



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# **ComReg issues an Opinion of Non-Compliance to Virgin Media Ireland Limited with respect to provisions of the Universal Service Regulations**

## **Information Notice**

**Reference:** 21/102

**Date:** 14/10/2021

1. On 23 January 2020, ComReg notified Virgin Media Ireland Limited (“Virgin”) of a finding of non-compliance with Virgin’s obligations under the European Communities (Electronic Communications Networks and Services) (Universal Service and User’s Rights) Regulations 2011<sup>1</sup> (“the Universal Service Regulations”) and ComReg Decision D13/12 on Contract Change Notifications<sup>2</sup>, issued pursuant to Regulation 14(5) of the Universal Service Regulations, (“ComReg Decision D13/12”).
2. The notification of non-compliance was made in accordance with Regulation 31(2) of the Universal Service Regulations.
3. The non-compliance concerned numerous Contract Change Notifications issued by Virgin to its customers in 2017, 2018 and 2019 that failed to comply with Regulations 14(4) and (6) of the Universal Service Regulations and ComReg Decision D13/12.
4. The notification related, amongst other things, to the format and content of Contract Change Notifications (“CCNs”). In particular, Virgin customers were required to give 30 days’ notice if they did not accept the proposed modifications to the contract and Virgin did not provide the actual date by which the customer could withdraw from their contract without penalty.
5. Virgin had until 23 February 2020 to state its views.
6. Virgin’s response outlined certain remedial measures and other commitments
7. In summary, Virgin Media will:
  - i. no longer purport to impose a 30 day notice period in Contract Change Notifications;
  - ii. allow a customer to withdraw from their contract with ease meaning that a customer can get through in a telephone call to an agent for the purposes of cancelling their contract without experiencing any unreasonable delay and without the requirement to engage in any sales efforts from the agent in the absence of their prior consent to same;
  - iii. implement measures to ensure that future contract change notifications make it clear that the customer can withdraw from the contract, if they wish, up until the effective date;

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<sup>1</sup> European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011

<sup>2</sup> ComReg Document 12/128 available at [https://www.comreg.ie/media/dlm\\_uploads/2015/12/ComReg12128.pdf](https://www.comreg.ie/media/dlm_uploads/2015/12/ComReg12128.pdf)

- iv. continue to review the format and order in which CCN information is provided, and to ensure in particular that, all CCNs avoid any possible confusion in relation to the ordering or prominence of all material information;
  - v. update its guidance and training to call centre staff in respect of the cancellation procedure for customers cancelling on foot of a CCN.
8. Having considered Virgin's response and the proposed remedies and commitments made, ComReg has nonetheless formed the Opinion that Virgin was non-compliant with the relevant provisions of the Universal Service Regulations and ComReg Decision D13/12.
  9. Having taken account of Virgin's response and its remedial actions to address the issues raised in the notification, ComReg intends to take no further action in respect of this matter.
  10. ComReg will continue to monitor compliance by all undertakings with their obligations under the Universal Service Regulations, ComReg Decision D13/12 and other consumer legislation and, where necessary, will investigate any matters arising.