



The Irish Competition and Consumer Protection Commission (CCPC) publishes its 2023 Annual Report

Insights - 19/09/2024

The 2023 Annual Report of the Competition and Consumer Protection Commission (CCPC) was released on 15 July 2024. It details the strategic goals of the CCPC, particularly following the introduction of the Competition (Amendment) Act 2022 which came into force on 27 September 2023.

| The CCPC's strategic goals

Visible enforcement and compliance

The CCPC's primary focus is on enforcement and compliance outcomes. The Competition (Amendment) Act 2022 (2022 Act) expanded the CCPC's power to enforce EU and Irish Competition Law. The CCPC now have the power to impose non-criminal financial sanctions for breaches of competition law. Additionally, the CCPC was made the designated authority for ensuring compliance with the Digital Services Act 2022 (DSA).

In 2023, the CCPC actively participated in EU-wide sweeps targeting social media influencers, the hospitality sector, car rental intermediaries and more, to ensure compliance with consumer protection laws. The CCPC also conducted numerous inspections, both online and in physical stores, to ensure compliance with product safety and pricing regulations.

Empower and inform

The CCPC's second goal is to continue to empower Irish consumers to make informed decisions by providing information about their rights. The CCPC primarily engages with consumers by way of its helplines and email contacts.

The CCPC report notes that its helpline was contacted nearly 40,000 times in 2023. The report also

notes that the CCPC actively grew its social media presence and reached over 18 million consumers in 2023.

Leading voice for consumers and competition

The CCPC's third goal is to continue to represent the interests of consumers and promote competition in Ireland. The report notes that this is done by way of market research and review, engagement with stakeholders to progress recommendations from the research, engagement with the National Competent Authorities and giving input to Government policy development.

The report also notes that it seeks to act as an advocate for change which will better protect the interests of Irish consumers.

Consumer Protection List

The Consumer Protection List (CPL) details the CCPC's consumer protection enforcement activities based on the Consumer Protection Act 2007 (2007 Act).

When an enforcement action has been taken, the CCPC updates and maintains the CPL, which details companies and individuals who have been subject to the enforcement actions below.

Prosecutions

The CCPC has statutory powers to take traders to court to prosecute alleged breaches of the 2007 Act, with one prosecution being referred in 2023.

A motor vehicle trader in County Limerick was found to have engaged in a misleading commercial practice pursuant to section 43 of the 2007 Act by misleading a consumer in relation to the mileage of a car. The trader was convicted, fined €2,000 and ordered to pay costs of €500 to the CCPC.

Compliance notices

A compliance notice is a written legal notice that the CCPC can issue to a trader who has committed, or is committing, a prohibited act or practice. There was a total of 24 compliance notices that took effect in 2023. The notices were issued for the following contraventions:

- misleading pricing to consumers as prohibited by section 43(1) and 43(3)(c) of the 2007 Act
- misleading consumers as to their rights under consumer legislation
- omitting or concealing critical information from a consumer
- failing to link the Online Dispute Resolution platform to consumers as required by EU Regulation

Fixed payment notices

A fixed payment notice is a set fine of €300 that the CCPC can issue to traders for failing to correctly display prices accurately or failing to provide certain information to a consumer. A total of 52 notices were issued in 2023. The notices were issued mainly for failing to display the selling price of goods offered for sale; or failing to display the selling price of beverages on sale in a licensed premise.

How Ogier can help

For any further information on the CCPC and its powers for competition and consumer rights, please contact a member of our Dispute Resolution team in Ireland via their contact details below.

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