



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

District Court Prosecution

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Information Notice

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Commission for Communications Regulation

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Section 13(1) of the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 (“the Act”)

1. On 15 December 2020, the Kilkenny District Court heard 2 cases taken by ComReg against Zamano Solutions Limited (“Zamano”) in relation to 2 counts of charging customers for premium rate services in circumstances where they were not requested by the customer.

2. The prosecutions were brought under Section 13 of the Act, which provides as follows:

13.— (1) A premium rate service provider shall not impose, or purport to impose, in respect of a specified premium rate service, a charge—

[...]

(b) for supplying a premium rate service to an end user that was not requested by the end user, or

[...]

(2) A premium rate service provider that contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding €5,000.

3. The outcome of this case against Zamano is detailed below:

a) Zamano pleaded guilty to 2 counts brought against it.

b) Judge Geraldine Carthy imposed criminal convictions for each count and ordered Zamano to pay a total of €5,000 in fines.

c) Zamano stated that it had discontinued the AppMob premium rate service since August 2020 and it was concentrating its business on providing texts to charities and to some financial institutions.

d) Costs were awarded to ComReg.

4. ComReg will continue to monitor the complaints it receives from consumers and will continue to investigate matters arising in respect of Section 13 of the Act and other relevant regulatory obligations.