



STATUTORY INSTRUMENTS.

S.I. No. 409 of 2013



CONSUMER PROTECTION ACT 2007 (NATIONAL CONSUMER
AGENCY) LEVY REGULATIONS 2013

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CONSUMER PROTECTION ACT 2007 (NATIONAL CONSUMER AGENCY) LEVY REGULATIONS 2013

The National Consumer Agency (the 'Agency'), in the exercise of its power to impose levies conferred on the Agency by Section 24B of the Consumer Protection Act 2007 (as inserted by the Central Bank Reform Act 2010) as approved by the Minister for Jobs, Enterprise, and Innovation and with the consent of the Minister for Finance, hereby makes the following Regulations:

1. These Regulations may be cited as the Consumer Protection Act 2007 (National Consumer Agency) Levy Regulations 2013.

2. The Consumer Protection Act 2007 (National Consumer Agency) Levy Regulations 2011 (S.I. No. 560 of 2011) are hereby amended by-

(a) the substitution of the Schedule to these Regulations for Schedule A and Schedule B

(b) the insertion of the following after Regulation 4;

"5. Where a regulated entity has the financial services business of a current or previously regulated entity transferred to it, then the transferee regulated entity shall pay the levy which would otherwise have been payable by the transferor regulated entity.

The transferee regulated entity shall pay a levy calculated by reference to the business of the transferor entity in accordance with the method set out in the relevant category in the Schedule. Such a levy shall be in addition to the levy, if any, which the transferee entity would otherwise be required to pay had such a transfer of financial services business not taken place."

L.S.

29 October 2013.

STEPHEN COSTELLO,
Chairperson.

National Consumer Agency
4/5 Harcourt Road
Dublin 2

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 1st November, 2013.*

SCHEDULE

Levy period: A 12-month period, commencing on 01 January 2013 and ending on 31 December 2013.

Category A

Credit Institutions

Each credit institution shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated at the rate of €0.1814 per retail customer as at 31 December 2012. A minimum levy of €500 is payable by each credit institution.

Category B

Insurance Undertakings

(a) Each life assurance undertaking shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated on the basis of 0.00348% of its total net premium income written on Irish risk business for the year ending 31 December 2011 as stated in the Central Bank of Ireland Insurance Statistics 2011. A minimum levy of €500 is payable by each life assurance undertaking.

(b) Each non-life insurance undertaking (other than those designated as ‘captive’ insurers by the Central Bank of Ireland) shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated on the basis of 0.02135% of its total net premium income written on Irish risk business for the year ending 31 December 2011 as stated in the Central Bank of Ireland Insurance Statistics 2011. A minimum levy of €500 is payable by each non-life insurance undertaking.

Categories D2, D3, D4

Investment Firms [regulated under the European Communities (Markets in Financial Instruments) Regulations 2007]

Included are entities engaged in the receipt and transmission of orders, and/or provision of investment advice; entities engaged in portfolio management and execution of orders; entities engaged in own account trading and underwriting on a firm commitment basis.

Each of the financial service providers in Categories D2, D3, D4, shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated at the rate of €1.09 per retail client as at 31 December 2012. A minimum levy of €50 is payable by entities in these categories.

Category D5

Member Firms of the Irish Stock Exchange

Each of the financial service providers in Category D5 shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated at the rate of €0.324 per retail client as at 31 December 2012. A minimum levy of €50 is payable by entities in this category.

Category F

Credit Unions

Each credit union shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated on the basis of 0.00103% of its total assets as at 30 September 2012, or if these asset figures are not available, of its total assets as at 30 September in the most recent year available, as supplied to the Agency by the Central Bank of Ireland. A minimum levy of €50 is payable by each credit union.

Category G

Moneylenders

Each moneylender shall pay, in respect of its liability for the year ended 31 December 2013, a levy of €235.00.

Category M1

Retail Credit firms

Each retail credit firm shall pay, in respect of its liability for the year ended 31 December 2013, a levy calculated on the basis of 0.001045% of the value of outstanding loans at 31 December 2012, as reported to the Agency by the firms. A minimum levy of €50 is payable by each retail credit firm.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations made by the Chairperson of the National Consumer Agency in accordance with Section 24B of the Consumer Protection Act 2007 (as inserted by the Central Bank Reform Act 2010) amend the Consumer Protection Act 2007 (National Consumer Agency) Levy Regulations 2011 (S.I. No. 560 of 2011) and provide for a levy scheme to fund the provision of information in relation to financial services including information in relation to the costs to consumers, the risks and benefits associated with the provision of those services and promoting the development of financial education and capability, in the year 2013.

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