

Compliance Notice

Section 75 of the Consumer Protection Act 2007

To: Wescooley Limited t/a Oasis Bar,
Of: Unit 12-A-B Letterkenny Shopping Centre,
Port Road,
Gortlee Letterkenny,
Co. Donegal

Competition and Consumer
Protection Commission,
Bloom House,
Railway Street,
D01 C576

I, [REDACTED] an Authorised Officer of the Competition and Consumer Protection Commission ('the **CCPC**'), duly appointed under section 35 of the Competition and Consumer Protection Act 2014, hereby give you, Wescooley Limited trading as Oasis Bar ('**Wescooley Limited**'), notice pursuant to section 75(2) of the Consumer Protection Act 2007 as amended ('the **2007 Act**') that I am of the opinion that you have engaged in a prohibited act or practice as defined in section 67(e) of the 2007 Act.

The alleged contravention contained herein relates to information that Wescooley Limited failed to provide to consumers at the Oasis Bar, Unit 12-A-B Letterkenny Shopping Centre, Port Road, Gortlee, Letterkenny, Co. Donegal ('the **Premises**'), specifically the prescribed list of 16 beverages required by the legislation to be displayed immediately outside or immediately inside each entrance to the premises which is open to the public ('the **16-item list**').

A: Statement of alleged contravention

1. For the reasons outlined in Section C below, That you, Wescooley Limited, a trader for the purposes of the 2007 Act, at the Premises on 1 July 2025 engaged in a prohibited act or practice by failing to display a notice setting out the information required in Article 4(1) (a) – (p) of S.I 263/1999 – Retail Price (Beverages in Licensed Premises) Display Order 1999 ('the **1999 Display Order**') immediately outside or immediately inside each entrance to the Premises which is open to the public.
2. Such a practice is a 'prohibited act or practice' in accordance with section 67(e) of the 2007 Act.
3. Article 4(5) of the 1999 Display Order states:

- (a) Article 4 does not apply in relation to premises in which none of the beverages specified in Article 4(1) are on sale, and
- (b) Article 4 does apply in relation to premises in which some, but not all, of the beverages specified in Article 4(1) are on sale as if the beverages aforesaid that are not on sale in the premises were not so specified.

B. My opinion

1. I am of the opinion that Wescooley Limited engaged in the prohibited act or practice outlined in the statement of alleged contravention above by failing to display a notice set forth in Article 4(1) of the 1999 Order immediately outside or immediately inside each entrance to the licensed premises containing the 16-item list.
2. The 1999 Display Order requires premises selling intoxicating liquor to display the price information of at least the 16 types of alcoholic and non-alcoholic beverages listed in Article 4(1) ('the 16-item list') (subject to Article 4(5) of the 1999 Display Order). Article 4(5)(b) of the 1999 Display Order provides that this requirement still applies where some but not all of the drinks in the 16-item list are on sale. As such, a notice specifying the prices charged for any items on the 16-item list sold within the Premises must be displayed.

C. The reasons for my opinion

1. Wescooley Limited can be described as a 'trader' for the purposes of the 2007 Act.
2. Trader is defined in section 2 of the 2007 Act as:
 - (a) *"a person who is acting for purposes related to the person's trade, business or profession"*
 - (b) *"a person acting on behalf of a person referred to in paragraph (a);"*
4. Wescooley Limited carries on in the State the business of selling intoxicating liquor by retail for consumption on the premises and as such are required to adhere to the obligations set out in the 1999 Display Order.
5. Section 67(e) of the 2007 Act states that prohibited act or practice is any contravention of an order referred to in section 92 of the 2007 Act, one of

which is the 1999 Display Order, which requires every person who carries on in the State the business of selling intoxicating liquor by retail in any premises for consumption on the premises to display certain information on the beverages sold and their prices, including the 16-item list, in accordance with Article 4(1) and (5) of the 1999 Display Order.

6. I conducted an inspection of the Premises on 1 July 2025 and found that, in contravention of Article 4(1) of the 1999 Display Order, no notice was displayed on the Premises listing the aforesaid specified beverages, such a contravention being a prohibited act or practice as defined in section 67(e) of the 2007 Act.

D. Compliance Direction and Requirement

1. You, Wescooley Limited, trader, are hereby directed to display, in a clearly visible and legible form, a notice to be displayed immediately outside or immediately inside each entrance to the Premises and specifying at least the beverages listed in the 16-item list in in Article 4(1) of the 1999 Display Order which are sold for consumption on the Premises, together with their respective quantities and price, without prejudice to the exceptions provided for by Article 4(5) of the 1999 Order.
2. Wescooley Limited are hereby directed to review their obligations under the legislation and ensure compliance with all requirements imposed on traders carrying on in the State the business of selling intoxicating liquor by retail for consumption on the premises.
3. Wescooley Limited must comply with this Compliance Direction and requirements by 11 December 2025

E. Appeal procedure.

1. Wescooley Limited may appeal this Compliance Notice to the District Court in the district in which the notice is served within 14 days after its service.
2. The form and manner of such an appeal is to be found in the District Court Rules. This is available from the registrar at the local District Court office or on the Courts Service's website.

3. In the event that Wescooley Limited decide to appeal the Compliance Notice, Wescooley Limited must, at the same time, notify the CCPC at the above address. Wescooley Limited must also notify the CCPC of the grounds for the appeal.
4. If an appeal is not made in accordance with section 75 of the 2007 Act and within 14 days after service of the notice, this notice will be treated as not disputed and Wescooley Limited will be deemed to have accepted the notice and have agreed to comply with the Compliance Direction and requirement.
5. Any failure or refusal to comply with this notice, is an offence and, on summary conviction, Wescooley Limited will be liable to the fines and penalties set out in Part 5, Chapter 4 of the 2007 Act.



Authorised Officer,

Competition and Consumer Protection Commission,
19 November 2025

This information is intended for information purposes only and does not constitute part of the Compliance Notice.

Compliance Notice Notes

Consumer Protection Act 2007 (2007 Act)

1.	Section 75(6) of the 2007 Act requires a person, when lodging an appeal, to, at the same time, notify the CCPC of the appeal and the grounds for the appeal. The CCPC is entitled to appear, be heard and adduce evidence on the hearing of the appeal.
2.	If on appeal the compliance notice is not cancelled, the notice takes effect on the later of the following: a. the day after the day on which the notice is confirmed or varied on appeal, b. if the appeal is withdrawn by the appellant the day after the day it is withdrawn, c. the day specified in the notice.
3.	If there is no appeal under section 75(5) of the 2007 Act, the compliance notice takes effect on the later of the following: a. 14 days after the notice is served. b. the day specified in the notice.
4.	An Authorised Officer may- a. withdraw a compliance notice at any time, or b. if no appeal is made or pending under section 75(5) of the 2007 Act, extend the date by which the recipient is to comply with the compliance direction and requirements.
5.	Withdrawal of a compliance notice does not prevent the service of another compliance direction or requirement specified in a compliance notice, whether it relates to the same matter or a different matter.
6.	In accordance with section 75(13) of the 2007 Act, if a compliance notice takes effect, the Commission is required to publish the compliance notice or cause it to be published in any form or manner it considers appropriate.
7.	Section 86 of the 2007 Act requires the CCPC to maintain a "Consumer Protection List" of names and addresses of persons together with a description of their trade, business or profession and the particulars of the matter occasioning any enforcement actions taken by the Commission. This includes persons against whom compliance notices have taken effect.
8.	Any person who, without a reasonable excuse, fails to comply with a direction or requirement specified in a compliance notice, commits an offence and, on summary conviction, is liable to the fines and penalties set out in section 79 of the 2007 Act.

9.	Section 79(1) of the 2007 Act provides that a person guilty of an offence under the 2007 Act is liable on summary conviction to the following fines and penalties: a. a Class B fine not exceeding €4000 or up to 6 months imprisonment or both, b. on any subsequent summary conviction, a fine not exceeding €5000, or imprisonment for a term not exceeding 12 months or both. c. If, after being convicted of an offence, a person continues to contravene the requirement or prohibition to which the offence relates, the person is guilty of a further offence on each day the contravention continues and for each such offence is liable on summary conviction to a fine not exceeding €500.
10.	According to section 75(14) of the 2007 Act, the issuing of this notice does not prevent the commencement of proceedings for an offence.