



EUROPEAN
CONSUMER
CENTRE
DUBLIN

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Annual Report 2005





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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 2005 ECC Dublin spent just over €400,000.

As part of a network of Centres around Europe, all ECCs have the objective of promoting consumer confidence in the Internal Market. In order to achieve this ECCs: provide information and advice to consumers on their rights as in the EU; assist consumers with cross-border disputes; participate in pan-European ECC Net projects and give feedback to the European Commission.

2005 was an exciting year for the ECC Network as it saw the official amalgamation of ECC Net with the European Extra Judicial Network to form the new ECC Net. Additionally, many new ECCs were opened in the recently acceded Member States. By the end of the year there were 24 Centres in 22 Member States as well as in Norway and Iceland.

At ECC Dublin, having worked to develop its position in the previous two years as an expert office dealing solely with EU consumer issues, that position was consolidated as seen in complaints received and projects carried out.

In 2005 the European Consumer Centre Dublin dealt with 3,365 contacts from consumer. 11% of contacts were for information only and the remaining 89% required giving detailed legislative information and active intervention between a consumer and a company in a cross-border situation. The main area of complaint related to 'travel' (32%), followed by 'distance selling' (12%) and 'misleading advertising' (8%).

Mirroring the main problem areas, in 2005 ECC Dublin focused its promotional campaigns on air passenger rights, online shopping and shopping in Europe, producing reports, information leaflets, advertisements and two price comparisons on the topics.

Monthly e-bulletins were issued on a variety of topics to 777 subscribers and 9 press releases were issued resulting in 144 media articles and interviews. ECC Dublin exceeded its own target by receiving 105,902 visitors to the redeveloped www.eccdublin.ie.

ECC Dublin's continuing work on Alternative Dispute Resolution (ADR) development focused on the airline industry and the creation of a new ADR nomination form in cooperation with the Department of Enterprise, Trade & Employment.

ECC Dublin participated fully in the ECC network, both by liaising on case work, in particular with the UK and Spain, and by contributing to and leading joint Network projects. ECC Dublin acted as mentor under the European Commission TAIEX programme to ECC Latvia in 2005 and also welcomed representatives from ECCs Poland and the Czech Republic to Dublin during the year. ECC Dublin gave presentations at three ECC Net events and gave eight further presentations at national and local level. Cooperation at national level continued on a firm footing with a range of relevant organisations and national networks.

Tina Leonard
ECC Dublin
March 2006

STAFF PROFILE

Manager

Tina Leonard



Legal Adviser

Elena Calavia



PR & Marketing

Mary Denise O'Reilly



Administrator

Emma Byrne



Dispute Resolution Adviser

Susan Reilly



Consumer Adviser

Juan Bueso



Consumer Adviser

Arthur Hilliard



Barry Fitzgerald (Legal Adviser: maternity cover, January – October)

Olga Solcova (Consumer Adviser January – March)

Work experience placements

Karolin Åkerström,

European studies student, Malmö, Finland.

31st January – 18th February.

Aurelie Gommenginger,

European studies graduate, Strasbourg, France.

June – August

Céline Christian,

Marketing Graduate, Belgium.

November – January 2006



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

ASSISTANCE TO CONSUMERS

Overview of complaints received

Main problems encountered



Overview of complaints received

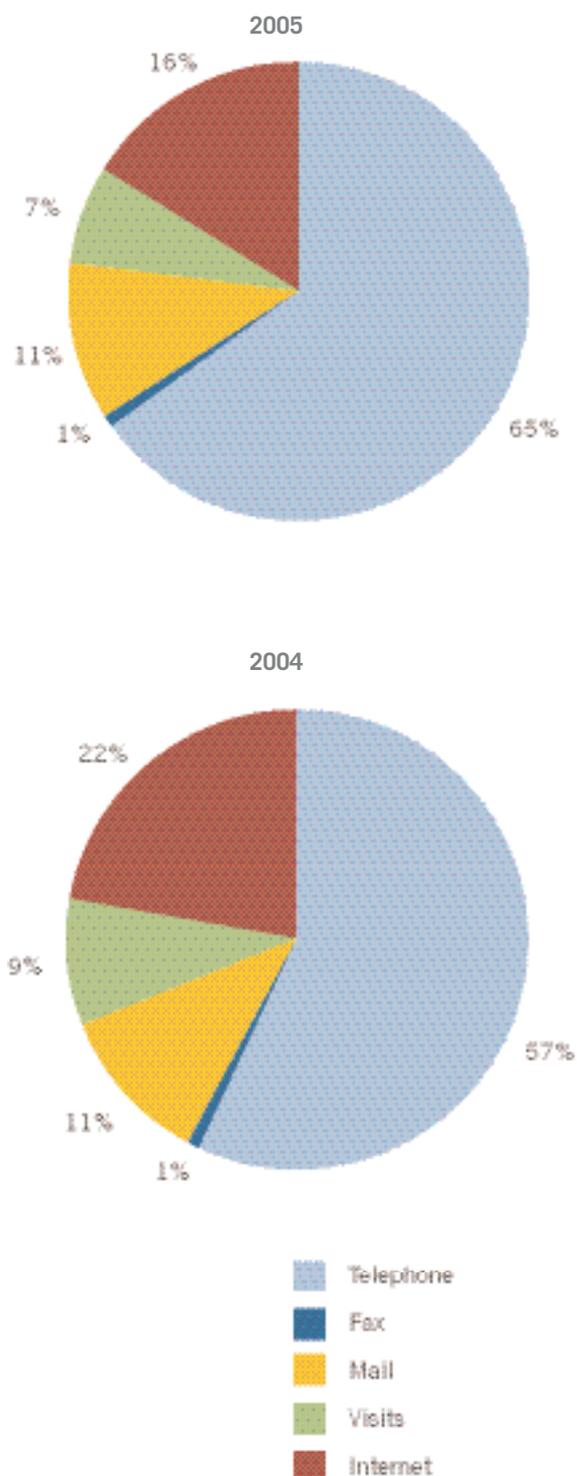
In 2005 ECC Dublin dealt with 3,365 contacts from consumers. The decrease in relation to contacts in 2004 (4,582) is directly attributed to the fact that ECC Dublin has successfully refocused solely on EU / cross-border issues which has seen a decrease in complaints relating to national issues from 34% in 2004 to 25% in 2005.

Furthermore, the number of requests for information received decreased (11% in 2005 compared to 32% in 2004). This resulted in more expert complaint handling work than in previous years. This 'assistance' based work, where detailed legislative information was given and/or intervention on behalf of the consumer was made, was at a high of 89% of all contacts received. These changes reflect the development of ECC Dublin and the ECC Net as a whole as experts singularly focused on EU consumer legislation as it is utilised within the Internal Market.

As in 2004, the majority of complaints received were from consumers based in Ireland. The majority of complaints once again were made against companies based in the UK, followed by complaints against companies based in Spain.

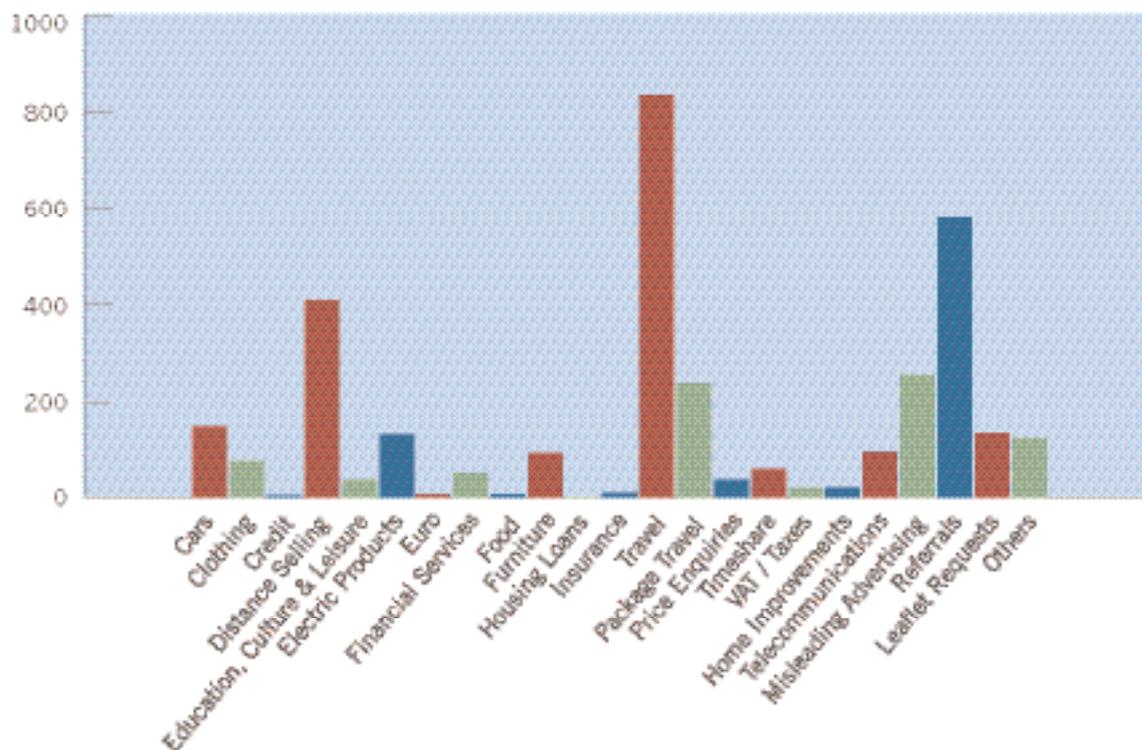
With regard to the method of contact from consumers, it was disappointing to record a decrease in contacts received via email and / or from www.eccdublin.ie (from 22% in 2004 to 16% in 2005). This is an area that will require focus in 2006, as ECC Dublin practices a policy of encouraging the use of online methods for accessing information and making a complaint. Visits to the Centre decreased by 1% to 8% in 2005, reflecting the trend of contacts regarding cross-border disputes made via telephone or email. Telephone contacts were recorded at 65%.

Contact Method 2005 V Contact Method 2004



Main problems encountered

All Complaints Received 2005



The Top 4

2005		2004	
1.	Travel (inc package travel) 32%	Travel (inc package travel) 25%	
2.	Distance selling 12%	Misleading advertising 9%	
3.	Misleading advertising 8%	Distance selling 9%	
4.	Cars 4%	Electrical products 3%	

travel

As in 2004 the main problem encountered was in relation to travel, and the queries in this category increased from 25% of total contacts to 32% in 2005. The category 'travel' included both air travel and package travel with package travel representing just over 22% of those complaints.

Within the category of 'travel', complaints relating to air travel increased by 82% over 2004. This is in part to do with much media information on the new air passenger rights regulation which became law in February 05 and which continued throughout the year.

For the first time the main area of travel complaint related to delayed flights (24%). However, as legislation protecting consumers in the event of a delay did not exist prior to February 2005, it is not surprising that this emerged as the main new category in 2005. The second highest area of complaints related to lost, damaged or delayed luggage (23%), complaints about which are governed by a separate piece of legislation. Complaints about cancellation were the third highest category of travel complaint (17%), with denied boarding, also governed by the new EU Regulation, representing 3% of travel complaints received.

The majority of complaints received required detailed provision of legislative information but not intervention. Just over half of all cases dealt with related to complaints from foreign residents against the two main Irish airlines. In those cases that required direct intervention with the airline on behalf of the consumer (8.5%), ECC Dublin's success rate was 90%, securing approximately €9,000 in refunds and compensation for consumers. There was a 93% success rate in cases forwarded to Ryanair for consideration due to ongoing positive cooperation with the company.

The EU Regulation governing delays, cancellation and denied boarding is enforced in Ireland by the Commission for Aviation Regulation and a meeting was held with that body to discuss their newly appointed role in July. It was agreed that more detailed cooperation would be developed after a review on work carried out by both organisations in 2005.

Case studies

Lithuanian children were denied boarding by an Irish airline when travelling to London for medical treatment as they were deemed too young to travel on their own, as per the terms and conditions. On translation of the Lithuanian version of the terms and conditions it transpired that, unlike the English language version, they did not specify age limits for children travelling on their own, ECC Dublin argued that the children should not have been denied boarding. A refund of €737.13 was obtained.

While travelling from Seville (Spain) to London a Spanish passenger's baggage was burnt, was left without wheels and generally damaged while in the care of the airline. Under the international Montreal Convention a passenger is entitled to compensation for damaged luggage. This passenger had complied with the Montreal Convention's requirement of filling in a Property Irregularity Report, and sending a letter of complaint within 7 days of receipt of the baggage. The claim was initially ignored but following ECC Dublin's intervention the value of the bag (€60) was refunded.

Four Spanish consumers expected to fly from Brussels (Belgium) to Valladolid (Spain) with an Irish airline but the flight was cancelled due to an air traffic controllers strike in France. The airline re-routed its passengers to Girona (Spain), which is more than 750 km away. No further assistance was offered once there. In order to reach their final destination, the consumers hired a car with the hope of reimbursement afterwards. As no satisfactory reply was given by the airline, the consumers contacted the Spanish ECC, which forwarded the complaint to ECC Dublin in order to contact the company on their behalf. As a result of our intervention, the airline finally agreed to reimburse all receipted expenses (€378.97), as per their legal obligation under Regulation (EC) 261/2004.

A consumer from Luxembourg expected to fly with an Irish airline from Pisa (Italy) to Frankfurt (Germany) but the flight was delayed and departure only took place the following morning. The consumer incurred a number of expenses during the waiting time, including hotel accommodation. As the airline denied any responsibility, the consumer contacted ECC Luxembourg, who forwarded the complaint to ECC Dublin. The airline was contacted and finally agreed to reimburse all receipted expenses (€155), as per their legal obligation under Regulation (EC) 261/2004.





distance selling

'Distance selling' complaints also increased from 9% in 2004 to 12% in 2005. Distance selling includes all purchases made by distance means such as by phone, catalogue and online, but the majority of complaints related, as before, to online shopping. The increase can be accounted for by the continuing increase in the practice of shopping online and in the consistent marketing of shopping online entitlements by ECC Dublin, with increased publicity around the time of the publication of the ECC Net e-commerce report each year.

The majority of complaints were made against web traders based in the UK, Germany, and France. Complaints against companies based in the UK and Germany were the two most common in 2004 but France featured significantly in the number of complaints received in 2005 for the first time.

As with 2004, the main areas of complaint concerned the non-delivery of the product and receiving faulty or defective goods. However, 2005 saw a significant increase in the number of complaints involving fraud, with a large number of complaints arising out of consumer 2 consumer (C2C) transactions that were concluded between private individuals who had met through internet auctions. These problems basically arose because the consumers went offline at an internet auction site to conclude their transactions. This practice is advised against by internet auction sites, as consumers have no added protection when they conclude their purchase independently of the internet auction site. It should be added that purchases on internet auction sites do not fall under the provisions of the EU Distance Selling Regulations which protect consumers when shopping online and so consumers need to be particular vigilant and aware when using auction sites.

Case studies

An Irish consumer purchased two cameras and numerous accessories online with a French web trader. The cameras arrived but only some of the accessories were delivered. The consumer contacted the company who offered her a refund for everything if she returned them. She did not accept this solution as she was happy with the purchases she had received and wanted to receive the missing items. She contacted ECC Dublin who forwarded the case to ECC Kehl (France) for direct intervention with the company. At that stage the company no longer had the items in stock and so a refund was secured for the cost of those items that were not delivered (€50).

An Irish consumer purchased two laptops from a UK based website and paid for them in advance by Western Union. The consumer never received the laptops. It turned out that the website was fraudulent. Fraudsters had stolen the name of a legitimate company based in the UK (which did not even sell laptops) and had simply used their postal address on the website. They had pretended to sell laptops and other such products at good prices but then disappeared with consumers' money. As the money had been sent by money transfer, it would be almost impossible to trace. The consumer had to be referred to the police as it was a criminal matter.

misleading advertising

It is interesting that 'misleading advertising' was still quite high in terms of category complaint, down just 1% from 2004. In 2004 this category increased greatly, due to a proliferation of problematic holiday promotion companies and foreign lotteries. While there was no surge of activity in terms of these misleading promotions in 2005, the level of complaints has almost remained constant, showing that these activities or 'scams' continue to affect many consumers. The same problem areas continue, with foreign lotteries and misleading promotions the most common cause of complaint.

cars

In relation to 'car' complaints, the main area of complaint here related to car rental problems, particularly for Irish consumers in the Spanish market. The main problem in this sector relates to unjust charges after completion of the contract. Typical scenarios include consumers' credit cards being charged for damage after they have returned the car or extra fuel costs being charged for example, even though the car had been inspected and accepted on its return.

The increase in booking car rentals online has brought a new set of problems, mainly in relation to misleading information on prices. A usual scenario here was that the amount advertised and agreed upon ended up being higher when the consumer arrived to collect the rental car.

Detailed information on problems associated with car rental in the Internal Market, as reported to the ECC Network, can be found in the ECC Net report on car rental problems, published in November 2005.

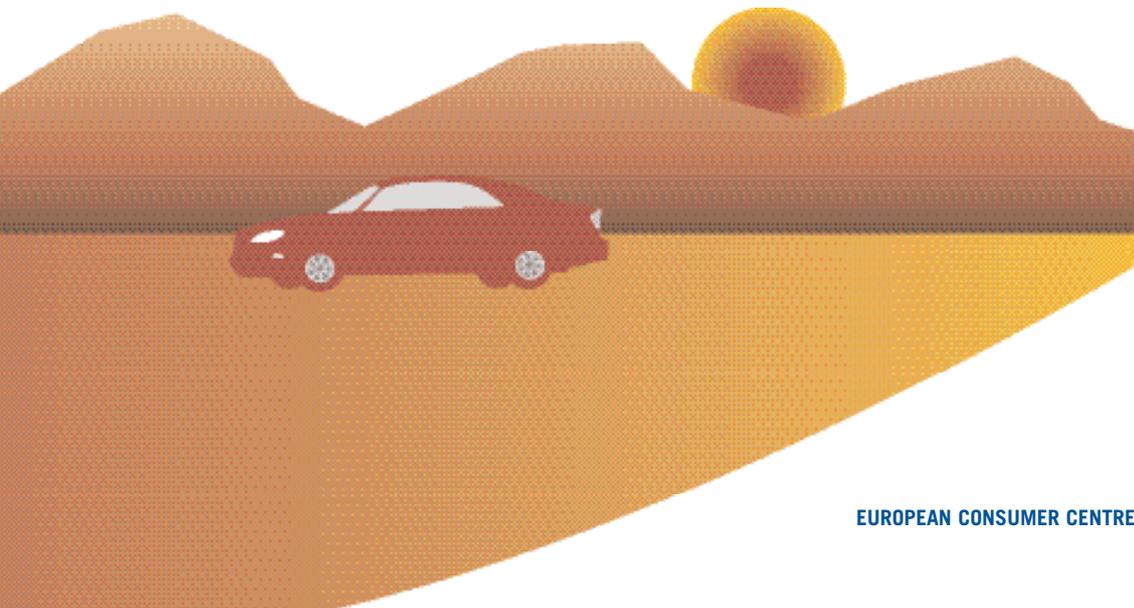
In relation to other car complaints, an increase was noted in the number of cases relating to cars bought in the UK and ECC Dublin will monitor this area to see if this develops.

Also in 2005, particular problems were encountered with four British companies offering buyers to Irish residents who had advertised their cars for sale. While ECC Dublin only recorded 10 complaints relating to this in 2005, it also generated some media attention. Unfortunately, already more than treble that number of complaints on the same companies has been received by March 06. Therefore this is an area on which further information must be given to consumers and more liaising with UK and Irish enforcement authorities must take place.

Case studies

An Irish consumer who rented a car in Spain was charged €52 more than expected, even though the car was left in perfect condition and with the tank full of petrol. As the consumer could not resolve the issue by dealing with the company, he requested the intervention of ECC Dublin. Following on from the referral of the case to ECC Barcelona, the company was contacted. The company argued that the price quoted initially did not include the cost of the fuel, which was due to be paid on collection. According to their terms and conditions, clients shall return the tank empty. In light of the situation and this questionable policy, ECC Barcelona continued to argue on behalf of the consumer and the company finally agreed to reimburse the monies paid for the fuel.

An Irish consumer hired a car from a German car hire firm and returned the car to Trieste (Italy). The car was returned with a full tank of petrol and was examined by an employee. The consumer was then charged €200 for 76 litres of fuel. The consumer made a direct claim to the company but to no avail. He then contacted the ECC Dublin who considered that no charge should have been levied, as after inspection no mention was made of the charge in the vehicle return report. ECC Dublin forwarded the case to ECC Bolzano in Italy who contacted the company and secured an apology and a refund for the consumer.



other

While not in the 'Top 4' of complaints received, there are further areas that deserve a mention. ECC Dublin received complaints about continuing problems related to the purchase of electrical goods in shops in Spain. The typical problem is that these goods are marketed and sold as particular well-known brands but turn out not to be so. Interestingly a notable number of complaints relating to the exact same issue have also been recorded by ECC UK.

ECC Dublin also continued to receive complaints from Irish consumers who had bought jewellery and other items while on holiday in Spain.

Another area of note regarded cross-border telecommunications contracts with a UK satellite TV services company. 57 cases were recorded against the company alone in 2005. The problems recorded relate to a number of issues mainly: faulty 'digi boxes'; installation problems; charges levied without provision of service and general billing mistakes.

Other general complaints were received covering all sectors, and especially relating to products purchased by Irish consumers from UK companies.

Case studies

An Irish consumer bought three MP3 players in the Canary Islands, paying €1,390 in total. As the items were not as described and turned out to be faulty, the consumer contacted ECC Dublin. The case was forwarded to ECC Barcelona who subsequently contacted an officer from Consumer Affairs in the Canary Islands. The officer acted as a mediator on behalf of the Irish consumer and obtained a refund of €1,000.

An Irish consumer bought a watch during a holiday in the Canary Islands. It was for a present but three days later the watch stopped working. As the consumer had difficulties in reaching the retailer, he contacted ECC Dublin. ECC Dublin assisted with the organisation of the return of the watch and of its repair. The retailer ensured the product was repaired and returned to the consumer free of charge in accordance with the EU Directive 99/44 dealing with the 'sale of goods and associated guarantees'.

An Irish consumer ordered a jacket over the phone through a UK based company, paying GB£150 by credit card. The jacket was delivered two days later but the consumer was not happy with the fit. The consumer rang immediately to cancel the order but was told that it was not the policy of the shop to give refunds. Eventually, a credit note was offered but, as the consumer was not happy with the offer and was unable to reach other agreement, he contacted ECC Dublin. ECC Dublin contacted the shop and obtained the full refund for the consumer on the basis of the consumer's entitlement to cancel a distance contract for any reason within 7 days under the EU Distance Selling Regulations.

An Irish consumer made a phone call from a hotel in Northern Ireland to his wife's mobile for 3 minutes and 6 seconds and was charged GB£24.49. When the charge was queried the hotel confirmed the phone system was faulty. The fault meant that if the call was not immediately made after lifting the handset the call would be considered to be made to a premium rate service and would not show the phone number to which phone call was actually made. This assertion was later denied by the hotel saying that the charge was legitimate even if there was no proof of same. After numerous attempts to resolve the complaint by amicable intervention, ECC Dublin secured a refund of the amount charged for the consumer.

disputes sent to Alternative Dispute Resolution Bodies (ADR)

When ECC Dublin cannot solve a complaint through engaging in amicable intervention with the trader, the dispute is assessed and forwarded to a relevant Alternative Dispute Resolution (ADR) body, where available.

While there is a tradition, and therefore availability of ADR bodies in many Member States, the same cannot be said of Ireland. Traditionally, the success of the Small Claims procedure has negated the need to develop ADR procedures. However, as the Small Claims procedure cannot be used for cross-border disputes this puts foreign consumers with complaints against Irish companies at a significant disadvantage. (The development of ADR procedures in Ireland is dealt with in a further section).

Out of the 27 ADR disputes, 14 or just over 50% related to travel: Air travel (5); Timeshare (5); Other travel (4). The other disputes related to: Furniture (4); Electrical products (4); Cars (2); Distance selling (2); Education, Culture & Leisure (1).

In terms of the resolution of these disputes the outcome was not good. 10 of the disputes received were against Irish companies, and of these 10 cases only 1 could be referred to an ADR body in Ireland. The ADR body in question (*the Private Residential Tenancy Board*) is not a nominated ADR body under European Commission Recommendations and the case is still active. No relevant ADR body was available in the other cases. Of the 17 disputes brought by Irish consumers against traders in other EU countries, 4 are still active against a Portuguese Timeshare company. Unfortunately the majority of the remaining cases have been closed unresolved as the company would not participate in ADR.



Case studies

A Spanish consumer booked rented accommodation for herself and her family in Ireland with a Dublin based company. The agreed price for the contract was €1000 for the rental of the property and €1000 deposit to be returned when she vacated the property, which was duly paid. After a short period the consumer decided to return to Spain. However, as it was a Sunday the letting agency was closed and she was unable to get a refund of her deposit in person. It was agreed that the €1000 would be transferred to her bank account within 2-3 days. Four months later the consumer contacted ECC Madrid requesting assistance in obtaining a refund of this deposit as she has been unable to obtain it herself. This case was referred to ECC Dublin where initially a number of attempts were made to rectify this matter amicably, but without success. The case was then referred to the Private Residential Tenancies Board (PRTB), an ADR body set up to resolve disputes between landlords and tenants. The case was resolved with the rental company returning the deposit of €1,000 to the consumer before proceedings began.

An Irish consumer purchased a motor home at a cost of GB£75,384 (Irish VAT paid €18,295) from a UK based company. Following the purchase of this motor home the consumer had unfortunately experience five major problems which were not resolved by the company. This complaint was referred to an ADR Body in the UK. However as the company was not a member of the scheme the dispute could not be handled by them. The ECC Dublin researched a number of ADRs within the UK in order to find a suitable body to handle the matter. However this proved to be unsuccessful.

The case was closed unresolved and the ECC recommended that the consumer employ a solicitor to take a claim under the Rome Convention which allows citizens to take a Court action in the state in which they are resident, against a company based in another. Proceedings have been initiated against the company.

FOCUS AREAS

Air passenger rights
Shopping in Europe
E-commerce
Price surveys



Air passenger rights

To mark the introduction on 17th February 2005 of new air passenger rights under Regulation EC/261/2004, ECC Dublin produced 3,000 copies of a new leaflet called *Guide to Air Passenger Rights*. The guides were made available online as well as sent to relevant stakeholders such as CIC network, libraries, the CAI and ODCA. A reprint of this leaflet, including the new ECC Net logo was produced in December 2005, with a print run of 5,000 copies.

In addition, 5,000 luggage tags were produced. Over 1,000 luggage tags were distributed by ECC Dublin staff in Dublin airport on 17th February. ECC Dublin issued a press release on the same day to advise consumers of their new rights. New posters on air passenger rights were produced and placed in ECC Dublin's 'shop window'.

In order to generate public and airline interest in the development of an airline ADR scheme, market research company Insight Statistical Consulting were commissioned to carry out market research to gauge the level of public awareness on air passenger rights. 1,067 adults surveyed and 73% had travelled by plane and 54% by flight only. The key results were as follows:

- 48% of the passengers that travelled on a flight only in the past twelve months experienced at least one problem.
- Only 28% of passengers with problems made complaints. 66% said it would not be worthwhile to complain.
- Main problems were with delayed and cancelled flights and damaged and lost luggage.
- 75% of passengers were unsatisfied with outcome when complaints were made.
- 88% of unsatisfied passengers (above) intended not to pursue the matter.
- Only 30% of passengers were aware of their rights.



'Air Passenger Rights' Poster

ECC Dublin also produced a report analysing the complaints against airlines received by the Centre in 2003 and 2004 called *Report on Airline Complaints in 2003-2004*. Both the research produced and the Report provided more background information for analysis of air passenger complaints, but were also produced to act as a catalyst for meetings with the Irish airlines and discussion regarding complaint handling and ADR development in the sector.

The ECC Dublin *Report on Airline Complaints in 2003-2004* is available at: http://www.eccdublin.ie/publications/reports/ecc_reports/eccdublinairlinecomplaintsreport.pdf

ECC Dublin Pricing Survey of 20 well known goods in 11 EU Cities

CATEGORY	PRODUCT	SIZE	VIENNA (AT)	PRAGUE (CZ)	PARIS (FR)
Clothes (female)	Zara jeans with green ribbon	all sizes	49.90	49.31	49.90
	Zara raincoat	all sizes	69.00	65.76	69.00
	Levis 501	all sizes	79.90	75.33–131.25	52.00
Clothes (male)	Zara grey pants with pockets	all sizes	49.90	49.31	49.90
	Zara grey wind-breaker jacket	all sizes	99.00	98.65	99.00
	Levis 501	all sizes	79.90	75.33–131.25	59.00
Beauty Products (male)	Gucci Envy aftershave	50ml	31.00	32.57	39.60
		100ml	46.00	45.72	59.40
	Hugo Eau de Toilette spray	150ml	43.00	64.14	48.80
Beauty Products (female)	Chanel No5 Eau de Parfum	35 ml	53.00	56.58	49.00
		50ml	73.00	79.28	55.40
		100ml		112.17	
	Lancome Miracle Eau de Parfum	30ml	42.00	45.39	33.00
		50ml	61.00	67.43	47.00
	Yves St Laurent Touche Eclat	2.5ml	30.00	35.86	26.80
	Clinique Soft Finish Foundation	30ml	25.50	24.00	26.00
Creme de la Mer Moisturiser	30ml	128.00			
Music	U2 'How to dismantle an atomic bomb'	CD	22.90	16.41	25.80
	Britney Spears 'Greatest Hits of'	CD	22.50	20.03	23.80
	Apple iPod 20GB with click wheel		309.00	358.55	329.00
Luggage	Samsonite upright case	(79cm)	160.00	147.99	165.00
	Louis Vuitton upright case		1,730.00–1,930.00		1,250.00
Transport (single fare; from airport to shopping district)	Train		3.00		16.00
	Bus		6.00	(shuttle)2.96	12.00
	Taxi		29.00	23.00	25.00
	Express Train		9.00		
Magazines	Vogue (english version)		10.70	9.87 (6.74 US ed)	6.00
	Cosmopolitan (english version)		7.25	9.21 (6.90 US ed)	6.50
Lunch in dept. store or shopping street	Tea / Coffee		2.50	1.97–2.63	2.30
	Sandwich		(panini)2.80	4.40–5.50	4.75
City Bus Tour				11.50	22.00

All prices denominated in euro (€)

€1 = 30.40CZK on 20.04.05

€1 = 364.64HUF on 24.04.05

€1 = 9.0207SEK on 21.04.05

€1 = .66STG on 15.04.05

Where blank, goods were unavailable for pricing

Shopping in Europe

A series of 25 country specific guides (6,200 guides published) were produced and made available to the public and all ECCs on 1st May, marking the first anniversary of EU enlargement to 25 Member States. This was the culmination of an ECC Net project from 2004, and the completion of the *Shopping in Europe Guide*, to include the 10 newest Member States, was lead by ECC Dublin in conjunction with ECC Düsseldorf / Gronau.

Along with issuing a press release on the Guides, ECC Dublin also issued results from a 'Shopping

DUSSELDORF (DE)	BUDAPEST (HU)	DUBLIN (IE)	ROME (IT)	MADRID (ES)	STOCKHOLM (SE)	ENSCHEDÉ (NL)	LONDON (UK)
49.90	48.55	49.90	49.90	36.00	53.10		53.03
69.90	67.57	69.00	69.00	49.90	71.95		74.24
	63–76.00	79.00	88–110.00	72–90.00	88–144.00	79.95–94.95	75.00–151.52
	48.55	49.90	49.90	36.00	53.10		
	80.25		99.00	69.00	99.22		104.55
	63–76.00	105.00	88–110.00	72–90.00	88–114.00	79.95–94.95	75.00–151.52
28.95	32.07	41.00	43.00			39.00	
			62.00	37.00			
55.00	58.70	(100ml)46.00	(125ml)44.30	53.70	(100m)51.55	55.00	63.64
50.00	56.20			50.50	57.56		
70.00	79.45	70.00	55.00	70.00	79.82	51.65	73.48
98.00				100.00		91.25	104.55
29.99	41.84			40.30	41.57		
58.95	66.77	53.00	53.58	60.90	65.41	61.00	62.88
	32.71	26.50	25.00	28.50	42.68		31.82
24.95	23.24	26.00	26.50	26.00	26.61	26.10	25.76
120.00		125.00			124.16		
17.99		19.99	22.90	15.95	22.06	13.99	15.14
16.99		16.99	20.60	18.95	22.06	13.99	15.14
299.00		369.00	339.00	299.00	332.46	309.00	316.67
139.00	152.09	149.00		213.00	155.09	209.95	
1,120.00–1,730.00		1730.00	1730.00		1,152.90–1,762.61		
2.00	(metro/bus)1.20		9.50	1.15	21.00		5.76
2.00	(shuttle)8.87	1.75–5.00	9.00	1.00	9.87		6.06
15.00		20.00	40.00	20–22.00	49.00		69.40
					21.00		21.21
11.15	7.61	5.87	7.00	7.35	9.20	6.90	5.15
6.95	8.41	5.09	7.50		5.43	5.00	4.47
2.00–3.00	2.07	1.50	.90c	1.00–1.45	2.11–2.22	1.25–1.75	1.89
1.50–5.00	6.55	3.90	(panini)2.90	3.75	3.88	2.95–3.95	2.95
	27.05	14.00	13.00				24.24

in Europe' price comparison survey. In March and April ECC Dublin compiled prices from ten EU cities of goods such as cosmetics and clothing.

The price comparison showed that from Zara jeans to Apple iPods, Madrid was on average the cheapest destination for a shopping trip. A pair of Zara jeans with a green ribbon for women costs €36.00 in Madrid but in Stockholm and London it cost over €50.00. A 20GB Apple iPod cost €299 in Madrid, the same as in Düsseldorf, but was a pricey €369.00 in Dublin.

But the survey concluded that not everything was cheaper in Spain. For example, a standard Samsonite upright suitcase cost over €200 in Madrid whereas it cost €139.00 in Düsseldorf. U2's *How to dismantle an atomic bomb* CD only cost €13.99 in Enschede in the Netherlands whereas it cost €15.95 in Madrid. The same CD was even more expensive in Paris at €25.80.



Shopping in Europe' Poster

Prices in Dublin for Zara clothing were exactly the same as in Vienna, Düsseldorf, Rome and Paris. Prague and Budapest were slightly cheaper for the same clothes where London and Stockholm were more expensive.

When comparing prices for cosmetics the survey showed that in general it was cheaper to buy in the airport where products were available to be priced. For example 100ml bottle of *Hugo Eau de Toilette* spray for men cost €46.00 on the high street in Dublin but you get 150ml for €46.60 in Dublin airport.

ECC Dublin conducted this pricing survey to make consumers aware that prices do differ in the EU and they should make the most of these differences when travelling. The pricing survey also helped create awareness around the new shopping Guides. New posters on the theme 'shopping in Europe' were produced and displayed in ECC Dublin's 'shop window'.

The *Shopping in Europe Guide* is available at:
http://www.eccdublin.ie/publications/eu_shopping.html

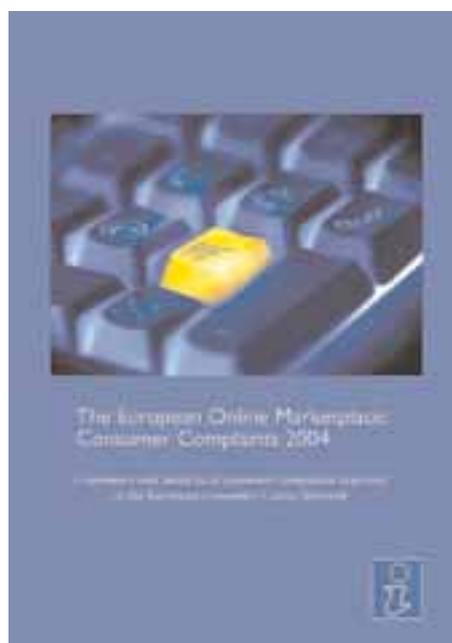
ECC Net e-commerce report

The second annual *Report on the European Online Marketplace* by the ECC Network was co-written and co-produced by ECC Dublin and ECC Stockholm and was printed by ECC Dublin. The Report analysed the complaints received by the Network on 2004. Interestingly the main problems remained the same as those from the previous year, with non-delivery causing one third of all problems reported. Problems with internet auctions increased with more fraudulent material being reported and complaints against US based web traders also increased.

The report findings as well as a press release were issued to the media in June and ECC Dublin also engaged in online advertising relating to shopping online with pigsback.com. This coincided with the launch of the Report at a conference organised by ECC Kehl in Germany, at which both Report authors, Arthur Hilliard, ECC Dublin and Fredrik Nordqvist, ECC Stockholm, presented the findings. The authors also presented the findings of the Report to an e-commerce event and dinner hosted in Brussels by the European Parliament committee on consumer affairs in October. Additionally, contact was initiated by the Federal Trade Commission in the US subsequent to the publication of the Report and this informal cooperation developed during the year.

The Report is available at:
http://www.eccdublin.ie/publications/reports/ecc_reports/eur_online_marketplace_2004.pdf

E-commerce report cover



Price surveys

In addition to the price survey published by ECC Dublin in May 2005 to coincide with the launch of the *Shopping in Europe Guide* (see above), a second price comparison survey was carried out in December 2005.

ECC Dublin launched its Christmas pricing survey to help consumers get the best gifts at the best prices. The Centre compared the prices of the ten popular toys and fourteen gifts for adults in Ireland with those in the UK. It found that, in general, prices were cheaper in the UK.

In Ireland, the survey examined prices in Toymaster, Argos, Golden Discs, Easons, as well as HMV. In the UK it analysed prices in Argos and online with www.amazon.co.uk. The survey revealed that consumers can save from €2 to €25 by shopping either online or by travelling to Northern Ireland.



Some examples from the survey include:

- A Bush Widescreen LCD TV (27inch) cost €749.99 in Argos in Dublin whereas it cost €724.62 in Argos in Northern Ireland. This meant a saving of more than €25.
- You could purchase the big Roboraptor on www.amazon.co.uk for €117.83 (delivery charges included), which meant a saving of €7 compared to the price by Toymaster in Dublin.
- Desperate Housewives DVD in HMV cost €54.99, whereas it cost €44.75 on www.amazon.co.uk, giving a saving of €10.24.
- A Samsung A6 digital camera cost €229.99 in Argos in Dublin but cost €217.38 in the UK edition of Argos, a saving of €12.61 by going North.

This small survey showed that it was very often useful to compare prices, to shop around and to surf on the internet in order to save money.

Top Ten Toys – Republic of Ireland v UK

ITEM NAME	ROI: PRICE	UK: PRICE		DELIVERY CHARGE		TOTAL		DIFFERENCE
	€	£	€	£	€	£	€	€
Roboraptor	124.95	78.95	114.42	2.35	3.41	81.30	117.83	7.12
Robosapien 2	300.00	199.00	288.41	5.93	8.59	204.93	297.00	3.00
Baby Annabell (46cms)	49.95	31.89	46.22	0.95	1.38	32.84	47.59	2.36
Baby Annabell (36cms)	19.95	14.94	21.65	0.44	0.64	15.38	22.89	-2.34
Gorilla Attack	50.00	29.97	43.43	0.90	1.30	30.87	44.74	5.26
Barbie Pegasus Annika	24.95	16.94	24.55	0.51	0.74	17.45	25.29	-0.34
Barbie Pegasus Flying Horse	27.95	14.99	21.72	0.45	0.65	15.44	22.38	5.57
Barbie Pegasus Styling Head	29.95	22.95	33.26	0.68	0.99	23.63	34.25	-4.30
Star Wars Voice Changer	42.95	28.94	41.94	0.86	1.25	29.80	43.19	-0.24
Star Wars Talking Yoda	39.95	30.00	43.48	*	*	30.00	43.48	-3.53

Prices for Toys from Republic of Ireland (Toymaster, Henry St) UK (Amazon.co.uk)

Survey completed 11.11.05

Exchange Rate: €1 = £0.69

* delivery only in the UK

Top Gifts for Adults 2005 – Republic of Ireland v UK

ITEM NAME	ROI: PRICE	SHOP	UK: PRICE		SHOP	DELIVERY		TOTAL		DIFFERENCE
	€		£	€		£	€	£	€	€
Bush Widescreen LCD TV(27" & stand) 749.99	749.99	Argos	499.99	724.62	Argos	*	*	499.99	724.62	25.37
Apple Mini iPod 4GB Silver 209.00	209.00	Argos	139.00	201.45	Argos	*	*	139.00	201.45	7.55
Samsung Digimax A6 Digital Camera 229.99	229.99	Argos	149.99	217.38	Argos	*	*	149.99	217.38	12.61
Samsung VPD351 Camcorder 349.99	349.99	Argos	229.99	333.32	Argos	*	*	229.99	333.32	16.67
Hitachi Portable DVD (7" screen) 149.99	149.99	Argos	99.99	144.91	Argos	*	*	99.99	144.91	5.08
Book 'Guinness World Records 2006' 27.00	27.00	Easons	12.60	18.26	Amazon.co.uk	*	*	12.60	18.26	8.74
Book 'Harry Potter & the Half-Blood...' 14.99	14.99	Easons	8.99	13.03	Amazon.co.uk	*	*	8.99	13.03	1.96
DVD Star Wars III 'Revenge of the Sith' 29.99	29.99	HMV	14.99	21.72	Amazon.co.uk	0.45	0.65	15.44	22.38	7.61
DVD 'Desperate Housewives' 54.99	54.99	HMV	29.99	43.46	Amazon.co.uk	0.89	1.29	30.88	44.75	10.24
CD single Madonna 'Hung up' 4.99	4.99	HMV	3.99	5.78	Amazon.co.uk	0.12	0.17	4.11	5.96	-0.97
CD single Pussycat Dolls 'Don't Cha' 4.99	4.99	HMV	3.99	5.78	Amazon.co.uk	0.12	0.17	4.11	5.96	-0.97
CD single Westlife 'You raise me up' 4.99	4.99	HMV	2.99	4.33	Amazon.co.uk	0.08	0.12	3.07	4.45	0.54
CD Westlife 'Face to Face' 18.95	18.95	GD	8.49	12.30	Amazon.co.uk	0.26	0.38	8.75	12.68	6.27
CD Madonna 'Confessions...' 19.99	19.99	HMV	15.99	23.17	Amazon.co.uk	•	•	15.99	23.17	-3.18

Survey completed 11.11.05

Exchange Rate: €1 = £0.69 / £1 = €1.54 approx.

* delivery only in the UK

• not available yet

ADR development

During the first half of 2005 ECC Dublin worked on the creation of an ADR nomination form in cooperation with the Department of Enterprise, Trade & Employment (DETE). In addition to ongoing informal discussion, one official meeting was held with the Department of Enterprise, Trade & Employment (DETE) in 2005. This took place in August and was in relation to nomination application forms, the planned ADR conference in Vienna 2006 and the ECC airline report. Although the hoped for three nominations did not materialise, ECC Dublin liaised with the DETE in the nomination of the newly established Ombudsman for Financial Services. ECC Dublin's role in this included sending the application for nomination to the Financial Services Ombudsman, reviewing the material received and forwarding it to the DETE for their consideration and nomination.

In September a meeting was held with the newly established Mediation services in relation to ADR and ECC's function. In November the new nomination application form was sent to all existing nominated ADR bodies for their information. Additionally the nomination form was sent to all ADR bodies inviting them to become nominated. This will be followed-up on in 2006.

The main focus in the area of ADR development in 2005 was on the airline industry. ECC Dublin commissioned market research on attitudes to complaints against airlines. The aim of the survey was to gather information from a representative sample of Irish adults about the following topics:

- Satisfaction with level of service received from an airline
- Knowledge of consumer rights when flying
- Knowledge of awareness of various dispute resolution options
- Awareness of ADR and ECC Dublin

The top-line results are outlined in Focus Areas above.

ECC Dublin also published a report entitled *Report on Airline complaints in 2003–2004* (see also Focus Areas above), which analysed the complaints against airlines received by ECC Dublin in 2003 and 2004 and also how the complaints were handled by the airlines. The Report showed that damaged and lost luggage, followed by delayed and cancelled flights were the top areas of complaint, and identified a lack of satisfactory complaint handling procedures on the part of airlines leading to the recommendation that an ADR mechanism for airline complaints should be established.

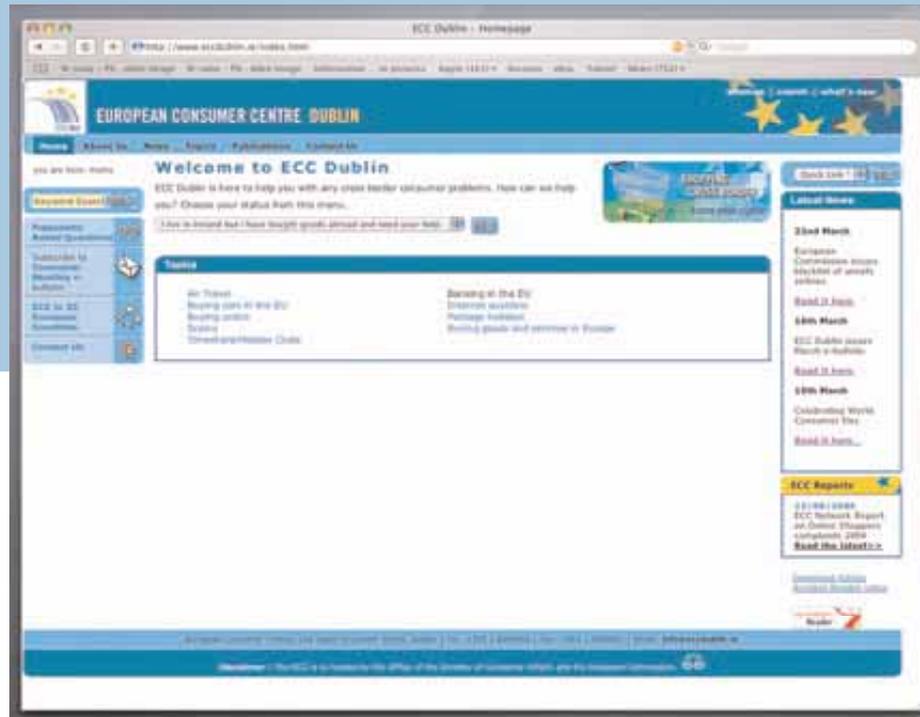
These publications were followed up by letters to the Irish airlines and resulted in meetings in March regarding complaint handling with two airlines: Ryanair and Aer Arann. A meeting with the national carrier Aer Lingus was hoped for but was not possible due to a lack of response on the airline's part. Cooperation on complaint handling with both Ryanair and Aer Arann was developed and a discussion began with regard to the establishment of an ADR body for airlines. Further letters regarding ADR and airline complaints were sent to all Irish registered airlines in June. In addition ECC Dublin attended the 'Airline of the Year' awards in June in order to have an opportunity to talk with Aer Lingus representatives. While this proved useful, no successful follow-up occurred.

In May the Commission for Aviation Regulation was nominated by the Irish government to enforce Regulation 261/2004 and to deal with consumer complaints. ECC Dublin met with the Regulators to discuss their function and agreed to meet again at the beginning of 2006 to exchange information on complaints received and to further discuss cooperation on enforcement issues. It was decided to postpone further action relating to the possible development on an ADR for airline disputes until the role of the Commission for Aviation was further developed and clarified and to involve them in any future discussions.

GENERAL INFORMATION DISSEMINATION

Monthly e-bulletin
www.eccdublin.ie
General advertisements
Press releases
Other





ECC Dublin monthly e-bulletin

The monthly e-bulletin launched in 2004 continued to be published throughout 2005. It was emailed to a membership base of 777. This includes relevant organisations, government, DG Health & Consumer Protection and ECC Net members as well as ordinary consumers who subscribe to the e-bulletin via ECC Dublin's website.

Each month the e-bulletin covered a different theme and contained a question and answer. Topics covered included: air passenger rights; holiday clubs; the groceries order; car selling scams; buying online and the proposed services directive among others.

Past e-bulletins can be accessed at:
<http://www.eccdublin.ie/publications/bulletin.html>

ECC Dublin website

The redevelopment of www.eccdublin.ie was completed in May 2005. The redevelopment focused on creating a more European focused image and content, as recommended by external evaluators Civic Consulting in their 2004 report and in line with ECC Dublin's plans to re-focus activities on purely EU issues. The content was edited and streamlined and new features added such as prompting the consumer to ensure he/she has a cross-border case or signposting them elsewhere if it is a national one.

The target for 2005 was to bring 90,000 visitors to the site. This was surpassed with 105,902 visitors recorded (not web 'hits') for the year.



General advertisements

Advertising continued with popular Irish shopping portal www.pigsback.com due to the success of previous campaigns. The series of *Shopping in Europe Guides* was promoted through online advertising on www.pigsback.com. In June a competition was run to encourage Pigsback subscribers to log onto www.eccdublin.ie. The theme was travel.

A second advertising campaign was run on www.pigsback.com in November on the theme of online shopping.

An advertisement was also placed in the annual wall-planner of the Consumers Association of Ireland.

Press releases

In 2005 ECC Dublin issued a total of 9 press releases and generated 144 media articles and/or interviews.

The topics of the press releases were as follows:

16th February

1 in 2 consumers have problems when flying but don't complain.

29th April

From Apple iPods to dismantling atomic bombs, prices go cosmo in Europe.

18th May

Consumers complain in their thousands to ECC Dublin.

22nd June

Online shoppers face increase in online fraud: don't get conned!

13th June

ECC Dublin welcomes appointment of airline watchdog.

22nd June

Online shoppers face increase in online fraud: don't get conned!

14th July

Buying fake is not cheap in Italy

20th July

Don't get bitten by the Holiday Club bug

7th September

Car sellers looking for buyers, end up with empty promises

24th November

Roboraptors, desperate housewives and digital cameras cheaper in the UK.

Other europe week

In May two staff members manned a stand at the Europe Week exhibition in Galway. The exhibition in Galway was organised to coincide with the EU Science Olympiad Competition in order to promote the EU in the west of Ireland.



new ECC Net logo

In the Autumn the European Commission DG Health and Consumer Protection, launched a new logo for the ECC Net. The creation of a new image for ECC Net reflected the amalgamation of the old ECC Network and the European Extra Judicial Network (EEJ-Net) from January 2005.

At ECC Dublin, new company stationery was produced along with new signage for the front of the building. In addition, new posters were produced, amendments were made to www.eccdublin.ie and some ECC Dublin leaflets (air passenger rights and 'about us') were reprinted with the new logo.



INVOLVEMENT WITH THE ECC NETWORK

- ECC Net joint projects
- ECC Net meetings and events
- Study visits and mentoring



ECC Net joint projects

As in 2004, ECC Dublin was joint leader of the ECC Net e-commerce report in 2005 with ECC Sweden. In addition ECC Dublin was joint leader with ECC Germany on the completion of the ECC Net *Shopping in Europe Guide* to include all 25 Member States. Further details on these two projects are highlighted under 'focus areas' above.

ECC Dublin also participated in the ECC Net project on car rental issues, by submitting information on its car rental complaints as requested. This report was published in November 2005.

ECC Net meetings and events

Four official ECC Net meetings organised by the European Commission DG Health & Consumer Protection were participated in by ECC Dublin in 2005 on the following dates: 21st January; 23rd May; 1st July; 16th November.

Two staff members from ECC Dublin participated in the second ECC Net Cooperation Day hosted by ECC Madrid in November 2005 and held in the Canary Islands. This was the second *Cooperation Day* organised by the network, with the objective of having workshop based discussions to create vision and strategy for the Network's future. ECC Dublin's Director attended workshops dealing with issues of communication and cooperation within the network, while an ECC Dublin Adviser attended workshops with other ECC Net Advisers dealing with case handling issues and focusing on cooperation in that area.

**Some ECC Directors at *ECC Net Cooperation Day*,
Gran Canaria, November 2005**





Fredrik Nordqvist, ECC Stockholm and Arthur Hilliard, ECC Dublin at the e-commerce conference in Germany, June 2005



Mary Denise O'Reilly and Emma Byrne at the Annual Consumer Assembly, Brussels, December 2005

Active participation continued in the Network in relation to discussion and idea exchange. ECC Dublin submitted comments on the ECC Net draft projects protocol document in August 2005 and responded to the Timeshare questionnaire produced and circulated by DG Health & Consumer Protection in September and the ADR questionnaire circulated by DG Health & Consumer Protection in November.

ECC Dublin representatives were delighted to be invited to give presentations at the following ECC Network events:

- E-commerce conference organised by ECC Kehl, Germany in June.
- Two conferences to mark the opening of ECC Cyprus, Nicosia and Limmasol, November.
- The Car Rental conference organised by ECC Madrid, Gran Canaria, November.
- The *European Commission Annual Consumer Assembly* in Brussels in December.

In addition to making presentations at these events, ECC Dublin representatives attended two additional ECC events: the launch of ECC Madrid and associated conference on 31st March and 1st April in Madrid and a Timeshare conference organised by ECC Madrid in Estepona, Spain in June.





Hana Kuprova from ECC Czech Republic visits ECC Dublin with from left Emma Byrne, Hana Kuprova, Juan Bueso, Tina Leonard, Elena Calavia, and Susan Reilly



Study visits and mentoring

An ECC Dublin Adviser took the opportunity while attending a seminar in Brussels in March to spend a day with ECC Brussels. Information was exchanged on case handling and areas of complaint and provided an invaluable opportunity to meet colleagues.

While carrying out a price comparison study in Prague in April an ECC Dublin Adviser also took the opportunity to visit ECC Prague and to exchange expertise with the Director.

In November, ECC Dublin welcomed the Legal Adviser of ECC Czech Republic on a study visit for 2 days.

ECC Latvia and ECC Poland representatives visit ECC Dublin. From left to right: Tina Leonard, Mary Denise O'Reilly, Arthur Hilliard, Magda Rzazewska, Aija Gulbe, Laine Vittola and Juan Bueso.

Under the European Commission TAIEX mentoring programme ECC Dublin welcomed the newly established ECC Latvia on a study visit in September. In October a return expert visit to ECC Latvia took place. The visit was part of a larger mentoring programme where 'old' ECCs mentored those establishing new ECCs in the ten Member States that acceded to the EU in May 2004. These mentoring visits were crucial to the smooth establishment of an ECC in Latvia and information and advice was given on all aspects of work, including case handling, promotional work and administrative and financial issues. Ongoing mentoring and assistance continued through to the end of the year and will continue through 2006.

At the visit of ECC Latvia to Dublin in September, the Legal Adviser of ECC Poland took the opportunity to join the two day study visit.



ECC Dublin's return expert visit to help establish ECC Latvia. From left: Mary Denise O'Reilly, Tina Leonard, Aija Gulbe and Laine Vittola

COOPERATION WITH OTHERS

Synergies with other stakeholders

Education



Synergies with other stakeholders

ECC Dublin submitted two opinion papers on the European Commission proposal for the establishment of a European Small Claims Procedure to the Department of Enterprise, Trade & Employment in 2005.

ECC Dublin held two meetings with Irish co-funders the Office of the Director of Consumer Affairs (ODCA), one in April and the other in December. The ODCA also has a representative on the Board of Directors of ECC Dublin. The Board met three times in 2005. The Chairman of the Board is the Chief Executive of the Consumers Association of Ireland and so constant communication, exchange of information and good cooperation continued with that independent consumer organisation.

One official meeting was held on ADR with the Department of Enterprise, Trade & Employment (DETE) in 2005. This took place in August and was in relation to nomination application forms, the planned ADR conference in Vienna 2006 and the ECC airline report. In addition to this meeting, ongoing informal cooperation took place with the DETE in relation to the creation of an application for nomination, contacting Irish airlines and the nomination of a new ADR body.

There was ongoing cooperation and exchange of information continued with UK local Trading Standards offices and with the cross-border enforcement section of the Office of Fair Trading.

In July ECC Dublin submitted comments to the Advertising Standards Authority of Ireland in relation to the revision of the Codes of Practice. ECC Dublin complaints relating to misleading advertising were analysed in order to derive opinion and suggestions regarding possible changes to the Code.

Also in July ECC Dublin initiated cooperation with the Commission for Aviation Regulation, the body given enforcement powers under the terms of EC Regulation 261 on air passenger rights. It was agreed that more detailed cooperation would be developed after a review on work carried out by both organisations in 2005.

The ECC Dublin Manager was invited to become a member of an expert advisory group to the Food Safety Promotion Board (Safefood). Safefood is an all-Ireland body and the group's task was to review the promotion of chicken. Two meetings were attended in March and May and a third and final meeting was attended in September.

Cooperation was developed with eBay who set up an Irish base in 2005. ECC Dublin representatives attended the launch of eBay Ireland in June and held a meeting with the head of eBay Ireland in October regarding future cooperation.

Ongoing co-operation continued with the Commission for Telecommunication Regulation (COMREG) in particular relating to roaming charges. ECC Dublin attended the launch of their new website www.callcosts.ie in November and attended a meeting hosted by COMREG in December, where all consumer relevant organisations were invited to exchange information and ideas. It was agreed to further develop this cooperation between all consumer relevant organisations in 2006.

Education

Although unable to engage in a full programme of outreach education due to a lack of resources, ECC Dublin continued to provide presentations on issues of EU consumer law when requested.

The following presentations were made to schools, colleges and seminars (not including ECC events):

26th January:

General ECC presentation,

Citizens Information Centre, Dublin

14th March:

General ECC presentation,

College of Further Education, Dundrum

4th April:

General ECC presentation,

FÁS training centre, Dublin

6th April:

General ECC presentation,

Hartstown Community School

8th April:

Presentation on 'Information and Education of Consumers'

TAIEX seminar on Consumer protection in the Internal Market, Budapest.

4th October:

Presentation on ECC Net e-commerce Report

European Parliament e-commerce dinner, Brussels.

24th October:

General ECC presentation,

FÁS training centre, Dublin

1st December:

Presentation to annual conference

Irish Countrywomen's Association, Co Louth.

In addition ECC Dublin attended the following conferences organised by related organisations:

'The draft Directive of services in the Internal Market', ERA seminar

Brussels, 17th March

Public Relations Institute of Ireland, Annual Conference

Dublin, 12th May

Launch of National Consumer Strategy Group report

Dublin, 18th May

Launch of 'Borderwise', a cross-border advice and information project

Co Louth, 16th June

'Simplifying Europe' conference, European Voice

Brussels, 28th June

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