

Virgin Media agrees to refunds and other consumer measures following a notification of non-compliance



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

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Information Notice

Reference: ComReg

Date: 05/03/2020

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1. On 22 June 2018, the Commission for Communications Regulation (“ComReg”) found that Virgin Media Ireland Limited (“Virgin Media”) had failed to comply with Regulations 14(1) and 14(2)(d) of the European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011¹ (“the Universal Service Regulations”).
2. The notification of a finding of non-compliance ² (“the notification”) of 22 June 2018 relates to the manner in which tariffs associated with certain extra charges, for example late payment fee, unpaid direct debit fee, were presented and subsequently charged by Virgin Media to portions of its customers. It concerned, in particular, the transparency and accessibility of the contractual provisions relating to those tariffs.
3. On the 27 February 2020, ComReg entered into a settlement agreement (“Settlement Agreement”) with Virgin Media relating to the notification issued by ComReg to Virgin Media.
4. As part of the Settlement Agreement, Virgin Media shall refund the sum of €421,200 to ca. 24,000 customers who were charged all or any of the extra charges during the period from 1 September 2016 to 27 October 2017. These customer refunds are to be completed by 1 September 2020.
5. Under the Settlement Agreement, Virgin Media also agreed with ComReg a set of commitments to be taken by Virgin Media by 27 February 2020. These are as follows;
 - Virgin Media shall publish a price list in a prominent location on its website and provide a direct link to Virgin Media’s price list from Virgin Media’s homepage of its primary consumer-facing website www.virginmedia.ie;
 - Virgin Media shall amend the Terms and Conditions which Virgin Media issues to all customers to include a working direct link(s) to Virgin Media’s price list; and
 - Virgin Media shall provide a clear description and details of the additional charges that may apply to a customer in the manner directed by ComReg and shall also provide a direct link to Virgin Media’s price list incorporated into its contracts provided on a durable medium.

¹ S.I. No. 337 of 2011 <http://www.irishstatutebook.ie/eli/2011/si/337/made/en/pdf>

² <https://www.comreg.ie/publication/comreg-issues-a-notification-of-a-finding-of-non-compliance-to-virgin-media>