported 20 staff members to successfully complete a UCD Diploma in Leadership and Management, to promote continuous learning and leadership at all levels of the CCPC. We also provided all of our people managers with coaching skills training on how to manage teams remotely.

The Commission

The CCPC is governed by a Commission which consists of a Chairperson and four full-time Members. The Chairperson is responsible for the running of the organisation and corporate governance. The Chairperson is assisted in the leadership and management 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 Members of the Commission are appointed by the Minister for Enterprise, Trade and Employment, following an open Public Appointments Service competition, for a term not exceeding five years.

Board Member	Role	Date Appointed/Term Ended
Jeremy Godfrey	Chairperson	1st January 2022
Patrick Kenny	Member	Term renewed 10th January 2022
Brian McHugh	Member	1st September 2017
Úna Butler	Member	10th January 2022
Isolde Goggin	Former Chairperson	Term ended 3rd October 2021
Fergal O'Leary	Former Member	Term ended 17th July 2021
Conor Blackwell	Temporary Member	Term ended 9th January 2022

The Commission meets at least twice monthly to:

- Review CCPC activities.
- Provide direction and strategic guidance in particular areas.
- 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 on 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 on a breach of Sections 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 on 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 for involvement in a cartel.
11. Exercising functions for S.I. No. 35/2016 Consumer Protection Act 2007 Grocery Goods Undertakings) Regulations 2016.

Day-to-day organisational matters are progressed through informal meetings, discussions and consultation between the Chairperson and the Members. As far as practical, operational decision-making is delegated to individual Members, Directors and other staff. 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.

Risk Management

Overview

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 are implemented and reviewed periodically to provide for the continuous identification, assessment, monitoring and reporting of significant risks within the CCPC.

We manage risk through formal reviews and approval by the Commission of changes to the Corporate Risk Register, which identifies the principal risks to the organisation. These reviews take place quarterly, or more frequently, if required. 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, as appropriate.

In 2020, remote working became the norm for CCPC staff due to impact of Covid-19. In 2021, the Commission continued to monitor developments closely on Covid-19, with a view to mitigating the risks that could affect the CCPC's business operations, staff and stakeholders. These actions allowed us to largely continue delivering our functions while maintaining strong standards of control. CCPC operations are continuing as normal. Actions that we are continuing to take include:

- Ensuring the CCPC's business response to the pandemic is steered and guided by the Commission with input from divisional directors.
- Assessing the significant risks caused by the Covid-19 pandemic and the agility of the CCPC to respond effectively on a continual basis.
- Ensuring the robust segregation of duties.
- Ensuring all existing policies and procedures continue to apply in the remote working environment and are monitored and reported on as normal.
- Updating procedures to allow for (i) access to the office (ii) interviews (iii) inspections, in a safe and public health compliant manner, where such work is essential to deliver our functions.
- Ensuring that staff members access CCPC's network using the CCPC's approved ICT equipment and that all staff members working remotely have the necessary ICT equipment.
- Continuing to assess the potential for weaknesses in internal controls resulting from Covid-19 and taking measures to monitor and update internal controls where necessary.

Audit and Risk Committee

The role of the Audit and Risk Committee is to support the Commission on 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 2016 Code of Practice for the Governance of State Bodies (2016 Code). 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 2021 comprised of: Conor Blackwell (Chairperson), Patrick Kenny (from 18 July 2021), Fergal O'Leary (up to 17 July 2021), Jimmy Murphy and Carmel Foley.

The Committee met four times in 2021, detailed in the table below. These meetings were held remotely, as a result of Covid-19, and were conducted using tele and videoconferencing technology.

Committee Member	Meeting took place in:				Total
	Feb	May	Sept	Dec	
Conor Blackwell – Chairperson	Δ	Δ	Δ		3/4
Patrick Kenny – Commission Member			Δ	Δ	2/2
Fergal O'Leary – Commission Member	Δ	Δ			2/2
Carmel Foley – External Member	Δ	Δ	Δ	Δ	4/4
Jimmy Murphy – External Member	Δ	Δ	Δ	Δ	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 2016 Code. We carried out the following reviews in 2021:

- Review of Effectiveness of Internal Controls
- Compliance with Document Management
- IT Systems and Security
- Management of Freedom of Information requests
- Payroll Review
- Follow up review on the recommendations made in previous internal audit reviews

Public Body Compliance

We conduct our activities in a manner consistent with our underpinning legislation, the Competition and Consumer Protection Act 2014, and our other statutory responsibilities. As a public body, we have a duty to comply with a range of legislation. Some examples of legislation we complied with throughout 2021 include:

Freedom of Information (FOI)

We continue to meet our obligations for the Freedom of Information Act 2014. In 2021, we received 12 Freedom of Information requests and we carried over one from 2020. Of these, one was granted, eight were part-granted, one was refused and three were withdrawn/handled outside the Freedom of Information legislation.

Data Protection

We are committed to protecting the integrity of personal data supplied by those who contact us and third parties. We monitor all methods of personal data processing to ensure our ongoing compliance with the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR). In addition to a suite of internal policies that we regularly review, we publish detailed privacy notices on our website so that all who engage with us can understand how we treat any personal data that we process, and understand how they can exercise their data protection rights.

Ethics, Standards and Behaviour

We implement the provisions of the Ethics in Public Office Act 1995 – 2001 and the Standards in Public Office Act 2001. In 2021, all CCPC staff 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. In addition, our Code of Conduct sets out the principles, standards and values that CCPC staff are expected to adhere to.

Protected Disclosures

As a public body, we are required under Section 22 of the Protected Disclosures Act 2014 to publish an annual report on the number of protected disclosures we received in the preceding year and the action we took on any such protected disclosures. No such disclosures were received in 2021.

Health and Safety

We comply with our statutory responsibilities under the Health, Safety and Welfare at Work Act 2005 and all relevant regulations under this Act. We have a Safety Officer and Representative in place to promote a safe and healthy work environment. As a result of Covid-19, and in accordance with the guidance set out in the Government's Work Safely Protocol, we had three Covid-19 Lead Worker Representatives in place in 2021. During 2021, our Covid-19 Response Plan and on-site safety measures continued to evolve in response to changing public health advice. We continued to deliver ergonomics support virtually to promote the safety of our staff as they continued to work remotely and we provided equipment where appropriate. We also provided required Personal Protective Equipment to keep our staff safe both in the office and when participating in work off-site (e.g. inspections, searches etc.).

Prompt Payments

We comply 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 2021, 91% of all our payments were made within 15 days and a further 9% were made within 30 days. Payments made outside of 30 days accounted for less than 1% of our total payments. The payments made over 30 days were mainly under query, apart from one where interest and penalties of €42.53 was paid.

Other Governance Matters in 2021

Throughout 2021, we continued a programme of work to ensure our ongoing compliance with the Code of Practice for the Governance of State Bodies (2016). We have a written Oversight and Performance Delivery Agreement (OPDA) in place with our parent Department, the Department of Enterprise, Trade and Employment (DETE), which clearly defines the terms of the relationship. In 2021, four formal OPDA meetings between the CCPC and DETE officials took place. We have a three-year Governance and Oversight Protocol in place with the European Consumer Centre (ECC), in line with Department of Public Expenditure and Reform Circular 13/2014 – Management of and Accountability for Grants from Exchequer Funds.

Customer Service

Customer Service Charter

We have a Customer Service Charter that is available in the 'About Us' section of our website, ccpc.ie. The Charter sets out our commitment to a high-quality customer service and provides information on the quality of service customers can expect when they interact with the CCPC.

Any complaint regarding our services is investigated as a matter of priority. We continued to adhere to our customer service commitments during 2021, and can report that no complaints were lodged in relation to our commitments under the Charter.

We employ a range of measures to ensure that we continue to improve the overall quality of our service. Our Customer Action Plan for 2021-2023 lists the actions we intend to take to continuously progress our commitments. These actions have associated performance indicators and we performed effectively against them in 2021.

Finance

2021 Financial Statements

The CCPC's budget allocation in 2021 was €18,021,275, of which €15,236,000 was provided from Exchequer funding and €2,785,275 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 01 January 2021-31 December 2021, report expenditure of €13,983,536 for grant-assisted activities and €2,771,399 for levy-funded activities. The Office of the Comptroller 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 Services 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 rate of over 99.9% of the total 2021 levy amount imposed was successfully collected from 388 financial services companies.

Remuneration

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

Commission expenses in 2021

Isolde Goggin:	€0
Patrick Kenny:	€0
Brian McHugh:	€0
Fergal O'Leary:	€0
Conor Blackwell:	€0

A photograph of a business meeting. In the foreground, a person's hand is touching a tablet displaying a colorful pie chart. To the left, another person holds a smartphone. In the background, a document with various charts and graphs lies on a wooden table. A small potted plant is also visible. A dark blue rounded rectangle with the text 'STRATEGIC MEASURES' is overlaid on the right side of the image.

STRATEGIC MEASURES

The 2021 Annual Report is the first year that we are reporting on the actions outlined in the CCPC Strategy Statement 2021-2023. Along with our actions, our Strategy includes measures to demonstrate our performance. These measures are outlined below, which we will report on as part of the implementation of our Strategy.



STRATEGIC GOAL 1

We will use our powers to deliver effective enforcement and compliance outcomes.

Our measures:

- Increased outcomes across all enforcement activities.
- Increased levels and visibility of direct engagement with businesses to achieve compliance.
- Increased number of inspections and compliance sweeps.
- Improved average timeframe for Phase 1 merger review decisions.



STRATEGIC GOAL 2

We will empower consumers to make informed decisions by providing information about their rights, personal finance and product safety.

Our measures:

- Increased engagement with consumers using all of our communications channels and programmes.
- Targeted information campaigns to support identified communication priorities.
- Increased organisational awareness (consumers and businesses).
- Customer satisfaction with our helpline.
- Increased social media reach and engagement.



STRATEGIC GOAL 3

We will be a leading voice in representing the interests of consumers and promoting competition.

Our measures:

- Increased number of completed market studies and research projects.
- Engagement with stakeholders to progress recommendations from market studies and research projects.
- Input to Government policy development, legislation and initiatives, where appropriate, and responses to consultations.
- Constructive engagement with other National Competent Authorities.



STRATEGIC GOAL 4

We will continue to invest in our people, governance and infrastructure, continuously improving in a changing workplace environment.

Our measures:

- The benefits and effectiveness of our supporting strategies.
- Delivery of a workplace plan taking into account remote working.
- Successful completion of internal and external audits and addressing recommendations.
- Growth in capability and expertise through representing Ireland at meetings of relevant EU and international working groups.



APPENDICES

Appendix 1: Organisation Chart

The CCPC is governed by an Executive Chairperson and Commission. Our organisation chart reflects the membership of our Commission and the Divisions in place in 2022. Each member oversees a number of divisions in the CCPC on behalf of the Commission.

OUR STRUCTURE



Jeremy Godfrey
Chairperson

Corporate
Services

HR and Org.
Development



Úna Butler
Member

Criminal
Enforcement

Digital
Investigations



Patrick Kenny
Member

Legal
Services

Product
Safety

Consumer
Protection



Brian McHugh
Member

Competition
Enforcement
and Mergers

Policy and
International

Communications



Vacancy
Member

In accordance with section 86 of the Consumer Protection Act 2007, as amended

Consumer Protection List 2021

The Competition and Consumer Protection Commission (CCPC) strives to improve consumer welfare across the economy by promoting compliance with, and enforcing where necessary, over 40 legislative instruments, including consumer protection law.

The Consumer Protection Act 2007 (CPA) provides a range of enforcement measures to help the CCPC achieve business compliance with consumer protection law, escalating from engagement, to administrative action, to criminal prosecution.

When an enforcement action has been taken, the CCPC is required to keep and maintain a Consumer Protection List (CPL) which details companies and individuals who have been subject to the following enforcement actions under the CPA:

- A fine or other penalty has been imposed by a court.
- A prohibition order has been made.
- An undertaking has been given.
- A compliance notice has taken effect.
- A fixed payment notice has been paid.

The CPL contains the names and addresses of the relevant companies and individuals together with a description of the trade, business or profession and any particulars the CCPC may consider appropriate in respect of the enforcement actions.

In addition to the enforcement actions detailed in the CPL, the CCPC undertakes a range of activities to increase business compliance with consumer protection law. Further details of CCPC activities in relation to consumer protection can be found in our Annual Reports.

In 2021, the following enforcement actions were completed:

- Twenty four (24) Compliance Notices were served on traders in counties Donegal, Dublin, Clare, Cork, Galway and Mayo.
- Ten (10) Fixed Payment Notices were served on traders in counties Carlow, Clare, Cork, Kerry, Mayo and Dublin.

Additional details of the enforcement actions can be found on page 55.

2021 Highlight: Innovate

When consumers purchase a product, they do so in good faith and trust the product they have ordered will be delivered on time. It is illegal for traders to engage in misleading commercial practices and provide misleading information to consumers.

In October 2021, the CCPC took enforcement action against Mr Umar Anwar, trading at Innovate. This followed a number of complaints by consumers who placed orders for Sony PlayStation 5s, but failed to receive them or a refund.

From October 2020, Mr Anwar had advertised a pre-order sale of Sony PlayStation 5s, with stock due to arrive in the first week of December. Pre-orders for the product had to be paid for in advance. The Playstation 5 was in particularly high demand in the run up to Christmas, with shortages of the product widely reported. Following several delays, some consumers who pre-ordered PlayStations from Mr Anwar were instructed to collect their orders at a specific date and time. However, the store was closed when they arrived. Other consumers reported making repeated unsuccessful attempts to get an update on their delivery, or to exercise their right to cancel their order and obtain a refund. None of the consumers who contacted the CCPC reported receiving a Sony PlayStation 5 at any stage.

In accordance with section 86 of the Consumer Protection Act 2007, as amended

2021 Highlight: Innovate *continued*

Following an investigation, the CCPC determined that Mr Anwar had engaged in a prohibited commercial practice by advertising and selling products without disclosing that the trader may not be able to supply, the product. The CCPC found that Mr Anwar had also provided misleading information to consumers about the availability of the product; the date and method of delivery; where the products were being sourced from; the handling of their complaints; and the supply process.

The CCPC concluded that Mr Anwar had breached consumer protection law and served him with a Compliance Notice which addressed these contraventions.

2021 Highlight: Buying Online

As the Covid-19 crisis carried on into 2021, consumers continued to shop online more than ever before whilst the impact of Brexit caused challenges for both traders and consumers. The CCPC's Consumer Protection Division monitors trader compliance with consumer protection legislation both online and in-store. In-store inspections proved challenging in 2021 due to Covid-19 and CCPC compliance inspections in 2021 continued to focus on online traders. Over 60 websites selling goods and services were inspected for consumer protection legislation requirements. Where the CCPC identified breaches of consumer protection legislation during our compliance inspections, enforcement action was taken.

Brexit

In January 2021, a Consumer FAQ was developed with tips and advice on what online shoppers should look out for when purchasing products from within the European Union and from a third country. The CCPC also ran a public information campaign on radio, social media and digital channels to inform and boost awareness of changes for consumers.

Black Friday

Ahead of November's Black Friday and Cyber Monday sales, the CCPC reminded online shoppers of the importance of checking where a business is based before they buy. This followed research, commissioned by the CCPC, which showed the majority of those who shop online look to the currency and IP address of the website before they buy goods.

The CCPC reminded consumers that neither can be used as guarantees of a business' location and urged them to check for a registered address before they buy, to ensure they have strong rights under EU consumer protection law.

Christmas Warning

At any time of the year, if there is high consumer demand for certain products or services, it can provide an opportunity for ill-intentioned traders to take advantage.

Conscious of the potential impact of Covid-19 and Brexit related shipping delays and stock shortages on Christmas shopping plans, in November, the CCPC advised consumers of how to protect themselves from rogue traders when shopping for Christmas.

2021 Highlight: Pyramid Promotional Schemes

Pyramid promotional schemes generally work by offering individuals the opportunity to buy into a scheme. This money goes to those above the individual in the pyramid. Participants in the scheme can recoup their original investments and qualify for a pay-out by recruiting new members who join the pyramid below them. In theory, the further up the pyramid a participant is, the more money they will get.

As is the case in all pyramid promotional schemes, inevitably the supply of potential investors runs out and the scheme collapses leading to the majority of those involved losing their money. Pyramid promotional schemes are illegal and those who knowingly participate in them are liable for prosecution.

In accordance with section 86 of the Consumer Protection Act 2007, as amended

2021 Highlight: Pyramid Promotional Schemes

continued

In March 2021, the CCPC issued a warning about a particular pyramid promotional scheme that used the image of a flower and referred to flowers or petals.

Consumers reported that they were encouraged to make an initial investment of €150 and then recruit others to invest.

They were told that once they recruited more people they would move to the next tier of the model. This would supposedly continue until the participant reaches the centre of the model and then makes a return on their investment.

A media statement warning consumers not to engage with the scheme was also issued to media outlets nationwide. The warning was widely reported with over 70 articles appearing across print, broadcast and online media.

Consumer Protection Enforcement Measures Under the Consumer Protection Act

Fixed Payment Notice

A Fixed Payment Notice (FPN) is a set fine of €300 that the CCPC can issue to a trader if they don't display prices properly or provide certain required information to a consumer. A FPN can also be issued in some cases if a consumer is charged extra or is not refunded properly. An FPN must be paid within 28 days. More than one FPN may be issued to a trader. Failure to pay a FPN is an offence that may be prosecuted by the CCPC [s.85 CPA].

An Undertaking

An undertaking is a formal written agreement between the CCPC and a trader where a trader agrees to take certain actions. Undertakings can include an agreement to take action to address a breach of the law. That agreement could include actions such as publishing a corrective statement or paying compensation to a consumer [s.73 CPA].

Compliance Notice

A Compliance Notice (CN) is a written legal notice that the CCPC can issue to a trader who has committed a 'prohibited act or practice' or is currently committing a 'prohibited act or practice'. The CN tells the trader that they have to fix the issue and make things right. A trader can appeal a CN to the District Court within 14 days. If a trader does not carry out the instructions in the CN they will be breaking the law and can be taken to Court [s.75 CPA].

Prohibition Order

A Prohibition Order is a legal order that is issued by the Circuit Court or the High Court to a trader to tell them not to do something that is illegal under the CPA. Under Section 71 of the CPA, any person, including the CCPC, can apply to the Circuit or the High Court for a Prohibition Order.

Prosecution

A prosecution is when the CCPC takes a trader to court because they have broken the law set out in the CPA. Prosecuting a trader who has broken the law is the ultimate sanction available to the CCPC. A trader can be issued with high fines and even a jail sentence. If convicted, the trader can also have to pay the cost of the CCPC taking the case to Court.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Total Number of Compliance Notices that took effect: 24

Relevant Legislation:

Engaging in a prohibited commercial practice contrary to section 42(1) of the Consumer Protection Act 2007 as described by section 43(2) and section 43(3)(j) and thus committing an offence contrary to section 47 of the Consumer Protection Act 2007.

Designers Rebellion Limited, is a trader operating the website www.voga.com selling furniture. During an inspection of the website, the CCPC found that the trader provided information that would be likely to deceive or mislead consumers as to their rights, regarding their legal rights under European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. 484/2013-) ('the CRD Regulations'), namely placing a time limit on cancellation of orders and subjecting them to an administration fee to be deducted from the order value.

On 22 January 2021, the CCPC served a Compliance Notice on the Company Secretary of Designers Rebellion Limited directing the trader to do the following:

- Cease engaging in the prohibited commercial practice as described by section 43(2) and section 43(3)(j) and contrary to section 47 of the Consumer Protection Act 2007.
- Provide to consumers with whom it concludes distance contracts, information with respect to consumers' rights, in accordance with the CRD Regulations.
- Provide consumers with a cancellation period which expires 14 days from receipt by the consumers of the goods.

Designers Rebellion Limited, is a trader operating the website www.voga.com selling furniture. During an inspection of the website, the CCPC found that the trader provided information that would be likely to deceive or mislead consumers as to their rights, namely by placing a 7 day limit on reporting a faulty good that was delivered.

On 22 January 2021, the CCPC served a Compliance Notice on the Company Secretary of Designers Rebellion Limited directing the trader to do the following:

- Cease engaging in the prohibited commercial practice as described by section 43(2) and section 43(3)(j) and contrary to section 47 of the Consumer Protection Act 2007.
- Provide consumers with Terms and Conditions which do not mislead consumers as to their legal rights as provided by the CSD regulations.

N4 Autopoint Limited, previously trading at N4 Business Park, Lower Kennelsfort Road, Palmerstown, Dublin D20 is a trader selling second-hand motor vehicles. N4 Autopoint sold a motor vehicle, which was discovered to have an odometer discrepancy, to a consumer. When it was discovered that there was a mileage discrepancy, this vehicle was returned to N4 Autopoint. An employee of N4 Autopoint then posed as a private seller and sold the same vehicle, knowing about the odometer discrepancy, to another consumer.

On 26 January 2021, the CCPC served a Compliance Notice on N4 Autopoint Limited, directing it to do the following:

- Compensate the consumer €1,500.00.
- To provide true and accurate information in all communications, including advertisements, to consumers with respect to the usage and prior history of every motor vehicle advertised or offered for sale.
- To ensure that appropriate due diligence is carried out on the history and usage of every motor vehicle offered for sale.
- To ensure that a record of the due diligence carried out on the history and usage is maintained for a period of three years from the date of advertisement or the date of sale. This record must be made available to the CCPC for inspection on request.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Damien Byrne, an employee of **N4 Autopoint Limited**, previously trading at N4 Business Park, Lower Kennelsfort Road, Palmerstown, Dublin D20 posed as a private seller to sell a vehicle with an odometer which had been tampered with to reflect a less than true mileage. Damien Byrne, having been made aware that the vehicle had an odometer which had been tampered with, advertised and sold the vehicle for sale on an online sales platform using a false name. He told the consumer he was selling the vehicle in a private capacity, and failed to tell them that he was an employee of N4 Autopoint Limited or that the odometer of the vehicle had been tampered with.

On 26 January 2021, the CCPC served a Compliance Notice on Damien Byrne, directing him to do the following:

- To provide true and accurate information in all trader's communications, including advertisements, to consumers with respect to the usage and prior history of every motor vehicle advertised or offered for sale by the trader, whether on behalf of a trader's employer or otherwise.
- To ensure that appropriate due diligence is carried out on the history and usage of every motor vehicle offered for sale by the trader, whether on behalf of the trader's employer or otherwise.
- To ensure that a record of the due diligence carried out on the history and usage is maintained for a period of three years from the date of advertisement or the date of sale, whether on behalf of the trader's employer or otherwise. This record must be made available to the CCPC for inspection on request.

Harvey Norman Trading (Ireland) Limited, trading at 1st Floor, Brent House, Swords Business Park, Swords, Co. Dublin, K67 Y2V0, is a trader operating the website www.harveynorman.ie, selling consumer goods including electric appliances, furnishings and household goods online. During an inspection of the website, the CCPC found that the trader provided information that would be likely to mislead consumers as to the

correct conditions, time limit and procedures for exercising their cancellation rights, namely the time period provided on the website to cancel distance contracts was not in accordance with consumers' cancellation rights.

On 29 March 2021, the CCPC served a Compliance Notice on Harvey Norman Trading (Ireland) Limited, directing it to do the following:

- To amend the website harveynorman.ie to ensure that information provided to consumers accurately reflects the legal rights of a consumer regarding the correct conditions, time limit and procedures for exercising consumers' cancellation rights, in accordance with the CRD Regulations.

Harvey Norman Trading (Ireland) Limited, trading at 1st Floor, Brent House, Swords Business Park, Swords, Co. Dublin, K67 Y2V0, is a trader operating the website www.harveynorman.ie, selling consumer goods including electric appliances, furnishings and household goods. During an inspection of the website, the CCPC found that the trader provided information that would be likely to mislead consumers as to their rights, namely by referring to revoked legislation for consumers rights on their website.

On 29 March 2021, the CCPC served a Compliance Notice on Harvey Norman Trading (Ireland) Limited, directing it to do the following:

- To remove reference to revoked legislation as the legal basis for the legal rights that consumers can avail of under a contract.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Ticketline Unlimited Company, trading as Ticketmaster Ireland, is a trader operating the website, www.ticketmaster.ie selling tickets for events. During an inspection of the website, the CCPC found that the information available to consumers was likely to deceive or mislead consumers regarding the existence of a right of cancellation, and the conditions, time limits and procedures for exercising the right of cancellation for distance contracts, namely by stating that gift cards were non-refundable and non-returnable.

On 01 April 2021, the CCPC served a Compliance Notice on Ticketmaster Unlimited Company, directing the trader to do the following:

- Amend the “Terms and Conditions” section of its website to ensure that the information available to consumers regarding the existence of a right of cancellation, and the conditions, time limits and procedures for exercising the right of cancellation for distance contracts, accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Adi Motoring Ltd, trading as RSA School of Motoring, is a trader operating the website www.rsaschoolofmotoring.ie. The trader provided misleading information to consumers seeking to conclude a distance contract on the website, namely that refunds issued are subject to a €20 administration fee and online transaction fees are non-refundable.

On 27 May 2021, the CCPC served a Compliance Notice on Adi Motoring Ltd, directing the trader to do the following:

- Amend the information in the “T&CS, CANCELLATION AND REFUND POLICY” area of the website to ensure that the information available to consumers regarding the conditions, time limits and procedures for exercising the right of cancellation for distance service contracts accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Custom Computers & Technologies Limited, trading as CustomPC at Unit C9, Enterprise Business Park O’Brien Road Co. Carlow, is a trader operating the website www.custompc.ie, selling consumer goods including electronic equipment. During an inspection of the website, the CCPC found that the trader provided information concerning refund conditions and the timeframe for processing refunds that misled consumers as to their rights.

On 01 June 2021, the CCPC served a Compliance Notice on the Company Secretary of Custom Computers & Technologies Limited, directing the trader to do the following:

- Amend the website, www.custompc.ie, to ensure that the information available in the terms and conditions regarding refund conditions and the timeframe for processing refunds for exercising the right to cancel reflects the legal rights a consumer may avail of under the CRD Regulations.

Custom Computers & Technologies Limited, trading as CustomPC at Unit C9, Enterprise Business Park O’Brien Road Co. Carlow, is a trader operating the website www.custompc.ie, selling consumer goods including electronic equipment. During an inspection of the website, the CCPC found that the trader provided information concerning the delivery conditions, procedures and refunds that would be likely to mislead consumers as to their rights.

On 01 June 2021, the CCPC served a Compliance Notice on the Company Secretary of Custom Computers & Technologies Limited, directing them to do the following:

- Amend the website to ensure that the information available to consumers in terms and conditions regarding the delivery conditions, procedures and refunds for exercising the right of cancellation for distance contracts accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Meadows & Byrne Limited, trading at Blarney Woolen Mills, Blarney, Cork T23 H63K, is a trader operating the website www.meadowsandbyrne.com, selling consumer goods including furniture. During an inspection of the website, the CCPC found that the trader provided information that is likely to cause the average consumer to be deceived or misled as to their rights, namely that goods can only be returned if they are flawed or incorrect and that a restocking charge of 20% will be applied to the item.

On 03 June 2021, the CCPC served a Compliance Notice on the Company Secretary of Meadows & Byrne Limited, directing the trader to do the following:

- Remove misleading information from its website.
- Ensure the information available to consumers regarding return and refund conditions accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Castlebar Tool Hire Company Limited, trading as Totally Toys at Moneen Industrial Estate, Castlebar, Co. Mayo, is a trader operating the website www.totallytoys.ie, selling consumer goods including children's toys. During an inspection of the website, the CCPC found that the trader provided information that would be likely to cause the average consumer to be deceived or misled as to their rights, namely that a consumer has 7 days to cancel their order and that €6.99 will be deducted from a refund to cover carriage expenses.

On 25 June 2021, the CCPC served a Compliance Notice on the Company Secretary of Castlebar Tool Hire Company Limited, directing the trader to do the following:

- Remove misleading information and remedy the prohibited acts or practices identified.
- Amend the website www.totallytoys.ie to ensure that the information available regarding conditions, time limits and procedures for exercising the right of cancellation for distance contracts on the website accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Flanagans Online Limited, trading at Aileach Road, Buncrana, Co. Donegal, is a trader operating the website www.flanagans.ie, selling consumer goods including furniture. During an inspection of their website, the trader was found to have provided information that would be likely to deceive or mislead consumers as to their rights, namely that there was a 20% restocking fee as a cost of returning goods.

On 15 July 2021, the CCPC served a Compliance Notice on the Company Secretary of Flanagans Online Limited, directing the trader to do the following:

- Remove misleading information provided to consumers on the website www.flanagans.ie, as identified.
- Remedy the contraventions which were identified within the compliance notice.

Ogalas Unlimited Company, trading as Home Store and More, with an address at Unit 4 Parkway House, Ballymount Drive, Dublin 12, D12 ECR9, is a trader operating the website www.homestoreandmore.ie, selling consumer goods including homeware. During an inspection of their website, the trader was found to have provided information that would be likely to deceive or mislead consumers as to their rights, namely that there was a 7 day "cooling off period" for which to cancel and notice to cancel must be provided via a contact page or telephone call.

On 15 July 2021, the CCPC served a Compliance Notice on the Company Secretary of Ogalas Unlimited Company, directing the trader to do the following:

- Remove misleading information provided to consumers on the website www.homestoreandmore.ie, as identified.
- Ensure that the information available to consumers regarding the conditions, time limits and procedures for exercising the right of cancellation for distance contracts on the website accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Zipcore Limited, trading at Nesta Building, 4-5 Burton Hall Road, Sandyford, Dublin, D18 A094, is a trader operating the website www.zipcore.ie, selling goods including Personal Protective Equipment and consumer electronic goods such as mobile phones. During an inspection of the website, the CCPC found that the trader provided information that would be likely to deceive or mislead consumers as to their rights, namely on the conditions, time limits and procedures for exercising the right of cancellation of a distance contract.

On 30 July 2021, the CCPC served a Compliance Notice on Zipcore Limited, directing it to do the following:

- Remedy the contraventions identified to ensure that they are not engaging in a prohibited act or practice.

Zipcore Limited, trading at Nesta Building, 4-5 Burton Hall Road, Sandyford, Dublin, D18 A094, is an online trader operating the website www.zipcore.ie, selling goods including Personal Protective Equipment and consumer electronic goods such as mobile phones. During an inspection of the website, the CCPC found that the trader provided information that would be likely to deceive or mislead consumers as to their rights, namely that goods which have been delivered damaged must be notified within 24 hours of delivery.

On 30 July 2021, the CCPC served a Compliance Notice on Zipcore Limited, directing it to do the following:

- Remedy the contraventions identified namely, to remove the timeframe within which the consumer must notify Zipcore Limited of the lack of conformity of the goods.

Mr Umar Anwar trading at Innovate, trading at 12 Parnell St, Ennis, Co. Clare, V95 XE13, is a trader selling consumer electronic goods including the Sony Playstation 5 games console. The CCPC received a number of complaints from consumers who had purchased the Sony Playstation 5 games console from the trader online but had not received it and, furthermore, when they attempted to contact the trader for a reimbursement they were unable to do so.

On 11 October 2021, the CCPC served a Compliance Notice on Umar Anwar, directing him to do the following:

- Cease engaging in the prohibited commercial practice as described by section 43(2), 43(3)(b)(xi), 43(3)(b)(xii), 43(3)(f)(i) and section 43(3)(i) and contrary to section 47 of the Consumer Protection Act 2007.
- Reimburse in full all consumers who purchased a Playstation 5 but did not receive the goods they purchased.
- Cease engaging in the prohibited commercial practice as described by section 55 (1)(l) and contrary to section 56 of the Consumer Protection Act 2007.

Inter Trade & Marketing (I.T.M.) Limited, trading as Avalon Design at Ground Floor, 71 Lower Baggot Street, Dublin D02 P593, is a trader operating the website www.avalondesign.ie, selling consumer goods including furniture and home furnishings. During an inspection of the website, the CCPC found the trader provided information which would be likely to deceive or mislead consumers regarding their rights and the trader's obligations, namely that once cancelled the full costs of shipping and handling will have to be paid by the consumer and that the buyer has 14 days to form the opinion and to return the goods.

On 10 November 2021, the CCPC served a Compliance Notice on the Company Secretary of Inter Trade & Marketing (I.T.M.) Limited, directing the trader to do the following:

- Remove misleading information from their website.
- Ensure that the information available to consumers regarding the refund conditions, time limits and procedures for exercising the right of cancellation for distance contracts on the website accurately reflects the legal rights a consumer may avail of under the CRD Regulations.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Feely Consulting Limited, trading as Handy Hardware, trading at Unit 14, Churchtown Business Park, Beaumont Avenue, Churchtown, Dublin 14, D14 W257, is a trader operating the website www.handyhardware.ie, selling consumer goods including power tools. During an inspection of their website, the trader was found to have provided information likely to deceive or mislead consumers as to their rights in the event of a cancellation, namely that in the event of a cancellation that the trader shall reimburse all payments excluding any for delivery.

On 10 November 2021, the CCPC served a Compliance Notice on the Company Secretary of Feely Consulting Limited, directing the trader to do the following:

- Remove the misleading information on their website.
- Ensure that the information available to consumers in any terms and conditions accurately reflects the legal rights that a consumer may avail of under the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013.

Wheelie Bin Storage Ireland Limited, trading as WBS Ireland, trading at 35 Hillsbrook Grove, Perrystown, Dublin 12, D12HD93, is a trader operating the website www.wbsireland.ie, selling consumer goods including bin sheds. During an inspection of their website, the trader was found to have provided information likely to mislead or deceive consumers with regards to the obligations of traders in the event of a cancellation, namely that to cancel a contract the consumer must notify them in writing and return the products at their own cost and risk.

On 10 November 2021, the CCPC served a Compliance Notice on the Company Secretary of Wheelie Bin Storage Ireland Limited, directing the trader to do the following:

- Remove the misleading information from their website.
- Ensure that the information in their terms and conditions regarding the time limit and procedures accurately reflects the legal rights that a consumer may avail of under the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013.

Relevant Legislation:

Contravening a relevant enactment specified in Schedule 5 to the Consumer Protection Act 2007, namely the European Union (Online Dispute Resolution for Consumer Disputes) Regulations 2015 (S.I. No. 500 of 2015), as amended.

Zipcore Limited, trading at Nesta Building, 4-5 Burton Hall Road, Sandyford, Dublin, D18 A094, is an online trader operating the website www.zipcore.ie, selling consumer goods including Personal Protective Equipment and electronic goods such as mobile phones. During an inspection of the website, the CCPC found that the trader failed to provide an electronic link to the Online Dispute Resolution platform.

On 30 July 2021, the CCPC served a Compliance Notice on Zipcore Limited, directing it to do the following:

- When entering online sales contracts with consumers to comply with Article 14(1) of the EU Regulation on Consumer ODR and provide on the trader's website(s) an electronic link to the ODR platform which is easily accessible to consumers.

Relevant Legislation:

Failing to provide the information requirements set out in paragraph (1)(a) of Regulation 10 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013).

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Jeremy Franco of Carahealth, trading at 23 Waterlane, Prospect Hill, Galway, H91 VH9X, is a trader operating the website www.carahealth.ie, selling consumer goods including health products. During an inspection of the website, the CCPC found the trader to be in breach of the requirement to provide information regarding consumer rights and trader's obligations, namely the consumer's right to cancel a distance contract.

On 25 June 2021, the CCPC served a Compliance Notice on Jeremy Franco of Carahealth, directing them to do the following:

- Comply with the obligations set out in paragraph (1)(a) of Regulation 10 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013.
- Ensure that the information available regarding conditions, time limits and procedures for exercising the right of cancellation for distance contracts on the website accurately reflects the legal rights a consumer may avail of under the CRD Regulations.
- Ensure the trader's legal obligation to make available a model cancellation form to consumers is complied with.

Relevant Legislation:

Failing to give or make available to consumers an electronic mail address when providing a relevant service as required under the relevant enactment specified in Schedule 5 to the Consumer Protection Act 2007, namely the European Communities (Directive 2000/31/EC) Regulations 2003 (S.I. No. 68/2003).

BWG Foods Unlimited Company trading as Londis Ireland at BWG House, Greenhills Road, Tallaght, Dublin 24, is a trader operating the website www.londisonline.ie, selling consumer goods including groceries. During an inspection of the website, it was found that the trader had failed to provide its contact details as the service provider, namely an electronic mail address to allow them to be contacted rapidly and communicated with in a direct and effective manner.

On 03 June 2021, the CCPC served a Compliance Notice on the Company Secretary of BWG Foods Unlimited Company, directing them to do the following:

- Amend their website to ensure that an electronic mail address is provided which is easily, directly and permanently accessible to recipients of the service and which allows BWG Foods Unlimited Company to be contacted rapidly and communicated with in a direct and effective manner.

Relevant Legislation:

Engaging in a prohibited act or practice, as described by paragraph 6(a) of Regulation 86 of the European Union (Payment Services) Regulations 2018.

Adi Motoring Ltd, trading as RSA School of Motoring at Cookstown Road, Unit 81C Cookstown Industrial Estate, Dublin 24, is a trader operating the website www.rsaschoolofmotoring.ie. During an inspection of the website, the trader was found to request charges for the use of a payment card, namely that all online payments were subject to a 2% transaction fee.

On 27 May 2021, the CCPC served a Compliance Notice on Adi Motoring Ltd, directing the trader to do the following:

- Amend the information provided in the "T&CS, CANCELLATION AND REFUND" area of the website, and to cease requesting charges from consumers for the use of payment cards in contravention of the Payment Services Regulations.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Total Number of Fixed Payment Notices (FPNs): 10

Relevant Legislation:

Failing to give or make available to consumers before binding them to a distance contract, where a right to cancel the contract existed, the cancellation form set out in Part B of Schedule 3 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013).

Custom Computers & Technologies Limited trading as CustomPC at Unit C9, Enterprise Business Park O'Brien Road Co. Carlow, is a trader operating the website www.custompc.ie, selling consumer goods including electronic equipment. The trader was required to make a cancellation form available to consumers before they were bound to a distance contract, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of this requirement.

Hanley's Home and Garden Centre Limited, operating the website, www.hanleysofcork.com. The trader was required to provide a model cancellation form to consumers on its website, before they were bound to a distance contract. During an inspection of the website, the CCPC had found the trader to be in breach of this requirement.

Castlebar Tool Hire Company Limited trading as Totally Toys at Moneen Industrial Estate, Castlebar, Co Mayo, is a trader operating the website www.totallytoys.ie, selling consumer goods including children's toys. The trader was required to make a cancellation form available to consumers before they were bound to a distance contract, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of this requirement.

Ogalas Unlimited Company (trading as Home Store and More), with an address at Unit 4 Parkway House, Ballymount Drive, Dublin 12, D12 ECR9, is a trader operating the website www.homestoreandmore.ie, selling consumer goods including homeware. The trader was required to make a cancellation form available to consumers before they were bound to a distance contract, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of this requirement.

World of Wonder Limited trading at O'Connor World of Wonder, Osm Park, Monavalley Business Park, Tralee, Co. Kerry, is a trader operating the website www.worldofwondertoys.ie, selling consumer goods including children's toys. The trader was required to make a cancellation form available to consumers before they were bound to a distance contract, in compliance with the CRD Regulations. During an inspection of the website, the CCPC found the trader to be in breach of this requirement.

Relevant legislation:

Failing to indicate the unit price of a product, in contravention of Regulation 5(1) of the European Communities (Requirements to Indicate Product Prices) Regulation 2002.

BWG Foods Unlimited Company trading as Londis Ireland at BWG House, Greenhills Road, Tallaght, Dublin 24, is a trader operating the website www.londisonline.ie, selling consumer goods including food and beverages. The trader was required to display the unit price of goods offered for sale. During an inspection of the website, the CCPC found the trader to be in breach of this requirement by failing to provide the unit price of a product.

Musgrave Retail Partners Ireland Limited (trading as Centra), Ballycurreen, Airport Road, Cork, is a trader operating the website, www.centra.ie. The trader was required to display the unit price of goods offered for sale. During an inspection of the website, the CCPC had found the trader to be in breach of this requirement by failing to provide the unit price of the product.

Feely Consulting Limited (trading as Handy Hardware), trading at Unit 14, Churchtown Business Park, Beaumont Avenue, Churchtown, Dublin 14, D14 W257, is a trader operating the website www.handyhardware.ie. The trader was required to display the unit price of goods offered for sale. During an inspection of the website, the CCPC had found the trader to be in breach of this requirement.

Compliance Notices pursuant to section 75 of the Consumer Protection Act 2007

Relevant Legislation:

Failing to give or make available to consumers the following information specified in Schedule 2 of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013) in contravention of Regulation 12(1) and Regulation 12(2) of the CRD Regulations; "(c) if the trader is acting on behalf of another trader, the geographical address and identity of that trader; (e)(ii) the geographical address of- where the trader acts on behalf of another trader, the place of business of that other trader, if different from the address provided in accordance with paragraph (c); (l) where a right to cancel exists, the conditions, time limit and procedures for exercising that right in accordance with Regulation 17; (p) in the case of a sales contract, the existence of a legal obligation on the trader to supply goods that are in conformity with the contract."

Umar Anwar trading at Innovate, trading at 12 Parnell St, Ennis, Co.

Clare, V95 XE13, is a trader selling goods including electronic goods such as the Sony Playstation 5 games console. The CCPC received a number of complaints from consumers who had purchased the Sony Playstation 5 games console from the trader but had not received it and furthermore, when they attempted to contact the trader to make a reimbursement they were unable to contact the trader. When concluding a distance contract, the trader was required to provide confirmation of the contract as well as specified information on a durable medium. The trader failed to provide consumers with the following:

- The geographical address and identity of the trader.
- Where a right to cancel exists, the conditions, time limit and procedures for exercising that right.
- Where applicable, that the consumer will have to bear the cost of returning the goods in case of cancellation of the contract and, in the case of distance contracts, if the goods by their nature cannot be normally returned by post, the cost of returning the goods.
- In the case of a sales contract, the existence of a legal obligation on the trader to supply goods that are in conformity with the contract.

Relevant Legislation:

Failing to give or make available to consumers, before binding them to a distance contract, the following information specified in Schedule 2 of the CRD Regulations in plain and intelligible language and in a way appropriate to the means of distance communication used in contravention of Regulation 10(1)(a) of the CRD Regulations; "(c) if the trader is acting on behalf of another trader, the geographical address and identity of that trader; "(l) where a right to cancel exists, the conditions, time limit and procedures for exercising that right in accordance with Regulation 17; (m) where applicable, that the consumer will have to bear the cost of returning the goods in case of cancellation of the contract and, in the case of distance contracts, if the goods by their nature cannot normally be returned by post, the cost of returning the goods; (p) in the case of a sales contract, the existence of a legal obligation on the trader to supply goods that are in conformity with the contract."

Umar Anwar trading as Innovate, trading at 12 Parnell St, Ennis, Co. Clare,

V95 XE13, is a trader selling consumer goods including electronic goods such as the Playstation 5 games console. The CCPC received a number of complaints from consumers who had purchased the Sony Playstation 5 games console but had not received it and furthermore, when they attempted to contact the trader to make a reimbursement they were unable to contact the trader. The trader was required, but failed to provide to consumers, before binding them in a distance contract, the following:

- The geographical address and identity of the trader.
- Where a right to cancel exists, the conditions, time limit and procedures for exercising that right.
- Where applicable, that the consumer will have to bear the cost of returning the goods in case of cancellation of the contract and, in the case of distance contracts, if the goods by their nature cannot be normally returned by post, the cost of returning the goods.
- In the case of a sales contract, the existence of a legal obligation on the trader to supply goods that are in conformity with the contract.

Scope of Responsibility

On behalf of the Competition and Consumer Protection Commission, we acknowledge the Commission's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system of internal control is designed to manage risks to a tolerable level rather than eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely period.

The system of internal control, which accords with the guidance issued by the Department of Public Expenditure and Reform has been in place in the CCPC for the year ended 31 December 2021 and up to the date of approval of the financial statements.

Capacity to Handle Risk

The Audit and Risk Committee (ARC) comprises a Chairperson and three members (two are external / independent). The ARC met four times in 2021. The Commission has a properly constituted internal audit function which is adequately resourced and conducts a programme of work agreed with the ARC. The internal audit function operates in accordance with the Code of Practice for the Governance of State Bodies (revised 2016). The Commission's monitoring and review of effectiveness of the systems of internal control is informed by the work of the outsourced internal auditor and the ARC. The following external reviews were carried out in 2021:

- Review of Effectiveness of Internal Controls;
- Compliance with Document Management;
- IT Systems and Security;
- Management of Freedom of Information requests;
- Payroll Review and;
- Follow up review on the recommendations made in previous internal audit reviews.

The Commission has developed a risk management policy which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. The policy has been issued to all staff to alert management on emerging risks and control weaknesses. This policy is reviewed by the Commission periodically and, where revisions are approved, is presented to the CCPC's ARC for review.

Risk and Control Framework

The CCPC has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A corporate risk register is in place which identifies the key risks facing the CCPC and these have been identified, evaluated and graded according to their significance. The register is normally reviewed and updated by the Commission on a quarterly basis, however, the review of this register currently occurs on a monthly basis as a result of the response to the Covid-19 pandemic. The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff.

The most up-to-date Corporate Risk Register is provided in advance of each ARC meeting along with a memo detailing any changes, including the reasoning for such changes.

The systems of internal control are based on a framework of regular management information, a system of delegation and accountability, a set of financial procedures, administrative procedures including segregation of duties and rigorous ongoing checks by the finance function.

Appendix 3: Statement on Internal Control

We confirm that a control environment containing the following elements are in place:

- A comprehensive budgeting system with an annual budget, which is reviewed and approved by the Members of the Commission;
- Authorisation limits are set for the disbursement of the Commission's funds;
- Regular review by the Members of the Commission of periodic and annual financial information and reports (including management accounts), which indicate financial performance against budgets;
- There are clearly defined management responsibilities, including financial responsibilities which have been assigned with corresponding accountability;
- There are policies and procedures for all key business processes, which are reviewed regularly;
- Monitoring and reporting on internal control processes, including an Annual Assurance Statement completed by Directors/Heads of Unit;
- There are mechanisms and systems aimed at ensuring the security of the Information and Communication Technology (ICT) systems;
- There are formal procedures to monitor the activities and safeguard the assets of the organisation and;
- Payment of the CCPC's salaries is conducted through the National Shared Services Office (NSSO) and is covered by an Employee Services Management Agreement between the NSSO and the CCPC's parent Department (DETE).

Impact of Covid-19 Pandemic to the Control Environment

The onset of the Covid-19 pandemic in early 2020, and the resulting public health advice and safety measures, rapidly and fundamentally changed the working practices of the CCPC with remote working becoming the norm for CCPC staff.

The Commission monitored developments closely, with a view to mitigating the risks that could affect the CCPC's business operations, staff and stakeholders. These actions allowed us to largely continue delivering our functions while maintaining strong standards of control. CCPC operations are continuing as normal. Actions that the CCPC is continuing to take include:

- Ensuring that the CCPC's business response to the pandemic was steered and guided by the Commission with input from Divisional Directors;
- Continual assessment of significant risks pertaining to the Covid-19 pandemic and the agility of CCPC to respond effectively;
- Ensuring robust segregation of duties remains;
- Ensuring all existing policies and procedures continue to apply in the remote working environment and are monitored and reported on as normal;
- Updating procedures to allow for (i) access to the office (ii) interviews (iii) inspections, in a safe and public health compliant manner where such work was essential to deliver our functions;
- Ensuring that staff members access CCPC's network using CCPC's approved ICT equipment and that all staff members working remotely have been equipped with the necessary ICT equipment and;
- Continuing to assess the potential for weaknesses in internal controls resulting from Covid-19 and taking measures to monitor and update internal controls where necessary.

Appendix 3: Statement on Internal Control

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to senior management and the Commission, where relevant, in a timely manner. We can confirm that the following ongoing monitoring systems are in place:

- Key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies;
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned; and
- There are regular reviews by the Commission and senior management of periodic and annual performance and financial reports which indicate performance against budget and forecasts.

Procurement

We confirm that during 2021 the CCPC has procedures in place to ensure compliance with current procurement rules.

Review of Effectiveness

We confirm that the CCPC has procedures to monitor the effectiveness of its risk management and control procedures. The Commission's monitoring and review of the effectiveness of the system of internal control is informed by the work of the internal and external auditors, the ARC which oversees their work, and the senior management within the CCPC responsible for the development and maintenance of the internal control framework.

We confirm that the Commission conducted an annual review of the effectiveness of the internal controls for 2021.

The Statement on internal control has been reviewed by the ARC and the Commission to ensure it accurately reflects the control system in operation during the reporting period.

A review of internal controls in 2021 was carried out and signed off by the Commission in February 2022.

The Commission is reasonably assured that the system of internal control instituted and implemented in the CCPC for the financial year ended 31st December 2021 is effective.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2021 that require disclosure in the financial statements.

On behalf of the Competition and Consumer Protection Commission:



.....
Jeremy Godfrey Chairperson



.....
Brian McHugh Member

Overview

The Irish Human Rights and Equality Commission Act 2014 creates certain obligations for public bodies in relation to human rights and equality issues. The Act creates a 'Public Sector Duty' which is to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment, and protect human rights of both staff and those they provide services to.

The importance of a values-based approach to the public sector framework is mirrored in the way we place emphasis in our plans, goals, mission and the behaviour of our staff. We ensure that links between human rights and/or equality statements and related action plans are incorporated into the CCPC work practices.

Equality of Access to Information

Equality of access to information is fundamental to the services we provide. We are committed to diversity and will ensure that the right to equal treatment as established by equality legislation is upheld. We aim to ensure equality of access through the services we provide by phone and online. In 2021, our helpline worked with the Sign Language Interpreting Services to introduce the Irish Sign Language Act 2021. On request, we use voice and screen reader technology for those who are visually impaired. We also communicate in Irish and Irish Sign Language, on request and publish major documents, such as our annual report, in Irish and English. Our Access Officer arranges supports for people with disabilities who access our information and services. We completed an accessibility audit for our website in 2021 and we are following up on the findings.

Disability Liaison Officer

Our CCPC Disability Liaison Officer (DLO) acts in confidence and plays a key role in supporting and advising staff and management on work supports that may be required following a declaration of a recognised disability as set out in Section 47(1)(a) of the Disability Act 2005. We encourage all staff to disclose their disability at induction where the services of the DLO are highlighted. To enable the provision of an effective and efficient Disability Liaison Service the DLO:

- Acts as a point of contact for members of staff with disabilities, their managers and the CCPC's Organisational Development Unit;
- Provides reasonable workplace accommodations, advice, suggestions, guidance, necessary information and appropriate contacts;
- Assists in the implementation of best HR practices in line with equality legislation including the collection, maintenance and reporting of data in compliance with Part 5 of the Disability Act, 2005;
- Facilitates increased awareness of disability throughout the CCPC;
- Advertises the DLO supports to employees every six months;
- Keeps disability to the fore at meetings;
- Ensures DLO contact details are available for induction;
- Promotes self-disclosure;
- Attends DLO Network meetings and training sessions;
- Provides an annual account of qualitative and quantitative data relating to this service to the National Disability Authority and;
- Assists a staff member coming back from a serious illness or anyone that may acquire a disability and need support.

Annually we promote disability and celebrates the UN International Day of Persons with Disabilities.

Promoting Equality and Human Rights in the Workplace

We have a number of policies and procedures to promote equality and human rights and to support our staff. If requested, accommodations are provided at recruitment stage and continue through the induction process and continually through the employee's working cycle. Our staff induction pack contains detailed policies and procedures relating to dignity and respect in the workplace including bullying and harassment, performance, safety, health, welfare and well-being. We offer flexibility with family-friendly leave policies that support the work-life balance of working parents.

Safety Statement

We are committed to protecting the staff, contractors and subcontractors working in the CCPC. We aim to achieve this through effective safety management initiatives and the application of this Safety Statement. The objectives of this Statement are to promote standards of safety, health and welfare within the CCPC that comply with the provisions and requirements of the Safety, Health and Welfare at Work Act 2005, the Safety, Health and Welfare at Work (General Application) Regulations 2007 and all statutory provisions and codes of practice in the safety and health area; to provide staff with sufficient information to allow them to work safely and efficiently; to enhance safety awareness, and to define the responsibilities of all staff for safety and health matters.

Employee Assistance Programme

We support staff by offering an Employee Assistance Programme through Abate Counselling and EAP Services. This service specialises in all aspects of counselling and stress management for our staff. This provides support for staff who may be suffering from illness, as well as professional support for staff wishing to progress in their career.

Well-being Supports

Our Well-being Committee oversees, shapes and steers the delivery of the Well-being Strategy through collaboration with other staff in the CCPC and with external organisations. The Well-being Committee is made up of representatives from different divisions across the CCPC. 2021 saw many staff initiatives on stepping away from the screen; the 'Right to disconnect' Code of practice being a major driving force. In 2021, our well-being programme specifically aimed at positive mental health with a focus on open and honest dialogue in line with the principles advocated by the Green Ribbon Campaign and the Healthy Ireland agenda.

We provided webinars on healthy eating 'Good food, Good mood'; The power of positive thinking'' and sleep hygiene. World Well-being day saw the whole organisation provided with wildflower seeds to encourage connecting with nature and enjoying the outdoors. The committee continues to consult with staff to ensure that the support and initiatives provided are of maximum benefit.

Learning and Professional Development

The CCPC provides a multifaceted approach to learning and professional development for all staff. From the outset we provide staff with an induction seminar series, governance workshops, internal seminars and role related training that is continued through our performance management system. The 'Advance of fees' programme promotes life-long learning and is very well received. In 2021, there were 39 successful applications to avail of the programme.

In 2021, we launched a digital literacy programme that underpins the need for a constant cycle of upskilling. This is mirrored in the CCPC professional training in forensic digital literacy. In 2021, people managers received coaching skills training and training on 'How to manage teams remotely'. All staff have attended resilience workshops and 'Managing change' workshops.

We support online disability awareness and equality training through the National Disability Authority and provide online seminars to further embed knowledge and understanding. We also offer an Executive Leadership Programme which instils confidence and builds agility for future leaders. 2021 also saw the introduction of our 'Information Station', a shared knowledge hub of curated content that staff can access at all times.



Coimisiún um
Iomáiocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission