



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Information Notice

Internet Access Service Switching Forum

Information Notice

Reference: ComReg 22/55

Date: 01/07/2022

An Coimisiún um Rialáil Cumarsáide
Commission for Communications
Regulation

1 Lárcheantar na nDugaí, Sráid na nGildeanna, BÁC 1, Éire,
D01 E4X0. One Dockland Central, Guild Street, Dublin 1,
Ireland, D01 E4X0.

Teil | Tel +353 1 804 9600 Suíomh | Web www.comreg.ie

Additional Information

Document No:	22/55
Date:	01 July, 2022

1. Article 106 (1) of the European Electronic Communications Code¹ (“**the Code**”) seeks to ensure continuity of service for end-users when switching Internet Access Service (“**IAS**”)² by imposing on providers of IAS, and operators whose access networks or facilities are used by an IAS provider, obligations in relation to the switching process and continuity of service requirements, and clear timelines for completing the switching process. Recital 277 of the Code provides that the possibility of switching between providers is key for effective competition. Recital 277 also provides that providers should ensure continuity of service so that end-users are able to switch providers without being hindered by a risk of loss of service.
2. To meet the requirements of Article 106 (and where applicable with regard to bundled offers, Article 107) of the Code, providers of IAS, and operators whose access networks or facilities are used by an IAS provider, are required to have processes and procedures in place to facilitate IAS switching.
3. The Code introduces new end-user rights related to IAS switching, which aim to:
 - I. increase transparency in the switching process,
 - II. make it easier for end-users to switch their service(s), and
 - III. provide end-users with greater levels of confidence when it comes to engaging with the switching process.
4. ComReg’s role is to ensure the efficiency and simplicity of the switching process for the end user.
5. The Department of Environment, Climate and Communications (“**DECC**”) is responsible for the transposition of the Code into national law in Ireland. Transposition is expected over the coming months.
6. On 20 October 2021, ComReg published Guidance³ on the meaning and effect of the provisions of the Code regarding IAS switching, including Article 106 and with respect to bundles under Article 107 (the “**IAS Guidance**”). The IAS Guidance sets out ComReg’s expectations with respect to the requirements of the IAS switching process to be developed by industry and supported by technical solutions.

¹ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast).

² The Code defines “internet access services” by reference to the definition of that term in Article 2 (2) of the Open Internet Access Regulation (EU) 2015/2120, which is in turn defined as, “a publicly available electronic communications service that provides access to the internet, and thereby connectivity to virtually all end points of the internet, irrespective of the network technology and terminal equipment used”.

7. Following a meeting held on 31 May 2022 with IAS providers in relation to the Code and IAS switching, where ComReg was asked by industry to establish and chair a forum to facilitate discussions between operators in respect of the definition and documentation of required inter-operator processes for IAS switching, ComReg has decided to accede to that request.
8. The purpose of the forum to be established, the Internet Access Service Switching Forum (“**the Forum**”), is to facilitate providers of IAS, and operators whose access networks or facilities are used by an IAS provider, in defining and documenting any required inter-operator processes for IAS switching pursuant to Article 106 of the Code so that the end-user’s right to exercise choice and change their IAS provider in accordance with Article 106 (1) of the Code can be facilitated (including with regard to bundled offers insofar as provided for in Article 107), in advance of transposition of Articles 106 and 107 of the Code.
9. The purpose of this Information Notice is to issue a public invitation to providers of IAS, and operators whose access networks or facilities are used by an IAS provider, to participate in the Forum which is subject to a Terms of Reference and Code of Conduct. IAS providers and, operators whose access networks or facilities are used by an IAS provider, are invited to register their interest to participate in the Forum by sending an email to products@comreg.ie, where a copy of the Forum Terms of Reference and Code of Conduct would be forwarded for signature by the IAS Provider and, operators whose access networks or facilities are used by an IAS provider, so that participation in the Forum can be confirmed.
10. Agendas and meeting details will be circulated in due course to participants who return a signed copy of the above Forum Terms of Reference and Code of Conduct by 14 July 2022.

³ Regulatory Guidance on Title III: End-User Rights of the European Electronic Communications Code. Inter-operator processes – principles to facilitate end-user rights to switch internet access services. ComReg. ComReg Document 21/107R, dated 20 October 2021.