

Consumer Law | H1 Notes

A contract is a legally binding agreement enforceable by law.

The Small Claims Court

They give claims of up to €2000. You can go here if you feel like a complaint has not been heard correctly by the business you are in conflict with. You do not need a solicitor or legal aid. They will charge a fee of €15 and you can apply to them in local offices or through their website.

Sale of Goods and Supply of Services Act 1980

Goods

Goods must be of merchantable quality, fit for purpose, as described and match their samples.

Services

Services must be carried out with care and attention, the person doing the service should have the skills needed and the goods used must be of merchantable quality.

Redress

If you find that your good/service did not conform to the above regulations, you can be granted a repair, replacement or refund.

Consumer Protection Act 2007

Set Out Rules in Relation To:

- Claims made about goods/services: says that advertisements must be accurate. Misleading claims are illegal.
- Claims about prices – they say that special prices are only available in certain branches this must be known to the consumer.
- Prohibited practices - say that it is prohibited to run promotions when the prizes aren't available or offer 'free' prizes that you have to pay for.

- Aggressive practices – makes it illegal to threaten someone when selling or use abusive language.
- Codes of practices – they must be accepted by the Competition and Consumer Protection Commission (formerly known as the NCA).

The Competition and Consumer Protection Commission

The Consumer Protection Act established the CCPC. They have the power to:

1. Apply for prohibition orders to stop illegal happenings.
2. Give fines to businesses.
3. Publish a list of businesses convicted of criminal offences.
4. Give compliance notices.

Functions of the CCPC:

- Inform consumers via their website and shoppers rights cards.
- Enforce consumer law.
- Propose legislation.
- Investigate claims made against businesses.
- Publish findings.