



STATUTORY INSTRUMENTS.

S.I. No. 182 of 2024

REPRESENTATIVE ACTIONS FOR THE PROTECTION OF THE
COLLECTIVE INTERESTS OF CONSUMERS ACT 2023
(PRESCRIBED FORMS) REGULATIONS 2024

S.I. No. 182 of 2024

REPRESENTATIVE ACTIONS FOR THE PROTECTION OF THE
COLLECTIVE INTERESTS OF CONSUMERS ACT 2023
(PRESCRIBED FORMS) REGULATIONS 2024

I, PETER BURKE, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 3, 8(2), 14(1), 24(1), 24(3), 24(5) and 26(5) of the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (No. 22 of 2023), hereby make the following regulations:

1. (1) These Regulations may be cited as the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024.

(2) These Regulations shall come into operation on the 30th day of April 2024.

2. In these Regulations, “Act of 2023” means the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (No. 22 of 2023).

3. The form set out in Part 1 of the Schedule is prescribed for the purposes of section 8(2) of the Act of 2023.

4. The form set out in Part 2 of the Schedule is prescribed for the purposes of section 14(1) of the Act of 2023.

5. The form set out in Part 3 of the Schedule is prescribed for the purposes of section 24(1) of the Act of 2023.

6. The forms set out in Part 4 of the Schedule are prescribed for the purposes of section 24(3) of the Act of 2023.

7. The form set out in Part 5 of the Schedule is prescribed for the purposes of section 24(5) of the Act of 2023.

8. The form set out in Part 6 of the Schedule is prescribed for the purposes of section 26(5) of the Act of 2023.

SCHEDULE PART 1

**Representative Actions for the Protection of the Collective
Interests of Consumers Act 2023 (Prescribed Forms)
Regulations 2024**

**Form 1 - Application for Designation as a Qualified Entity under section 8
of the Act**

Applicants are asked to complete all Parts of this form and, unless otherwise stated, to do so in BLOCK CAPITALS.

Part 1	Applicant Details		
Organisation name:			
Organisation address:			
Eircode/Postcode/Zip code (as appropriate):			
Website:			
Contact no:		Email:	
Contact name:			
Role of contact:			

Part 2	Specific Requirements of a Qualified Entity
Q1. Evidence of legal personality: (a) Applicants established in Ireland please provide: Companies Registration Office Number (CRN) :	A1(a)

<p>(b) Applicants established in another Member State please provide:</p> <p>Appropriate evidence of legal personality:</p> <p>Please see the Guidelines at the end of this Form for further detail.</p>	A1(b)
<p>Q2. Please provide details of 12 months of public activity in the protection of consumer interests in which your organisation has engaged prior to this application.</p> <p>Please see the Guidelines at the end of this Form for examples that may be provided.</p>	
A2.	
<p>Q3. Please explain how the main purpose of the organisation shows a legitimate interest in protecting consumer interests provided for in existing legislation.</p> <p>Please see the Guidelines at the end of this Form for further detail.</p>	
A3.	

Q4. Confirmation of the organisation's non-profit-making character:

(a) Applicants established in Ireland, please provide a certified copy of the organisation's most recent Constitution as filed with the Companies Registration Office (CRO)

(b) Applicants established in another Member State, please provide a certified copy of the organisation's most recent registered Constitution or equivalent document.

Please see the Guidelines at the end of this Form for further detail.

A4. Please confirm certified copy is attached with your application.

Q5. Please confirm that the organisation is not the subject of insolvency proceedings and has not been declared insolvent.

A5.

Q6. Please confirm the organisation is:

- a) independent,
- b) not influenced by persons other than consumers, and
- c) has established procedures to prevent such influence, as well as to prevent conflicts of interest between itself, its funding providers and the interests of consumers.

A6. Please provide a statement confirming 6a), 6b) and 6c) above.

<p>Q7. Please confirm the organisation makes publicly available in plain language:</p> <ul style="list-style-type: none"> a) information, in particular on its website, that demonstrates that it complies with the matters referred to in each of the sections above in this Form – Part 2 Q1-Q6, and b) information about the sources of its funding in general, its organisational, management and membership structure, its statutory purpose (if any) and its activities.
<p>A7. Please see the Guidelines at the end of this Form for further detail.</p>

Part 3	Signature and Date
Signature of contact:	
Date:	

Note:

This form can be made available in an interactive digital format and completed electronically.

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Guidelines on completing Form 1 - Application for Designation as a Qualified Entity

Part 2: Specific Requirements of a Qualified Entity

Q1. Applicants are required to provide evidence of legal personality.

- Applicants established in Ireland are required to provide a Companies Registration Office number (CRN).
- Applicants established in another Member State (MS) should provide evidence of their legal personality as established in accordance with the national law of the relevant MS.

Q2. Examples of supporting documentation on the type of public activity your organisation has engaged in, in the protection of consumer interests over 12 months, prior to this application that will be acceptable include, but are not limited to, the following:

Links to website content, social media content, contribution to public consultations, presentations at relevant conferences, online or hard copy advertisements, published articles, either online or in traditional media mediums such as newspaper, magazine, TV or radio.

Q3. Applicants are required to demonstrate their legitimate interest in protecting consumer interests. A relevant enactment means:

- A European act or a provision of a European act specified in Annex I to the Directive.
- An Act of the Oireachtas specified in *Part 1* of the *Schedule* or an instrument under such an Act of the Oireachtas.
- A provision of an Act of the Oireachtas specified in *Part 2* of the *Schedule*.
- A statutory instrument specified in *Part 3* of the *Schedule*.
- A provision of a statutory instrument specified in *Part 4* of the *Schedule*.

Q4. Applicants are required to attach a certified copy of their most recent Constitution.

- Applicants established in Ireland are required to provide a copy of their most recent Constitution as filed with the Companies Registration Office (CRO) to prove the non-profit making character of the organisation.
- Applicants established in another Member State should provide a copy of their most recent Constitution as filed/registered with their relevant national registration office or equivalent.

Q5. Applicants are required to confirm as requested.

Q6. Applicants are required to confirm as requested.

Q7. Applicants are required to indicate where this information has been made publicly available, for example, with links to relevant information published on the Organisation's website or by other appropriate means.

SCHEDULE PART 2

**Representative Actions for the Protection of the Collective
Interests of Consumers Act 2023 (Prescribed Forms)
Regulations 2024**

**Form 2 - Application for Request of a Review of refusal of designation or
of revocation of designation under section 14 of the Act**

Applicants are asked to complete all Parts of this form unless otherwise stated,
in BLOCK CAPITALS.

Part 1	Applicant Details		
Organisation name:			
Organisation address:			
Eircode/Postcode/Zip code (as appropriate):			
Website:			
Contact name:			
Contact no.:		Email:	

Part 2	Review Request Details			
Is this request for Review in respect of a refusal of designation?	Yes		No	
If Yes, please provide the date of notification				
Is this request for Review in respect of a revocation of designation?	Yes		No	
If Yes, please provide the date of notification				

Please provide details of the grounds on which this request for review is based	
--	--

Part 3	Signature and Date
Signature of contact:	
Date:	

Note:

This form can be made available in an interactive digital format and completed electronically.

SCHEDULE PART 3

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Form 3 – Notification by a consumer to be represented by a qualified entity for redress measures under section 24 of the Act

Applicants are asked to complete all Parts of this form unless otherwise stated, in BLOCK CAPITALS.

Part 1	Applicant Details		
Consumer name:			
Consumer address:			
Eircode/Postcode/Zip code (as appropriate):			
Contact no.:		Email:	

Part 2	Notice to Qualified Entity		
Qualified Entity name:			
Trader name:			
Trader address:			
Eircode/Postcode/Zip code (as appropriate):			

<p>Details (including date and location) of the alleged infringement by the named trader:</p>	<p>Please include as much information and detail as possible and attach additional pages if necessary.</p>
<p>Details (including date and location) of how the consumer named in Part 1 is or has been affected by the alleged infringement by the named trader:</p>	<p>Please include as much information and detail as possible and attach additional pages if necessary.</p>
<p>I, the undersigned, hereby give notice of my request to be represented by the above Qualified Entity in the following representative action for redress brought by the above Qualified Entity against the trader referenced above for the alleged infringement(s) referenced above.</p> <p>I understand that on giving notice of this request, and upon payment of any entry fee which may be charged by the Qualified Entity in accordance with Section 29 of the Act, that:</p> <ul style="list-style-type: none"> - I shall be bound by the outcome of such representative action, - I shall not be represented in any other representative action with the same cause of action against the same trader, - I may not bring an action individually with the same cause of action against the same trader, and - I will be required to sign a declaration provided by the Qualified Entity 	

<p>referenced in this document, in accordance with Section 25 of the Act concerning compensation from the same trader for the same cause of action by means other than the above representative action.</p>

Part 3	Signature and Date
Signature of consumer:	
Date:	

Note: This form can be made available in an interactive digital format and completed electronically.

Notes to Consumers:

1. Contact details of all registered Qualified Entities in Ireland can be found at the Register of Qualified Entities on the Department of Enterprise, Trade and Employment website.

SCHEDULE PART 4

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Form 4 –Notification by a Qualified Entity to consumers regarding the Admissibility of a representative action for redress under section 24 of the Act

[Name of Qualified Entity]

v

[Name of Trader]

High Court Record No. _____

To [Consumer name and Contact details]

[Date]

Pursuant to Section 24 of the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023, I am writing to inform you of details of the determination made by the High Court in respect of the above representative action relating to:

The admissibility of the representative action in accordance with Section 19

(*) Attached is a plain copy of the Order of the High Court made by [name of judge] on [date of Order].

Signature of Qualified Entity representative:	
Date:	

Notes:

This form can be made available in an interactive digital format and completed electronically.

(*) Where available

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Form 4A –Notification by a Qualified Entity to consumers regarding the outcome of the determination of admissibility of a representative action for redress under section 24 of the Act

[Name of Qualified Entity]

v

[Name of Trader]

High Court Record No. _____

To [Consumer name and Contact details]

[Date]

Pursuant to Section 24 of the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023, I am writing to inform you of details of the determination made by the High Court in respect of the above representative action relating to:

The outcome of the determination of admissibility of the representative action

(*) Attached is a plain copy of the Order of the High Court made by [name of judge] on [date of Order].

Signature of Qualified Entity representative:	
Date:	

Notes:

This form can be made available in an interactive digital format and completed electronically.

(*) Where available

SCHEDULE PART 5

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Form 5 – Notification by a consumer to be no longer represented by a Qualified Entity for redress measures under section 24 of the Act

Applicants are asked to complete all Parts of this form unless otherwise stated, in BLOCK CAPITALS.

Part 1	Applicant Details		
Consumer name:			
Consumer address:			
Eircode/Postcode/Zip code (as appropriate):			
Contact no.:		Email:	

Part 2	Notice to Qualified Entity		
Qualified Entity name:			
Trader name:			
Details of representative action brought by Qualified Entity:			
Reference number (where applicable):			

I, the undersigned, hereby give notice of my request not to be represented by the above Qualified Entity in the representative action for redress brought by the Qualified Entity against the trader referenced above.

- I understand that on giving notice of this request, I shall not be entitled to benefit from any redress measures granted by the Court in respect of the above representative action,
- I understand that this notification will be sent by the Qualified Entity to the Court and all other parties concerned.

Part 3	Signature and Date
Signature of consumer:	
Date:	

Note: This form can be made available in an interactive digital format and completed electronically.

Note to Consumers:

1. Contact details of all registered Qualified Entities in Ireland can be found at the Register of Qualified Entities on the Department of Enterprise, Trade and Employment website.

SCHEDULE PART 6

Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 (Prescribed Forms) Regulations 2024

Form 6 –Notification by a Qualified Entity to consumers of the particulars of any redress measures ordered by the Court in the action concerned under section 26 of the Act

[Name of Qualified Entity]

v

[Name of Trader]

High Court Record No. _____

To [Consumer name and Contact details]

[Date]

Pursuant to Section 26 of the Representative Actions for the Protection of the Collective Interests of Consumers Act 2023, I am writing to inform you that on [date] the High Court in the representative action, in which you are represented, made an order for redress against the above-mentioned trader, the particulars of which are set out below.

Details of Redress Measures	
Details of redress measures ordered by the Court	
Details of how you may benefit from the redress measures	
Period of time within which you may avail of the redress measures	

Attached (where available) is a plain copy of the Order of the High Court made by [name of judge] on [date of Order].

Signature of Qualified Entity representative:	
Date:	

Note: This form can be made available in an interactive digital format and completed electronically.



GIVEN under my Official Seal,
30 April, 2024.

PETER BURKE,
Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

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

The Act at section 8, provides that an organisation may apply to the Minister for Enterprise, Trade and Employment for designation as a qualified entity and at section 14(1) provides for an applicant whose application for designation is refused or revoked by the Minister to request a review.

The Act at sections 24(1), 24(3), 24(5) and 26(5) provides for correspondence between a consumer and their qualified entity.

These Regulations set out those circumstances in the forms listed at Schedule 1.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Teil: 046 942 3100
r-phost: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

€ 4.50

