



Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission

Competition and Consumer Protection Commission

Enforcement Activities

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Head of Product Safety, Criminal Enforcement

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CCPC

- established 31st October 2014 under the Competition and Consumer Protection Act 2014
- Amalgamation of the Competition Authority and National Consumer Agency
- Statutory body with dual mandate responsible for enforcing consumer protection and competition law in Ireland.



CCPC

- build on the work of the legacy organisations
 - protect and strengthen competition,
 - empower consumers to make informed decisions
 - protect consumers from harmful business practices.
- Statutory functions as per Section 10 of the Competition and Consumer Protection Act 2014
- Our mission is to make markets work better for consumers and businesses.



CCPC

- Carrying out investigations
- Enforcing competition and consumer protection law
- Encouraging compliance by publishing practical guidance on how to comply with the law
- promoting compliance with a new regulatory regime in the Grocery sector
- Assessing mergers likely to result in a substantial lessening of competition in the affected markets

CCPC

- Enforcing product safety legislation
- Grocery sector regulations - aspects of commercial relationships in the grocery sector.
- Alternative Dispute Resolution (ADR)
- Informing consumers about their rights and how to exercise them
- Advising Government and influencing policy
- Encouraging business compliance
- Personal finance information and education

Consumer Protection

- Unfair commercial practices – banned if
 - unfair, misleading or aggressive
 - likely to distort consumer's choice
 - certain practices are always banned
- Price display regulations
- Price controls in emergency situations
- Pyramid selling

Consumer Protection

- Unfair terms in consumer contracts
- E-Commerce, distance selling & doorstep selling
- Package travel
- Consumer Credit act (Credit intermediaries, pawnbrokers)

Enforcement powers

- Undertakings
 - Written Undertakings from a trader to the Agency
 - Refrain from activity; compensate consumers
 - publish corrective statement etc.
- Prohibition Order
 - anyone can apply to Circuit / High Court
 - failure to comply is an offence

Enforcement powers

- Compliance Notice
 - issued by authorised officer
 - direct that contravention be remedied
 - takes effect if not appealed to Court within 14 days
 - failure to comply is an offence
- Consumers can seek damages from trader

Enforcement powers

- Criminal Proceedings
 - Agency may institute summary proceedings
 - Prosecution within 2 years of alleged offence
 - Convicted persons liable for Agency costs
 - Court may order publication of corrective statement

Fines and Penalties

- Up to €3,000 per offence and/or up to 6 months in prison – increases to €5,000 and 12 months for subsequent offences (summary conviction)
 - up to €500 daily fine for continuing non-compliance
- Up to €60k per offence and/or up to 18 months in prison – increases to €100k and 24 months for subsequent offences (conviction on indictment)
 - up to €10k daily fine for continuing non-compliance

Fines and Penalties

- Pyramid selling
 - Up to €150,000 and / or up to 5 years in prison
 - With up to €10,000 daily fine for continuing breach
- Fixed payment notice
 - €300 per notice to be paid within 28 days
 - used for price display and product pricing offences, consumer information on cancellation and other rights (CRD)

Fines and Penalties

- Agency may apply for Compensation Order on behalf of an aggrieved consumer
- may be in addition to any fines / penalties
- Consumer Protection List
 - usually twice yearly publication

Product Safety

- 5 EU Directives
 - Toys
 - Gas Appliances
 - Low Voltage (50V – 1000V)
 - Personal Protective Equipment
 - General Products not covered by the other sector-specific legislation
- EU Regulation 765/2008
- Product Safety Orders / national legislation
- National Co-ordinator for RAPEX

Product Safety

- 5 EU Directives
 - Toys
 - Gas Appliances
 - Low Voltage (50V – 1000V AC & 75 – 1500 DC)
 - Personal Protective Equipment
 - General Products not covered by the other sector-specific legislation
- EU Regulation 765/2008 (Market Surveillance)
- Product Safety Orders / national legislation
- National Co-ordinator for RAPEX

Product Safety Legislation

CCPC Act 2014

CPA 2007

EU Regulation 765/2008

Toys

LVD

GPSD

PPE

GAS



Business Obligations

- Place only safe products on the market
- Unsafe products
 - Withdrawn
 - Recall
 - Inform CCPC

Product Safety Enforcement

- Withdrawal of product
- Recall
- Prohibit placing on the Market (including importation)
- Prosecution in District or Circuit Court (Toys)
 - Fines and / or imprisonment



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Questions ?

Thank You

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