



STATUTORY INSTRUMENTS.

S.I. No. 435 of 2012

CONSUMER PROTECTION ACT 2007 (NATIONAL CONSUMER
AGENCY) LEVY REGULATIONS 2012

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AGENCY) LEVY REGULATIONS 2012

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 2012.

2. Schedule A and Schedule B to S.I. No. 560 of 2011 — Consumer Protection Act 2007 (National Consumer Agency) Levy Regulations 2011 — are hereby amended by the substitution therefore of Schedule A and Schedule B to these Regulations.

3. Where the levy contribution calculated in respect of a regulated entity in accordance with Schedule A or Schedule B is less than €50, a minimum levy contribution of €50 will apply to that entity.

7 November 2012

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 9th November, 2012.*

SCHEDULE A

Levy period: A 12-month period, commencing on 01 January 2012 and ending on 31 December 2012.

Categories for Regulated entities	Institution type	Percentage share out among categories	Total amount payable by regulated entities	Basis for calculating amount of levy per individual firm in each category
A1a	Irish Authorised Credit Institutions participating in the Credit Institutions (Eligible Liabilities Guarantee) Scheme 2009 (the "ELG Scheme Institutions") and their subsidiaries that are credit institutions authorised under Irish legislation.	40.97%	€1,087,100	138.34% of the Central Bank's A1a consumer net annual funding requirement charged to individual regulated entities in this category (as at 30 September 2012).
A1b	Irish Authorised Credit Institutions not included in category A1a.	15.24%	€404,379	39.11% of the Central Bank's A1b and A2 consumer net annual funding requirement charged to individual regulated entities in these categories (as at 30 September 2012).
A2	Credit Institutions authorised in another EEA State, operating in Ireland on a branch basis.			
B1	Life insurance undertakings with Irish head office and life insurance undertakings authorised in another non-EEA State operating in Ireland.	11.75%	€311,775	89.28% of the Central Bank's B1 and B2 consumer net annual funding requirement charged to individual regulated entities in these categories (as at 30 September 2012).
B2	Life insurance undertakings authorised in another EEA State operating in Ireland on a branch basis.			
B4	Non-life insurance undertakings with Irish head office (other than those designated as 'captive' insurers by the Central Bank of Ireland).	22.82%	€605,507	0.021901% of total net premium income written on Irish risk business in 2010.
B5	Non-life insurance undertakings authorised in another EEA State, operating in Ireland on a branch basis.			
D2, D3, D4	Investment firms.	1.08%	€28,657	See Schedule B
D5	Member Firms of the Irish Stock Exchange.	1.08%	€28,657	2.10% of the Central Bank's D5 net annual funding requirement charged to individual regulated entities in this category (as at 30 September 2012).
F	Credit Unions.	5.38%	€142,753	10.19% of the Central Bank's F net annual funding requirement charged to individual regulated entities in this category (as at 30 September 2012).

Categories for Regulated entities	Institution type	Percentage share out among categories	Total amount payable by regulated entities	Basis for calculating amount of levy per individual firm in each category
G	Money Lenders.	0.25%	€6,633	2.21% of the Central Bank's G net annual funding requirement charged to individual regulated entities in this category (as at 30 September 2012).
M1	Retail credit firms.	1.43%	€37,943	36.07% of the Central Bank's M1 net annual funding requirement charged to individual regulated entities in this category (as at 30 September 2012).

SCHEDULE B

Levy period: A 12-month period, commencing on 01 January 2012 and ending on 31 December 2012.

Categories D2, D3 and D4: Investment Firms authorised under the provisions of the European Communities (Markets in Financial Instruments) Regulations 2007 (other than those in Category D5 in Schedule A)

Band	Range of retail clients in Ireland, at 31 December 2011 (as reported to the Agency)	Levy Rate per Band €
A	1 — 99	50
B	100 — 499	500
C	500 — 1,999	1,125
D	2,000 — 4,999	3,000
E	5,000 — 10,000	6,000

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 2012.

BAILE ÁTHA CLIATH
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