

Compliance Notice

Section 75 of the Consumer Protection Act 2007

Company Secretary,
Rustiq Salon Limited
Rustiq Salon
Unit 2
The Smithlands Centre
Waterford Road
Loughboy
Co. Kilkenny
R95X903

Competition and Consumer
Protection Commission
Bloom House
Railway Street
Dublin 1
D01 C576

I, [REDACTED], an authorised officer of the Competition and Consumer Protection Commission ('the CCPC'), duly authorised under section 35 of the Competition and Consumer Protection Act 2014, hereby give you, Rustiq Salon Limited, notice, pursuant to section 75(2) of the Consumer Protection Act 2007, as amended (hereinafter 'the 2007 Act'), that I am of the opinion that you engaged in a prohibited act or practice as defined in section 67(e) of the 2007 Act, namely a contravention of the Charges (Hairdressing) Display Order 1976 (S.I. No. 156 of 1976) ('the 1976 Order').

A. Statement of Alleged Contravention

For the reasons outlined in section C below, it is alleged that you, Rustiq Salon Limited, a trader for the purposes of the 2007 Act engaged in a prohibited act or practice (as defined in section 67(e) of the 2007 Act) by failing to display a notice setting out the charges for every service rendered by you in your capacity as a hairdresser at your premises Rustiq Salon, Unit 2, the Smithlands Centre, Waterford Road, Loughboy, Co. Kilkenny R95X903 (hereinafter 'the Premises') as required by the 1976 Order.

B. My Opinion

I am of the opinion that you, Rustiq Salon Limited, engaged in the prohibited act or practice outlined in the statement of alleged contravention above, by failing to display a notice at your Premises setting out the charges for every service rendered by you in your capacity as a hairdresser.

C. The Reasons for my Opinion

The reasons for my opinion are based on the following:

1. Rustiq Salon Limited, is a legal person and can be described as a “trader” for the purposes of the 2007 Act. “Trader” is defined in section 2 of the 2007 Act.
2. Section 67(e) of the 2007 Act states that a prohibited act or practice is any contravention of an order referred to in section 92 of the 2007 Act, one of which is the 1976 Order, which requires hairdressers to display a notice setting out the charges for every service rendered by them in their capacity as hairdressers.
3. I conducted an inspection of your Premises on 24 May 2024 and found that no notice was displayed at your Premises setting out the charges for every service rendered by you in your capacity as a hairdresser, in contravention of the 1976 Order, such a contravention being a prohibited act or practice as defined in section 67(e) of the 2007 Act.

D. Compliance Direction and Requirement

1. You, Rustiq Salon Limited, a trader, are hereby directed to display a notice (in accordance with the requirements set out in the 1976 Order) at your Premises that sets out the charges for every service rendered by you in your capacity as a hairdresser.
2. You must comply with this compliance direction and requirement by **11 November 2024**.

E. Appeal Procedure

1. You may appeal this Compliance Notice to the District Court in the district in which the notice is served **within 14 days after its service**.
2. The form and manner of such an appeal is to be found in the District Court Rules (Order 40D), Form 40D.01 Schedule C. This form is available from the registrar at your local District Court office or on the Courts Service website www.courts.ie.
3. In the event that you decide to appeal the Compliance Notice, you must, at the same time, notify the CCPC of the appeal at, Bloom House, Railway Street, Dublin 1, D01 C576. You must also notify the CCPC of the grounds for the appeal.

4. If an appeal is not made in accordance with section 75 of the 2007 Act and within 14 days after service of the notice, this notice will be treated as not disputed, you will be deemed to have accepted the notice and have agreed to comply with the compliance direction and requirement. Any failure or refusal to comply with this notice without reasonable excuse is an offence and, on summary conviction, you will be liable to the fines and penalties set out in Part 5, Chapter 4 of the 2007 Act.

Signature:




Authorised Officer

Competition and Consumer Protection Commission

11 October 2024

This information is intended for information purposes only and does not constitute part of the Compliance Notice.

Compliance Notice Notes
Consumer Protection Act 2007

1.	Section 75(6) of the 2007 Act requires a person, when lodging an appeal, to, at the same time, notify the CCPC of the appeal and the grounds for the appeal. The CCPC is entitled to appear, be heard and adduce evidence on the hearing of the appeal.
2.	If on appeal the compliance notice is not cancelled, the notice takes effect on the later of the following: <ol style="list-style-type: none"> a) the day after the day on which the notice is confirmed or varied on appeal, b) if the appeal is withdrawn by the appellant the day after the day it is withdrawn, c) the day specified in the notice.
3.	If there is no appeal under section 75(5) of the 2007 Act, the compliance notice takes effect on the later of the following: <ol style="list-style-type: none"> a) 14 days after the notice is served. b) the day specified in the notice.
4.	An Authorised Officer may: <ol style="list-style-type: none"> a) withdraw a compliance notice at any time, or b) if no appeal is made or pending under section 75(5) of the 2007 Act, extend the date by which the recipient is to comply with the compliance direction and requirements.
5.	Withdrawal of a compliance notice does not prevent the service of another compliance direction or requirement specified in a compliance notice, whether it relates to the same matter or a different matter.
6.	In accordance with section 75(13) of the 2007 Act, if a compliance notice takes effect, the CCPC is required to publish the compliance notice, or cause it to be published in any form or manner it considers appropriate.
7.	Section 86 of the 2007 Act requires the CCPC to maintain a "Consumer Protection List" of names and addresses of persons together with a description of their trade, business

	or profession and the particulars of the matter occasioning any enforcement actions taken by the CCPC. This includes persons against whom compliance notices have taken effect.
8.	Any person who, without a reasonable excuse, fails to comply with a direction or requirement specified in a compliance notice commits an offence and, on summary conviction, is liable to the fines and penalties set out in section 79 of the 2007 Act.
9.	<p>Section 79(1) of the 2007 Act provides that a person guilty of an offence under the 2007 Act is liable on summary conviction to the following fines and penalties:</p> <ul style="list-style-type: none"> a) a Class B fine not exceeding €4000 or up to 6 months imprisonment or both, b) on any subsequent summary conviction a fine not exceeding €5000, or imprisonment for a term not exceeding 12 months or both. <p>If, after being convicted of an offence, a person continues to contravene the requirement or prohibition to which the offence relates, the person is guilty of a further offence on each day the contravention continues and for each such offence is liable on summary conviction to a fine not exceeding €500.</p>
10.	According to section 75(14) of the 2007 Act, the issuing of this notice does not prevent the commencement of proceedings for an offence.