

Competition and Consumer Protection Commission Annual Report

1 January 2016 – 31 December 2016



Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission



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Introduction

A theme of building runs strongly through the work of the CCPC in 2016. We have worked hard in building the size and structure of the organisation, our people's skills, our pipeline of investigations and our visibility as a combined competition and consumer protection agency. We have also continued to make significant progress in achieving our strategic objectives – further demonstrating that as one organisation we have the tools, knowledge and expertise to achieve the best outcomes for consumers, businesses and the economy.

As an organisation, we are committed to making a difference. We want to focus our efforts on where we can make the most impact. Our organisational structure is built to fulfil our statutory functions as effectively and efficiently as possible and so growing and developing our staff is essential. In 2016, we rolled out a significant recruitment programme, which saw 33 roles filled. And as a result over 40% of our staff were new to the organisation or in new roles arising from promotion by the end of 2016. A core ongoing priority therefore is to maintain and develop all staff members' skills and performance, and in doing so enhance the overall performance of the organisation.

In the last 12 months in particular, we have had a number of significant outputs across all of our strategic goals, the highlights of which are detailed in the next chapter. All of the outputs detailed in this report demonstrate the impact we are making on behalf of consumers, businesses and the economy. I would like to thank the staff for their continued hard work and dedication throughout the year.

Protecting Consumers & Businesses

Effective enforcement of competition and consumer law is central in achieving our mission. 2017 has already had a busy start with the launch of a major investigation into the ticketing sector, the closure of an investigation into anti-

competitive behaviour by a trade association and the first custodial sentence ever handed down for selling a clocked car. We also continue our investigation into potential price signalling in the motor insurance sector. This year has also seen the first conviction in Ireland for bid rigging, following on from an investigation by the CCPC into a cartel in the flooring sector.

Cartels are, and will continue to be, one of the CCPC's main enforcement priorities. These are serious crimes and anyone convicted is liable to either imprisonment or a substantial fine or both. Bid rigging, in particular, distorts the competitive tender process, potentially excluding legitimate competitors resulting in artificially high price bids. Artificially high business costs may make Ireland less attractive for foreign direct investment. As a small open economy, we are dependent on foreign investment as a major source of employment and a driver of economic growth. At a time when Ireland is preparing for the economic impact of Brexit, maintaining our competitiveness and attractiveness as a good place to do business is essential so that we can maximise foreign investment.

Anti-competitive practices harm consumers by weakening the downward pressure on business's prices and can impact on quality and innovation. Another key priority for 2017 is to take enforcement action against firms engaging in information sharing and anti-competitive agreements.

Breaches of consumer protection law are also an enforcement priority as they are harmful to consumers financially, but may also endanger their safety in the context of buying a "clocked" or crashed car. In 2017, we are increasing our activity in the motor sector and we are engaging with the telecoms sector in respect of the application of consumer protection legislation.

We continue to work hard with consumers to help them understand their rights and we have a specific role in this regard in relation to financial education. This year we will be putting a particular focus on understanding consumers' awareness of financial information and providing information that helps them making informed decisions about their rights. We will also publish a Mortgages Options Paper as requested in the "Programme for a Partnership Government." This outlines options for how Ireland can develop a better functioning, more sustainable mortgage market in the long term, which is competitive, open to entry and serves the needs of consumers.

Challenges ahead

It is vitally important that competition authorities across Europe have access to the full range of sanctions, both criminal and civil to enforce competition

law. Unlike in most European countries, the legal system in Ireland does not allow for the imposition of administrative or civil fines for breaches of competition law. We have been vigorous in using the powers we have – for instance, taking court proceedings against trade associations for fixing prices, or by seeking injunctions to prevent collective boycotts. Internally we have also worked hard in developing a dedicated legal services function and investing heavily in recruiting and training our staff. We also work closely with An Garda Síochána and the Office of the Director of Public Prosecutions. However, there are undoubtedly cases where we would have sought fines if that option were available. We continue to work closely with the European Commission, the Department of Jobs, Enterprise and Innovation and the Law Reform Commission in this regard and we welcome any opportunity to broaden our enforcement tools.

The most fundamental challenge ahead for Ireland’s markets and for our work will be the impact of Britain’s exit from the European Union. From an economic point of view, most of the focus in Ireland to date has been on exports – understandably so, given that Ireland is a small open economy with a very high level of international trade. We also are concerned about the impact of Brexit on imports – in particular, the potential for both tariff and non-tariff barriers to raise prices and reduce choice for consumers. As an organisation, we will be ready to anticipate and react to the changing circumstances. Given Ireland’s history and geographic location, Brexit obviously raises serious issues regarding the free movement of people, the possible reinstatement of a hard border and the impact on competitiveness. The CCPC will have to be a strong advocate on behalf of consumers, as well as a respected enforcer against breaches of the law. To support our work we intend to commission research to quantify the potential impact of Brexit on everyday consumer goods.

For 2017, we will be focused on completing what we have started, both in terms of further resourcing the organisation and seeing through our ongoing investigations. We will also be looking to the future as we develop our second Strategy Statement and we look forward to engaging with our stakeholders to hear their views. Undoubtedly, the year ahead is set to be a challenging one but irrespective of what challenges lie ahead, the CCPC will continue to work hard to ensure that markets in Ireland are open and competitive and that consumers are protected and able to assert their rights when they need to.



Isolde Goggin – Chairperson



The CCPC

The CCPC is governed by an Executive Chairperson and Commission. The Competition and Consumer Protection Act 2014 allows for a Chairperson and between two and six Members of the Commission. Isolde Goggin is the Chairperson and, during 2016, there were four Members – Gerald FitzGerald, Patrick Kenny, Karen O’Leary and Fergal O’Leary. Fergal O’Leary was appointed as a Member of the Commission in July 2016, whilst Gerald FitzGerald, retired from the CCPC in October 2016. Each Member oversaw a number of Divisions in the CCPC on behalf of the Commission.

Members of the CCPC in 2016



Isolde Goggin – Chairperson



Patrick Kenny



Karen O’Leary

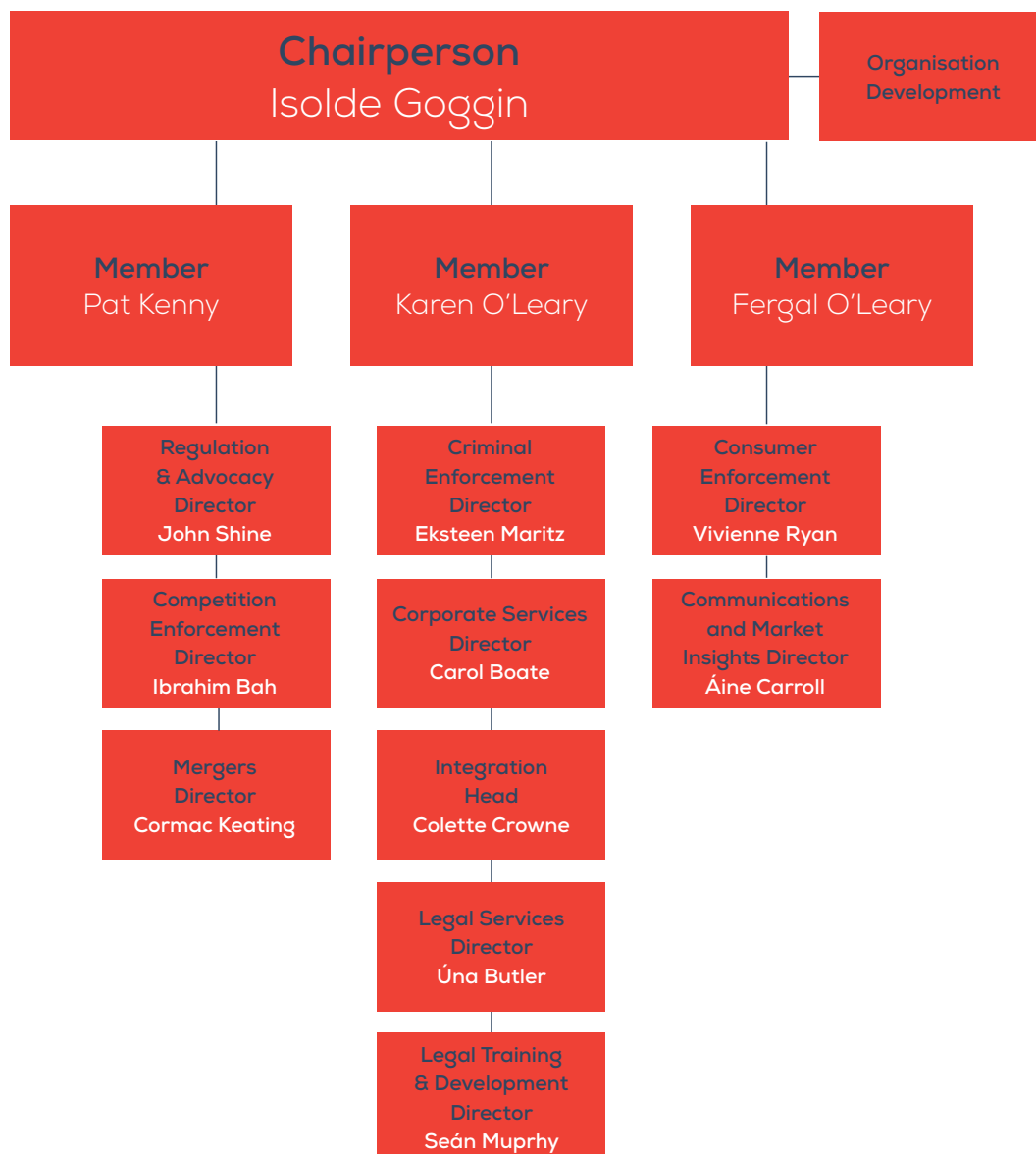


Fergal O’Leary



Gerald FitzGerald

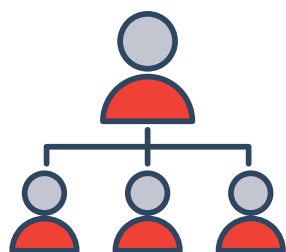
Our Structure



As of January 2017

2016 Highlights

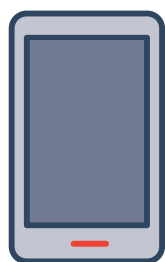
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Growing our organisation

The creation of the CCPC presented a unique opportunity to create an organisation with the knowledge and expertise to achieve the best outcomes for the economy. We are committed to making a significant impact where it is needed most. Growing and developing our staff is essential in achieving this. In 2016, we filled 33 roles and invested in the development of our staff, particularly in legal training and development. At the end of 2016, over 40% of our staff were new to the organisation or in new roles arising from promotion.

2



Telecommunications issues continue

Our consumer contacts help us identify where consumers are experiencing particular difficulties within a sector. Last year we received 44,102 contacts across a broad range of issues.

The top three sectors these contacts relate to were:

1. telecommunications; 2. vehicles/personal transport; 3. clothing/footwear/accessories. In 2017 we are proactively engaging with the telecommunications sector to drive an understanding of the provisions of consumer protection legislation in what is a complex sector.

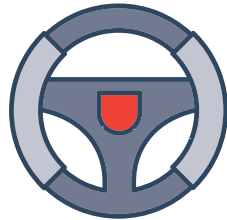
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Cartels - an enforcement priority

In addition to an ongoing bid rigging case which was due to come to trial in 2017, we also opened an investigation in 2016 into potential bid rigging in the procurement of publicly funded transport services in certain parts of Munster and Leinster. Bid rigging can be particularly harmful as it can artificially increase prices and results in increased costs to businesses, the State and taxpayers. As part of this investigation in July 2016, we undertook searches at 20 locations in Tipperary, Waterford, Limerick and Kilkenny.

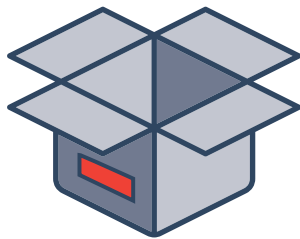
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Developments in the motor insurance sector

In 2016, we shared the concerns expressed by consumers, media and the Government in relation to the motor insurance market. We received 1,204 consumer contacts in relation to the motor insurance market generally. And in September 2016, we addressed the Oireachtas Committee on Finance, Public Expenditure and Reform and An Taoiseach using our knowledge and insight to provide clarity to a complex situation. This followed the commencement of an investigation into potential anti-competitive price signaling in the market.

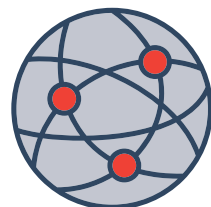
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Enforcing and informing

Consumer protection legislation plays an important role for consumers if something goes wrong. However, informed consumers are just as important in the market as compliant traders. Often our enforcement priorities are mirrored in our consumer awareness campaigns. An example of this was our work in the area of the Consumer Rights Directive (CRD). In addition to undertaking a review of 140 websites to check compliance with the CRD, in the build up to the busiest online shopping days – Black Friday and Cyber Monday – we undertook a significant campaign to let consumers know that they have additional rights when they buy online, particularly around the 14-day cooling off period. In addition to our campaign, we also worked with business media to inform traders of their obligations if they choose to sell online.

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360° in practice

Through our work in 2016, we demonstrated that as one organisation we have the tools, knowledge and expertise to achieve the best outcomes for consumers, businesses and the economy. Our work within the motor sector is a demonstration of how together we can make an even bigger difference, across enforcement, consumer information and advocacy. We will not hesitate to use the breadth of our legislation and enforcement powers to tackle consumer detriment and achieve our mission of making markets work better for consumers and businesses alike.

Strategic Goal 1

We will use our enforcement and regulatory powers to make markets work better and get the best results for consumers.

The CCPC is responsible for enforcing both competition and consumer protection law. We do this by analysing the information we receive from consumers, businesses, other Irish agencies, as well as our European and international colleagues. We also undertake our own market surveillance and information gathering. Our enforcement powers enable us to identify, detect, investigate and, where appropriate, take enforcement action to address breaches in competition and consumer protection law. The CCPC also has regulatory functions in the areas of credit intermediaries, grocery goods and alternative dispute resolution.



Goal 1 – How we achieved this in 2016

Investigations

- In July, we undertook searches of 20 locations to gather evidence and information in relation to an investigation into potential bid rigging in the transport sector.
- We issued 12 witness summonses and 11 formal requirements for information in the course of investigating potential breaches of competition law.
- We opened 24 new files and closed 13 relating to potential criminal breaches of competition law including one case relating to potential bid-rigging in publicly funded transport services.
- 159 files were opened in relation to potential vehicle crime; 127 of which were closed with no enforcement action required.
- We completed 24 consumer protection investigations and initiated four.
- Two civil competition related investigations were opened into the following areas: potential price signalling in the private motor insurance market and the conduct of the Irish Property Owners.
- Three competition related investigations were closed - two of which were closed with commitments from the parties involved.
- We made 70 merger determinations; 69 of which were Phase 1 Determinations and one Phase 2 Determination. Two of the determinations involved commitments by the parties involved.
- 515 investigations took place into potentially unsafe products available in Ireland.
- Our close co-operation with Customs authorities resulted in approximately 189,776 products from 41 consignments being detained and investigated by our Product Safety Unit.
- We examined six potential pyramid schemes operating in Ireland.
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Enforcement

- We secured a conviction against a car trader, Mr Timmy Keane, as well as €5,000 in compensation for a consumer who was sold a clocked car by the trader.
- McCormack Car Sales Limited, Sligo was required to provide an undertaking for providing false and misleading information to a consumer in relation to the mileage of a car. They also compensated the affected consumer.
- 27 Fixed Payment Notices were issued to 24 traders nationwide for breaches of price display legislation.
- One Fixed Payment Notice was issued for failing to reimburse delivery costs to consumers who cancelled their order/returned their purchases under the Consumer Rights Directive.
- 11 Compliance Notices were issued compelling traders to comply with consumer protection legislation:
 - Seven Compliance Notices were issued to traders who charged more for a product than the price displayed
 - One Compliance Notice was issued to a trader who breached the Sale of Goods and Supply of Services Act 1980 in relation to the display of a sign
 - Three Compliance Notices were issued for failure to comply with, or for providing misleading information about consumers' legal rights, under the Consumer Rights Directive (CRD).
- 16 consignments containing 41,618 unsafe products were destroyed or exported to the country of origin and 10 consignments are currently detained pending destruction or disposal.
- The Approved Tour Guides of Ireland were directed to remove minimum recommended rates from their website following direction from the CCPC that they were in breach of competition legislation.
- Software services provider, Relay, and 5 major motor insurance providers entered into Agreements & Undertakings with the CCPC in relation to information sharing which breaches competition legislation.



Gathering Evidence & Information

- We reviewed 80 complaints relating to suspected breaches of competition law.
- 149 consumer issues were escalated from our helpline to our Consumer Enforcement Division.
- We undertook 150 unannounced inspections of traders' premises to identify potential breaches of consumer protection legislation.
- Following information provided to us, we issued 324 European wide product safety alerts (RAPEX) relating to products available in Ireland.
- We issued a warning to consumers in relation to a potential pyramid scheme operating in Ireland – EmGoldex. This warning followed an information and evidence gathering exercise by the CCPC.

Mergers

- The CCPC received 67 notifications and issued 70 determinations on transactions it assessed in 2016.
- 69 of which were Phase 1 Determinations and one was a Phase 2 Determination.
- Two of the determinations involved commitments being given to the CCPC by the parties involved.

Regulation

- We issued authorisations for 727 credit intermediaries and received related fee income of €436,590, which was returned to the exchequer. In addition, we issued four licenses for pawnbrokers.
- We received five applications from organisations requesting to be listed as an Alternative Dispute Resolution entity for consumers. One application was approved.



Please see **Appendix 1** for a list of the KPIs under **Goal 1**

Goal 1 – Priorities in 2016

Cartel Detection: A Major Enforcement Priority

Markets work best where businesses vigorously and independently compete against each other for customers. Cartels, where businesses offering the same products or services collectively agree not to compete with one another or to fix prices, cause very significant harm to competition and consumers. The CCPC puts high priority on the detection of cartels in Ireland.

Bid-rigging in public procurement can be particularly harmful as it can artificially increase prices, ultimately costs taxpayers more and can reduce the quality of services the State provides. In 2016, we opened an investigation relating to potential bid-rigging in the procurement of publicly-funded transport services in certain parts of Munster and Leinster. As part of this investigation, in July 2016, the CCPC undertook searches at 20 locations in Tipperary, Waterford, Limerick and Kilkenny.

Our Ongoing Investigation into the Bagged Cement Sector

The CCPC also has an ongoing investigation into potential anti-competitive practices in the supply of bagged cement in Ireland. A search conducted at the premises of Irish Cement (a subsidiary of CRH) in May 2015 was subject to High Court action to prevent the CCPC from examining certain emails seized. It was argued by CRH that these emails were unrelated to the business of Irish Cement and therefore the CCPC was not entitled to seize them. On 5 April 2016 the High Court ruled against the CCPC, following which in May of that year, we were granted leave to appeal to the Supreme Court. The appeal to the Supreme Court was awaiting hearing as of the end of 2016.

Competition Concerns in the Private Motor Insurance Market

The motor insurance market has been an area of ongoing concern for the CCPC. In recent years we have investigated several complaints relating to alleged anti-competitive behaviour by industry participants, including in October 2015, when we engaged with Insurance Ireland with regard to concerns about price signalling. No enforcement action was required at the time but we implemented a strategy to more closely monitor the sector in order to establish whether there are grounds for suspecting a breach of competition law.

Our market surveillance culminated in the commencement of an investigation in 2016. We noticed that a number of industry participants were openly announcing up-coming increases in motor insurance premiums in the State. The CCPC was concerned that this type of practice could allow competitors on the market to strategically alter their conduct in response. This type of practice, if proven, may amount to a form of anti-competitive conduct known as a 'concerted practice'. A concerted practice removes the uncertainty of market player's conduct, which is characteristic of competitive markets.

An Investigation into the Actions of the Irish Property Owners Association (IPOA)

The Irish Property Owners Association (IPOA), a national association representing approximately 5,000 providers of private rental accommodation across Ireland, became the subject of an investigation by the CCPC. In December 2016, the IPOA released a press statement in response to Government legislation introducing rent controls in the private residential rental sector. In this statement, the IPOA stated that following a meeting of its members, property owners were considering a range of potential measures, including the introduction of a number of new charges to tenants and the withdrawal from State-sponsored rental schemes. The CCPC took immediate action against the IPOA as competition law expressly forbids a trade association from co-ordinating the business conduct of its members, including the terms and conditions under which they are prepared to supply a product or service. The investigation was closed in January 2017 with the IPOA entering into an Agreement and Undertakings with the CCPC under which the IPOA gave binding commitments to retract the press statement, to remind, in writing, members of the IPOA that the setting of rents and charges in the private rental sector are matters for individual landlords and their tenants and to introduce a compliance programme.

The Publication of Minimum Recommended Rates

In January 2016 the CCPC, following an investigation, directed the Associated Tour Guides of Ireland (ATGI) to remove the display of minimum recommended rates for tour guide services on their website. Recommendations by trade associations of the minimum prices to be charged by their members are likely to distort or eliminate competition and cause consumers to pay higher prices than they otherwise would. The CCPC also required the ATGI to write to all its members to remind them that they must decide individually what price they charge for their services. The ATGI now advises consumers to check fees with individual guides.

The Conclusion of an Investigation into broker software system - Relay

In 2013, the CCPC opened a competition law investigation into whether private motor insurance companies had access to competitor's future pricing through a software product provided by Relay Software Limited (Relay). Insurance companies participating in the system provided their future pricing information to Relay for inclusion on the software platform. Insurance brokers subscribing to Relay's software product could then access multiple insurance companies' future pricing information in order to provide quotes to customers. In 2013, following engagement with the CCPC, Relay cooperated and confirmed that mechanisms had been put in place to ensure that each participating insurance company could only access its own pricing information and not the future prices of competitors. The investigation concluded in 2016 when Relay entered into an Agreement and Undertakings with the CCPC. Allianz Plc, AXA Insurance Limited, Zurich Insurance Plc, RSA Insurance Ireland Limited and Sertus Underwriting Limited (an RSA Group company) also cooperated with the CCPC's investigation and entered into Agreements and Undertakings. As part of this Relay confirmed that mechanisms had been put in place to ensure that each insurance company using the Relay product had access only to its own pricing information. As well as this Relay, has committed not to supply any software to insurance companies unless the software complies with principles relating to information exchange agreed with the CCPC.

Compliance with the Consumer Rights Directive an ongoing concern

With 24-hour global access at a click, online shopping provides Irish businesses with greater access to a worldwide marketplace. However, with this opportunity come additional obligations: because all businesses that sell online must comply with the Consumer Rights Directive (CRD). The CRD means those buying online, for example, can rely on the same and in some respects stronger rights than those who purchase in a store. Last year we reviewed approximately 140 websites for compliance with the CRD. Following reviews of its website, Lifestyle Sports received both a Fixed Payment Notice and a Compliance Notice and Powercity received two Compliance Notices in respect of issues with their compliance with the provisions of the CRD. These Notices were issued by the CCPC.

Consumer Enforcement in the Retail Sector

The CCPC undertakes regular 'pricing blitzes' in retail outlets across Ireland to assess compliance with price display legislation and also to check that consumers are not charged more at the till than the price displayed. The right to know the price of a product before making a purchase decision is a fundamental provision of consumer law. The CCPC receives a steady volume of consumer contacts relating to pricing issues which indicates that consumers care about price transparency and this information received through these contacts is important in helping inform our work in bringing about compliance. In 2016, we carried out 150 inspections of business premises across the country to check that traders were compliant with price display legislation, the outcome of which was;

- 27 Fixed Payment Notices were paid by 24 traders nationwide for breaches of price display legislation. The penalty in each case was a fine of €300 to be paid within 28 days
- Seven traders across the country were directed through Compliance Notices issued by the CCPC to address breaches of the Consumer Protection Act 2007, where traders charged more for a product than the price displayed.

Motor Vehicle Crime a Priority Sector

Consumers must be able to rely on accurate information from car dealers in relation to a vehicle's roadworthiness and its history, including mileage. Under consumer protection legislation, all material information should be fully disclosed to a consumer before they make a purchase. Failure to do so is not only costly and potentially dangerous for the consumer, it is also a breach of the law.

The CCPC has investigated and taken enforcement action against a number of traders in relation to the sale of clocked or crashed cars where such information was not disclosed to the consumer. In 2016, we opened 159 files relating to into potential vehicle crime. A number of the complaints which we investigated resulted in a satisfactory/positive outcome for the consumer during the course of our investigations.

In July 2016, Timmy Keane of 118 Harold's Cross Cottages, Harold's Cross, Dublin 6, was convicted of providing false information in relation to a vehicle's previous history, an offence under the Consumer Protection Act 2007. This followed an investigation which we undertook following the receipt of a complaint from a consumer regarding Mr Keane's activities. Mr Keane was ordered to compensate the consumer to the sum of €5,000 and the consumer was also allowed to keep the vehicle.

McCormack Car Sales Limited, Sligo was also required to provide an undertaking to the CCPC when they were found to have provided false and misleading information to a consumer in relation to the mileage of a car. McCormack Car Sales Limited also compensated the affected consumer to address the breach.

Another Busy Year for Mergers

In 2016, we received 67 notifications in relation to proposed mergers and acquisitions and we issued 70 Determinations on proposed transactions we assessed during the year. Mergers and acquisitions must be notified if, in the most recent financial year, the aggregate turnover in the State of the undertakings involved is not less than €50 million and the turnover in the State of each of two or more of the undertakings involved is not less than €3 million.

Key statistics relating to notified mergers and acquisitions activity:

- 67 mergers and acquisitions were notified, which was slightly lower than the record high number of 78, notified in 2015.
- Five media mergers were notified – INM/Greer Publications, News Corp UK & Ireland/Wireless Group, Liberty Global/UTV Ireland, INM/CMNL and BBC & ITV – Britbox Joint Venture.
- One transaction notified, a joint venture between Marino Point Port Company and Port of Cork, was withdrawn by the parties before a final determination was issued. Our competitive assessment had been completed on the proposed transaction and therefore the parties forfeited the filing fees.
- 65 transactions were cleared within 30 working days, i.e., during a Phase 1 assessment, with four transactions requiring an extended Phase 1 examination and one proceeding to a full Phase 2 investigation.
- Phase 1 Determinations took on average 26 working days (individual case times varied between 12 and 30 working days).
- Two mergers were approved subject to commitments.

A detailed analysis is available on page 53.



Strategic Goal 2

We will promote the benefits of competition and consumer protection through our advocacy and public awareness activities.

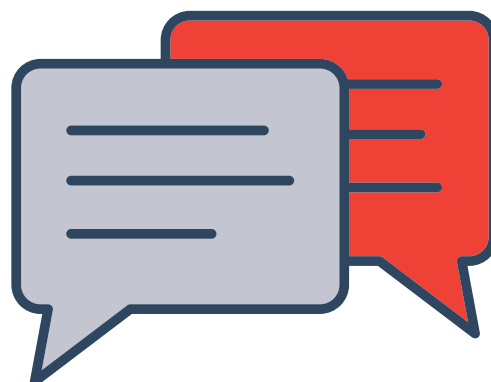
Our advocacy and public awareness activities play an important role in educating on and promoting the benefits of competition and consumer protection for the whole of the Irish economy. The media is an important channel in helping us fulfil this role. The CCPC's advocacy role involves representing consumers' interests in public policy debates and the formulation of Government policy. This involves engaging with Government, its agencies and public bodies about the merits of competition and consumer protection and to inform them what is permitted under the law.



Goal 2 – How we achieved this in 2016

Advocating

- We made one appearance before the Oireachtas Committee on Finance, Public Expenditure and Reform, and An Taoiseach to discuss rising premiums in the private motor insurance market.
- We liaised with the Department of Communications, Climate Action and Environment in relation to the introduction of the Pay by Weight scheme for waste collection in order to ensure competition and consumer protection laws are complied with by the parties concerned. We also contacted all waste operators to remind them of their obligations under competition and consumer protection legislation.
- We voiced our opposition to a Private Member's Bill regarding collective bargaining rights for self-employed individuals.
- We called for greater enforcement measures to tackle civil breaches of competition law and made a submission on the matter to a European Commission public consultation.
- We attended 33 meetings with Government departments, public sector bodies and sector regulators to provide insights and views in relation to potential consumer protection and competition issues.
- We commenced work on a paper into the future of the Irish mortgage market, as requested by the Government under the "Programme for Partnership Government".
- We appointed a nominee to the new Legal Services Regulatory Authority.



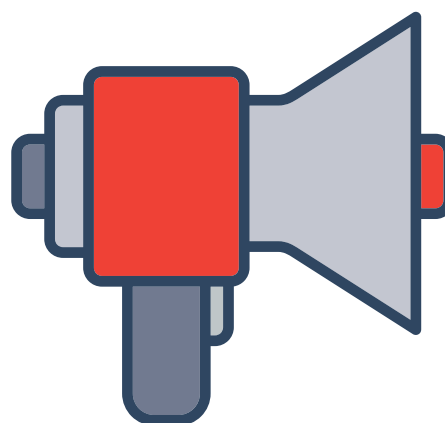
Representing

- We attended 24 European Competition Network meetings, six Organisation for Economic Co-operation and Development (OECD) meetings, four International Competition Network meetings, two International Consumer Protection Enforcement Network meetings and 16 EU Consumer Protection Co-operation Committee meetings.
- We participated in five stakeholder fora in which we represented the interests of consumers and promoted the benefits of competition through the use of our case studies as examples.



Informing and promoting

- We delivered 15 seminars, presentations and papers to a variety of audiences.
- We received 135,266 visits to our corporate website, ccpc.ie. This website contains information about the CCPC, our work and the legislation which we enforce, along with relevant news updates.
- The media is a key channel in informing about and promoting the benefits of competition and consumer protection. In 2016 we responded to 232 media queries and 64 interview/briefing requests.
- We ran three trade campaigns targeted at business; one to inform relevant stakeholders about the Grocery Goods Regulations, (S.I. No 35 of 2016) one to inform traders about their obligations under the Consumer Rights Directive (2011/83/EU) and the third communicated a product safety message.



Please see **Appendix 2** for a list of the KPIs under **Goal 2**

Goal 2 – Priorities in 2016

A voice for consumers

The CCPC represents consumers' interests in public policy debates by influencing Government, its agencies and public bodies about the merits of competition and consumer protection for the economy as a whole and by informing them of what is permitted under the law. We ensure that the consumer voice is not silenced in the public debate. Our advocacy work also includes engagement with the private sector to demonstrate that competition offers opportunities for efficient, innovative businesses to thrive. The CCPC focuses its advocacy resources on sectors and issues that have the most impact on the daily lives of consumers and like our enforcement actions, our advocacy interventions are underpinned by evidence and robust analysis.

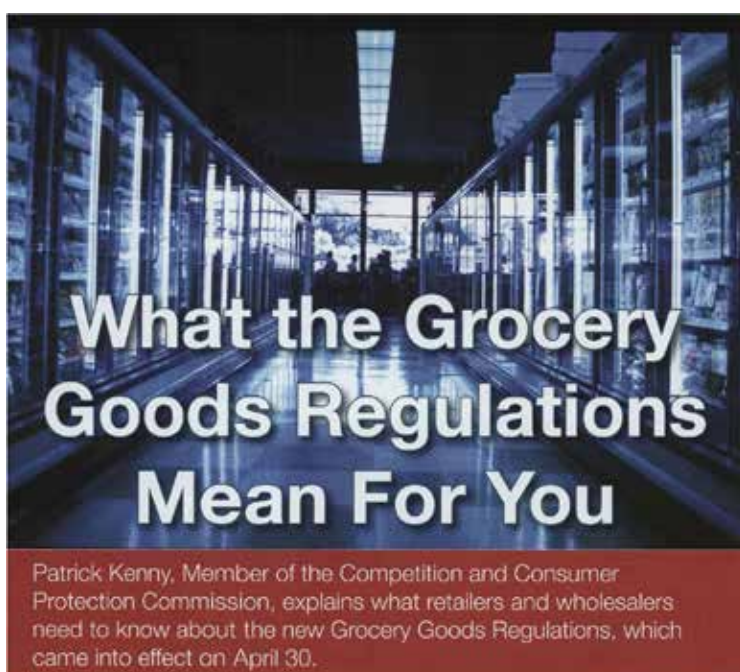
Below is a snapshot of the advocacy work carried out by the CCPC on behalf of consumers in 2016

Body	Topics
Commission for Energy Regulation	Smart metering, the all-island energy market & a submission to a consultation on a revised customer handbook
The Central Bank of Ireland	A response to a public consultation (CP98) on variable rate mortgages - consumer credit related issues
Department of Children and Youth Affairs	Funding of childcare schemes
Department of Finance	Crowdfunding & the cost of insurance working group
Department of Health	Nursing home funding scheme
Department of Jobs, Enterprise & Innovation	Grocery Goods Regulations & proposals regarding the regulation of accountants.
Department of Justice and Equality	General Data Protection Regulations
Department of Transport, Tourism and Sport	Consumer issues relating to motor vehicles, a consultation regarding airport charges & road traffic legislation
National Transport Authority	Transport & taxi issues

The future of Ireland's mortgage market

As part of the "Programme for a Partnership Government" in 2016, the CCPC was asked to conduct a study examining the market structure, legislation and regulation of the mortgage market in Ireland. The CCPC's paper will outline options on how Ireland can develop, in the long-term, a better-functioning, more sustainable mortgage market. With a recovery in the Irish economy and house prices rising steadily, the CCPC will propose a series of options for Government to put in place so that Ireland has a mortgage market which is competitive, open to entry and serves the needs of consumers.

Increasing Awareness & Encouraging Compliance with the Grocery Goods Regulations



An example of the editorials we ran.

On 30 April 2016, the Grocery Goods Regulations took effect, placing obligations on certain grocery businesses. The purpose of the Regulations is to facilitate greater certainty and transparency in the dealings between suppliers and grocery businesses. Any contracts that are completed or renewed after this date must reflect the new Regulations. Therefore, 30 April 2016 was an important date not just for those wholesalers/retailers affected by the new regulations but also for the suppliers of those businesses. The CCPC is responsible for monitoring compliance with the regulations, investigating complaints and, where appropriate, taking enforcement action.

Since the Regulations have taken effect, we have been working hard to ensure



Director of Advocacy & Regulation John Shine pictured left at the IFA conference with Minister for Jobs, Enterprise and Innovation, Mary Mitchell O'Connor

those affected by the Regulations are aware of the obligations placed on wholesalers and retailers. In advance of the Regulations coming into effect, we met with a number of representative bodies and other key stakeholders and we have remained in regular contact since. We worked with the media by placing notices, Q&A articles, and reminders in the main trade press. We put a particular emphasis on engagement with the relevant retailers and wholesalers of food and drink to whom the Regulations apply to and as part of this process we held a dedicated conference in April 2016 in the Croke Park Conference Centre. The conference was attended by 24 senior managers and directors. In November 2016, the Irish Farmers Association (IFA) also held a conference on Regulating the Retail Landscape for Suppliers – Tackling Unfair Trading Practices at which we presented.

Advocating for a More Effective Competition Enforcement Regime

On 19 April 2016 there was a public hearing co-organised by the European Parliament's Committee on Economic and Monetary Affairs and the European Commission's Directorate General for Competition on the topic of "Leniency and Sanctions in the Member States when enforcing EU competition rules". Using our experience as an example, our Chairperson explained why it is vitally important that competition authorities across Europe should have access to the full range of sanctions, both criminal and civil, to enforce competition law. Open competition is crucial to the European project; when effectively enforced, competition law keeps access to markets open so that new companies are not stifled at birth and established companies can continue to develop and innovate. It protects both companies and consumers from anti-competitive behaviour, either by a single dominant company, or by a group of companies illegally colluding.

The Irish legal system currently does not allow for the imposition of administrative or civil fines for breaches of competition law. In Ireland, the only financial penalty that can be imposed for a breach of competition law is a fine following a criminal conviction. Only a court can decide whether competition law has been infringed, decide whether a company or individual is guilty and impose fines or custodial sentences. In most other EU Member States, it is possible for courts or agencies themselves to impose administrative or civil fines typically based on the “balance of probabilities” standard of proof. However, in Ireland the prosecution’s case must be proved beyond reasonable doubt and, in the case of a prosecution on indictment (i.e. in more serious cases), the accused is entitled to a full jury trial.

In 2016, the European Commission engaged in a public consultation on the subject of how to empower national competition authorities to be more effective enforcers. In February 2016, the CCPC submitted a response to this consultation which is available to view on our website. We have been working closely with the European Commission and the Department of Jobs, Enterprise and Innovation in relation to improving the competition enforcement regime and we welcome any opportunity to broaden our enforcement tools.



Members of the LSRA with Minister for Justice, Equality and Law Reform, Francis Fitzgerald

Legal services sector

The CCPC has long advocated for reform of the legal profession. Following enactment at the end of 2015 of the Legal Services Regulation Act, an independent regulator of the legal profession, the Legal Services Regulatory Authority (LSRA), was set up in 2016 (pictured above). The CCPC considers that the Act provides a basis for significant further reform of the legal profession and the LSRA can serve as a key driver of such reform in the coming years. The Government appointed the CCPC’s Head of Advocacy, Ms Deirdre McHugh, as one of the members to the board of the LSRA in 2016.



Strategic Goal 3

We will empower and equip consumers to make informed choices and assert their rights.

The CCPC provides consumers with information about their rights and helps them make informed decisions. We do this through a range of channels including our helpline, consumer awareness campaigns, the media, our website consumerhelp.ie, our social media channels and our workplace financial education programme, Money skills for life.

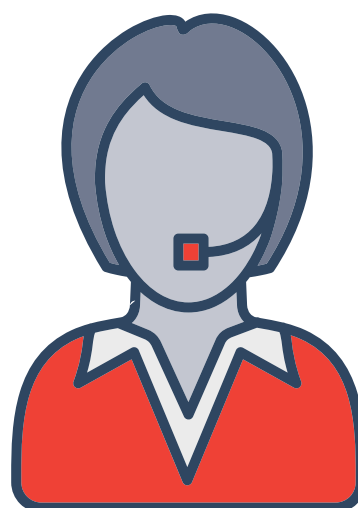
Through our contacts with consumers we are able to identify sectors or areas where consumers need more information to help them make decisions or solve problems. We also have insight into the particular issues experienced by consumers gained through our contacts and research of various markets. We use this information to inform our work in achieving this goal.



Goal 3 – How we achieved this in 2016

Helping Consumers

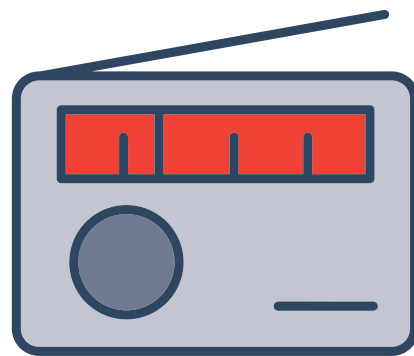
- We provided a wide range of information to the 1,600,498 visitors to our website; www.consumerhelp.ie. The most visited content related to: faulty goods, our loan and savings comparisons, car checks and information about mortgages.
- We received 44,102 contacts (emails, phone calls and letters) from consumers and businesses.
- 38,085 of these were consumers contacting our helpline requesting information about a broad range of topics from consumer rights to information about financial products or expressing concerns about traders.
- Our online financial product comparisons provided information about over 470 financial products and the comparisons received 220,715 visits. 1,422 updates to these tools were made during 2016 to ensure all information was always up to date.
- Our Money skills for life Programme reached 3,200 employees through 53 talks delivered by the CCPC in companies all across Ireland.
- 21,912 new and prospective parents downloaded the app, Whatsupmum, which contains practical money management information provided by the CCPC.



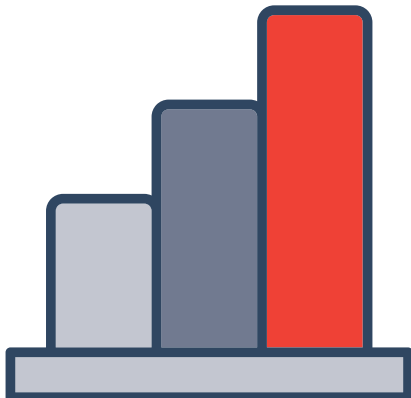
Our Information Campaigns and Research

- We ran nine significant consumer awareness campaigns including campaigns relating to mortgages, buying a car, buying online and toy safety.
- We ran a total of 156 regular consumer features across national, regional and trade media outlets. We also provided 15 briefings to journalists on consumer rights or financial education.

- As of December 2016, we had 29,215 followers on Facebook who we regularly engaged with.
- We issued 12 consumer newsletters to our database of over 14,000 subscribers covering a wide range of consumer topics.
- The CCPC was profiled by a Sky Television show, Stop, Search, Seize during which we informed consumers about our role in product safety and what to look for when buying products, such as sunglasses and toys.
- We conducted four quantitative consumer awareness and behaviour research projects on a variety of topics, including buying online and buying a car. We carried out two qualitative market research projects to inform the development of the CCPC's new website, which is due to go live in Q2 2017. We also initiated a consumer segmentation - financial decision-making market research project that will be completed in 2017.
- We jointly funded the Economic and Social Research Institutes's (ESRI) behavioural economics research programme, PRICE Lab.



Please see **Appendix 3** for a list of the KPIs under **Goal 3**



Goal 3 – Priorities in 2016

Faulty Good/Services issues dominate Consumer Rights Contacts

During 2016, the CCPC received 37,637 consumer rights-related contacts. In order, the top three sectors that these contacts relate to are:

1. Telecommunications
2. Vehicles/personal transport
3. Clothing/footwear/accessories

9,519, or over a quarter of the contacts we received, related to faulty goods and services. This is also reflected in an analysis of website traffic to consumerhelp.ie which showed that information relating to faulty goods and services was one of the most visited sections of our website.

Issues relating to contracts were the second most common reason for consumer contacts received in 2016. The most common motivations for contacting the CCPC in this regard were issues with charges, payments or deposits relating to contracts.

Top Ten traders prompting contacts

Six of the top ten traders in relation to whom the CCPC received contacts were in the telecommunications sector. The top ten traders prompting contacts are:

1. Eir Group
2. Three Ireland
3. Vodafone
4. Virgin Media
5. Harvey Norman
6. Meteor
7. Powercity
8. Sky
9. Argos
10. Currys

Motor insurance main driver of personal finance contacts

From the 4,127 personal finance contacts received in 2016, motor insurance had the highest volume of contacts with 1,204 consumers contacting the CCPC. This was nearly twice the volume of the next sector, mortgages/equity release, which had 594 contacts. Significant media coverage of the CCPC's investigation into potential price signalling in the motor insurance sector may have contributed to the large volume of insurance-related contacts (a 47% increase on 2015).

The main motor insurance issues experienced by consumers related to costs and fees (345), of which 253 concerned an increase in premiums, and 164 were claims related. There were a further 252 contacts in relation to issues experienced by consumers in getting motor insurance with 130 of these concerning refusal of insurance.

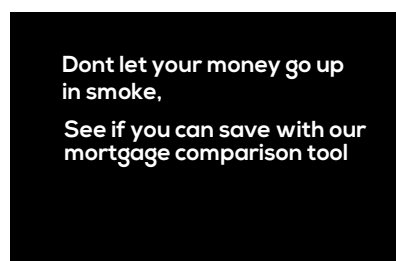
Note: A full breakdown of the contacts the CCPC received in 2016 is available on page 67.

Research on Consumer Behaviour

We carried out market research into consumer behaviour and experiences on the following: buying a car, the mortgages market, purchasing online and consumer switching behaviour. The purpose of this research was to gain market insight and help inform our priorities and activities.

In 2016, we commissioned research to help inform three public awareness campaigns

- **Consumer Behaviour when Buying Cars:** Our car buying research looked at the considerations consumers make in selecting a car and importantly, the checks that consumers carry out before buying. The selling of clocked or crashed cars to consumers is a priority for the CCPC and this research helped us highlight the checks that consumers should do to try to protect themselves.
- **Consumer Rights Directive:** The Consumer Rights Directive (CRD) gives consumers in Ireland strong protection so that they can shop online with confidence. In addition to understanding their rights it is important that consumers understand that the CRD only applies to businesses based in the EU and only applies if you buy from a trader. Our research helped identify consumers' awareness and understanding of the CRD and its protections.
- **Mortgages & Switching:** Mortgages are most likely to be the biggest financial commitment consumers have in their lives. There is a cohort of consumers who may be in a position to switch their mortgage and save money, however by their nature mortgages are complex and the prospect of changing a lender may be a daunting prospect for these consumers. During 2016 we commissioned two pieces of research to understand consumers' attitudes and understanding of the mortgage switching process.



Practical help about mortgages

In 2016, our research indicated very low levels of switching as only 6% of mortgage holders had considered switching their mortgage provider over the 5 years prior to January 2016 and only 2% had actually switched. Comparing mortgage rate offers can be a daunting and difficult task so to assist with this the CCPC developed a dedicated mortgage-switching tool. Consumers insert the value of their property, details of their existing mortgage and the outstanding amount left to pay on their mortgage and our calculator does all the rest. An eight-week consumer awareness campaign in 2016 resulted in 26,000 visits to a campaign landing page and 17,000 visitors went on to visit the comparison tool itself.

The screenshot shows a web interface for a mortgage comparison tool. At the top, there is a navigation bar with 'Select a comparison' and 'Mortgages'. Below this, there are three tabs: 'First time buyers', 'Switchers', and 'Home movers'. The 'Switchers' tab is currently selected. On the left side, there is a sidebar titled 'Our comparisons' with three bullet points: 'Updated every working day. Correct as at 17 May 2017', '100% impartial', and 'Covers the costs & benefits of financial products'. The main content area is titled 'Search for a mortgage' and contains several input fields: 'The house value is:' with a slider from €0 to €800,000; 'The mortgage outstanding is:' with a slider from €0 to €800,000; 'Term remaining is:' with a dropdown menu; 'Rate type is:' with a dropdown menu; and 'My current monthly repayment is:' with a text input field. A 'Search' button is located at the bottom right of the form. At the bottom of the page, there is a link: 'Please click [here](#) for important information on mortgages which will help you in your comparisons.'

Informed consumers

Consumer protection legislation plays an important role for consumers if something goes wrong. However informed consumers are just as important in the market as compliant traders. Quite often our enforcement priorities are mirrored in our consumer awareness campaigns and in 2016, we ran two consumer rights campaigns, one on buying online and the second on buying a car.

Buying online: How savvy are you?

In the build up to the busiest shopping days of the year (Black Friday and **Cyber Monday**) we commissioned research to help us understand what consumers know about their rights when they buy online. Armed with this information we developed a campaign that informed and reminded consumers that not only do they have the same rights when they buy online as they do in a shop, but they also have additional rights for example, a 14-day cooling off period if they buy from an EU company. Our campaign included radio advertising, online display advertising, paid search, video, social media and PR. Our video was viewed almost 50,000 times on Facebook, we had almost 6,000 engagements on Twitter and overall the campaign landing page on our website received approximately 19,000 visits during the campaign.



Stay Protected When Buying a Car

Car traders are legally obligated to provide consumers with correct and complete information when selling a vehicle. However, it is also important that consumers ask the right questions. In 2016, we concluded two criminal prosecution cases in respect of traders misleading consumers in the sale of clocked cars. In addition, annually we receive approximately 3,500 contacts from consumers in relation to car buying and the motor sector. In 2016, we developed an extensive car buying consumer information campaign from May to August. The campaign had two key messages: what to consider before you finance a car and the checks you should carry out before you buy a car, so you can stay protected. Our video was viewed over 917,000 times on video on demand and 120,000 times via social media and our campaign resulted in almost 40,000 visits to the campaign landing page on our website.



Everyday Help with Managing your Finances

Keeping on top of your finances and banking needs can be a challenge. We want our information to be as practical and helpful as possible. Everything from our budget calculators to our money management saving tips are developed with consumers in mind. However, finding the time to research your banking needs or to give yourself a gentle nudge to review your credit card can be a challenge. Our *Money skills for life* is a free personal finance talk, which is delivered in the workplace. The programme offers information and tips on personal finance which attendees can use to help them manage their money better. 3,200 employees all around Ireland benefitted from one of these talks in 2016.



Strategic Goal 4

We will continue to develop as a results-driven organisation that aspires to the highest standards in everything we do.

The creation of the Competition and Consumer Protection Commission presented a unique opportunity to form a new, independent and authoritative organisation with the knowledge and expertise to achieve the best outcomes for consumers, businesses and the economy as a whole. As an organisation, we are committed to making a significant impact where it is needed most.



Goal 4 – How we achieved this in 2016

- We filled 33 roles across the organisation in a significant and sustained recruitment drive across the year.
- 11 internal seminars contributed to staff development and the broadening of their knowledge across our remit.
- 23 internal training courses were developed and run for staff to continually improve on their expertise and skills within the CCPC. Combined, these courses had over 350 attendees.
- We made significant strides in our Organisational Development project. The purpose of the programme is to support the CCPC as a high performing organisation.
- We rolled out a specific legal training and development programme.

Please see **Appendix 4** for a list of the KPIs under **Goal 4**



Goal 4 – Priorities in 2016

Increasing staff capacity to fulfil our broad remit

In 2016, the CCPC embarked on a significant recruitment programme as we continued to build and develop our capacity. When the CCPC was established, we had 20 vacancies and the commencement of our recruitment programme in 2016 led to 33 roles being filled. As of January 2017, we had 89 staff - over 40% of whom were new to the organisation or in new roles arising from promotion following open competitions. However, we do have more to do as of January 2017 we also had a further 15 vacancies to fill.

With so many staff new to the organisation or new in their roles, a considerable focus has been put on training. This is also important in supporting existing staff who are operating in a new structure and in new roles. Our organisational structure is built to fulfil our statutory functions as effectively and efficiently as possible and so continuing to grow and develop our staff is essential.

Developing staff excellence and expertise

A core priority of the CCPC is to maintain and improve individuals' skills and performance, and in so doing enhance the overall performance of the organisation. Training is a planned and systematic process through which an employee is helped or facilitated in mastering defined tasks or competencies. Development is a process or a set of planned activities that will help an individual, over time, to develop their full potential and the CCPC facilitates this through educational funding.

The CCPC allocates significant time to Training & Development, through the Performance Management Development System (PMDS), the organisation of internal seminars on competition and consumer issues and by funding staff in undertaking postgraduates and other studies.

In addition to individual training, the following group training was also delivered:

- General Authorised Officer skills training and development
- PRICE Lab: Experiments for Regulatory Policy
- Project Management Skills
- Competition and Consumer Protection Issues
- Investigating Allegations of a Pyramid Scheme

- Grocery Goods Regulations and the CCPC
- Ethical Business Regulation
- Insights in to the CCPC's Contacts
- Professor Richard Whish QC Summer Seminar Series on Competition Law
(Two seminars)
- Extended Merger Investigations.

Legal Training & Development

In 2016, we created a dedicated role within the organisation to address our Legal Training and Development needs. No other organisation has similar responsibilities in the fields of competition and consumer protection law. In that regard, the CCPC is uniquely placed in the Irish regulatory landscape. Competition and consumer protection law, recognised as distinct legal disciplines, are complex legal areas, which require targeted and specialised training efforts across the entire organisation. As the principal public body with responsibility for enforcing competition and consumer law we are rightly expected to be the expert in this area. To establish and maintain our expertise we must train and develop our staff to a standard that is sufficient to execute our mandate in a competent and proficient manner. Once staff have attained that standard there will be an ongoing requirement to maintain that standard through regular training and development.

Our legal training and development work is not just confined to the areas of competition and consumer protection. Projects requiring a legal input/ understanding permeates the work of the organisation. Therefore, the CCPC has ongoing legal training requirements, which are necessary for the proper functioning of the organisation.

We recognise the importance of providing opportunities for our staff to develop their own expertise and to enhance their existing skills. Opportunities were provided in 2016 within the training schedules for staff to expand their knowledge and to engage with legal areas outside their current roles. Such opportunities also align with the CCPC's ambition to be recognised as a real learning organisation.

The CCPC considers the proper planning and delivery of its legal training and development requirements to be a priority area of work. In 2016, the CCPC adopted a legal training and development strategy, which sets out a multi-annual approach to the delivery of a Legal Training and Development programme.

Organisational Development Programme

As a new organisation that is significantly larger than either of its legacy predecessor bodies, we recognised that it was important that we develop the structures to support staff so that the CCPC can be a high performing and effective organisation. Our Organisational Development Programme is a strategic approach to developing these structures, which will align our people, objectives and processes.

In 2016 we made significant strides in the programme in that we identified what was important to us and to the development of the organisation, which was:

- to empower our managers so that they will in turn embrace the development of staff
- to identify who we are as an organisation and ensure that our staff are connected with our mission, vision and values
- to empower people to reach their potential
- to ensure our staff have the knowledge and skills to deliver results now and in the future

Our Organisational Development Programme is high priority for us and so our Chairperson, Isolde Goggin, is the overall programme sponsor. In 2016, we commenced a consultative process, established three project groups and developed a set of leadership competencies appropriate for leaders in our organisation.

Managing performance & driving productivity

The CCPC's strategic objectives and priorities are set out in its Strategy Statement for the period 2015 - 2018 and its prioritisation principles. Along with setting out the strategic goals for the organisation until 2018, the Strategy Statement details high-level priorities and key performance indicators. Each year the CCPC's goals and priorities (as aligned to the strategy) are detailed in annual work plans.

At the start of every year staff agree their performance objectives for the year ahead. Every staff member's objectives are aligned with the CCPC's overall work plans and strategic objectives. To support managers in performance management we provide training on how to provide effective and constructive feedback as part of the performance review process. The process requires staff and their line managers to identify areas for learning and development in the context of the staff member's job role and in terms of their personal development.

Driving change

As a relatively small organisation, it is essential that the CCPC effectively employs its resources to make the greatest impact. Evaluation of our performance and “Lessons Learned” activities are carried out on a regular basis, e.g. upon conclusion of an investigation or major projects, in line with our internal guidelines.

Preserving institutional memory was, and continues to be, very important to the CCPC particularly as it transitioned through the amalgamation of the two legacy organisations. Processes and procedures are in place to ensure that key information is captured, there is continuity in approaches and institutional memory is maintained. Each function provides regular progress reports, which allow us to monitor our performance and also act as a key information resource for new employees. Annual audits ensure that adequate policies and procedures are in place and are being adhered to.

Managing risk

The CCPC’s Audit and Risk Committee is independent in the performance of its functions and is not subject to direction or control from any other party. It has three external members and one CCPC member:

Our Audit Committee members for 2016 were:

- **Ms. Noreen Fahy** – Chairperson
- **Mr. Gerald FitzGerald** – Commission Member (Retired in October 2016)
- **Mr. Pat Kenny** – Commission Member (Joined in October 2016, replacing Gerald FitzGerald)
- **Mr. Brian Whitney** – External Member
- **Ms. Georgina O’Mahony (nee Conroy)** – External Member

During this period, the Committee directed that a number of audits be conducted on its behalf by Capita Consulting, the CCPC’s internal auditors. The following Internal Audits were conducted in 2016:

- **Criminal Enforcement**, Completed: February 2016
- **Corporate Communications**, Completed: June 2016
- **Review of Internal Financial Controls**, Completed: October 2016
- **High level review of HR Recruitment process**, Completed: December 2016

Any recommendations were progressed in all cases, with progress on implementation reported to the Audit Committee

CCPC Corporate Information

Corporate Governance

The CCPC is governed by an Executive Chairperson and Commission with Members. The Chairperson and Members form a collegiate decision-making Commission for key statutory decisions, in addition to having whole-time executive responsibilities. The Commission meets every two weeks and the number of Members required to make a formal decision is three. Any issue not settled by general agreement, is determined by a majority of the votes of the Members present and in the case of an equal division of votes the Chairperson of the meeting has the casting vote.

Attendance at Commission Meetings 2016

Normal Commission Meetings:	18
Ad hoc Commission Meetings:	12
Total:	30

- Isolde Goggin: 24
- Patrick Kenny: 26
- Gerald FitzGerald (January – October): 16
- Karen O’Leary: 28
- Fergal O’Leary (July – December): 13



Audit Committee Meetings: 4

- Noreen Fahy: 4
- Brian Whitney: 4
- Georgina Conroy: 3
- Gerald FitzGerald: 3 (Stepped down from Audit Committee October 7th)
- Pat Kenny: 1 (Joined in October 7th)

Accountability – Our Service Level Agreement

A service level agreement (SLA) is in place between the CCPC and the Department of Jobs, Enterprise and Innovation (DJEI), which is reviewed on an annual basis. The SLA is a requirement set by the Government under the Public Service Reform Programme. The CCPC prepares quarterly reports for DJEI, outlining how we have fulfilled our commitments under the SLA.

The CCPC also takes steps to ensure an appropriate control environment by:

- Scheduling regular meetings at which the Members are provided with updated reports of expenditure
- Establishing an Audit Committee. Its terms of reference include ensuring systems that continually enhance and guarantee internal financial control
- Clearly defining management responsibilities, with corresponding accountability
- Monitoring ongoing work and reporting on progress

- Adopting the principles of corporate governance contained in the Code of Practice for the Governance of State Bodies including:
 - Affirmation of compliance with procurement guidelines as set out in the Code
 - Affirmation of compliance with disposal of assets and access to assets by third parties as set out in the Code
 - Review and finalisation of policies and procedures to ensure the effectiveness of the systems of internal financial control
 - Establishing formal procedures to monitor the activities and safeguard the assets of the organisation.

Freedom of Information Requests

During 2016, the CCPC dealt with 15 Freedom of Information requests.

Our Service Charter

The CCPC has a Service Charter, available in the 'About Us' section of our website - www.ccpic.ie. This sets out our commitment to a high quality service. Any complaint regarding the services of the CCPC is investigated as a matter of priority.

2016 Financial Statements

The CCPC's budget allocation in 2016 was €12,141,000, of which €10,041,000 was provided by the state and €2,200,000 from a financial services industry levy in respect of specific personal finance information and education functions in the financial sector (as detailed below). At the time of writing, the annual draft financial statements for the year 1 January – 31 December 2016 report expenditure of €8,208,767 for grant-assisted activities and €1,980,951 for levy-funded activities which is a total of €10,189,718. The CCPC's underspend was mainly due to a number of vacancies remaining unfilled. 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, 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. The legislation granted previously to the National Consumer Agency, and now the CCPC, the power to impose levies. The collection of the levy from financial services firms was outsourced to the Central Bank since it was introduced in 2011, and an Agency Agreement between the CCPC and the Central Bank is in place to cover this process. A collection rate of over 98% of the total levy amount has been successfully collected from 2011 to 2016 from approximately 480 financial services companies.

Chairperson and Commission Member Expenses

(1 January to 31 December 2016)

- Isolde Goggin: €3,998
- Gerald FitzGerald: €3,216
- Patrick Kenny: €1,874
- Karen O'Leary: €1,052
- Fergal O'Leary: €856



Chairperson's Remuneration

The Chairperson received salary payments of €163,821 from 1 January to 31 December 2016. The Chairperson is a member of the Competition Authority (Chairperson and Members) Superannuation Scheme.



Appendix 1: Goal 1

1. Criminal Enforcement Activity

Statistics	<ul style="list-style-type: none"> - 24 new files opened and 13 closed - 20 searches undertaken - 159 files opened in relation to potential vehicle crime, 127 of which were closed - Six potential pyramid schemes were examined
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Investigation	Concern	Status	Outcome/update
Procurement in the flooring sector	Potential bid-rigging	Due before the courts April 2017	Ongoing
Timmy Keane	Providing false information in relation to a car's previous history	Sentencing due in 2017	Ongoing
Publically funded transport services	Potential bid-rigging	Opened - 2016	Ongoing
Emgoldex	Potential Pyramid Scheme	Closed	Warning issued to consumers

2. Product Safety Investigations

Statistics	<ul style="list-style-type: none"> - 515 product safety cases investigated - 324 RAPEX alerts issued
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Products detained in conjunction with Customs

Investigations	Volume	Products	Outcome
Products detained & investigated (with assistance from Customs)	41 consignments* (approx. 189,776 products)	Assorted toys, lasers, sunglasses, electronic IT equipment, hoverboards, low voltage items and plugs/adaptors	16 consignments (approx. 41,618 products) were re-exported/destroyed, five were released and ten currently detained.

**The CCPC's ongoing investigations continued to find evidence of self-balancing scooters/hoverboards with non-compliant and potentially unsafe plugs and fuses, as well as significant issues with the cables, chargers and the battery packs. 16 of the consignments which were destroyed, re-exported or suspended, consisted of self-balancing scooters/hoverboards.*

3. Civil Competition Enforcement

Statistics	<ul style="list-style-type: none"> - 12 witness summonses issued and 11 formal requirements for information - 80 complaints reviewed
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Investigation	Relating to	Status (Dec 2016)	Outcome/Update
Private Car Insurance	Potential price signalling	Opened – June 2016	Ongoing
Bagged Cement Sector Investigation	Potential anti-competitive behavior	Opened – May 2015	Certain aspects of this case are subject to a High Court Appeal and subsequent Supreme Court Appeal
Irish Property Owners Association	Potential co-ordination of the business conduct of its members	Opened – December 2016	Closed with undertakings and commitments
Relay (opened 2013)	Potential anti-competitive information sharing	Closed – August 2016	Closed with undertakings and commitments
Approved Tour Guides of Ireland	Publication of recommended minimum rates	Closed – January 2016	ATGI directed to remove list and write to members

4. Consumer Enforcement

Statistics	<ul style="list-style-type: none"> - 149 consumer issues were escalated to Consumer Enforcement for consideration - 150 inspections of business premises for compliance with price display legislation - 140 inspections of trader websites - Four consumer protection investigations initiated and 24 completed
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Total number of consumer issues submitted to Consumer Enforcement for consideration	149
Total number of inspections of business premises for compliance with price display legislation	150
Total number of inspections of trader websites	140

Investigation Updates

Name/Trader	Concerns	Outcome
Volkswagen	Understatement of carbon dioxide (CO2) emissions in cars manufactured by Volkswagen AG	Closed - 2016
Volkswagen	The fitting of "defeat devices" to control Nitrogen Oxides emissions in Volkswagen AG vehicles during testing is still ongoing.	Ongoing

Consumer Protection Enforcement Concluded in 2016

Name/Trader	Concerning	Outcome
McCormack Car Sales Limited, Sligo	Contraventions of Section 42 and Section 43 of the Consumer Protection Act 2007	The company provided an undertaking to comply with the prohibition on engaging in a misleading commercial practice and compensated the consumer.
Creative Retail Solutions Limited, trading at Gadget Box	The company had displayed a statement that was likely to be taken as indicating that a right or the exercise of a right conferred by or a liability arising by virtue of, Section 12, 13, 14 or 15 of the Sale of Goods Act 1893 is restricted or excluded otherwise than under Section 55 of that Act	Compliance Notice issued by the CCPC
Powercity Limited	Trader provided consumers with misleading information on their rights provided under the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013, a prohibited practice as described by Section 43(2) and contrary to 43(3)(j) of the Consumer Protection Act 2007	Compliance Notice issued by the CCPC
LifeStyle Sports (Ireland) Limited	Traders failed to give, or make available to consumers, information on the conditions, time limit and procedures for exercising the right of cancellation and the cancellation form set out in Part B of Schedule 3 of the Regulations before he/she is bound by a distant contract, as required by Regulation 10(1) of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013	Compliance Notices issued by the CCPC

Name/Trader (by county)	Concerning	Outcome
<p>Cork Kintbury Limited trading at 53 Degrees North, Unit 7, The Cornmarket Centre, Paul Street, Cork, Co. Cork</p> <p>Dublin Amdel Limited trading at Spar Balbriggan, 16/18 Drogheda Street, Balbriggan, Co. Dublin Tipperter Limited trading at Costcutter, 3 All Saints Park, Raheny, Dublin 5</p> <p>Kerry Argos Distributors (Ireland) Limited trading at Argos, Deerpark Retail Park, Killarney, Co. Kerry</p> <p>Limerick Heatons, Sports Direct trading at Heatons, Unit 4 Childers Road Retail Park, Childers Road, Limerick, Co Limerick New Look Retailers (Ireland) Limited trading at New Look, 10A Cruises Street, Limerick, Co. Limerick</p> <p>Westmeath Dealz Retailing Ireland Limited trading at Dealz, Pearse Street, Mullingar, Co. Westmeath</p>	<p>Traders who provided false information in relation to the price of the product(s), such a practice being a prohibited practice as described by the Consumer Protection Act 2007 Section 43(1) and 43(3)(c)</p>	<p>Compliance Notices issued by the CCPC to each trader</p>
<p>Dublin LifeStyle Sports (Ireland) Limited, 40 Mary Street, Dublin 1</p>	<p>Trader failed to reimburse all payments, including any payment for delivery, received from a consumer who exercises the right to cancel a contract, in contravention of Regulation 19(1) of the European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013</p>	<p>Fixed Payment Notice issued by the CCPC to the trader</p>
<p>Cavan</p> <ul style="list-style-type: none"> • Marco Supermarkets Limited trading at Tarpey's SuperValu, Lakeland Retail Park, Dublin Road, Cavan, Co. Cavan • Nibeck Limited trading at Daybreak, Kingscourt Service Station, Dublin Road, Kingscourt, Co. Cavan <p>Cork</p> <ul style="list-style-type: none"> • Closes Road Supermarkets Limited trading at Spar, 23-25 Closes Road, Farranree, Cork, Co. Cork • Eason and Son Limited trading at Eason, Unit 32, Wilton Shopping Centre, Cork, Co. Cork • Timker Trading Limited trading at Healy's SuperValu, Dunmanway, Co. Cork 	<p>Traders who failed to indicate the selling price of a product, in contravention of Regulation 4(1) of the European Communities (Requirements to Indicate Product Prices) Regulation 2002</p>	<p>Fixed Payment Notice issued to each trader</p>

Name/Trader (by county)	Concerning	Outcome
<p>Dublin</p> <ul style="list-style-type: none"> • Clydaville Investments Limited trading at Kilkenny, 6 Nassau Street, Dublin 2 • EEC Hardware Limited trading at EEC Hardware, Stephenstown Business Park, Balbriggan, Co. Dublin • Empaco Stores Limited trading at Centra, 8 Main Street, Howth, Co. Dublin • Eurasia Ventures Limited trading at Eurasia Supermarket, 1 Fonthill Retail Park, Fonthill Road, Clondalkin, Dublin 22 • Helgian Limited trading at SuperValu, Lorcan Avenue, Santry, Dublin 9 • Oxtron Limited trading at SuperValu Killester, 169 Howth Road, Killester, Dublin 3 • Tesco Ireland Limited trading at Tesco, Boot Road, Clondalkin, Dublin 22 - received 2 FPNs • Tesco Ireland Limited trading at Tesco, Millfield Shopping Centre, Balbriggan, Co. Dublin - received 3 FPNs • Tipperter Limited trading at Costcutter, 3 All Saints Park, Raheny, Dublin 5 	<p>Traders who failed to indicate the selling price of a product, in contravention of Regulation 4(1) of the European Communities (Requirements to Indicate Product Prices) Regulation 2002</p>	<p>Fixed Payment Notice issued by the CCPC to each trader</p>
<p>Galway</p> <ul style="list-style-type: none"> • Dunnes Stores trading at Dunnes Stores, Gateway Retail Park, Western Distributor Road, Ragoon, Galway, Co. Galway • Flynns of Lackagh Limited trading at Flynns Topline, Lackagh, Turloughmore, Co. Galway 		
<p>Kildare</p> <ul style="list-style-type: none"> • IConnect Lifestyle Limited trading at IConnect, Unit 5 Whitewater Shopping Centre, Newbridge, Co. Kildare 		
<p>Limerick</p> <ul style="list-style-type: none"> • J.C. Daly (Hardware) Company Limited trading at Daly's, 50-51 William Street, Limerick, Co. Limerick <p>Louth</p> <ul style="list-style-type: none"> • Heatons trading at Heatons, M1 Retail Park, Drogheda, Co. Louth 		
<p>Mayo</p> <ul style="list-style-type: none"> • Smyths Toys trading at Smyths Toys, Galway Road, Claremorris, Co. Mayo 		
<p>Meath</p> <ul style="list-style-type: none"> • J & S Gillan (Supermarkets) Limited trading at Londis Plus, Main Street, Summerhill, Co. Meath 		

Name/Trader (by county)	Concerning	Outcome
Roscommon <ul style="list-style-type: none"> TKL Duffy (Holdings) Limited trading at Duffy's SuperValu, SuperValu Retail Park, Ballaghaderreen, Co. Roscommon 	Traders who failed to indicate the selling price of a product, in contravention of Regulation 4(1) of the European Communities (Requirements to Indicate Product Prices) Regulation 2002	Fixed Payment Notice issued to each trader
Westmeath <ul style="list-style-type: none"> Dealz Retailing Ireland Limited trading at Dealz, Pearse Street, Mullingar, Co. Westmeath 		
Wicklow <ul style="list-style-type: none"> P & D Vambeck Limited trading at Earls Newsagents, Abbey Street, Wicklow Town, Co. Wicklow 		

5. Merger Reviews

During the course of 2016, the CCPC received 67 merger notifications and issued 70 Determinations, 11 of which relate to transactions notified at the end of 2015, with 59 Determinations issued for transactions notified during the course of 2016.

As a result of the adjustment to the financial thresholds for mandatory notification in 2014, there has been a significant increase in the number of mergers notified to the CCPC during 2015 and 2016 when compared to previous years.

The adjustment in the length of time the CCPC has to review a notified merger saw the number of days change from calendar days to working days bringing the Irish merger regime in line with that in the EU. For mergers notified between 1 January 2016 and 31 December 2016, the CCPC took an average 26 working days to issue a Phase 1 decision, compared with 24 working days in 2015. The timelines in individual cases varied from 12 to 30 working days depending, for example, on the complexity of the transaction and the nature of the competition issues involved.

Of the 70 Determinations issued in 2016 five (7% of cases) required either an extended Phase 1 examination or a full (Phase 2) investigation (see Table below). While the CCPC did not prohibit any mergers during 2016, formal commitments to alleviate competition concerns were required and provided in two cases, namely M/16/040 – Bons Secours/Barringtons Hospital and M/16/008 – PandaGreen/Greenstar.

Table 1 - Extended Phase 1 and Phase 2 Merger Determinations, 1 January 2016 to 31 December 2016.

Extended Phase 1	Phase 2*
M/15/059 – Paddy Power/Betfair	
M/15/077 – Uniphar/Murray Medical	M/16/008 – PandaGreen/Greenstar
M/16/040 – Bons Secours/Barringtons Hospital	
M/16/044 – INM/CNML	

*During the period 1 January 2016 to 31 December 2016, the CCPC also proceeded to carry out an in-depth review to consider whether a prospective purchaser of the business that the CCPC ordered to be divested in M/15/020 – Topaz Investments Limited/Essco Ireland Limited (i.e. 50% of the Joint Fuel Terminal in Dublin Port), would be a suitable purchaser. The proposal to acquire the divested business was found to raise similar competition concerns as in the initial merger investigation and Topaz was therefore afforded an opportunity to seek an alternative purchaser.

Extended Phase 1 Merger Investigations

M/15/059 – Paddy Power/Betfair

On 8 September 2015, Paddy Power and Betfair announced that they had reached agreement on the terms of a recommended all-share merger of Paddy Power and Betfair, to be implemented by way of a scheme of arrangement of Betfair. The parties notified the transaction to the CCPC on 20 October 2015. Both Paddy Power and Betfair are international multi-channel betting and gaming companies offering betting, casino games, poker and bingo to consumers in regulated jurisdictions through the internet, by telephone and in licensed betting offices (“LBOs”) located in the State and the United Kingdom. The CCPC concluded that there was a horizontal overlap between the parties’ activities with respect to the provision of online betting and online gaming services in the State and also a potential vertical relationship between the parties since Betfair currently sells live betting exchange data to online betting service providers.

However, the CCPC concluded that the parties were not close competitors and that the merged entity would face significant competition from other players in the markets. Thus on 15 January 2016 the CCPC cleared the transaction unconditionally.

M/15/077 – Uniphar/Murray Medical

On 22 December 2015, the CCPC received a notification of a proposed transaction whereby Uniphar Wholesale Limited, a subsidiary of Uniphar plc (Uniphar), would acquire sole control of the ostomy and urinary wholesale business (the Target Business) of Murray’s Medical Equipment Limited (Murray’s Medical).

The CCPC found both horizontal and vertical overlaps between the parties’ activities in the State. The horizontal overlap arose since both parties supplied ostomy and urinary medical

products to community pharmacies while the vertical overlap arose since the pre-wholesale division of Uniphar supplied wholesalers including the Target Business with ostomy and urinary medical products manufactured by third party manufacturers.

The CCPC undertook an extensive investigation, issuing a formal requirement for information and obtaining the views and evidence of competitors and customers. Assessing the competitive effects of the proposed transaction requires the identification of any relevant theories of harm i.e. how the proposed transaction could result in a substantial lessening of competition and an analysis of those theories of harm through an evaluation of the available evidence. The theories of harm examined by the CCPC in this case included the possibility, post-merger, of coordinated effects, unilateral effects and foreclosure.

Following an in-depth review of the internal documentation and a rigorous examination of the evidence of third parties, the CCPC found that Uniphar would not have the ability to exercise market power by reducing its discounts and/or the frequency of its deliveries post-transaction and that any such attempt by Uniphar post-transaction is likely to prompt community pharmacies to switch to United Drug. The CCPC also considered whether the merger would provide Uniphar with the ability and incentive to foreclose its rival full-line wholesalers and found that manufacturers of ostomy and urinary medical products would not allow their pre-wholesaler to limit supplies of their products to wholesalers in the State. Thus Uniphar would have limited ability to restrict supplies of ostomy and urinary medical products to wholesalers following the merger. On 23 March 2016, the CCPC issued an unconditional clearance Determination to the parties.

M/16/040 – Bon Secours/Barringtons Hospital

On 24 August 2016, the CCPC received a mandatory notification whereby Bon Secours Limited was proposing to acquire Barringtons private hospital. This was the first private hospital merger notified to either the CCPC or its legacy organisation the Competition Authority.

Using the information provided by the parties the CCPC concluded that the relevant product market was the provision of private hospital services. Further analysis of the market share data revealed that in a potential geographic market encompassing the Mid-West Region the merger would result in a highly concentrated market.

The CCPC's investigation found that post-merger the Bon Secours was likely at some point in the future to introduce national or group prices at Barringtons Hospital instead of the individually negotiated prices currently applicable to Barringtons Hospital. Analysis confirmed that the Bon Secours' current national or group prices were higher than those individually negotiated prices at Barringtons Hospital for similar procedures and would affect all health insurers except for the VHI. The CCPC concluded that up to 43% of the patients attending Barringtons Hospital could be adversely affected by a potential increase in price.

Following a meeting with the parties in which the CCPC outlined the competition concerns arising from the proposed transaction, the parties submitted a formal set of proposals under section 20(3) of the Act aimed at alleviating the identified concerns. The proposals ensured that current and for a limited time future hospital charges would be negotiated with health insurers on a bilateral basis, until new infrastructure and services were provided at Barringtons. The CCPC accepted these proposals and they became binding on Bon Secours when the CCPC issued its Determination on 21 December, 2016.

M/16/044 – INM/CNML

On 5 September 2016, the CCPC received a notification of a proposed transaction whereby Independent News & Media Holdings (Ireland) Limited (INM Holdings), a wholly owned subsidiary of INM plc (INM), would acquire the entire issued share capital of CMNL Limited (CMNL). Given that both INM Holdings and CMNL carry on a “media business” within the State (as defined in section 28A(1) of the Act), the proposed transaction was treated as a “media merger” for the purposes of Part 3A of the Act.

On 23 September 2016, the CCPC issued to the parties involved, a formal requirement for further information (RFI) to the parties. Following a review of additional information provided on foot of the RFI, the CCPC issued further questionnaires to the parties. The CCPC also issued questionnaires to the parties’ potential competitors and to their existing advertising customers. The CCPC questionnaire to third parties focused on the proposed transaction’s potential effect regarding regional/local newspaper publishing and advertising.

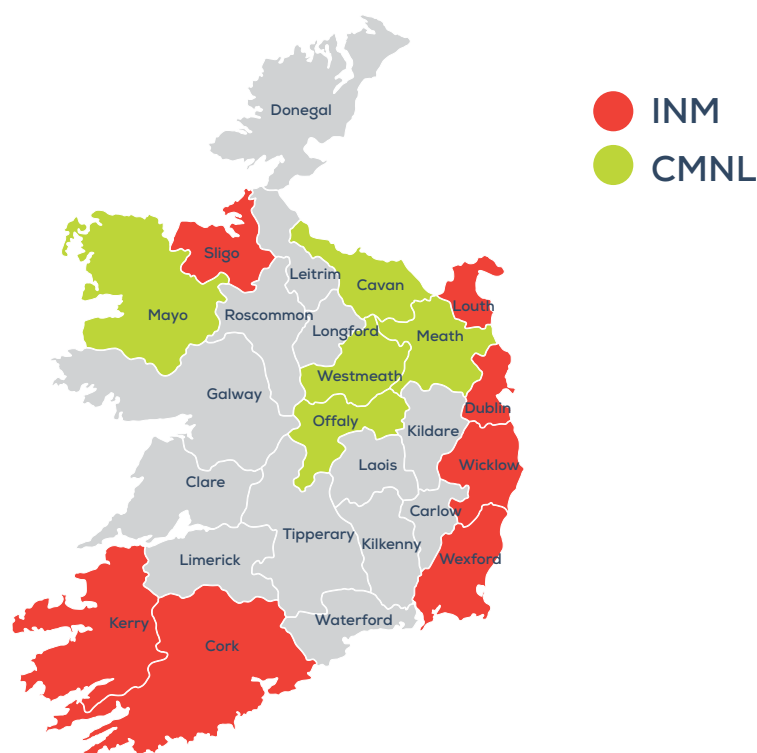
The CCPC also received six third party submissions in this case. The main concerns expressed were that the proposed transaction would reinforce INM’s dominant position in the media generally. The CCPC identified four potential product markets in which the competitive effects of the proposed transaction were assessed. The summary below only discusses the newspaper publishing market.

Although the CCPC did not need to reach a definite view on the relevant product market regarding newspaper publishing (both readership and advertising) in this case, it followed previous precedent and concluded that:

- For newspaper readership - local/regional newspapers can be treated as distinct market from national daily/evening newspapers.
- For newspaper advertising - local/regional newspapers advertising can be treated as distinct market from national/daily/evening newspapers.
- Newspaper advertising constitutes a separate market from radio advertising.
- The geographic scope of the local/regional titles is the distribution area of the relevant region.

While both INM and CMNL are involved in publishing local/regional newspapers within the State, the CCPC is of the view that relevant geographic market of local/regional titles is the distribution area of the relevant region. Since local/regional newspapers typically focus on a local reading audience and local advertisers, local/regional newspapers that are sold in different areas are not considered direct or close competitors to each other. For example, INM's Wicklow People is not competing with CMNL's Connaught Telegraph for audience and/or advertisers in Mayo. Thus, INM's Wicklow People and CMNL's Connaught Telegraph are not in the same market. None of the local/regional newspapers published by either CMNL or INM are sold in the same local/regional areas, i.e., CMNL and INM's local/regional titles are circulated within the same market. See Figure 2 below.

Figure 2: INM and CMNL Regional Titles by County



The CCPC recognised that although INM's footprint of local/regional titles increased significantly as result of the proposed transaction it did not increase the merged entity's footprint in each relevant local/regional areas. Therefore, the CCPC concluded that it was unlikely that the proposed transaction would lead to a substantial lessening of competition in the market for local/regional newspapers for any particular local/regional areas and the proposed transaction was cleared by the CCPC on 10 November 2016, subject to subsequent clearance by the Minister for Communications, Climate Action and the Environment. The remit of the Minister for Communications (and, where applicable, the Broadcasting Authority of Ireland) is to assess the merger on grounds relating to media plurality.

Phase 2 Merger Investigations

M/16/008 – PandaGreen/Greenstar

On 10 February 2016, the CCPC received a notification of a proposed transaction whereby PandaGreen Limited (PandaGreen), a wholly-owned subsidiary of Sretaw, would acquire the entire issued share capital of Starrus Eco Holdings Limited, trading as Greenstar, from Starrus Holdings Limited.

As part of its investigation, the CCPC conducted market enquiries which involved contacting a number of competitors of the merging parties within the State. The CCPC also consulted with local authorities in the GDA, the Environmental Protection Agency (“EPA”) and the National Waste Collection Permits Officer (“NWPCO”). During the course of the review the CCPC received 25 submissions highlighting competition issues concerning the competitive effects of the proposed transaction.

The parties responded to the CCPC’s concerns by submitting formal proposals under section 20(3) of the 2002 Act designed to resolve the identified competition issues arising. The proposals in effect involved the divestment of the Greenstar domestic waste collection businesses located in the Fingal County Council and Dun Laoghaire-Rathdown local authority areas to a third party, namely Greyhound Waste. The CCPC accepted these proposals which became binding commitments on Panda as part of the CCPC’s determination to clear the merger on 16 August 2016.

Media Mergers

Under sections 18(1)(b) and 18(5) of the Competition Act 2002 (as amended by section 55(a) of the Competition and Consumer Protection Act 2014), where a proposed merger or acquisition falls within a class of merger or acquisition specified in an order made by the Minister for Jobs, Enterprise and Innovation, it must be notified to the CCPC irrespective of the turnover of the undertakings involved. One such class of mergers that has been specified relates to media mergers.

Over the period from 1 January 2016 to 31 December 2016 the CCPC received five media merger notifications (see Table 2). The CCPC unconditionally cleared all of these mergers at Phase 1 on competition-related grounds. In accordance with the relevant legislation the mergers in question were then notified to the Minister for Communications, Climate Action and Environment for review on grounds relating to media plurality. Only one of the notifications, namely M/15/044 – INM/CMNL, required an extended Phase 1 examination by the CCPC (see above).

Table 2 Media Merger Notifications received by the CCPC, 1 January 2016 to 31 December 2016

M/16/013	INM/Greer Publications
M/16/033	News Corp UK & Ireland/Wireless Group
M/16/038	Liberty Global/UTV Ireland
M/16/044	INM/CMNL
M/16/064	BBC & ITV - Britbox Joint Venture

International Merger Activity

The CCPC is required to attend and participate in EU merger advisory committees when it considers there is a significant interest to Ireland. Over the period 1 January 2016 to 31 December 2016 the CCPC was actively involved in the European Commission's investigations into a number of proposed mergers which included the following:

- M.7421 – Orange/Jazztel
- M.7555 – Staples/Office Depot
- M.7612 – Hutchison 3 G UK/Telefonica
- M.7930 – ABP Group/Fane Valley Group/Slaney Foods
- M.7986 – Sysco/Brakes
- M.8010 – Irish Life/Aviva/Glo Health

The CCPC also acted as rapporteur for the EU merger advisory committee in M.7758 Hutchison 3G Italy/Wind/JV.

6. Regulatory Applications/Returns Processed

Credit Intermediaries and Pawnbrokers

The CCPC has specific responsibility for the authorisation of credit intermediaries, for maintaining a public register of such intermediaries and for the licensing of pawnbrokers. During 2016, we issued authorisations for 727 credit intermediaries (compared to 737 for the same period in 2015) and received related fee income of €436,590 which was remitted to the Department of Jobs, Enterprise and Innovation.

Four pawnbroking licences were issued by the CCPC, as follows (also licensed in 2015):

- Carthy Pawnbroking Limited, Marlborough St, Dublin 1.
- Kearns Pawnbrokers and Jewellers Limited, Queen St, Dublin 7.
- John Brereton Pawnbrokers Limited, Capel St, Dublin 1.
- D.B.E. Pawnbrokers Limited, MacCurtain St, Cork.

As part of the licensing process, we inspected the pawnbrokers' premises to ensure compliance with the relevant legislation. Fees of €5,079 in total were remitted by the CCPC to the Department of Jobs, Enterprise and Innovation in relation to these applications.

Appendix 2: Goal 2

1. Engagement with stakeholders including Government departments, public bodies and regulators.

Number of written submissions made by the CCPC	15 as detailed on page 21
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2. Appearances before a legislative body

Appearance	Date	Topic
The Oireachtas Committee on Finance, Public Expenditure and Reform, and An Taoiseach.	15 September 2016	Examination by the Committee of the rising cost of motor insurance

3. Number of stakeholder fora participations including:

Number of stakeholder fora participations	5
1.	Irish Water stakeholder forum
2.	Commission for Energy Regulation stakeholder forum
3.	Public Water Forum
4.	Department of Finance forum on consumer protection in financial services
5.	Department of Housing, Planning, Community & Local Government waste forum

4. Working group participation

European Competition Network meetings attended	24
OECD meetings attended	6
International Competition Network meetings attended	4
International Consumer Protection and Enforcement Network meetings attended	1
EU Consumer Protection Co-operation Committee meetings attended	16

5. Studies/Papers Requested

Request	Topic
Programme for a Partnership Government: Options Paper	The future of Ireland's mortgage market

6. New Regulatory Functions

Grocery Goods Regulations

Under the Competition and Consumer Protection Act 2014, the CCPC was given responsibility for ensuring compliance with new Grocery Goods Regulations, which govern aspects of the contractual relationships in the grocery sector between food and drink suppliers, on the one hand, and retailers and wholesalers, on the other. This new function took effect in April 2016.

Within this new role the CCPC has responsibility for enforcement of the Regulations and as such, has the authority to:

- inspect relevant grocery goods undertakings (RGGUs) to monitor compliance
- investigate any complaints received, where the CCPC considers that there are reasonable grounds to believe that an RGGU may have contravened the Regulations.

In 2016, the CCPC carried out the following:

- Seminar for principal RGGUs
- Engagement with key stakeholders
- Bilateral meetings with RGGUs
- Awareness raising activity
- Publication of annual compliance report template/guidance
- Responded to queries submitted.

Affected businesses are required to submit their annual compliance report, which covers the period from 30 April 2016 to 31 December 2016, by the end of March 2017.

Appendix 3: Goal 3

1. Website Visits & Visitor Engagement

Consumerhelp.ie: 1,621,064 visits

Top ten pages visited

1. Faulty goods
2. Loan calculator
3. Your rights
4. Lump sum savings account comparison
5. Cars – your rights when things go wrong
6. Mortgage comparison
7. Switching your mortgage
8. Financial product comparisons homepage
9. Complaint letter template
10. Buying a home: step-by-step guide.

CCPC.ie: 135,266

Top ten pages visited

1. What we do
2. Merger notifications
3. News
4. Get in touch
5. Consumer protection law – how does it apply to me and my business
6. Enforcement and mergers
7. Current vacancies
8. Who we are
9. Compliance for business
10. Authorised credit intermediaries.

2. Other website statistics

Financial product comparisons – updates applied by the CCPC in 2016	1,422
Financial product comparisons – products live on site (December 2016)	472
Number of social media followers	29,228

3. Number of newsletter subscribers

	Q1	Q2	Q3	Q4
Number of newsletter subscribers	13,353	13,951	14,560	14,958

4. Public Awareness Initiatives

In 2016 the CCPC conducted five major public awareness campaigns:

- Mortgage switching
- Car buying (finance)
- Car buying (checks)
- Buying online
- Toy Safety.

5. Placed media features

Feature Type	2016
Regional features – broadcast and print	52
Ad hoc requests from journalists in relation to the CCPS's function and activities	55
Trade publications	14
Briefing journalists	15
Sunday Independent consumer related Q&A	12
National features	8
Total	156

6. Helpline Consumer Contacts & analysis

Number of Contacts – 2016

	Consumer Rights	Personal Finance	Competition
2016	37,637	4,127	311

2016 Consumer Rights Contacts by Sector

The top ten sectors as regards volume of consumer rights contacts are presented in Table 2 below. These ten sectors account for 75% of the total consumer rights contacts received by the CCPC in 2016. The top three sectors are the same as those recorded in 2015, namely Telecommunications, Vehicles & Personal Transport and Clothing/Footwear/Accessories. One significant change from 2015 is with regard to House Buildings/Maintenance/Improvements, which climbed from 7th position in 2015 to 4th in 2016 while also being one of the two sectors with increased volume, the other being Recreation/Sport/Leisure.

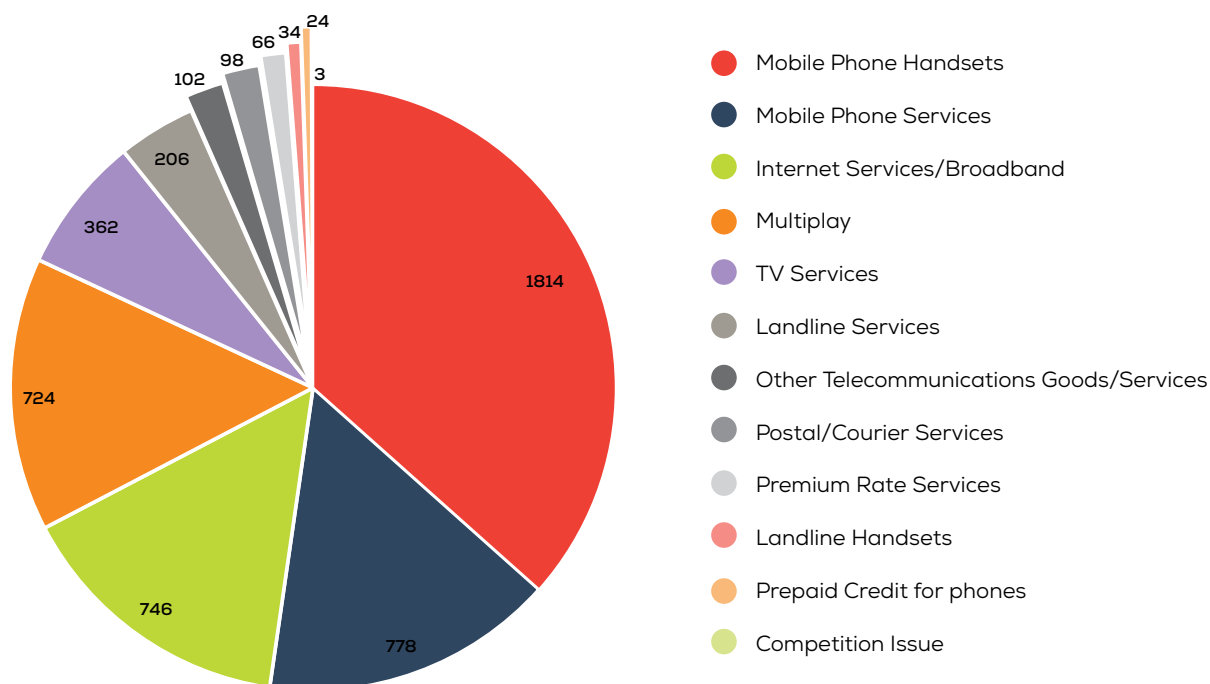
	Sector	No. of Contacts in 2016
1	Telecommunications	4,957
2	Vehicles & Personal Transport	4,406
3	Clothing/Footwear/Accessories	2,468
4	House Buildings/Maintenance/Improvements	1,932
5	AV Electronic & Associated Goods	1,911
6	Domestic Appliances	1,687
7	Travel, Transport & Holidays	1,541
8	Furniture & Furnishings	1,526
9	Fuel & Utilities	1,025
10	Recreation/Sport/Leisure	865

Sectoral Analysis

1) Telecommunications (4,957)

Over one third (36.6%) of the Telecommunications contacts received were in relation to Mobile Phone Handsets (1,814 contacts), followed by Mobile Phone Services (778 contacts) and Internet/Broadband Services (746 contacts). A full breakdown of Telecommunications sub-sectors is shown in Fig. 1.

Fig.1 Breakdown of Telecommunications contacts by Sub-Sector*



The contacts regarding Mobile Phone Services, Internet/Broadband Services, Multiplay and TV Services were, in general, contract-related, with "Charges/Payments/Deposits" being the main issue followed by Contract Cancellation with "Consumer Change of Mind" being the principal driver under this heading. It should be noted that, in the case of Multiplay and TV Service contracts, "Onerous Cancellation Process" also features prominently.

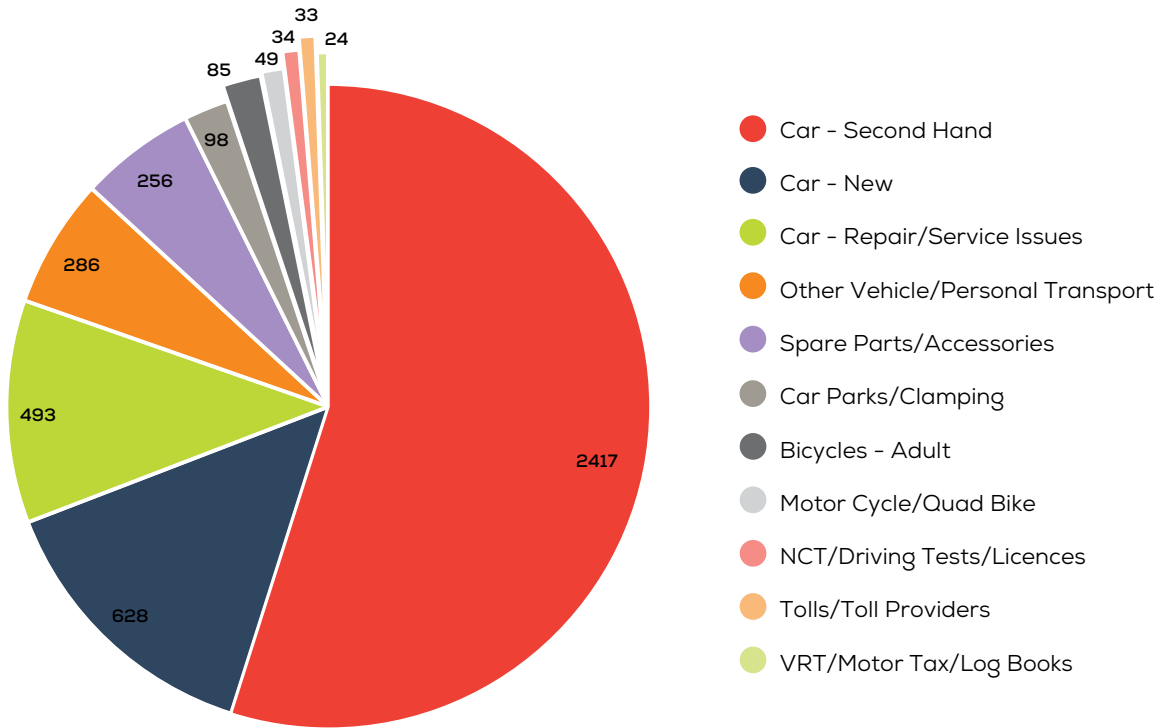
2) Vehicles & Personal Transport (4,406)

The three main sub-sectors on which contacts were received were Car - Second-hand (2,417), Car - New (628) and Car - Repair/Service Issues (493). A full breakdown of the Vehicles & Personal Transport sub-sectors is shown in Fig. 2.

The primary issue in the vehicle and personal transport sector was "Faulty Product/Service" which made up 62% of contacts relating to second-hand cars, 65% of contacts relating to new cars and 51% for servicing/repairs. The vast majority of these contacts were queries, where the consumer was looking for information about their consumer rights or what steps to take next. This was followed by the issue of "Recurring faults after repair".

Of the 288 Unfair Commercial Practice contacts concerning second-hand cars, 271 of these relate to "Clocked or Crashed Cars" which feed into our enforcement activities in the sector.

Fig 2. Breakdown of Vehicles & Personal Transport by Sub-Sector



3) Clothing/Footwear/Accessories (2,468)

Just over 50% of these contacts related to Clothing (1,323 contacts), 25% to Footwear (608 contacts), 15% to Jewellery (378 contacts) and the remaining 10% to other categories. The majority of contacts in this category relate to general Sale of Goods legislation, primarily faulty products and general queries, where the consumer was looking for information about their consumer rights and how to proceed. The highest volume of contacts outside of Sale of Goods legislation was in the Consumer Rights Directive/eCommerce classification with 161 contacts - these contacts primarily concerned buying online. Delivery/Refund matters continued to be the main issue under this heading with 102 contacts.

Company Analysis

The following table outlines the top ten traders by call volume in 2016. As in 2015, six of the top ten traders operate in the Telecommunications sector.

The same traders fill the top ten places as in 2015 with some positional changes, the most significant being Sky's move from 10th to 8th. Sky was the only top-ten trader to increase its volume of contacts from the previous year, with an increase of 24%.

Top Ten Traders by contact volumes 2016

No.	Company	Number of 2015 contacts (Position)	Number of 2016 contacts
1	Eir Group	1,045 (1)	932
2	Three Ireland	1,016 (3)	852
3	Vodafone	1,022 (2)	748
4	Virgin Media	672 (4)	512
5	Harvey Norman	522 (6)	470
6	Meteor	578 (5)	382
7	Powercity	374 (7)	358
8	Sky	264 (10)	328
9	Argos	349 (8)	325
10	Currys	312 (9)	264

Personal Finance Contacts

There were 4,134 Personal Finance contacts in 2016. The table below shows the top ten financial sectors by volume of contacts, under the Personal Finance category. As illustrated in the table, Motor Insurance has, by far, the highest volume of contacts with 1,204 (29% of Personal Finance contacts for 2016), which is roughly twice the volume of the next sector, Mortgages & Equity Release, which has 594. The contacts received for these two sectors are assessed below and there are brief comments on a number of the other sectors.

Top Ten Personal Finance Sectors on which contacts were received in 2016

No.	Product Category	No. of contacts
1	Motor Insurance	1,204
2	Mortgages & Equity Release	594
3	Current Accounts	368
4	Loans	255
5	Credit Cards	254
6	Insurance outside of main insurance types (e.g. pet, wedding, boat insurance etc.)	253
7	Home Insurance	195
8	Hire Purchase/Car Finance/Consumer Hire	185
9	Health Insurance	128
10	Life Insurance	121

1) Motor Insurance

As can be expected with widespread media coverage of price increases and the announcement of a CCPC investigation in the sector, there was a significant increase in motor insurance contacts in 2016 (1,204 contacts) compared to the 2015 figure (815 contacts). This also moved the sector into the top position for contacts received by volume.

The main issues related to "Costs & Fees" with 345 contacts, of which 253 concerned an "Increase in Premium" with another 164 contacts relating to "Claims". There were a further 252 contacts in relation to "Information/Issues on Getting Motor Insurance" with 130 of these concerning being "Refused Insurance".

AXA had the highest number of contacts with 117 followed by Aviva and Chill with 69 and 67 respectively. The table below shows the top 10 motor insurance sector companies by contact volume.

Top Ten motor insurance sector companies by volume.

	Company	Contacts by volume
1	Axa Insurance	117
2	Aviva	69
3	Chill Insurance*	67
4	Liberty Insurance	55
5	its4women.ie*	53
6	Allianz Ireland Plc	43
7	AIG Ireland Ltd	41
8	AA Insurance*	41
9	FBD Insurance plc	39
10	123.ie*	34

**These companies are insurance brokers/intermediaries operating in the motor insurance sector. The other companies are motor insurance providers.*

2) Mortgages & Equity Release

There was an almost 40% reduction in the amount of contacts concerning Mortgages & Equity Release in 2016 (594 contacts) when compared with 2015 (980 contacts). Table five shows the top five mortgage types for which these contacts were recorded. Fixed Rate Mortgage contacts were the only classification type to increase in volume over 2015 figures - up from 78 contacts in 2015 to 119 in 2016. This classification also overtook Variable Rate Mortgage in the top position in 2016.

Top Five Mortgage Types under Mortgage and Equity Release

Mortgages & Equity Release	Total
Fixed Rate Mortgage	119
Variable Rate Mortgage	111
Applying for a mortgage/equity release	96
Tracker Rate Mortgage	94
Equity Release	46

3) Other Financial Product Categories

From the 368 contacts relating to Current Accounts, a wide variety of issues were identified in the period. In relation to the providers concerned there were 110 contacts regarding Bank of Ireland, 55 in relation to AIB, 49 relating to PTSB and 34 regarding Ulster Bank under the top two classifications for the Current Account heading, Lodgements/Withdrawals (30 contacts) and ATM & Debit Card (26). The main issue recorded is Fraudulent Use with a total of 28 contacts.

There were 255 contacts in relation to loans in 2016. Of these, 146 contacts were in relation to personal loan issues including 49 contacts concerning loans being declined, almost half of which (23 contacts) were Irish Credit Bureau¹ (ICB)-related issues. 20 contacts concerned Arrears & Debt.

The main issues raised under the 254 contacts recorded under Credit Cards were 48 contacts in relation to Disputed Transactions and out of these 38 refer to "Chargeback on Account" where the consumer was either making an enquiry about chargeback or where the consumer was given information on how to seek a chargeback. There were also 45 contacts related to Charges/Fees & Interest Rates, with 19 of these concerning Government Stamp Duty. The providers with the highest number of contacts under Credit Cards for the period were Bank of Ireland (44), AIB (31) and Avant Card (29).

7. Financial education

	Total at Q1	Total at Q2	Total at Q3	Total at Q4
Money skills for life talks	12	21	35	48
Number of individuals reached through Money skills for life	440	870	1,335	1,780

¹ The Irish Credit Bureau is an electronic library or database that contains information on the performance of credit agreements between financial institutions (i.e. banks, credit unions, building societies) and borrowers.

Appendix 4: Goal 4

Metric	Total
Numbers of internal seminars held	11
Numbers of internal training courses run	23
Staff numbers attending internal training courses	360
Numbers of external training courses attended	20
Number of vacancies filled	33



