



European Consumer Centre **DUBLIN**

ANNUAL REPORT 2004



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Tina Leonard, *Manager*

FOREWORD

The European Consumer Centre (Dublin) Ltd operates as a non-profit company limited by guarantee and is registered as a charity in Ireland. The Centre is funded by the European Commission, DG Health & Consumer Protection and the Office of the Director of Consumer Affairs. In 2004 ECC Dublin also received funding from the Department of Enterprise, Trade and Employment to operate its Clearing House function. In 2004 ECC Dublin spent just under €400,000.

As part of a network of Centres around Europe, ECCs have the objective of promoting consumer confidence in the Internal Market. In order to achieve this, the following functions are carried out: information and advice to consumers on their rights as consumers in the EU; assistance with cross-border consumer disputes; participation in pan-European projects; feedback to the European Commission.

In 2004, ECC Dublin handled 4,582 contacts from consumers. In line with ECC Dublin's change in focus to purely European and cross-border work (rather than dealing with national complaints), 66% of all contacts were EU related, more than double the 2003 figure. The greatest number of complaints related to travel, followed by misleading advertising (mainly related to fraudulent lotteries and misleading holiday promotions) and distance selling / e-commerce.

In 2004 ECC Dublin focused its information campaigns on e-commerce and on celebrating EU enlargement, while also carrying out 2 price surveys, issuing 12 press releases resulting in 144 media articles/interviews, issuing a monthly e-bulletin and participating in ECC network projects, working groups and meetings.

Work continued on the development of Alternative Dispute Resolution (ADR) for the resolution of cross-border disputes, in particular with the publication of two ECC reports on the development of ADR in Ireland and on the role of the Small Claims procedure in solving cross-border disputes.

In 2005 the merger of the two networks, the ECC network and the European Extra Judicial Network (EEJ-Net), will take place in order to consolidate the provision of consumer information and assistance to EU consumers. ECC Dublin looks forward to this and also to the first steps in the enlargement of the Network to include all 25 Member States.

ECC Dublin
April 2005



Back (left to right): *Tina Leonard, Arthur Hilliard, Juan Bueso, Elena Calavia*
Front (left to right): *Susan Reilly, Olga Solcova, Mary Denise Fitzgerald*

STAFF PROFILE

Manager

Tina Leonard

Legal Adviser

Elena Calavia

PR & Marketing

Mary Denise Fitzgerald

Clearing House Co-ordinator

Susan Reilly

Administrator

Lindis Lenox Conyngham (January-August)

Deirdre Breen (June-September)

Adviser

Lourdes Marques (January-July)

Juan Bueso (from October)

Olga Solcova (from October)

Arthur Hilliard (from October)

Work experience student placements

Claire Cartan, European Studies graduate,
France. February-April.

Juan Bueso, Law graduate,
Spain. June-October.

Toni Saalasti, Marketing graduate,
Finland. September-December.

Board of Directors

Chairman

Dermott Jewell, Chief Executive,
Consumers Association of Ireland

Directors

Colin Bird, Information Officer,
Office of the Director of Consumer Affairs
Josette Cuthbert, Regional Co-ordinator,
Comhairle

Mary Barrett, Consumer Policy Section,
Department of Enterprise, Trade &
Employment

Brona Carton, European Commission,
DG Health & Consumer Protection,
Food & Veterinary Office

Frank Friel, Solicitor (from Dec 04)

ASSISTANCE TO CONSUMERS

Overview of cases received

Main problems encountered





Elena Calavia, Legal Adviser

Overview of cases received

In 2004 ECC Dublin dealt with 4,582 contacts from consumers. As ECC Dublin began its refocus towards EU issues in earnest in 2004, 34% of all contacts still related to national issues and the majority of these were referrals to national authorities. This represented a huge decrease from 76% in 2003. It is envisaged that this will decrease again in 2005 due to the fine-tuning of ECC Dublin's focus and priorities.

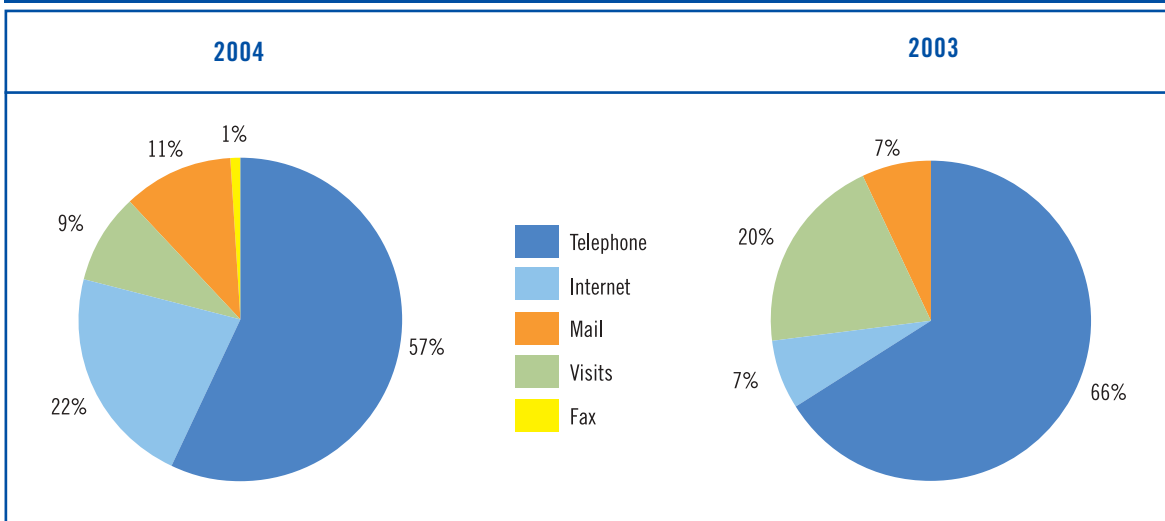
32% of all contacts were requests for information with the remaining 68% representing complaints. This can be further divided into two sections: (1) where advice was given to the consumer in order to enable him or her to solve the complaint themselves (83%); and (2) 'cases' where ECC Dublin staff intervened with the company on behalf of the consumer (17%).

The majority of complaints came from consumers based in Ireland (70%) and the majority of complaints related to UK companies. The second highest number of complaints was against

companies based in Spain. In both instances ECC Dublin generally intervenes directly with the company in the UK or Spain, due to the particular knowledge and experience at the Centre and due to the practicality of solving cases in that way.

With regard to method of contact from consumers, the main change from 2003 was the increase of contacts receive by email and through www.eccdublin.ie (22% compared to 7.5% in 2003). This can be explained by the constant promotion of ECC Dublin's website and a request to consumers to use email where possible as the preferred method of contact after first contact has been made with the Centre. Visits to the Centre decreased to 9% from 20% and this can be explained by ceasing to deal with national issues and queries.

CONTACT METHOD 2003 V 2004



Telephone	2605
Fax	46
Mail	494
Visits	416
Internet	1021

Telephone	3725
Fax	27
Mail	422
Visits	1140
Internet	425

Travel remained the number one category of complaint in 2004, representing 25% of all contacts. Misleading advertising was in second place with 9% and appears for the first time in the 'Top Four'. The huge number of complaints received by ECC Dublin against fraudulent lotteries can explain this. (See 'main problems encountered' below). Distance selling is the third highest category of complaint also at 9%. This is an area of complaint that has been steadily growing, from 1.5% of total contacts in 2002 to 5% in 2003. In addition, 19% of all contacts were referrals and 10% were requests for leaflets.

THE TOP 4

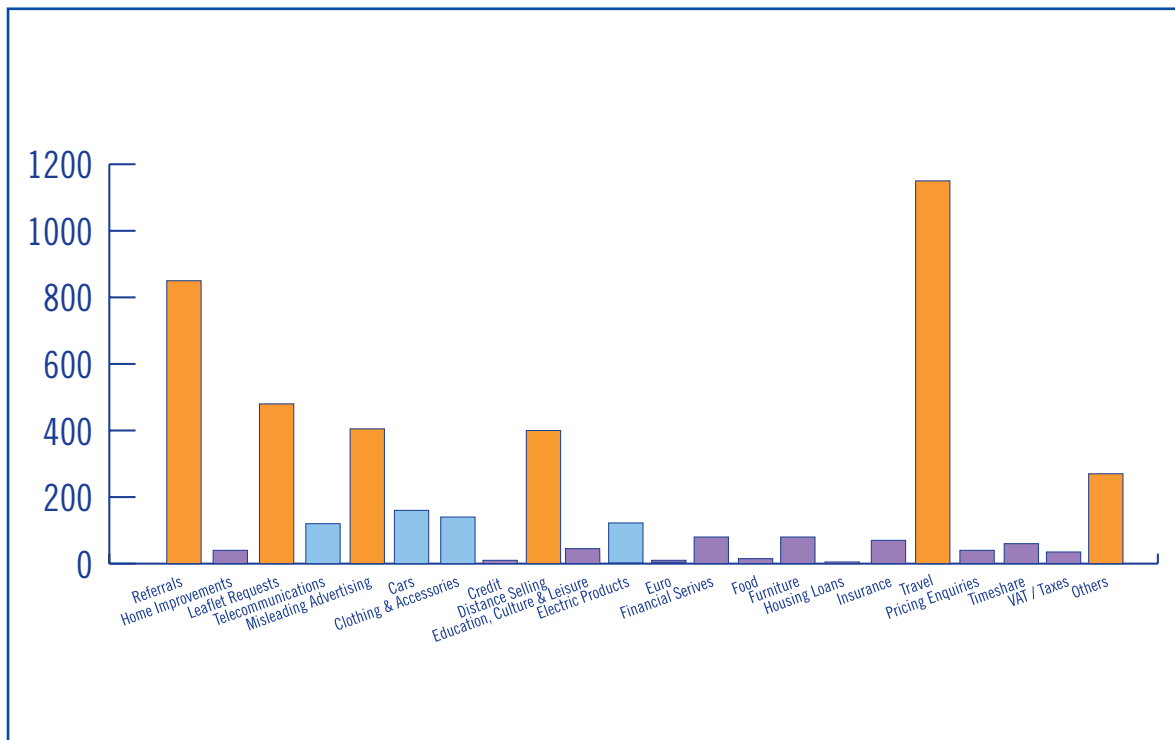
2004

Travel	25%
Misleading advertising	9%
Distance selling/e-commerce	9%
Electrical products	3%

2003

Travel	14.5%
Clothing and accessories	9.9%
Electrical products	7.1%
Distance selling/e-commerce	5%

CATEGORY OF COMPLAINT 2004



When ECC Dublin cannot solve a complaint through engaging in amicable intervention with the company, the complaint is passed to the Clearing House (CH) section of ECC Dublin. The Clearing House will assess the complaint and forward it to an Alternative Dispute Resolution (ADR) body for resolution, where available.

In 2004, 48 disputes were referred to the Clearing House, with the number of disputes received from consumers in another Member State against an Irish retailer amounting to 64% of the total.

The following is a breakdown of the 48 disputes received:

- 10 were resolved by CH without the need for any further action
- 3 consumers decided not to take their disputes further
- 1 company refused to take part in ADR
- 11 cases no ADR available and CH unable to resolve
- 4 cases rejected by the Clearing House
- 4 cases sent to another CH and the Irish CH is waiting to hear if there is an ADR body available to deal with the cases
- 15 cases sent to ADR

Out of the 15 disputes sent to an ADR body the following occurred:

- 4 cases are currently ongoing with the ADR body
- 4 cases were rejected by the ADR body
- 3 cases were resolved by Portuguese ADR body in favour of consumer (a total of €17,364.94 was returned to Irish consumers by Holiday Club company 'Club Praia da Oura').
- 3 cases were resolved by Irish Car Rental Council (non-notified ADR body) in favour of the consumer
- 1 case - the ADR body found in favour of the business.

Six ECC case studies are included here:

An Italian family flew to Ireland with Aer Lingus. On their return flight, they were told that the daughter (2 years old) should travel in her mother's arms due to the high number of passengers. The consumer was given information about his right to request a refund for the difference in price between the ticket purchased for the child and a ticket for an infant. However, on his return home, after several emails to the airline, the refund was not forthcoming. The consumer then contacted ECC Bolzano who passed on the case to ECC Dublin. The case was considered to be one of denying a seat due to overbooking, and the proper compensation was calculated. ECC Dublin contacted the airline seeking a refund for the consumer and the appropriate refund of €118.83 was received.

This case clearly shows how successful ECC can be, by using legal knowledge to solve the complaint, where a consumer has been ignored.

An Irish consumer booked a hotel in London through a website with an advertised rate of £40 per night. However, on her arrival she was told she must pay £50 per night as there were two people. This had not been mentioned on the hotel's website. In addition, the consumer also complained that the directions given to the hotel on the website were misleading, in order to make the hotel's location seem more central. The consumers decided not to stay in the hotel and so ECC Dublin had no broken contract to investigate. Nonetheless, the case was forwarded to ECC UK who contacted the Local Trading Standards Department. They agreed to investigate the situation and to review the advertising material that the hotel published on its website.

This is a good example of positive cooperation between ECCs and local enforcement offices.

Two women residing in Brussels hired a car while on holidays in Ireland. They had specifically ordered a small car, but on arrival were shown a larger and more expensive car. As there was no option, they took the car and signed the relevant agreement. ECC Dublin intervened with the car rental company on behalf of the consumers, on the basis that there had been a misrepresentation or mistake made in providing the wrong car to them at a higher cost. As a result of the direct intervention, a refund of the difference in cost of the two cars was given (€44 per day for the period of the rental) and an apology was also issued for the "poor level of customer service".

This is an example of a successful outcome from ECC's amicable intervention in a case where a solution was not likely.

An Irish consumer purchased a diamond engagement ring while on holidays in the Canary Islands. On returning home, the consumer had the ring valued and discovered that the clarity and colour of the diamond was not as described. Furthermore, the diamonds became loose and needed to be repaired and the retailer had not provided the original manufacturer's guarantee and appraisal. The consumer sought a refund but direct intervention with the retailer by ECC Dublin resulted in the retailer offering a repair only. This was unacceptable to the consumer. ECC Dublin then referred the case to ECC Barcelona, who contacted the consumer authorities in the Canary Islands (Oficina Insular de Informacion al Consumidor). An inspector from that office visited the retailer but failed to reach an agreement in relation to the consumer's complaint. However, the authority did fine the retailer. As the ECC could not solve the complaint, the file was referred to the Clearing House Madrid to be sent for arbitration.

This is an example of good cooperation, both between ECCs and with local authorities. It also indicates how difficult it can be to solve a complaint, even with intervention from a consumer authority.

An Irish consumer entered into a holiday club contract while visiting Portugal. One year later having not been able to avail of any holidays, he felt that the terms of the contract had been misrepresented to him and he sought a refund. The complaint was first received by ECC Dublin who liaised with ECC Portugal and corresponded with the company over a six month period without success. The file was then forwarded to the Irish Clearing House who passed the dispute to a Portuguese ADR scheme. Six months later the ADR body found in favour of the consumer and a refund of GB£6,000 was obtained.

This is a good example of a successful resolution of a cross-border dispute through using ADR.

A consumer was to travel from Munich to Dublin with his wife, on a flight with an Irish airline. When they arrived at Munich airport they were informed that the flight had been overbooked and just one seat remained on the flight. The consumer's wife took the seat and the consumer was denied boarding due to overbooking and was directed to the information desk where he was informed that there were no flights available until the following day. The consumer was asked to pay €50.00 for this flight and he had to pay the cost of the hotel accommodation himself for the over night stay.

Upon returning home the consumer wrote to the airline requesting a refund for the hotel accommodation, the €50.00 for the flight and also his compensation of €150.00 which was the legal entitlement for compensation under EC Regulation 295/91. However, the airline implied that this was not a case of denied boarding and that the consumer simply was a "no-show" for the flight.

The consumer wrote to ECC Dublin for further assistance, but the airline failed to respond to the ECC's correspondence. Unfortunately there is currently no ADR in Ireland to deal with complaints against the airline industry and therefore the consumer's complaint could not be resolved.

This provides an example of how the lack of a relevant ADR body in Ireland can hinder the successful resolution of a dispute.

In order to provide the optimum service to consumers, ECC Dublin carried out its annual customer satisfaction survey in November 2004, surveying past clients in order to get feedback on the level of service provided. The results of the survey contribute to the development of ECC Dublin's internal case handling procedures.

Main problems encountered

The main problems, as described to ECC Dublin, were travel related. These complaints consist of both complaints about package travel, flight-only travel and holiday promotions.

Since 2003 ECC Dublin has seen flight-only airline complaints increase by 35%. The majority of complaints related to delayed, damaged and lost luggage (25%), cancelled flights (9%), the airline going out of business (9%), information requests on air passenger rights (9%) and delayed flights (7%). While the majority of complaints were resolved through ECC intervention, a significant minority of complaints against Irish airlines could not be solved amicably and were sent to the Clearing House. Unfortunately there is no relevant ADR body in Ireland to deal with these and this 'gap' is dealt with in a report published by ECC Dublin in February 2005. A detailed analysis of complaints against airlines received by ECC/CH Dublin in 2003 and 2004 is also contained in the report .

A new area of complaint under the heading 'travel' and consisting of 344 complaints was holiday promotions. These were instances where consumers were told they had won a 'free' holiday and then paid an administration fee to avail of their prize and also paid for an additional person to travel with them. However, the holidays never materialised and the consumers lost their money. The largest number of complaints in this category was made against a UK based company called *Worldwide Vacations*. In order to deal with the volume of complaints ECC Dublin held many conversations and negotiations with the company and issued two press releases warning Irish consumers. The company promised to offer refunds, but unfortunately these never materialised in the majority of cases. However, the company did agree to stop trading into Ireland, so at least

this prevented more Irish consumers from further loss. ECC Dublin also sent files and had a meeting with the Irish consumer enforcement agency (Office of the Director of Consumer Affairs) in relation to this and another similar company based outside of the Irish jurisdiction. Unfortunately, the majority of these cases remain unsolved.

Another worrying development in terms of holiday promotion companies were 'cold calls' received by Irish consumers from American companies telling them they had won a cruise. Additional payment had to be made and when the consumer gave their credit card details, sums of up to €800 were debited within hours (contravening distance selling rules). In addition to the fact that the companies were from outside of the EU, ECC Dublin could not solve these cases as there was generally no contractual evidence, no advertisements and in many cases no contact details for the US company in question.

Complaints related to e-commerce and distance selling increased from 5% to 9% and the problem areas remained the same. The two main areas of complaint were non-delivery of products and receipt of defective products. These complaints will be explored in more detail in the third ECC network e-commerce report to be published in June 2005.

The high level of complaints under the category heading 'misleading information' was explained by a huge increase in complaints about fraudulent lotteries. The main lotteries concerned are *El Gordo* and *Lotteria Primitiva*. Generally consumers were given the impression that they had won money and had to pay an administrative fee or give their personal bank details to the company in order to process the prize. Unfortunately, the 'winnings' never existed. In another type of misleading lottery, consumers subscribed to a Germany lottery for a monthly

fee and were guaranteed winnings by the company, *FWC Lotteries*. In fact they did win, but on average €2 per month which meant they were investing significantly more than they were winning. ECC Dublin was not in a position to solve any of these cases, so instead issued a press release and engaged in media interviews warning consumers about the lotteries and also forwarded upset consumers to the Irish police in the case of fraudulent lotteries.

Other particular problem areas worth noting, related to the distance selling of fitness equipment from a particular UK based company (14 complaints) and an increase in cases against different car hire companies (42).

In relation to disputes referred to the Clearing House for resolution through ADR, a particular problem was the lack of relevant ADR bodies in Ireland. 20 disputes were received from consumers in other Member States against Irish retailers which represented a 64% increase on 2003 figures. However, the Clearing House could only refer 3 of these to an Irish ADR body. This gap in the provision of an adequate dispute resolution service for consumers with disputes against Irish retailers, informed the work of ECC Dublin's Clearing House in 2004, with a concentration on ADR development in Ireland.

FOCUS AREAS

E-commerce

EU Enlargement

Price Comparisons

ADR Development





Mary Denise Fitzgerald,
Marketing & PR Manager

E-commerce

As shopping online becomes more popular with 40 million more EU consumers shopping online now than 2 years ago, the ECCs continue to receive an increasing number of complaints related to shopping online. In March, the ECC network published its second e-commerce report “*The European Online Marketplace: Consumer Complaints*”. The Report analysed the e-commerce complaints received by the ECC network in the first 9 months of 2003. 1,863 ECC cases were analysed: 68% related to requests for information and the remaining 32% related to disputes. Out of the disputes, the main problems were found to concern the following:

Delivery	41%
Product	23%
Price & Payment	11%
Contract Terms	10%
Redress	9%
Ethical Issues	6%

Emerging problems were identified as non-delivery of goods and consumer 2 consumer transactions on Internet auctions; the existence of fraudulent Escrow companies and an increase in the number of complaints relating to trans-Atlantic purchases.

The Report concluded that while good legislation exists, many practical problems occur and that this situation called for effective enforcement and a need for information to be given to consumers on their rights when shopping online and also to web traders.



ECC Network Report:
The European Online Marketplace – Consumer Complaints

The report was produced by ECC Dublin and ECC Stockholm, and was designed in Stockholm and printed in Dublin. The Report was produced in time for the launch of the findings at the Irish Presidency conference on *Consumer Confidence and E-commerce* in March 2004. This European conference was used as a platform for launching the Report and the ECC Dublin Manager presented the results of the Report at the conference.

The Report was given to all attendees of the Irish Presidency conference and was also disseminated to DG Sanco, Irish government, ECC Net and the Irish media.

ECC network report “The European Online Marketplace: Consumer Complaints” can be accessed in PDF format on:

<http://www.eccdublin.ie/resources/publications/eu>



Members of the ECC network visit ECC Dublin after Irish Presidency conference



Lourdes Marques, Barbara Buttigeig from Malta, Mary Denise Fitzgerald and Lindis Lenox Conyngham at ECC Dublin

To tie in with the publication of the second ECC Network e-commerce report, *“The European Online Marketplace: Consumer Complaints”*, in March 2004, ECC Dublin ran a one week advertising campaign on national radio station Today FM. The 20 second long advert promoted consumer rights when shopping online and encouraged listeners to find out more by going to www.eccdublin.ie.

It was decided at an ECC Network meeting in March 2004 that a third e-commerce report would be produced to analyse the e-commerce complaints received by the Network in 2004. This Report would be published in Spring 2005. Work on this Report began in November 2004 and ECC Dublin along with ECC Stockholm continued to lead the project.

EU Enlargement

On May 1st, *Enlargement Day*, to celebrate the new 25 State European Union, all ECC Dublin staff visited Dublin airport and distributed 2,000 specially commissioned ECC Dublin luggage tags to passengers. In addition ECC Dublin information packs were sent to Euro Info Centres around Ireland for dissemination at *Enlargement Day* celebrations, which were organised in towns around Ireland. ECC Dublin joined the Dublin Euro Info Centre at their stand at the event in Dublin city to assist in providing information to the general public.

To tie in with EU enlargement day, ECC Dublin carried an advertisement in the country's largest selling magazine, *The RTÉ Guide* with the announcement that *“Shopping in Europe just got bigger”*. The advert also offered free ECC Dublin luggage tags to those who logged on to the relevant page of www.eccdublin.ie. Over 600 people logged on to avail of the free luggage tag offer.

Special posters were also produced to hang in ECC Dublin's shop window with the tag line: *‘1st May New European Market Opening’*.



ECC Dublin window with posters

Price comparisons

ECC Dublin produced two price comparison surveys in the first six months of 2004. The first price comparison compared the prices of Valentine's weekend breaks in four cities: Brussels, Paris, London and Cork. The second price comparison compared the prices of motor parts in Belfast and Dublin. Press releases were issued for both surveys and results were disseminated through the media in order to encourage consumers to shop elsewhere in the EU for better prices.

Valentine's Weekend price comparison survey

FLIGHTS

from Dublin | Depart Friday 13, rtn Sunday 15
Internet search for cheapest direct flights x 2 adults

Destination	Total Cost Rtn Flight	Airline	Website
Cork	€119.96	Aer Arann	aerarann.ie
London (LHR)	€276.52	Aer Lingus	aerlingus.com
London (Std)	€107.64	Ryanair	ryanair.com
London (LHR)	€205.45	British Midlands	ebookers.com
London (LHR)	€119.46	British Midlands	flybmi.com
Paris	€864.64	Aer Lingus	aerlingus.com
Paris	€824.08	Ryanair	ryanair.com
Paris	€887.04	Aer Lingus	ebookers.com
Paris	€889.36	Air France	airfrance.com
Brussels	€470.00	Aer Lingus	aerlingus.com
Brussels	€236.68	Ryanair	ryanair.com
Brussels	€828.40	Aer Lingus	ebookers.com

ACCOMMODATION

2 nights | 3* hotel, in or near city centre

City	Total Cost	Hotel	Website
Cork	€204.00	Isaacs Hotel	ryanairhotels.com aerlingushotels.com
Cork	€251.72	Jurys Inn	ebookers.ie
Cork	€162.00	Rochestown Park	hotelscentral.com
London	€142.00	Express by Holiday Inn Greenwich	ryanairhotels.com
London	€185.48	Palace Hotel	ebookers.ie
London	€160.00	Central Park Hotel	hotelscentral.com
Paris	€146.00	Ambassadeur Hotel	ryanairhotels.com
Paris	€278.20	Novotel Paris la Defense	ebookers.ie
Paris	€192.00	Pax Hotel	hotelscentral.com
Paris	€170.00	Ustel Hotel	ryanairhotels.com
Paris	€178.84	Eurovillage	ebookers.ie
Paris	€144.00	Ustel Hotel	hotelscentral.com

Ryanair.com and aerlingus.com use the search engine www.needahotel.com so the same accommodation appears. Hotelscentral.com displays prices in euro but amount is debited from credit card in USD.

DINNER IN A 2* MICHELIN RESTAURANT

City	Average Cost (p/p)	Restaurant	Website
Cork*			
London	€80-134 £56-94	Le Gavroche	viamichelin.com
Paris	€105-135	Carre des Feuillants	viamichelin.com
Brussels	€71-108	Sea Grill	viamichelin.com

*No Michelin star restaurant in Cork.
The cost of eating in either Thorton's restaurant or in Patrick Gilbaud's restaurant in Dublin ranges from €79-103 for the a la carte menu.

BOUQUET OF 12 RED ROSES

City	Cost + Nationwide Delivery	Florist	Website
Cork	€60.00+9.00	Justyne Flowers	justyneflowers.biz
London	€38.50+6.79 £55+4.75	Netflora	netflora.co.uk
Paris	€37.00+9.00	Aquarelle	aquarelle.com
Brussels	€30+9.00	Aquarelle	aquarelle.be

Exchange rate +€1 = £0.70 approximately

Conclusion

Just by comparing different websites consumers can save themselves money. Prices for flights range widely for destinations such as Brussels or London, whereas Paris prices are roughly the same. The average cost of accommodation (€205) is the same in Paris as it is in Cork. London and Brussels are cheaper averaging at €160 for two nights accommodation for two adults. For an evening meal in a two star Michelin restaurant the cost is approximately the same in all four countries. As a finishing touch to the romantic weekend a bouquet of red roses will cost €39 to €69 depending on where you buy.

Car Parts price comparison survey*

* Exchange rate as of 31st July 2004

EUR1 = STG0.66

S.P. = Sale Price

MOTORWAY AUTO EXPERTS: Blanchardstown Shopping Centre; Halfords Superstore, Belfast; Kwik Fit, Ballyfermot, Dublin; Kwik Fit Lisburn Rd, Belfast

ITEMS	BRAND	DUBLIN	BELFAST	STG TO EUR*
Roofboxes	Halfords 250L (smallest on sale) Gev 50kg (smallest on sale)	199.99	89.99	139.35
Wheel Trims	Max Parts 13' (x4) Max Parts 14' (x4) ABS Wheel cover 15' (x4) Halfords own brand 13' Halfords own brand 14' Halfords own brand 15'	29.99 31.99 34.99	S.P. 13.99 S.P. 14.99 S.P. 18.49	21.20 22.71 28.02
Mud flaps	Cannon Protec Protection (x2) Mud flaps (x2)	8.88	14.99	22.71
Cleaning Agents	Turtle Wax Original Hard shell shine car wax Turtle WaxFresh shine cockpit shine with air freshener CarPlan Triplewax screen and glass wipers	10.99 6.49 5.99	5.99 4.99 3.49	9.08 7.56 5.29
Puncture Repair	Holts Tryeweld Emergency Puncture repair 300ml	8.65	S.P. 5.99	9.08
Jerrycans	Meno jerrycan 5L Halfords fuel can 5L	5.99	S.P. 2.99	4.53
Car mats	Cannon Profile rubber grey(x4) Halfords car mat set (x4) Cannon Profile Premiere (x2) Cannon Trilogy Premiere (x2)	31.99 69.99	29.99 S.P. 29.99	45.44 45.44
Portable Air compressors	Kingavon 12 volt air compressor Halfords digital tyre inflator	19.99	S.P. 23.99	36.35
Foot pumps	PCL single barrel footpump PCL twin barrel footpump Michelin single barrel footpump Halfords Twin Barrel footpump	31.99 49.99	S.P. 11.99 S.P. 14.99	18.17 22.71
Battery chargers	Pro user compact 12 volt charger Halfords basic charger	19.99	17.99	27.26
Hands-free car kit for mobile phone	Cosmic universal handsfree Plug 'n' Go anywhere instant handsfree	79.99	59.99	90.89
Warning Triangle	Warning triangle	13.99	S.P. 7.49	11.35
Seat covers	Supreme seat cover (x2) Halfords heavy duty protective (x2)	84.99	24.99	37.86
Car Rug	Cosmic car rug Halfords travel rug	14.99	12.99	19.68
Towing mirror	Summit Elite towing mirror	18.99	12.99	19.68
Tow Rope	Metro stretch rope 4.4m Halfords heavy duty tow rope 4m	14.99	S.P. 9.99	15.14
Performance filter	K&N High-flow filtercharger	69.99	59.99	90.89
High performance oil	Castrel 4L	28.99	31.99	48.47
WD-40 spraying oil	200ml 400ml	3.99 6.49	1.99 2.99	3.02 4.53
STP complete fuel system for petrol engines	500ml	17.99	12.99	19.68
Brake & Clutch Fluid	Ferodo brake & clutch fluid Halfords brake & clutch fluid 250ml	3.49	2.19	3.32
Wipers	Bosch (Twin Packs) Ford Focus Toyota Corolla Toyota Avensis Nissan Almera Peugeot 206	16.39 21.49 21.49 18.99 24.99	18.49 17.49 N/A 18.49 20.99	28.02 26.50 28.02 31.80
Booster cables	Alpine cables 2.5m Halfords cable 2.5m	14.99	12.99	19.68
Steering Lock	Stoplock professional	69.99	39.99	60.59
Anti-freeze	Bardahl Type D Halfords anti-freeze & summer coolant 1L	4.99	3.99	6.05
Tyres	Kwik Fit Nissan Almera Tyre size 185/65 -15' Michelin (x4) Fully fitted Pirelli (x4) 25% off	420.00	269.00 189.50	407.58 287.12

ECC Dublin also participated in the ECC Network price comparison on postal charges:

Objective

The aim of the project was to survey the price, transit time and quality of sending parcels in the EU. The ECC Network wanted to find out what actually happens to parcels once they are dispatched across the EU.

This project was not a definitive analysis of parcel post in the EU but a small window into the world that is European parcel post services from the consumer's viewpoint.

Methodology

Thirteen European Consumer Centres participated in the project. 260 parcels were sent to thirteen destinations¹. The parcels were sent via standard and priority post where these options were available. 154 priority parcels and 106 standard parcels were dispatched. All parcels were dispatched at 10am on Tuesday 14th September (local time) from the closest post office to the respective ECC. Each Centre recorded when the parcels arrived to their offices.

Each parcel weighed 2.5kg and contained goods such as flour, paper, books, rice and pasta.

We decided to use the services of An Post and SDS as the GPO on O'Connell St, Dublin, is our closest post office.

Findings

The project findings can be summarised under three headings: Price, Transit Time and Quality of service.

Price

Priority Parcels

There are considerable price differences across the thirteen countries. The most expensive priority parcel was sent from Ireland (€34). All

priority parcels from Dublin were €34 except to the UK which was €31. The cheapest priority parcel was sent from Luxembourg to Enschede in The Netherlands (€10.10). Finland and Sweden were the second (€33.95) and third (€31.73) most expensive countries for sending priority parcels.

Standard Parcels

Not all countries surveyed offered to send parcels by standard mail. France, Portugal, Sweden, Luxembourg and Ireland do not offer this option. There are, however, two exceptions to this rule in Ireland:

- (i) There is a special rate for sending books from Ireland to continental Europe. For this survey books weighing 2.5kg were sent for €9 per parcel.
- (ii) All types of parcels can be sent to the UK via standard mail.

Prices also varied when sending parcels by standard mail in Europe. The cheapest standard parcels were sent from Vienna to Kiel in Germany and Bolzano in Italy (€13.37). The most expensive standard parcel was sent from Bolzano to Helsinki in Finland (€27.53).

Transit Time

Under this heading we looked at the length of time it took for the parcels to arrive to their destinations. We wanted to find out if the priority parcels arrived before the standard parcels. In order to get a clear indication of transit times we analysed 106 priority and standard parcels that were sent simultaneously.

What we found was that only 52 priority parcels (49%) arrived before the standard parcels. 35 priority parcels (33%) actually arrived at the same time as the standard parcels. 10 priority parcels (9%) arrived after the standard parcel. As of 15th November 9 parcels had not been received (8%).

¹ Austria, Belgium, Finland, France, Germany, Ireland, Italy, Luxembourg, Portugal, Spain, Sweden, The Netherlands, United Kingdom



Susan Reilly,
Clearing House Coordinator

It would appear from these findings that choosing priority mail doesn't guarantee priority service! In this survey priority mail was more expensive than standard mail (where available) but paying extra didn't always guarantee a faster service.

Quality of Service

We wanted to find out if the parcels were delivered in a good condition or if they were damaged in transit.

Overview of Irish results

Priority parcels

In Ireland we sent 12 priority and standard parcels. 6 priority parcels arrived before the standard (50%). 3 priority arrived after the standard (25%), 1 arrived at the same time and 2 have not yet arrived as of 15th November.

We also sent a priority and standard parcel to the UK on Tuesday 14th September. Neither of these parcels had arrived as of 15th November!

In Ireland SDS offer some guidelines as to when you can expect your parcel to be delivered. For example SDS indicated on their website that a priority parcel to Luxembourg would take 3/4 working days. In fact it took 9 days in our survey. Using these guidelines of the 13 priority parcels we sent 9 did not arrive on time (69%).

Conclusions

- Prices vary greatly for priority and standard parcels among countries.
- Choice is limited for some EU consumers
- Paying more doesn't always guarantee better service.

ADR Development

The Clearing House of the European Extra Judicial Network (EEJ-Net) was a part of ECC Dublin and in 2004 had as its main objective to contribute to the development of Alternative Dispute Resolution (ADR) in Ireland. This was to be achieved through liaising with ADR bodies, businesses and with the Consumer policy section of the Department of Enterprise, Trade and Employment.

Liaising with ADR bodies

On three occasions in 2004, the Clearing House Co-ordinator met with the Chartered Institute of Arbitrators' Irish Branch, to discuss the nomination of their organisation as an ADR Body to the European Commission. At each of these meetings the organisation expressed its interest in becoming notified under the two Commission Recommendations. However they had concerns relating to financial resources and these had to be discussed further before they were in a position to put themselves forward for nomination.

The Irish Clearing House received a request from the Car Rental Council of Ireland to attend their Annual General Meeting in February 2004. This request followed a mail shot which was sent out to many businesses and associations. The mail shot contained information on the benefits of ADR and how it could create consumer confidence in their products and services. The members of the Car Rental Council were interested in learning more about ADR schemes and how it could be of benefit to them. One of the concerns expressed by the

council members at this meeting was the set-up cost of such schemes. This meeting proved to be very successful in creating a new working relationship, and has resulted in the successful resolution of three cases that were referred to the Clearing House by ECC Dublin. A follow up meeting will be arranged in 2005.

The Clearing House Co-ordinator also met with the Society of Irish Motor Industry (SIMI) to encourage them to put forward their ADR scheme for nomination. The scheme was developed with the Chartered Institute of Arbitrators – Irish Branch, and SIMI were interested to see their ADR scheme notified with the European Commission.

In August 2004, the Clearing House Co-ordinator met with the Air Transport Users Council (ATUC), the longest running policy council in Ireland's Chamber of Commerce. ATUC seeks to ensure that there are effective, efficient and competitive air transport services to, from and within Ireland, available to serve the interests of the business community throughout the country. The purpose of the meeting was to highlight the problems the Irish Clearing House & ECC Dublin experienced when trying to resolve cross-border consumer disputes and to see if it was possible to arrange a meeting with member airlines to discuss ongoing issues and promote the possibility of ADR airline complaints. Although the Clearing House was unable to achieve the objectives set out, a good working relationship was nonetheless developed with the ATUC, which can be built upon.

Additional contact via telephone, email and meetings took place with ECODIR and the Direct Selling Association of Ireland.

Liasing with business

In June 2004 the Clearing House produced an ADR fact sheet, which detailed the benefits of ADR for business. This was produced as part of the aim to inform more businesses about the advantages of participating in ADR.



The fact sheet was sent to all Business Associations in Ireland, Chambers of Commerce of Ireland (National & Regional) (102), Irish County Enterprises Boards (37), and to the Euro Info Centres (5) in Ireland. One immediate result of this endeavour was that three County Enterprise Boards agreed to put the ADR fact sheet on their websites.

The fact sheet can be downloaded at <http://www.eccdublin.ie/resources/publications/factsheet.pdf>

Towards the end of 2004, the Clearing House decided to concentrate its efforts on the promotion and development of ADR in the area of airline complaints, based on the level of complaints the Clearing House received over the last two years of operation, and also based on the fact that more and more people are using air travel. Airline disputes represented the third highest category of complaint overall, accounting for 13% of the cases received. However it

represents 42% of the cases our office receives from consumers from another Member State with a complaint against an Irish Company. As there is no ADR in Ireland that can deal with airline disputes, complaints against airlines that could not be solved amicably were remaining unsolved. The Clearing House wanted to gather consumer opinion on the following:

Satisfaction with level of service received from airline carrier,

Knowledge of consumer rights when flying,

Knowledge and awareness of various dispute resolution options (unprompted and prompted),

Awareness of ADR and ECC, and

Any other items of interest.

A market research company was hired to create a questionnaire and 1,000 consumers were contacted by telephone. The results of the questionnaire was published in February 2005 and follow-up action is being taken with the airlines.

Liasing with the Department of Enterprise, Trade & Employment

In April 2004 the Irish Clearing House presented the Department of Enterprise, Trade and Employment (DETE) with a detailed report on ADR in Ireland and the need to promote and develop it further. The aim of producing this Report was to inform and influence the debate at Government level with regard to the development of ADR in Ireland. The Report analysed cases received by the Irish Clearing House; described ADR in Ireland; described ADR in other Member States; and made recommendations for the development of ADR in Ireland. The recommendations included the development of the existing umbrella ADR organisation, the Chartered Institute of Arbitrators and the establishment of a consumer complaints board / ombudsman type system.

A copy of this Report (PDF file) is available on the ECC web site,

http://www.eccdublin.ie/resources/publications/ADR_development_in_Ireland.pdf

In June 2004, the Clearing House produced a second report for the DETE, this time exploring the possibility of using the Small Claims Court as a means of solving cross-border disputes. The Report looked at obstacles to taking cross-border claims to the Small Claims procedure; at possible amendments to the current Small Claims system and at the remedies available to Irish consumers who have disputes in other EU countries. The Report concluded that it would not be practical or possible for the Small Claims procedure to accept overseas consumers' complaints, without amendments to the Irish legal system. A PDF version of the Report can be downloaded at:

http://www.eccdublin.ie/resources/publications/Small_Claims_Court_Report_June_2004.pdf

In addition, in 2004 the Irish Clearing House submitted applications for the nomination of three Irish ADR bodies with the European Commission to the Department of Enterprise Trade and Employment. The applications were made on behalf of:

Private Residential Tenancies Board

The Private Residential Tenancies Board (PRTB) was set up to resolve disputes between Landlord and Tenants, operate a system of tenancy registration and provide information and policy advice. From December 6th 2004 landlords and tenants were able to refer disputes to the Private Residential Tenancies Board for resolution by mediation, adjudication or tribunal hearing.

ECODIR

ECODIR helps consumers and businesses prevent or resolve their complaints and disputes online using a quick, efficient and affordable service. The service is free to both consumers and businesses.

Direct Selling Association Ireland

The Direct Selling Association (DSA) is the national trade association of the leading firms that manufacture and distribute goods and services sold directly to consumers. More than 150 companies are members of the association, including many well-known brand names. This Association offers consumers a free independent dispute resolution service against any of their member companies.

The Department of Enterprise, Trade and Employment asked that the applications of the above ADR bodies be postponed for a short period while application forms and procedures were developed by the Irish Government for this process. ECC Dublin looks forward to further development in this area in 2005

GENERAL INFORMATION DISSEMINATION

Monthly Consumer e-bulletin

Website www.eccdublin.ie

General Advertisements

Press Releases

www.eccdublin.ie



Monthly Consumer e-bulletin

From January to July ECC Dublin continued to publish its online quarterly newsletter *ConsumerWatch*. In July the newsletter became a monthly e-bulletin called *ECC Dublin Consumer Monthly*. More streamlined in content and with a new target audience of consumers, the e-bulletin was distributed monthly to a free subscription base of 591, which included consumers, DG Health & Protection, Irish government, ECC Net and other relevant organisations. Each monthly e-bulletin focuses on one consumer topic, such as e-commerce or travel and includes a consumer question of the month. Readers can subscribe and unsubscribe through www.eccdublin.ie. ECC Dublin's monthly bulletins can also be accessed on: <http://www.eccdublin.ie/resources/publications/index.htm#consumer>

Website

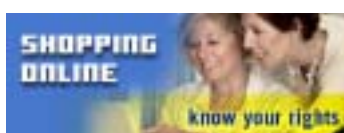
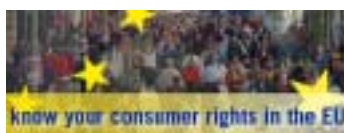
www.eccdublin.ie was updated on a monthly basis and additionally when required, using the in-house editing programme created for this purpose. Any redevelopment work was deferred until 2005 pending any changes due to the merger of the ECC and EEJ-Net networks.

All advertising and promotional work carried out by ECC Dublin during the year aimed to divert consumers to ECC Dublin's website for information and also to contact the Centre regarding a consumer complaint or dispute.

As a direct result of this the number of visitors to www.eccdublin.ie rose by 30% to 77,766. (Web site 'visitors' of 77,766 = 1.69 million 'hits')

In 2005 ECC Dublin plans to carry out redevelopment work on the website in order to fine-tune ECC Dublin's focus and to develop the provision of information online.

ECC Website Advertisements



General advertisements

ECC Dublin engaged in a year-long online campaign with www.pigsback.com a popular Irish shopping site. A link to www.eccdublin.ie was retained and several specific questions related to cross-border shopping in the EU were posed during the year to encourage users to think about shopping in the EU and to search for answers to the questions posed on ECC Dublin's website.

An advertisement was placed in the *Trinity College Student Handbook* for the academic period 2003/2004, targeting students who travel as part of their studies.

In June, a general advertisement about ECC Dublin was placed in the magazine *Insight*, which is a nationally distributed magazine aimed at people with disabilities.

ECC Dublin placed a general advertisement in an annual wall planner for 2004, produced by the Consumers Association of Ireland.

Press releases

12 press releases were issued in 2004. These resulted in 144 media contacts in the form of press articles and radio and TV interviews. In addition, there was a further 14 mentions of ECC in a regular national newspaper column and 9 on a regular Dublin radio slot.

Topics covered by the press releases were:

- *“Opt for European love for bigger value and better choice”*
(Valentine’s cross-border price survey)

- *“Lovers engage overseas”*
(buying engagement rings abroad)

- *“2003-a vintage year for consumer complaints cross-border”*

- *“Building consumer confidence in the European online marketplace”*
(Irish presidency release mentioning ECC e-commerce report)

- *“1st May: Shopping in Europe just got bigger!”*

- *“Donegal consumers targeted by a foreign lottery scam”*

- *“Free holiday comes with a price tag”*
(holiday promotion scams)

- *“Here come the ‘free holiday’ scams”*

- *“New protection for the flying public”*
(Montreal Convention)

- *“Tips on Shopping in Spain”*

- *“Portugal offers the winning formula to Irish consumers”*

- *“Just in time? ECC network survey EU postal services”*

- *“Bypass customs this Christmas”*

INVOLVEMENT WITH THE ECC NETWORK

Common Projects

Network Meetings Attended

Study Visits



Common Projects

E-commerce and Postal Services

ECC Dublin co-organised the second ECC Network e-commerce project (see 'Focus Areas above) and began work on the third ECC Network e-commerce project in November 2004. ECC Dublin also participated in the ECC network project on postal services (see 'Focus Areas above), which was coordinated by ECC Kiel in Germany.

Shopping in EU

ECC Dublin participated in the creation of the ECC Net '*Shopping in Europe Guide*' in the first half of 2004. However, as this guide did not include the 10 new Member States, ECC Dublin decided to lead the completion of the guide by gathering information from the 10 new Member States in the second half of 2004. This was achieved in cooperation with ECC Düsseldorf / Gronau. Final checking and editing of the material gathered will be completed in the first quarter of 2005 by ECC Dublin and ECC Düsseldorf / Gronau. ECC Dublin plan to launch the *Shopping in Europe Guide* at the end of April 2005.

Cooperation Day

ECC Dublin was a member of the steering group that conceived of, and organised the ECC network Cooperation Day. Other members of the group were ECC Stockholm, ECC Athens and ECC Kiel. This group later expanded to include the chairpersons and rapporteurs for each of the key working areas. They were ECC Brussels, CH Denmark, ECC UK, ECC Düsseldorf, ECC Helsinki and ECC Barcelona. The aim of Cooperation Day was for all ECC Managers and one or two other staff members to come together to discuss the positive development of the Network in three areas: case handling; projects and meetings. Cooperation Day was held on October 4th in Brussels and

was co-chaired by the ECC Stockholm and ECC Dublin Directors. The successful day was followed by two further meetings of the steering group, in London in November 2004 and the final meeting in Brussels in January 2005. It was decided that on that date that the steering group would be dissolved and work would be taken over by the two new working groups that had been established.

Network meetings attended

22nd January	ECC Directors meeting, Brussels
25th February	ECC IT tool training, Brussels
16th March	ECC/EEJ-Net meeting, Brussels
14th May	ECC cooperation day steering group meeting, Copenhagen
30th June/1st July	ECC/EEJ-Net meeting, Brussels
4th October	ECC Cooperation Day, Brussels
13th October	ECC/EEJ-Net meeting, Brussels
26th November	ECC cooperation day steering group meeting, London

Study visits

In January, the ECC Dublin Manager and an ECC Dublin Adviser visited ECC Stockholm to learn more about their work. Discussion took place regarding case handling methods, promotional work and management. In addition meetings were conducted with representatives from the Swedish Complaints Board, and the Swedish Consumer Agency. The visit also provided an opportunity for the two offices to discuss the production of the second ECC Network e-commerce report, of which they were joint organisers.



Study visit to ECC Stockholm
(Left to right): *Lindis Lenox Conyngham, Peggy Haase, Tina Leonard, Per Wilkinsson, Ea Hamilton, Agneta Gillback, Fredrik Nordquist.*

In February 2004, The Clearing House Co-ordinator of ECC Dublin travelled to Denmark to review the ADR System of the Danish Complaints Board to gain a greater knowledge and understanding of ADR and how it can be successfully utilised. The information from this trip was included in the Clearing House report on the need to develop ADR schemes in Ireland.

In June, ECC Dublin Legal Adviser visited ECC Barcelona to discuss case handling procedures and cooperation. This was particularly important given that after the UK, the majority of cross-border cases handled by ECC Dublin related to Spanish traders.

The ECC Legal Adviser availed of an opportunity to visit ECC Brussels in October, while in Brussels to attend Cooperation Day. The discussion centred on case handling and key problem areas.

SYNERGIES WITH OTHER STAKEHOLDERS

Educational programmes

Conferences / seminars attended

Others



Educational programmes

In April 2004 the Irish Clearing House of ECC Dublin decided to organise a half-day meeting in Dublin with representatives from the five Irish Euro Info Centres (EIC). The purpose of this meeting was to discuss work carried out by each network and to discuss how we could work together in order to foster better future cooperation. The meeting opened with a presentation of the EEJ-Net and the Irish Clearing House and continued with discussion regarding possible synergies. Following on directly from this meeting, the EICs put information on the Clearing House on their websites and assisted with the distribution of the ADR fact sheet produced by the Clearing House.

In June and July, ECC Dublin undertook to travel to key Citizens Information Centres (CIC) nationwide, in order to ensure that these important information providers had a high level of understanding of ECC Dublin's objectives. A PowerPoint presentation was created and all ECC Dublin staff members were involved in the programme that amounted to presentations at eight different venues. This outreach programme was important as the CICs provide information to the public on their social rights and entitlements and there are many referrals and a high level of cooperation between the two organisations.

The general outreach programme continued, with ECC staff responding to requests as they occur from schools and community groups. A further nine presentations were made to these groups.

In addition, on invitation, presentations were given at conferences and seminars to relevant organisations and stakeholders in consumer issues. A further eleven presentations were made in this context:

19th February: E-commerce presentation, Irish Internet Association user forum, Dublin

15th March: "ECC e-commerce report" presentation, E-confidence conference, Dublin Castle

29th March: "Practical guide to online shopping" presentation to Irish Internet Association

30th March: Presentation on "Access for consumers to redress mechanisms", Comhairle training programme.

21st April: ECC / Euro Info Centre meeting, Dublin: Presentation on ECC/EEJ-Net.

27th April: ECC/CH presentation to Swedish delegation, Dublin

4th May: ECC/CH presentation to Austrian delegation, Dublin

12th May: ECC/CH presentation to Hungarian delegation, Dublin

19th May: ECC/CH presentation to Polish delegation, Dublin,

25th November: Presentation on ECC Dublin to annual conference of Irish Countrywomen's Association, Dundalk,

1st December: Presentation on ECC Dublin and EU consumer rights to Hungarian and Romanian delegates at a conference organised by the Institute for Public Administration, Dublin

Conferences / seminars attended

15th January: Irish Financial Services Regulatory Authority (IFSRA), strategic plan launch, Dublin

22nd January: European Advertising Standards Authority (EASA) road-show, Dublin

5th February: Launch Dublin Euro Info Centre

27th February: Seminar on lottery scams, Office of Fair Trading, London

15th March: E-confidence conference, Irish Presidency, Dublin Castle, Dublin

27th/ 28th April: E-business conference, Dublin

28th/29th April: Consumer conference, Toledo, Spain

29th April: Public Relations Institute of Ireland annual conference, Dublin

5th May: Public relations event with Alistair Cooke, Dublin

25th May: Government legal briefing on services in Internal Market proposal

21st October: Dutch Presidency consumer conference, Amsterdam

22nd October: SOLVIT presentation, Dept. of Enterprise, Trade & Employment

9th/10th November: Annual consumer assembly, European Commission, Brussels

19th November: Meeting with Consumer Strategy Group regarding Irish consumer policy.

Other

Throughout 2004 ECC Dublin continued to liaise with the Office of the Director of Consumer Affairs (ODCA), in relation to enforcement issues. Files were forwarded to the ODCA in relation to specific issues and a meeting took place with ODCA enforcers in October.

In August ECC Dublin produced an opinion paper on the Irish government's consumer strategy, which was submitted to the Consumer Strategy Group. The group was established to report and advise on future consumer policy in Ireland and will report to government in early 2005. In November the ECC Dublin Manager met with the Chairwoman and coordinators of the Consumer Strategy Group to engage in further discussion on the issue.

Ongoing informal cooperation such as information exchange and information dissemination, continued with many relevant organisations including the Citizens Information Centres; Consumers Association of Ireland; Euro Info Centres; European Commission Representation in Ireland; Competition Authority; Irish Financial Services Regulatory Authority; Food Safety Promotion Board and the Irish Internet Association.

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