

Unclassified

English - Or. English

18 November 2025

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE**

Cancels & replaces the same document of 4 November 2025

Working Party No. 2 on Competition and Regulation

**Market Studies and other Market Analysis Tools for Competition Authorities – Note by
Ireland**

3 December 2025

This document reproduces a written contribution from XX submitted for Item 4 of the 80th meeting of Working Party 2 on 3 December 2025.

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JT03576915

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1. OECD Call for Contribution

1. This contribution has been prepared by the Irish Competition and Consumer Protection Commission (the CCPC) for discussion at the OECD Working Party No. 2 on Competition and Regulation with reference to the Chairwoman's letter of 21 August 2025. The submission will outline how the CCPC approaches undertaking market studies, provide an overview of the range of studies we have conducted and set out how we have begun to evolve our approach to the study of markets including by undertaking other forms of market analysis.

2. Overview of CCPC Market Studies

2. Market studies are a way in which the CCPC can promote competition and consumer welfare in the Irish economy. The CCPC conducts market studies by assessing competition and/or consumer protection in a particular market or sector and making policy recommendations.

3. The CCPC does not have market investigation powers or the power to make formal findings of infringement based solely on market studies. Instead, our studies typically result in non-binding recommendations for policy change to Government, regulators or industry. Our market studies are primarily diagnostic and advisory, but they can help to inform the identification of the CCPC's enforcement priorities.

4. The following section briefly examines the pathways to market studies for the CCPC, and highlights some notable market studies we have undertaken along with their outcomes.

2.1. Pathways to market studies

5. One of the CCPC's predecessor organisations, the Competition Authority, conducted market studies under the legislative framework established by the Competition Act 2002 ("the 2002 Act")¹, which allows the CCPC to "study and analyse any practice or method of competition affecting the supply and distribution of goods or the provision of services or any other matter relating to competition".

6. The Competition and Consumer Protection Act 2014 ("the 2014 Act") saw the statutory establishment of the CCPC through the merger of the Competition Authority and the National Consumer Agency. This merger not only consolidated competition and consumer protection functions but also expanded the scope of market studies the CCPC could undertake. The remainder of this section will cover both competition and consumer focussed studies.

7. The decision to initiate a market study follows two paths:

8. **Ministerial Request** e.g. Competition in Irish Ports (2013), The Operation of the Household Waste Market (2018), Public Liability Insurance (2020)

¹ [Competition Act, 2002](#)

9. **Own-Initiative Studies** e.g. A series of studies of competition in professional services (2004-2010), *Competition in the Private Health Insurance Market* (2007).

10. Under the 2002 Act, the Minister for Enterprise could only request competition-focused studies. The 2014 Act broadened the focus, allowing the Minister to request studies that are competition-related, consumer-related, or both. This dual mandate significantly enhanced the CCPC's flexibility and relevance in addressing market issues. The CCPC gained access to a frontline intelligence source in the form of the National Consumer Agency's consumer helpline, which became a vital channel for detecting trends relating to both consumer and competition concerns.

11. Following the expansion of its research function through the establishment in 2021 of a dedicated research function, the CCPC has evolved its approach to own-initiative studies. Informed by data from the consumer helpline, stakeholder engagement, and other horizon scanning tools, the CCPC has identified a range of topics for further study. These have included consumer switching in regulated markets, a study estimating the scale of consumer detriment across the economy, the examination of information provision in residential property sales, and transparency disclosures for buyers of used cars.

12. The next section will briefly look at each of the above pathways and highlight experiences which were particularly important for the CCPC's evolving approach to market studies.

2.2. CCPC Market Studies: Notable Studies and Key Outcomes

13. Arising from significant concerns about restrictive practices and regulatory barriers to entry the Competition Authority published seven studies of professional services markets between 2004 and 2010². Each of those studies identified restrictions on competition and made actionable recommendations to eliminate or alleviate those restrictions. In each case anti-competitive practices had built up over decades, and even centuries in respect of the legal professions.

14. The CCPC has also conducted market studies in relation to banking markets, health and non-life insurance, the ports sector, grocery retail and the household waste collection market. At the conclusion of a market study, the CCPC will formulate clear and actionable recommendations targeted at relevant government departments, regulatory bodies, industry participants, or other stakeholders. These recommendations are developed based on robust research and analysis, ensuring they address identified competition or consumer protection issues within the market.

15. Many of the recommendations of our studies have been accepted and implemented, however some have been rejected by Government or regulators or overtaken by legislative or market developments. In many instances there was significant resistance to reform mounted by the representative bodies for the various professions and industry sectors. As an example, the study of the legal professions published in 2006 contained 29 recommendations for reform, some of which have yet to be implemented almost twenty years later. Securing buy-in from stakeholders, including within the political system can present many challenges. Ongoing follow-on advocacy and stakeholder engagement has been important in driving the implementation of recommendations. In some instances, such as recommendations regarding the legal professions and the household waste sector, this has included advocacy over many years.

² <https://www.ccpc.ie/business/research/market-studies/competition-professional-services/>

16. Other challenges encountered by the CCPC include the impact on resources of studies undertaken at the request of the Minister. These studies are generally requested at short notice and must be delivered with the existing staff resources. Prior to the establishment of our dedicated research function market, studies were conducted by a small team that was also tasked with delivering a range of other activities. Ministerial requests will take priority over other planned research with the result that planned activities may be subject to delay.

17. A further challenge has arisen from ensuring access to sufficient data to conduct in-depth analysis of a market. While the CCPC has the power to request information to inform its market studies, it has not always been possible to access comprehensive data that provides insights into market dynamics. Data sourced from industry is usually supplemented by public data, such as that produced by regulators. The CCPC notes that some economic sectors attract a greater level of confidentiality in terms of the treatment of information, such as in financial services, with the result that public data can be of limited value.

2.3. Monitoring and implementation of CCPC Recommendations

18. Following the publication of our market studies the CCPC actively engages with stakeholders to communicate the rationale and expected benefits of our recommendations. This may involve attending parliamentary committees, where the CCPC can advocate for the adoption of its recommendations. The CCPC also leverages media and public communications to raise awareness and build support for reform.

19. Where legislative or regulatory changes are required, the CCPC works collaboratively with policymakers, providing technical expertise (for example providing comments on the drafting of legislation) and evidence to support necessary reforms. The CCPC also remains flexible, adapting its approach if circumstances change or if additional challenges emerge during the implementation phase.

3. Evolving Approach to Selection

20. The CCPC is currently developing research on the level of competition in the Irish economy. This project will also look at how competition has changed over recent years and will be the first report to provide an overview of competition in a range of service sectors in Ireland. The report is due to be published in December 2025 and will be entitled ‘State of Competition in Ireland’. In undertaking such a study, the CCPC has had reference to previous such studies by the Canadian Competition Bureau, New Zealand’s Commerce Commission and the United Kingdom’s Competition and Markets Authority. In addition, in 2024 the European Commission published a study it commissioned on the State of Competition in the EU³.

21. The CCPC report is intended to (i) establish a framework for the measurement of the state of competition in the Irish economy; (ii) inform academic and public debate on the state of competition; and (iii) inform future work within the CCPC such as future research projects and discussions with stakeholders.

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https://competition-policy.ec.europa.eu/system/files/2024-06/KD0224126enn_exploring_aspects_of_the_state_of_competition_in_the_EU.pdf

22. To inform our approach the CCPC published a consultation paper in 2024 seeking the views of stakeholders on issues for consideration as part of any analysis of the state of competition in Ireland. The CCPC has engaged extensively with the national statistics institute to ensure that a robust data series is available inform our analysis.

23. The report will assess how competitive conditions have evolved over the last decade and the barriers that most affect entry and expansion. Combining structural indicators (concentration), performance measures (markups, productivity), and dynamic metrics (churn, entry/exit, survival, job reallocation), and informed by two business surveys, the project will provide an evidence base for further research, advocacy and enforcement.

4. Other Forms of Market Analysis

24. In recent years the CCPC has, with greater frequency, conducted analysis into issues that have often required more timely assessment than is typically the case with market studies or which is primarily consumer-focussed. Typically, such work has been prompted by emerging public concerns about market developments or by a high volume of consumer complaints. The primary characteristics of this type of analysis include a narrow scope and short timeframes for completion.

25. These types of analyses do not have the depth and scope of a market study, although they are evidence-informed, and can highlight emerging trends or patterns that could be further examined by the CCPC. Examples of these types of analyses have included an examination of the pass through of an excise duty cut in retail motor fuel and conditions of competition in the retail grocery sector.

4.1. Retail fuel analysis

26. The CCPC conducted an analysis of the retail motor fuel sector during March 2022. Petrol and diesel retail prices rose sharply at this time, as did international prices. The Irish Government announced a “temporary reduction” of excise duty charged on petrol and diesel, which took effect on midnight 10 March 2022. At this time the CCPC received a large number of complaints by consumers and examined the sector as a result. The report examined whether the excise duty cut had been passed on to consumers, allegations of collusion and the competitive dynamics in the sector.

27. Our report found that international price volatility, not collusion, was the main driver of pump price increases and that excise cuts were not passed on immediately due to supply chain realities. The Report found no evidence of coordinated pricing behaviour. The findings were echoed in similar reports from competition authorities in Austria, New Zealand and the UK, reinforcing the credibility of its conclusions. This analysis was completed within six months.

4.2. Grocery market analysis

28. In June 2023, the CCPC conducted a rapid and high-level analysis of the grocery sector in Ireland using publicly available data. The analysis was completed following a request from the Minister for Enterprise, made in the context of;

- Sharp increases in grocery prices, which were contributing to cost-of-living pressures for Irish consumers.

- Public and political commentary questioning whether these price rises were due to anti-competitive behaviour or market failure.
- Calls by some political parties for the government to intervene in the sector in the form of introducing price caps on essential items.

29. Our report was completed in four weeks and found no evidence of market failure and that food price inflation in Ireland remained below the EU average⁴. The analysis found that profit margins among major retailers were modest and aligned with international benchmarks. Concentration in the grocery retail sector in Ireland has reduced and competition on price, quality, location and service has improved in recent years. Quick interventions such as the High-level analysis of the Irish Grocery Retail Sector have obvious benefits in terms of the timely turnaround, and focused scope, but limitations include a reliance on publicly available data. This meant that our analysis could not incorporate confidential retailer-level pricing, cost structures, or supply chain contracts. The high-level nature of the analysis meant that local-level competition dynamics—such as barriers to entry—were not fully explored.

30. The analysis identified a number of price interventions in relation to the grocery retail sector in other countries but did not see any evidence that such interventions had benefitted consumers. We concluded that price interventions carry a significant risk of unintended consequences and that targeted income supports were a better policy response than price controls. In 2025 the CCPC repeated the High-Level Analysis of the grocery retail sector⁵. That updated analysis reached similar findings i.e. that the grocery market in Ireland is competitive and broadly unchanged from the results of the 2023 analysis.

4.3. In-depth consumer protection reports

31. In addition, the CCPC has also produced in-depth reports focused on consumer protection issues. These have included a study of the levels of reported consumer detriment in Ireland over a two-year period⁶, an examination of information availability and transparency in the used car market⁷, an exploration of information disclosure in residential property sales⁸ and an overview of consumer shopping around and switching in regulated markets⁹. These reports have typically involved desk-based research, stakeholder engagement, market research, and examination of complaints made to the CCPC by consumers. The methodologies employed in producing these reports are therefore closely aligned to those used for competition focussed market studies.

⁴ <https://www.ccpc.ie/business/research/market-research/high-level-analysis-of-the-irish-grocery-retail-sector/>

⁵ <https://www.ccpc.ie/business/ccpc-publishes-update-to-high-level-grocery-sector-analysis/>

⁶ <https://www.ccpc.ie/business/research/market-research/understanding-consumer-detriment-in-ireland/>

⁷ <https://www.ccpc.ie/business/research/market-research/access-to-car-history-improving-consumer-outcomes-in-the-used-car-market/>

⁸ <https://www.ccpc.ie/business/research/market-research/room-for-improvement-examining-information-availability-in-residential-property-purchases/>

⁹ <https://www.ccpc.ie/business/research/market-research/compare-and-switchunderstanding-consumer-behaviour-in-regulated-markets/>

5. Conclusion

32. Both short/targeted analyses and market studies play distinct but complementary roles in furthering the CCPC's mission. While targeted analyses provide swift responses to immediate consumer concerns, market studies enable a deeper understanding of the broader competitive environment. Together, these approaches ensure that the CCPC remains responsive to current developments while proactively shaping policy and market outcomes for the benefit of Irish consumers.