



An Coimisiún um
Rialáil Cumarsáide

Commission for
Communications Regulation

COMREG ANNUAL REPORT

2021 to 2022

Commission for Communications Regulation
Annual Report for 2021 - 2022.

Presented to the Minister for Environment, Climate and Communications in accordance with
Section 32 of the Communications Regulation Act, 2002.

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation
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Content

	Page Number
1 About ComReg	5
2 Chairperson's Review	10
3 Communications Overview	14
4 Consumers	17
5 Postal Regulation	38
6 Market Framework	42
7 Market Analysis and Pricing	61
8 Strategy and Economics	68
9 International	70
10 Corporate Services	73

Table of Figures

	Page Number
Figure 1: Broadband Subscriptions by Subscription Type	15
Figure 2: Household Broadband Penetration Rates, EU-27 and Ireland	16
Figure 3: Role of ComReg and consumer journey	17
Figure 4: Example of ComReg Connects FAQ circulated through stakeholders and providing consumers with advice and information	20
Figure 5: Number of consumer contacts by communication channel	21
Figure 6: Live Radio Licences at Year End: 2015 – 2022	43
Figure 7: New Radio Licences Issued: 2015 – 2022	44
Figure 8: Non-compliant devices taken down in the 2021-2022 operating year	45
Figure 9: Number of reported interference complaints received each year	47
Figure 10: Comparison of cases received by type	47
Figure 11: Interference sources	48
Figure 12: A comparison of incidents in 2020 and 2021	53
Figure 13: Implementation of the NGN Decision	58
Figure 14: The benefits of eSIM and OTA provisioning	60

1. About ComReg

The Commission for Communications Regulation (ComReg) is the statutory body responsible for the regulation of electronic communications (telecommunications, radio communications and broadcasting networks), postal and premium rate services. ComReg is the national regulatory authority for these sectors, in accordance with EU and Irish Law. In addition, we manage the radio frequency spectrum and the national numbering resource, among other responsibilities.

COMMISSIONERS



ROBERT MOURIK
Chairperson



GARRETT BLANEY
Commissioner

ORGANISATIONAL STRUCTURE

The Commission for Communications Regulation (ComReg) was established on 1 December 2002 by the Communications Regulation Act 2002 and is led by a Commission of up to three Commissioners. At the end of this reporting period the Commission had two Commissioners: Garrett Blaney and Robert Mourik (Chairperson).

The Commission, with the Leadership Team, is responsible for the strategic and operational management of the organisation. ComReg depends on the efforts of all our staff (including lawyers, economists, engineers, accountants, business analysts and administrative specialists) to deliver on our mission and meet our regulatory objectives.

ComReg consists of four Divisions, supported by a General Counsel and a Director of Strategy and Economics. The structure is based on cross-functional teams operating in a multi-disciplinary environment.



LEADERSHIP



JOHN EVANS
Director of
Strategy and Economics



CAROLINE DEE-BROWN
General Counsel



JOE HEAVEY
Director of
Corporate Services Division



DONAL LEAVY
Director of
Wholesale Division



BARBARA DELANEY
Director of
Retail and Consumer Services Division



GEORGE MERRIGAN
Director of
Market Framework Division

FUNCTIONS

ComReg is responsible for promoting competition, protecting consumers and for encouraging innovation. We deal in complex issues of law, economics, accounting, regulation, and technology.

Our objectives are set out in line with both primary and secondary legislation, and this legislative framework continues to evolve since the Communications (Regulation) Act of 2007. In 2007, ComReg's responsibilities and powers, as well as available enforcement measures, were augmented by the Communications Regulation (Amendment) Act 2007. ComReg was granted Competition Act powers in relation to electronic communications and services. The Communications Regulation (Premium Rate Services & Electronic Communications Infrastructure) Act 2010 transferred responsibility for the regulation of premium rate services to ComReg and ComReg commenced regulation of this area in July 2010. The Postal Act 2011 sets out ComReg's regulatory responsibilities in relation to postal matters.

Under the Communications Regulation Acts 2002 to 2017, ComReg has a range of functions and objectives in relation to the provision of electronic communications networks, electronic communications services, and post.

These include:

- Ensuring compliance by operators with obligations
- Promoting competition
- Contributing to the development of the internal market
- Promoting the interests of users within the European Community
- Ensuring the efficient management and use of the radio frequency spectrum and numbers from the national numbering scheme
- Promoting the development of the postal sector and the availability of a universal service
- Protecting the interests of end users of premium rate services

This Annual Report covers our key activities from 1 July 2021 to 30 June 2022.

2. Chair's Review

During the year under review we were dealing with the effects of Covid-19 as businesses and organisations moved back to offices albeit on a hybrid basis. One of the abiding lessons from the Covid pandemic was the critical importance of good quality connectivity. The move from a 'nice to have' to an indispensable utility has been rapid and the Covid pandemic undoubtedly accelerated this trend.

Now more than ever electronic communications play a critical role in all of our lives. It is now very common in our daily lives to attend remote meeting and events. We are transcending geographic boundaries to meet virtually with colleagues, friends and family in real-time. This has been a cultural shift as much as a technological shift and it highlights the significant role of fixed and mobile communications in our social, educational and work lives.

During the period under review, Ireland has experienced significant improvement in its digital progress and we now rank fifth in the Commission's assessment of all 27 EU member states in 2022. Ireland is now among the top countries in Europe. The legislative landscape for communications is also evolving. Across the EU, the European Electronic Communications Code (EECC) is updating and consolidating the legislative framework which underpins the regulatory regime for electronic communications. ComReg is prepared for the challenges ahead in the constantly evolving electronic communications sector.

BROADBAND



It is clear that broadband continues to play a pivotal role in our economy and society. By the end of this reporting period, there were 1.95 million broadband subscriber lines, an increase of 3% on 2021. There was also very significant growth in Fibre To the Premises (FTTP) subscriptions increasing by 39.5% to 431,388 over the period.

Data consumption and broadband speeds continued to grow. At the end of Q2 2022 an average fixed broadband subscriber used 327.8 GB of data per month, this is up from 324 GB on the previous year. In terms of subscription speed as of Q2 2022, 53.3% of all broadband subscriptions had sold speeds equal to or greater than 100Mbps.

MOBILE



At the end of June 2022 there were 8.36 million subscriptions to mobile communications services, including mobile broadband and Machine to Machine (M2M) subscriptions in Ireland. Average monthly voice call minutes per mobile subscriber in Ireland decreased to 197 minutes per month in June 2022, down from 228 in June 2021. Average monthly traffic per mobile subscriber using voice and data services was 13.8GB in June 2022 compared to 10.9B in June 2021.

CONSUMER



ComReg has a statutory obligation to protect and inform consumers. During the year under review, ComReg continued to provide its complaint handling service to consumers. ComReg's Consumer Line Team received approximately 47,000 contacts from consumers. Consumers can contact ComReg's Consumer Line Team through the following channels – telephone, email, online complaints form, letter, web chat, SMS and Irish Sign Language. 96% of all calls to ComReg's Consumer Care Team were answered within 20 seconds and 96% of written contacts were answered within 24 hours.

NUISANCE COMMUNICATIONS

In 2021, ComReg identified a serious risk of harm to consumers arising from an increase in the volume of "Scam Calls" or "Scam Texts". This coincided with reports of similar growth in Nuisance Communications in other jurisdictions.

ComReg believes that consumers should have confidence when they are receiving and making phone calls. We are keenly aware of the damaging effects and complexity of nuisance communications. With this in mind ComReg established a Nuisance Communications Industry Taskforce (NCIT).

The key function of the NCIT is to identify and recommend practical interventions that can be taken in the short, medium and long-term to combat nuisance communications by network operators. ComReg has engaged closely with industry, through the NCIT, and has collectively identified a number of interventions best suited to mitigate and reduce the harm associated with Nuisance Communications.

COMPETITION



Retail markets are becoming increasingly competitive and, in the period, ComReg deregulated the Retail Fixed Voice Access market. Investment levels in fixed broadband are encouraging. Many of the commercial operators have committed to investing in their networks and coupled with the Government's NBP, Ireland is in a good position to achieve high levels of high-quality broadband coverage over the coming years.

INTERNATIONAL



During this year ComReg continued to actively participate in the Body of European Regulators for Electronic Communications (BEREC), which acts as an important platform for ensuring the consistent implementation of the regulatory framework for electronic communications in the European Union. It also facilitates regulatory exchange between national regulatory authorities (NRAs). BEREC's membership includes each of the NRAs from the 27 Member States of the European Union, representatives from the European Commission, the countries of European Economic Area (EEA), as well as the official candidate countries and the potential candidate countries of the European Union.

During this reporting period, I served as ComReg's representative on BEREC's Board of Regulators (BoR), having replaced Commissioner Jeremy Godfrey, who had previously served as BEREC Chair during 2019. I was also elected as a vice-president of BEREC. ComReg's international activities focused on contributing to BEREC's projects and outputs as set out in the BEREC Work Programme 2021 and 2022. This required active participation by ComReg experts in twelve BEREC Working Groups (WG), also providing the Co-Chair for one WG (Wireless Network Evolution WG).

CONCLUSION

During the year our former commissioner and colleague Jeremy Godfrey took up a new role as Chair of the Competition and Consumer Protection Commission (CCPC) after spending 10 years with ComReg.

Throughout the pandemic ComReg adapted to virtual working and as restrictions were lifted, ComReg staff returned to the office on a phased basis. We chose a blended model and transitioned to this new way of working. The underlying imperative is to continue to deliver our mission which is to support the development of a competitive communications sector in Ireland that attracts investment, encourages innovation, and empowers consumers to choose and use communications services with confidence.

We continue to grow our workforce and our focus has been to attract, develop, and retain people. We recognise that people are the key asset of the organisation and during the year, we are delighted to say that we have welcomed talented individuals who will enhance our knowledge base, increase our specialist skills, and support the delivery of our objectives.

Through investment in developing people, we endeavour to supported staff in growing their capability and achieving their potential. We continue to sponsor education and strongly encourage staff to supplement their existing knowledge and qualifications.



Robert Mourik
ComReg Chairperson

3. Communications Overview

FIXED LINE MARKET SHARE

Based on operator data submitted via the Quarterly Report questionnaire, Eircom Limited (trading as “Eir”) accounted for 41.4% of the total fixed line market in terms of overall (retail and wholesale) revenue by June 2022, down from 43.1% in June 2021. Other Authorised Operators (OAOs) accounted for the remaining share of the market.

FIXED VOICE TELEPHONY

There were 1.26 million fixed voice subscriptions in the Irish market as of June 2022, a decline of 5.4% since June 2021. At the end of June 2022, Eir accounted for 40% of the Fixed Voice market followed by Virgin Media at 21.1%. Voice traffic originating on fixed networks decreased in Q2 2022 to over 431 million minutes with the average residential subscriber having originated 67 minutes of fixed voice calls and the average business subscriber originated 385 minutes of fixed voice calls in Q2 2022.

MOBILE COMMUNICATIONS SERVICES

At the end of June 2022 there were 8.36 million subscriptions to mobile communications services including mobile broadband and Machine to Machine (M2M) subscriptions in Ireland. In Q2 2022 total M2M subscriptions stood at 2.5 million representing a 39% annual growth. Three Ireland (Hutchison) Limited and Three Ireland Services (Hutchison) Limited (collectively referred to as “Three”) has the largest share of subscriptions (including mobile broadband and M2M) at 41.3 % followed by Vodafone Ireland Limited (“Vodafone”) at 34.9% and Eir Mobile at 15.1%.

Average monthly voice call minutes per mobile subscriber in Ireland decreased to 197 minutes per month in June 2022, down from 228 in June 2021. Average monthly traffic per mobile subscriber using voice and data services was 13.8GB in June 2022 compared to 10.9GB in June 2021.

BROADBAND MARKET

By the end of June 2022, there were 1.95 million broadband subscriber lines. This was an increase of 3% on Q2 2021. Fibre To The Premises (FTTP) subscriptions increased to 431,388 in Q2 2022 an increase of 39.5% since Q2 2021.

Figure 1: Broadband Subscriptions by Subscription Type

Line Type	Q2 2022	Quarterly Growth Q1'22 – Q2'22	Annual Growth Q2'21 – Q2'22
Cable Broadband	372,423	-1.0%	-1.2%
DSL Broadband	132,496	-5.1%	-20%
VDSL Broadband	571,166	-2.6%	-8.7%
FTTP Broadband	431,388	7.7%	39.5%
Satellite Broadband	3,296	98%	58.5%
FWA Broadband	84,327	1.4%	11.6%
Total Fixed Broadband	1,595,096	0.5%	2.6%
Mobile Broadband	357,746	1.2%	5.0%
Total Broadband	1,952,842	0.6%	3.0%

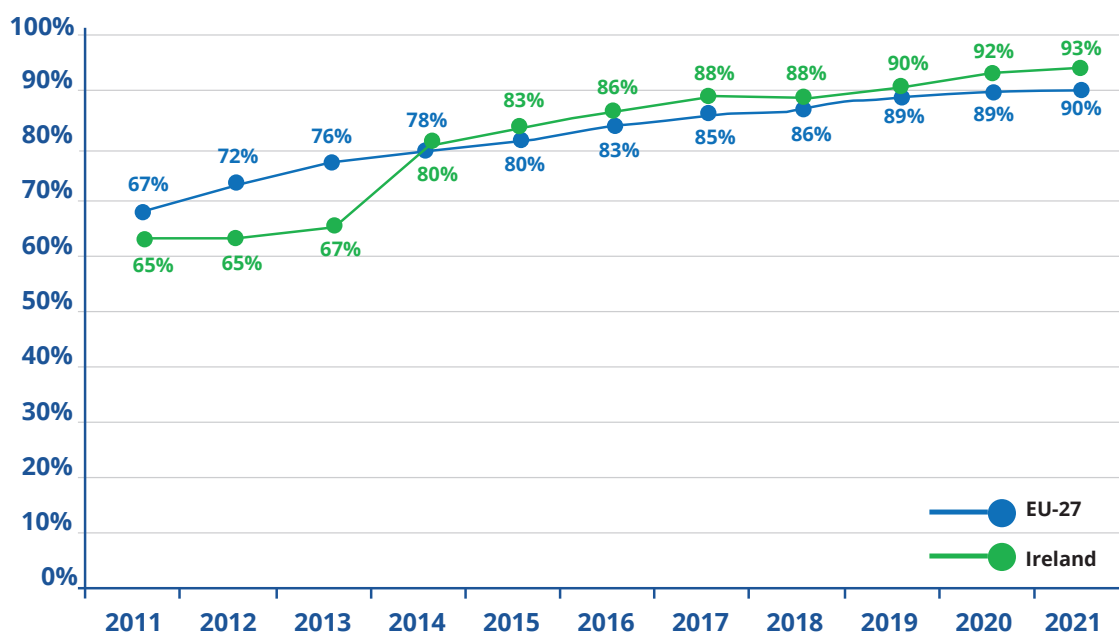
In Q2 2022, Eir had 27.3% of total retail fixed broadband subscriber lines, followed by Virgin Media who had 24.2% of lines. Vodafone had 20.2% (excluding mobile broadband), Sky Ireland 14.2%, Imagine 2.9%, Pure Telecom 2.3% and Digiweb 2.1% market share. All other OAOs combined accounted for the remaining 6.8% share of retail fixed broadband subscriber lines.

In Q2 2022 an average fixed broadband subscriber used 327.8 GB of data per month, up from 324 GB in Q2 2021. In terms of subscription speed. At the end of Q2 2022, 53.3% of all broadband subscriptions had sold speeds equal to or greater than 100Mbps.

BROADBAND PENETRATION

Figure 2 illustrates Ireland's position compared to the EU average in terms of fixed and mobile broadband household penetration. Ireland (93%) was above the EU average (90%) for household broadband (fixed and mobile) penetration in 2021.

Figure 2: Household Broadband Penetration Rates, EU-27 and Ireland

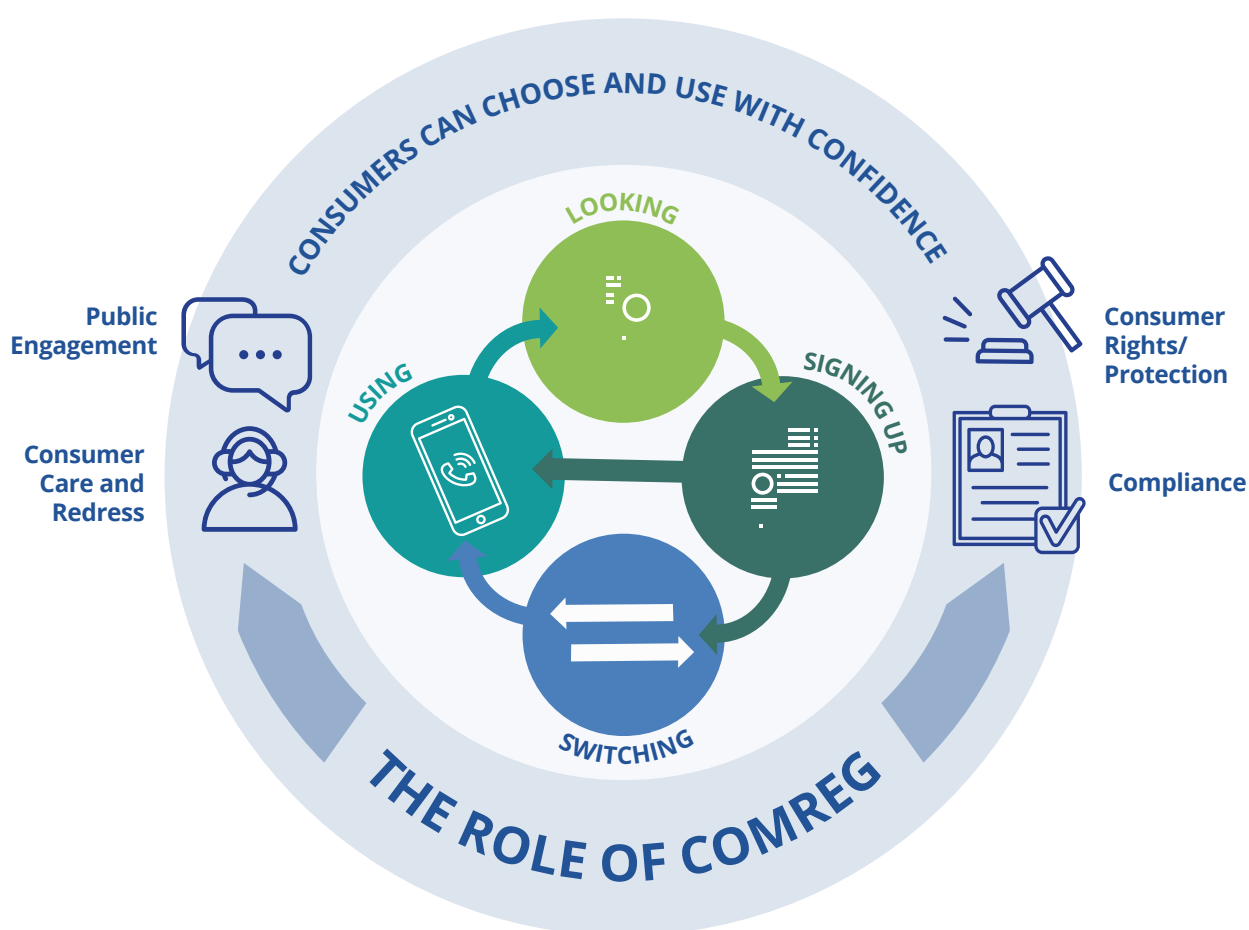


4. Consumers

ComReg's overall strategic approach to consumers is to protect and inform consumers so they can choose and use communications services with confidence.

During the period, ComReg carried out several actions to deliver its associated consumer goals throughout the stages of the consumer journey: Looking, Signing-Up, Switching and Using. ComReg's actions as illustrated below were in the areas of Public Engagement, Consumer Care and Redress, Consumer Rights/Protection and Compliance.

Figure 3: Role of ComReg and consumer journey



PUBLIC ENGAGEMENT

ComReg seeks to empower consumers by ensuring the availability of appropriate and transparent information and tools while also offering an effective complaint handling process. ComReg seeks to understand evolving consumer needs by liaising with various stakeholders using a variety of channels such as through our Consumer Care Team; via our Communication and Engagement programme (including online presence and analysis of trends); via the ComReg Consumer Advisory Panel; the Equivalence of Access & Choice Forum, and by carrying out relevant surveys and by gaining inputs from consumer organisations who we liaise with.

INFORMATION ON CONSUMER RIGHTS

Consumers are informed through timely, relevant, clear, and accessible information. ComReg recognises the need for consumers, including vulnerable and disabled end-users, to be appropriately informed to make choices in respect of electronic communications, and to assist them in their dealings with their service provider, even more so as competition intensifies. In this respect, ComReg has continued to update its consumer section of www.comreg.ie with relevant information and news about choosing and using communications services. During the period the consumer section of the website was consolidated and enhanced including the presentation of consumer news items.

We published regular consumer news items¹ covering a range of topics including scam calls, consumer issues and advice, compliance actions, ComReg's consumer tools and services, number changes, product safety recall notices, postal strategy and reports. We also published quarterly consumer news summaries.²

CONSUMER TOOLS - MOBILE COVERAGE MAP, COMREG COMPARE AND SERVICE CHECKER

ComReg provides an outdoor mobile phone coverage map, at www.comreg.ie/coveragemap, which allows consumers to check ComReg's calculation of operator mobile phone coverage and signal levels at locations throughout the country. The map allows mobile phone users to see the level of mobile coverage where they work or live and helps consumers when making choices between operators based on predicted coverage availability in their area or chosen location. It has been generated using data provided by the main mobile network operators and includes data for the mobile virtual network operators (service providers whose services are hosted by the main mobile network operators). The map data was updated in Q3 2021, Q4 2021 and Q2 2022. The map is set out in a colour-coded format – dark brown shows very good coverage through to beige which shows fringe coverage. The map shows signal strength ranging from very good, good, fair, fringe and no coverage for 2G (Voice), 3G (Data and Voice) and 4G (Data and Voice). An application (App) is also available for mobile phone users, with new functionality added.

¹ <https://www.comreg.ie/category/consumer-news/>

² <https://www.comreg.ie/comreg-consumer-news-q2-2022-2/>
<https://www.comreg.ie/comreg-consumer-news-q1-2022/>
<https://www.comreg.ie/comreg-consumer-news-q4-2021/>
<https://www.comreg.ie/comreg-consumer-news-q3-2021/>

In addition to the outdoor coverage map, ComReg also works with industry to ensure that relevant, accurate information is available to consumers on its value comparison tool, ComReg Compare, at www.comreg.ie/compare, regarding current market offers, to assist them with their purchasing decisions. On this calculator, consumers can compare communications service providers' market offerings by handset, average monthly cost, total cost including handset costs, allowances, and speed, based on the usage information entered.

To assist consumers who have questions about Premium Rate Services (PRS) charges that have been applied to their bill or deducted from their phone credit, ComReg also offers an online facility, Service Checker, at www.comreg.ie/servicechecker where you can check the contact details and other details for all premium rate services. Consumers can input the service name or the five-digit number of the service they have been charged for and are presented with details of the customer service helpline number and email.

INFORMATION - CONSUMER ENGAGEMENT PROGRAMME

ComReg continued its consumer communication and engagement during the period with targeted campaigns to inform consumers of their rights and the information that ComReg makes available. Such initiatives include updating the ComReg website with new consumer information and functionality, outreach, and digital and traditional marketing campaigns to inform consumers.³

ComReg's consumer brand, 'ComReg Connects', helps to ensure consumers and the public identify ComReg as a brand at the forefront of consumer protection, capturing the essence of who ComReg is and what it stands for. ComReg engaged with a range of stakeholders on consumer issues including a Departmental Consultative Committee and the National Broadband Officers, the Government's Mobile and Broadband Task Force, Age Friendly Ireland, Consumer Advisory Forum and Equivalence of Access and Choice Forum.⁴

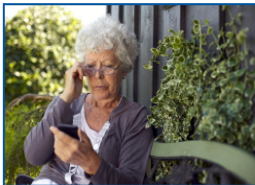
³ <https://www.comreg.ie/category/engagement/>

⁴ <https://www.comreg.ie/engagement/panels-forums/>

Figure 4: Example of ComReg Connects FAQ circulated through stakeholders and providing consumers with advice and information



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Scam Calls and Scam Texts FAQs

What are scam calls and scam texts?

Scam calls and scam texts are unwanted, unsolicited, nuisance communications. The intent of scam calls and texts is often to mislead the receiver to share personal information or money to the scammer.

Why am I getting so many scam calls and scam texts lately?

More people are working from home, shopping online, banking online and using social media. This creates opportunities for scammers to steal data and money from unsuspecting users. Though your phone service provider is likely to be already blocking suspicious numbers, some calls get through as it is difficult to quickly recognise scammers and block their calls and texts efficiently without blocking genuine numbers.

How did the scammers get my number and why are they targeting me?

Scammers use software to call or text a range of numbers at the same time and then note which are answered. Answered numbers are recorded as genuine in-use numbers and may be sold on the internet to other cyber criminals. Therefore, making your number ex-directory or adding your number to the "do not call" register for direct marketing will not prevent scams. If you have fallen victim to a scam previously, you may be contacted by other scammers who claim to be able to help you to get your money back for a fee.

What can I do to protect myself from being scammed?

Unfortunately, scam calls and texts can be difficult to identify. Vigilance is important, such as:

Do's

- **Hang up** if a caller pressures you, claims urgent action is needed or threatens negative consequences. **Ask someone you trust** if they think the call was genuine.
- If a call or text message claims to be from a bank, government agency or a company you do business with it is best not to engage with the caller or message the sender. Instead, **end the call**, look up their official contact details and contact them back to verify if the call is legitimate.
- If you have friends or relatives abroad that may be calling you, **store their number** (including the country prefix) in your phone. Get to know the prefix for the country they might be calling from.

Don'ts

- If you dial back an unknown number by mistake, **hang up immediately** if there appears to be no recipient on the other end or where you are left on hold.
- If you are receiving calls late at night, you could **turn down the volume** on your home phone or select silent mode or do not disturb mode on your mobile phone.
- If you are getting persistent calls from a number you don't know, **contact your service provider**, and request that calls from that number be blocked.
- Sometimes, scammers display a phone number like your own on your caller ID, to increase the likelihood that you will answer the call. If your number is being used in this way, **contact your service provider** and request that calls from that number be blocked.
- Some mobile phones have the capability of allowing you to screen, block or silence nuisance numbers from contacting you. **Check your phone settings** to see if this is a feature of your handset or contact your service provider who may be able to assist.

What should I contact if I have shared personal information?

Scam calls and scam texts are illegal. Therefore, you should contact and An Garda Síochána immediately, as well as your financial institution if you have shared personal information relating to your finances.

ComReg Connects
Commission for Communications Regulation,
One Dockland Central, Guild Street,
Dublin, D01 E4X0
<https://www.comreg.ie/advice-information/scam-calls/>
Consumer Care Team:
01 8049668
consumerline@comreg.ie

CONSUMER CARE AND REDRESS

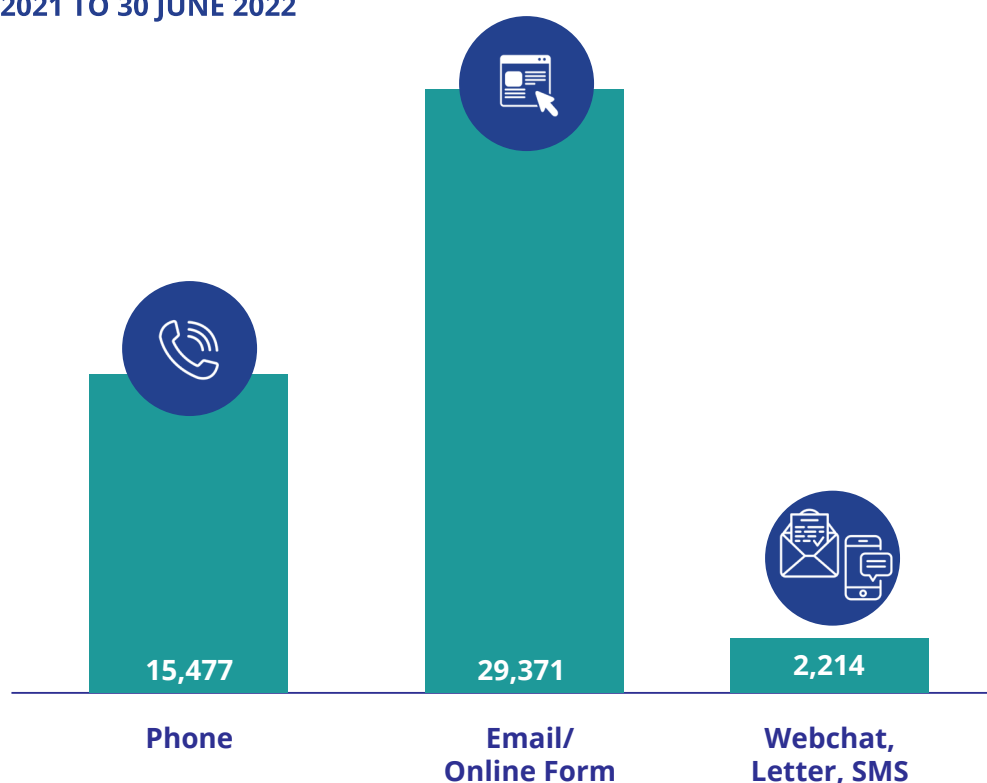
COMPLAINT HANDLING

ComReg continues to provide a quality complaint handling service to consumers. During the year, ComReg's Consumer Line Team received approximately 47,000 contacts from consumers. Consumers can contact ComReg's Consumer Line Team through the following channels – telephone, email, online complaints form, letter, web chat, SMS and Irish Sign Language.⁵

96% of all calls to ComReg's Consumer Care Team were answered within 20 seconds and 96% of written contacts were answered within 24 hours.

Figure 5: Number of consumer contacts by communication channel

JULY 2021 TO 30 JUNE 2022



ComReg continues to publish quarterly statistics of issues raised by consumers who contacted our Consumer Line Team. During the period July 2021 to June 2022 there were approximately 19,000 issues about which consumers contacted us. Approximately 67% of the total issues raised were in relation to electronic communications, with approximately a further 9% relating to premium rate services and the balance were mainly issues which fell outside of ComReg's remit or were unknown.⁶

⁵ <https://www.comreg.ie/advice-information/consumer-care/contact-our-consumer-care-team/>

⁶ <https://www.comreg.ie/advice-information/consumer-care/consumer-statistics/>

Of all issues raised with ComReg during the period, 13% were complaints which were escalated on behalf of the consumers to the relevant Service Providers for both ECS and PRS services.

The majority of ECS issues raised in ComReg's remit were in relation to billing, service issues, contractual matters, and switching/number portability. The majority of PRS issues raised relate to situations where consumers deny that they have engaged with the PRS or where the consumer disputes the PRS charge in question.

ComReg has evolved its quarterly statistics publications throughout the period and the quarterly report now contains details on complaints received by classification type and details of our consumer telephone and e-mail customer satisfaction survey.

DISPUTE RESOLUTION

As well as ComReg's complaint handling service (ComReg Consumer Line), ComReg has introduced formal dispute resolution procedures for mobile phone, home phone and broadband complaints that have been unresolved for 40 working days or more after lodging a complaint with the service provider.

CONSUMER PROTECTION MEASURES

There are already several consumer protections in place including, additional support measures for disabled end-users, measures in relation to pricing of non-geographic numbers, measures for expenditure and cost control, itemised billing and billing media⁷ and selective call barring.

ComReg's goal is that consumer rights and protections, including those for vulnerable and disabled consumers, are adequate to mitigate consumer harms.

Related to the above goal, over the period, ComReg monitored and considered whether it was appropriate to implement, enhance or evolve measures to mitigate ECS and PRS consumer harms.

BATTERY BACK UP MEASURES

As the availability of VoIP⁸ over broadband networks and OTT services expands across geographical areas (due to the rollout of new VHCN), it is recognised that power outages could have a more pervasive impact. ComReg considered a review of its 2018 decision on Battery Back-up⁹ (BBU) and any appropriate obligations in respect of vulnerable users.

⁷ ComReg Decision D08/13 www.comreg.ie/publications This decision defined the ways in which all providers authorised to provide electronic communications networks and services must issue bills to consumers. The measures standardised the rules relating to billing applicable to providers to ensure they were consistent and transparent across the industry.

⁸ VoIP (or also known as voice calls over broadband) is the latest home landline technology. VOIP requires the landline phone or cradle to be plugged into the broadband modem as well as into a mains power supply to receive a voice service. Separate from a VOIP landline telephone service, a VoIP type service usually involves using a device (computer, laptop, tablet or mobile smart phone) to place or receive voice calls via the internet (e.g., internet-based applications, such as, WhatsApp, Skype, Viber, Facebook Messenger etc) rather than over a home landline telephone connection.

⁹ ComReg Decision D02/18, entitled, "Requirements regarding Battery Back-up and information for Fixed Voice Services over non-Public Switched Telephone Networks", 30 January 2018. <https://www.comreg.ie/publication/requirements-regarding-battery-back-information-fixed-voice-services-non-public-switched-telephone-networks>

One option available to end-users who are using a non-PSTN connection/VoIP service(s) over that connection, to mitigate against a risk of temporarily losing a telephone or internet access during a power outage, is the use of a mobile phone (this is dependent on coverage as well as a device that has battery sufficient to make a voice call). Availability and use of a mobile phone are largely universal in Ireland, though ownership of a mobile phone may be relatively less among older age groups. In addition, end-users can use a BBU device when it best meets their circumstances and needs. A BBU is a device that an end-user could use to power customer premises equipment ("CPE"), notably, a router/modem to be able to continue to use a home landline telephone service to make and receive calls including to contact emergency services, on a temporary basis, during a power outage.

ComReg withdrew D02/18 having regard to Article 101 of the European Electronic Communications Code ¹⁰ ("EECC" or "the Code") and advised stakeholders of that by a ComReg Information Notice.¹¹ As part of its review of requirements as regards information and BBU, ComReg conducted a survey and focus group.¹²

ComReg is cognisant that end-users are protected and can make an informed choice and, of obligations that may be required to be imposed on providers following transposition of the Code to ensure availability of electronic communications services ("ECS"). The Regulations¹³ and the Code¹⁴ place end-user information obligations directly on providers. Providers who should continue to give end-users required information, including, disclosure of risk of interruption to ECS. ComReg will also communicate with end-users and provide information to end-users as regards availability of ECS during a power outage and BBU. ComReg will monitor changing market and legislative developments and changing consumer behaviour and attitudes towards information and BBU. Pursuant to transposition of the Code, ComReg may intervene if it is necessary, appropriate, and proportionate to help enable end-users to make informed choices and use ECS with confidence.

¹⁰ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) ("The Code") was enacted on 20 December 2018.

¹¹ ComReg 21/143 www.comreg.ie/publications

¹² ComReg 21/143a www.comreg.ie/publications

¹³ Pursuant to Regulation 14 of S.I. No. 337/2011.

¹⁴ Pursuant to Article 102 (Information requirements for contracts) and 103 (Transparency, comparison of offers and publication of information) of the Code.

ROAMING REGULATION

Roaming Regulations¹⁵ and Intra EU Calls Regulation¹⁶ are important tools enabling ComReg to protect consumers and to help avoid a risk of bill shock. In accordance with its statutory function, ComReg continued its work in monitoring the implementation of the Roaming Regulation by Irish mobile companies.¹⁷

The specific EU rules on mobile roaming that protect consumers consist of tariffs when they are travelling in other EU countries and transparency measures. Since June 2017, customers are charged the domestic retail price for using their mobile phone (for calls, texts and data) when travelling in any EU country and the EEA (Iceland, Liechtenstein and Norway) – this is referred to as Roam Like At Home (RLAH). With the introduction of RLAH, service providers cannot charge more than what would be levied if the customer was consuming those services in the home country i.e., the domestic price. However, there are exceptions. These include the ability to apply a fair usage policy for data, anti-abuse measures and sustainability provisions.

In addition, there are transparency measures in place which will help roaming customers to manage their consumption and cost. Consumers who are roaming continue to get a personalised SMS Message upon entry into another EEA country. This message has details such as price (ex VAT) of making and receiving calls, sending an SMS, and any usage policy and charges in excess of limits and surcharges, the free of charge phone number for more information and the number for emergency services. For data usage, consumers who are roaming (applies in the rest of world and not only within EU) receive an alert when the financial limit of €50 (ex VAT) has been reached. The financial or volume limit on data roaming consumption of €50 (ex VAT) is per monthly billing period. Consumers are then asked to confirm if they want to continue using data. In addition, consumers have the right to request and receive, free of charge, more detailed information from their roaming service provider from anywhere in the EEA.

During the period, ComReg continued to work with its colleagues at Body of European Regulators for Electronic Communications (BEREC) in relation to amending the roaming regulation as proposed by the European Commission. As from 1 July 2022, RLAH has been extended by Regulation (EU) 2022/612¹⁸ ("the new rules") until 30 June 2032. ComReg published an Information Notice¹⁹ which highlights for consumers that as part of the new rules additional measures are introduced with a view to increasing transparency for roaming customers and, helping to avoid roaming customers incurring unexpected charges (bill shock). These measures will provide additional benefits for an improved roaming experience.

During the period, ComReg also continued to work with its colleagues at BEREC in relation to its data collection on international roaming for the purposes of reporting on the evolution of pricing and consumption patterns in the Member States both for domestic and roaming services and the compilation of the 2021 Transparency and Comparability Report.

¹⁵ Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union Text with EEA relevance.

¹⁶ Regulation (EU) 2015/2120 as amended by Regulation (EU) 2018/1971 which Regulation is implemented by the European Union (Retail Charges for Regulated Intra-EU Communications) Regulations 2020, S.I. No. 668 of 2020.

¹⁷ References to implementation reports. ComReg 22/36 www.ccomreg.ie/publications

¹⁸ REGULATION (EU) 2022/612: EUR-Lex - 32022R0612 - EN - EUR-Lex (europa.eu)

¹⁹ ComReg 22/68 ComReg 21/143 www.comreg.ie/publications

In addition, from 15 May 2019, the cost to Irish consumers for making calls or sending SMS text messages from Ireland to a fixed or mobile number in another EU Member State is capped.²⁰ EU and Irish consumers will be charged no more than €0.19 (+VAT) per minute for calls made (including any connection charge) and €0.06 (+VAT) for each SMS sent from Ireland to any fixed or mobile number in an EU Member State, which should improve the consumer experience. In the period, ComReg worked with BEREC for the purposes of monitoring the market and price developments for regulated intra-EU communications and reporting to the EU Commission.

ComReg actively monitored the implications of Brexit on the electronic communications sector and has issued consumer guidance and information.²¹

OPEN INTERNET RULES

Under the EU Open Internet Rules, in Regulation (EU) 2015/2120,²² consumers are entitled to distribute and have access to information and content, to use and provide applications and services, and use terminal equipment of their choice, regardless of the location of the end-user or provider or the location of the information, content, application or service. The Regulation protects consumer rights and promotes an open and innovative internet. ComReg continued to monitor the openness of the internet with the evolution of services and technologies, including as regards developments in respect of the existence of zero-rated services.

ComReg worked with its colleagues at BEREC in relation to its program on open internet in this period including the public consultation on update of the BEREC Guidelines²³ (now called the **Guidelines on the implementation of the Open Internet Regulation**) and on the implementation of the Open Internet Regulation. In June 2022, ComReg published its annual report on the implementation of EU Open Internet Access Regulations in Ireland.²⁴

²⁰ This is in accordance with Regulation (EU) 2018/1971.

²¹ ComReg web site on Brexit - <https://www.comreg.ie/consumer-information/brexit/> ; Consumer Information page on ComReg website contains most recent updates for consumers – news and advice and tips on how to avoid inadvertent roaming <https://www.comreg.ie/consumer-information/roaming/> as well as updates for consumers on intra EU calls and SMS on ComReg website <https://www.comreg.ie/price-cap-for-calls-sms-text-messages-between-eu-states-intra-eu-communications/>

²² Transposed into Irish law by the European Union (Open Internet Access) Regulations 2019 (S.I No 343 of 2019) (the “Open Internet Access Regulations 2019”) – which implements certain aspects of the Open Internet Access Regulation EU/2015/2120 relating to ComReg’s powers and penalties.

²³ See https://berec.europa.eu/eng/document_register/subject_matter/berec/regulatory_best_practices/guidelines/9277-berec-guidelines-on-the-implementation-of-the-open-internet-regulation

²⁴ ComReg 22/51 www.comreg.ie/publications

PROTECTION OF VULNERABLE USERS

ComReg held a number of meetings of its Forum on Electronic Communications Services for People with Disabilities in 2021 and 2022 to explore specific accessibility topics and issues, for example, on end-users experience with access to and use of the Irish Text Relay Service (ITRS)²⁵ and accessible information on the official website documenting the ITRS.²⁶ ITRS translates text into voice and voice into text to facilitate Deaf and Hard of Hearing people and those with speaking difficulties in making and receiving calls, including using mobile devices, in Ireland. Calls are relayed through ITRS agents who perform this translation. The ITRS service is operated by Eir serving the customers of Three, Eir, Sky, Tesco Mobile, Virgin Media, and Vodafone and is funded by each of these operators. ComReg facilitated a discussion on possible obstacles to usability of ITRS facilities and accessible services and information and ways to increase ITRS benefits. On 1 July 2021, a refresh of ITRS was launched by the service providers and they provide information on how to access and operate the support ITRS on the www.ITRS.ie website.

During the period ComReg attended several Departmental Consultative Committee meetings held by the Department of the Environment, Climate and Communications (DECC) on matters relating to accessibility of products and services for disabled end-users.

ComReg published a consumer news item including statistics as to the take up and usage of ITRS on ComReg.ie²⁷ and continues to engage on a regular basis with stakeholders such as Age Friendly Ireland on the experiences of older people with access and use of electronic communications service as well as other representative groups such as the National Disability Authority as regards the end-users with disabilities requirements for accessibility and equivalence of access and choice.

There are already a number of consumer protections in place for disabled end-users.²⁸ ComReg commenced a review of existing obligations on Service Providers, including the Irish Text Relay Service, to ensure that the measures put in place for end-users with disabilities reflect market evolutions and continue to meet consumer needs. ComReg may consult on any issues identified to be addressed as part of its wider review and considering the European Electronic Communications Code (“EECC” or “The Code”) provisions relating to accessible information, notably, on the Contract Summary, on the quality of their services, and on measures taken to ensure equivalence in access for end-users with disabilities. ComReg will ensure those end-user access needs are met and support the equivalence of access provisions for end-users with disabilities envisaged by Article 111 of the EECC.

²⁵ ComReg 14/143 Decision D09/15 www.comreg.ie/publications

²⁶ www.itrs.ie

²⁷ See Text Relay Service Take-up and Usage statistics; July 2021-December 2021 <https://www.comreg.ie/publication/text-relay-service-take-up-and-usage-statistics-july-2021-december-2021> and January to June 2022 <https://www.comreg.ie/publication/trs-take-up-and-usage-ttv-vtt-january-to-june-2022>

²⁸ ComReg 14/52 www.comreg.ie/publications

PREMIUM RATE SERVICES

During this period, ComReg continued to monitor developments in Premium Rate Services (PRS) markets, including new direct carrier billing (DCB) services, to ensure that consumers are not subscribed as a result of their first engagement with the PRS and that they are presented with the appropriate information about the subscription service, including on pricing, prior to confirming their subscription and throughout their use of PRS, as required by ComReg's PRS Code of Practice.²⁹ ComReg has already introduced a measure to allow consumers to block mobile PRS if they do not wish to avail of them. ComReg may review if further protections related to third party billing are appropriate, pursuant to the requirements of the EECC.

In addition, ComReg worked with colleagues at BEREC on an assessment of the status quo and benchmark of the current practices concerning third party billing and how the European Commission's provisions are being implemented in Member States.³⁰

REGULATORY GUIDANCE ON THE EECC

ComReg continued stakeholder engagement on the Code including with Irish Business and Employers Confederation (IBEC)/Telecommunications Industry Ireland (TII) and Telecoms Service Providers during this period regarding the implementation of end-user aspects of the Code. It is considered as a central piece of legislation to achieve Europe's Gigabit society and ensure full participation of all EU citizens in the digital economy and society.

The EECC introduces new end-user rights including related to the right to receive certain minimum pre-contractual information and the new Contract Summary³¹ prior to entering into contracts, internet access switching and bundled offers.

To assist service providers understanding of the range of end-user rights, in 2020 we published Regulatory Guidance on the End-User Rights of the EECC. ComReg first published Regulatory Guidance in respect of certain end-user rights on the basis of the EECC on 10 November 2020 and the first update was published on 23 December 2020.³²

In addition, on 7 October 2021 ComReg published Regulatory Guidance for providers of Internet Access Services ("IAS") to the Irish market which set out ComReg's views on the meaning and effect of the provisions of the Code as they relate to end-user IAS switching.³³ The IAS Guidance was intended to facilitate industry in designing inter-operator processes to meet their requirements pursuant to Article 106 of the Code with the result that the end-user's right to exercise choice and change provider of IAS. ComReg will continue to engage with stakeholders on IAS switching and will continue to evolve its guidance in relation to implementation of end-user rights provisions, as appropriate.

²⁹ 18/09 Decision D03/18 www.comreg.ie/publication

³⁰ Published 30 September 2021 https://www.berec.europa.eu/sites/default/files/files/document_register_store/2021/10/BoR_%2821%29_118_Report_on_how_to_handle_third-party_payment_charges_on_mobile_phone_bills.pdf

³¹ (EU) 2019/2243. The European Commission has issued specific and binding requirements as regards the Contract Summary in the Commission Implementing Regulation Establishing a Template for the Contract Summary.

³² ComReg 20/111R www.comreg.ie/publications

³³ ComReg 20/107R www.comreg.ie/publications

THE NATIONAL DIRECTORY DATABASE

The National Directory Database (“NDD”) is a record of all subscribers of publicly available telephone services in Ireland, including those with fixed, personal and mobile numbers who have not refused to be included in that record. The function of the NDD is primarily to facilitate the compilation of and access to information for telephone directories and directory enquiry services. In addition, following the entry into force of the e-Privacy Regulations,³⁴ the NDD continues to be the basis for the operation of the “opt-out” register for direct marketing purposes.

Porting Access B.V.³⁵ (“PortingXS”) was the undertaking that was directed by ComReg under ComReg Decision D16/18 (“D16/18”)³⁶ to manage and maintain the NDD in accordance with the operational specification agreed with ComReg (“the Operational Specification”), for a minimum period of 3 years, and up to 5 years from 1 July 2019.

Following a public consultation, on 30 June 2022, ComReg decided to amend D16/18, the effect of which is that D16/18 is maintained until 30th June 2024. Accordingly, ComReg, pursuant to ComReg Decision D06/22³⁷ has decided to exercise its discretion to extend the direction pursuant to D16/18 on PortingXS which requires PortingXS to continue to manage and maintain the NDD until 30th June 2024 unless otherwise specified by ComReg.

EMERGENCY CALL ANSWERING SERVICE

ComReg is statutorily responsible for monitoring the quality of service of the Emergency Call Answering Service (ECAS) provider and for reviewing the Call Handling Fee (CHF) that the ECAS provider may charge.

In January 2022, ComReg determined, following the review of the costs incurred by the ECAS provider to set the maximum CHF of €2.98 per call from 12 February 2022. In the previous year, from 12 February 2021 to 11 February 2022, the maximum CHF had been determined by ComReg to be €2.83.

The consumer is not charged for calls to 999 or 112 as this cost is borne by the presenting telecommunications network. During the period, ComReg also published two information notices regarding the volumes of calls to the ECAS.

³⁴ European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011 (S.I. No. 336 of 2011) (“e-Privacy Regulations”).

³⁵ PortingXS” is a Dutch company, which is an “authorised undertaking” pursuant to Regulation 4 of the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2011. PortingXS currently provides a fixed number portability solution in Ireland.

³⁶ ComReg 18/108 www.comreg.ie/publications

³⁷ ComReg 22/54 www.comreg.ie/publications

UNIVERSAL SERVICE FOR ELECTRONIC COMMUNICATIONS

A central aspect of our work on consumer protection is to ensure availability of a universal electronic communications service.

ACCESS AT A FIXED LOCATION

In July 2016, following a series of public consultations, Eir was designated as the Universal Service Provider (USP), in accordance with the European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations 2011, to provide Access at a Fixed Location (AFL) for five years until 30 June 2021 (D05/16).³⁸ D05/16 deferred a final decision on Quality of Service (QoS) pending further consideration.

In May 2021 ComReg issued two consultations³⁹ in respect of Access at a Fixed Location. The first extant consultation set out ComReg's preliminary views on the future of AFL. The second consultation set out ComReg's preliminary view on an interim AFL USO designation to maintain the current designation on Eir, until the 30 October 2021 or until the date that ComReg has made a final decision on the future need for a designation of a USP for AFL USO, having considered the responses to the AFL USO extant Consultation, whichever is the earlier.

On the 30 June 2021 ComReg issued an interim designation decision⁴⁰ designating Eir, until the 30 October 2021 or until the date that ComReg has made a final decision on the future need for a designation of a USP for AFL USO.

Eir is the current designated Universal Service Provider (USP) for the period 31 October 2021 until 30 June 2023 for access at a fixed location.

Eir is required to provide the following services under the USO

- any reasonable request for the provision at a fixed location connection to the public communications network
- any reasonable request for the provision of a publicly available telephone service over the network connection that allows for the originating and receiving of national and international calls
- provide a connection to the public communications network that is capable of supporting voice, facsimile and data communications at data rates that are sufficient to permit functional Internet access.

UNIVERSAL SERVICE QUALITY OF SERVICE ("QOS")

ComReg considers that QoS is an important aspect of access at a fixed location. Accordingly, ComReg is of the view it is important that the QoS performance is maintained and ComReg is continuing to monitor performance and will continue to publish QoS trends.

³⁸ ComReg 16/65 D05/16 www.comreg.ie/publications

³⁹ ComReg 21/51 and 21/66 www.comreg.ie/publications

⁴⁰ ComReg 21/71 D05/21 www.comreg.ie/publications

Eir has confirmed that it intends to continue to ensure QoS performance as before, and that it will continue to report on its QoS performance in the same manner as heretofore. ComReg will monitor QoS performance on an ongoing basis and may intervene, where there are:

- changes in market conditions; and/or
- changes in technological developments; and/or
- events that negatively impact on quality of service on Eir's copper network, where ComReg deems it appropriate to do so.

Quarterly Information Notices were published by ComReg showing Eir's USO performance for each quarterly period of 2021 – 2022 and the annual performance.

COST OF THE USO - USO FUNDING APPLICATIONS 2010-2015

In 2011, ComReg issued a Decision ⁴¹ (ComReg Document D04/11) about the principles and methodologies for establishing the net cost of providing the universal service. This decision provided the basis upon which the net cost of providing the universal service is calculated and will enable ComReg to determine if the net cost, if any, constitutes an unfair burden on the universal service provider.

ComReg commenced a process of consultation (in Q4 2017) on the assessment of Eir's applications for funding for the periods 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015, which were resubmitted by Eir between September 2014 and March 2017.⁴²

On 18 April 2019, following the assessments of the applications received from Eir, ComReg published these Decisions:

D05/19 "Assessment of Eir's 2010-2011 Universal Service Fund Application Assessment of the net cost and unfair burden for the period 2010-2011"

D06/19 "Assessment of Eir's 2011-2012 Universal Service Fund Application Assessment of the net cost and unfair burden for the period 2011-2012"

D07/19 "Assessment of Eir's 2012-2013 Universal Service Fund Application Assessment of the net cost and unfair burden for the period 2012-2013"

D08/19 "Assessment of Eir's 2013-2014 Universal Service Fund Application Assessment of the net cost and unfair burden for the period 2013-2014"

D09/19 "Assessment of Eir's 2014-2015 Universal Service Fund Application Assessment of the net cost and unfair burden for the period 2014-2015"

ComReg Decision D05/19 determined that for the year 2010-2011 there was a positive net cost of €7.5m in respect of Eir's provision of the Universal Service Obligation and that this positive net cost does not represent an unfair burden on Eir.

⁴¹ ComReg Document 12/57 D04/11 www.comreg.ie/publications

⁴² ComReg Document 16/68 www.comreg.ie/publications

ComReg Decision D06/19 determined that for the year 2011-2012 there was a positive net cost of €6.7m in respect of Eir's provision of the Universal Service Obligation and that this positive net cost does not represent an unfair burden on Eir.

ComReg Decision D07/19 determined that for the year 2012-2013 there was a positive net cost of €7.7m in respect of Eir's provision of the Universal Service Obligation and that this positive net cost does not represent an unfair burden on Eir.

ComReg Decision D08/19 determined that for the year 2013-2014 there was a positive net cost of €9.5m in respect of Eir's provision of the Universal Service Obligation and that this positive net cost does not represent an unfair burden on Eir.

ComReg Decision D09/19 determined that for the year 2014-2015 there was a positive net cost of €11.5m in respect of Eir's provision of the Universal Service Obligation and that this positive net cost does not represent an unfair burden on Eir.

On 15 May 2019, Eir appealed to the High Court against ComReg Decisions D05/19; D06/19; D07/19; D08/19; and D09/19.

The proceedings were due to be conducted in May 2020 however due to Covid-19 the case was delayed until October 2020. ComReg will fully defend the proceedings brought by Eir.

Following a hearing in the Commercial Division of the High Court on 6 November 2020, the parties were notified on 19 February 2021 of the decision of the Court to refer a question concerning the unfair burden assessment to the Court of Justice of the European Union (the "CJEU") for a preliminary ruling pursuant to Article 267 of the Treaty on the Functioning of the European Union, and that a judgment would issue in relation to this in due course. A judgment was delivered by the Court on 14 May 2021 setting out the question the Court will refer to the CJEU and the reasons for the referral. This judgment has been published by the Courts Service. ComReg will engage fully in the process before the CJEU.

EIR'S FUNDING APPLICATIONS

ComReg commenced a process of consultation (in March 2021) on the assessment of Eir's application for funding for the year 2015-2016.

Eir has informed ComReg that it reserves its right to make applications for USO funding for the financial periods 2016-2017, 2017-2018, 2018-2019 and 2019-2020, and for any further funding applications that become due before Eir's appeal of ComReg's decisions in respect of the 2010-2011 to 2014-2015 funding applications (High Court Record 2019/167 MCA) (the "Appeal") is determined.

ComReg has outlined to Eir that the timely submission of funding applications is required, amongst other things, to inform stakeholders of the fact and amount of any funding application at the appropriate time, with the aim of providing certainty to stakeholders about the potential scale of industry contribution if the net cost in a funding application was found to be an unfair burden.

ComReg has outlined to Eir that it does not accept that Eir is entitled to unilaterally reserve to itself the decision as to when to submit applications for funding in circumstances where D04/11 is clear as to the timing of USO funding applications. Eir has not outlined to ComReg any basis on which it cannot submit its funding applications pending the outcome of the Appeal. D04/11 and the requirements outlined therein remain in place and must be complied with and applied.

Decision 33 of D04/11 provides that ComReg can grant an extension to a deadline for the submission of an application where there are exceptional reasons for doing so. Eir has not formally applied to have the deadline for the submission of its funding applications for the years 2016-2017 to 2019-2020 extended. ComReg has informed Eir that if Eir makes any such applications, ComReg will consider any such requests and make a decision in respect of same.

COMPLIANCE AND ENFORCEMENT

ComReg recognises it is important to ensure that a culture of compliance is engendered so that consumer rights are upheld by their service provider. Effective compliance and enforcement are important in achieving this.

In respect of consumer rights, ComReg monitors compliance by PRS and ECS providers with relevant obligations including the PRS Code of Practice, the Universal Service Regulations⁴³ and associated ComReg Decisions, The Roaming Regulations⁴⁴, The Unfair Contract Terms Regulations⁴⁵ and the Consumer Information and Cancellation Regulations.⁴⁶ ComReg has a co-operation agreement with the Competition and Consumer Protection Commission (CCPC).

With respect to the revised Roaming Regulations, ComReg actively monitors how service providers are implementing the 'Roam Like At Home' regime. ComReg also enforces the Open Internet Regulations.⁴⁷

CONSUMER COMPLIANCE CASES & FINDINGS

In August 2021, ComReg reported that Tesco Mobile Ireland Limited ("Tesco Mobile") paid a penalty of €21,000 after an investigation found Tesco Mobile had failed to provide its "Simply Prepay" customers with a contract on a durable medium, contrary to Regulation 12 of the Consumer Information Regulations, and failed to provide its existing customers who migrated onto the "Simply Prepay" plan with information on their right to cancel and the relevant cancellation form contrary to Regulation 10 of the Consumer Information Regulations. Tesco Mobile also undertook to (a) send to all active customers on the "Simply Prepay" offer an individual confirmation of their contract on a durable medium; (b) take all necessary measures to ensure full compliance with Regulations 10(1) and 12 of the Consumer Information Regulations; (c) refund the estimated lost revenue (€83,894.46) to the most egregiously affected customers, namely, 12,773 customers who had unintentionally re-activated the offer prior to the 28-day expiration period; and (d) confirm to ComReg that it has put in place the necessary measures to ensure no repetition going forward of what occurred.

⁴³ European Communities (Electronic Communications Networks and Services) Universal Service and User Rights' Regulations 2011

⁴⁴ S.I. 228/2013 – Communications (Mobile Telephone Roaming) Regulations 2013
REGULATION (EU) No 531/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 June 2012 on roaming on public mobile communications networks within the Union.

⁴⁵ S.I. 27/1995 – European Communities (Unfair Terms) in Consumer Contracts), Regulations 1995
S.I. 336/2014 – European Communities (Unfair Terms in Consumer Contracts) (Amendment) Regulations 2014.

⁴⁶ S.I. No. 484/2013 European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 S.I. No. 250/2014 European Union (Consumer Information, Cancellation and Other Rights) (Amendment) Regulations 2014

⁴⁷ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015

COMPLIANCE AND ENFORCEMENT

On 2 September 2021, the Dublin District Court heard 5 cases taken by ComReg against Meteor Mobile Communications Limited (trading as “GoMo”) in relation to 5 counts of incorrectly porting customers’ mobile numbers. The prosecutions were brought under Regulation 25(4) of the Universal Service Regulations. The issue related to GoMo’s launch of their new mobile service and the porting issues experienced by customers during that period. Customers complained about: (a) having no or having only partial service; (b) having service but not with their number; (c) having service but with someone else’s number (which resulted in the customer receiving calls and texts for someone else); or (d) having service but their number was being used by someone else (which resulted in someone else receiving their calls and texts). In court, (a) GoMo pleaded guilty to 5 counts brought against it; (b) Judge Halpin imposed criminal convictions for each of the 5 counts and ordered GoMo to pay a total of €5,000 in fines; and (c) GoMo paid ComReg an agreed amount by a way of contribution to ComReg’s legal costs.

On 14 September 2021, the Dublin District Court heard 7 cases taken by ComReg against Vodafone in relation to 14 counts that Vodafone failed to implement a Code of Practice as required and that it failed to provide a complaint acknowledgement that would include a complaint reference number to customers within 2 working days. The prosecutions were brought under Regulations 27 (1) and 27(2) of the Universal Service Regulations. In 2020 ComReg received a number of contacts from Vodafone customers that stated they were unable to make a complaint with Vodafone in accordance with Regulation 27(1) and ComReg Decision D04/17.⁴⁸ Vodafone pleaded guilty to seven of the charges brought by ComReg. In applying the Probation Act, Judge Halpin ordered Vodafone to donate €10,000 to charity by 7 October 2021. Vodafone also contributed to ComReg’s costs, as agreed between the parties.

In October 2021, ComReg formed the Opinion that that Virgin Media was non-compliant with the relevant provisions of the Universal Service Regulations and ComReg Decision D13/12. This was a follow-up to a Notification of Non-Compliance notified to Virgin Media in January 2020 that concerned numerous Contract Change Notifications (CCNs) 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. In its response to the Notification Virgin Media outlined certain remedial measures and other commitments so that it would: (a) no longer purport to impose a 30 day notice period in Contract Change Notifications; (b) 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; (c) 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; (d) 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; and (e) update its guidance and training to call centre staff in respect of the cancellation procedure for customers cancelling on foot of a CCN. Having considered Virgin’s response and the proposed remedies and commitments made, ComReg nonetheless formed the Opinion that Virgin was non-compliant with the relevant provisions of the Universal Service Regulations and ComReg Decision D13/12⁴⁹ but noted that it intended to take no further action in respect of this matter.

⁴⁸ ComReg 17/62 www.comreg.ie/publications

⁴⁹ ComReg 12/128 www.comreg.ie/publications

On 18 October 2021, ComReg published an Information Notice concerning a refund by Tesco Mobile of over €380,000 in “Post Cancellation Charges”. On its own initiative, Tesco Mobile had undertaken a review of its billing system to determine whether its customers were being charged for services beyond the cancellation of their contracts, what are termed “Post Cancellation Charges”. This came on foot of ComReg’s publication in December 2020 of an Information Notice (ComReg 20/123R ⁵⁰) that detailed the outcome of a ComReg investigation into Virgin Media Ireland Limited’ (“Virgin Media”) and its then practice of charging customers for a service beyond the cancellation of their contract for what are termed “Post Cancellation Charges”. At the time, rather than proactively refunding customers the Post Cancellation Charges, Virgin Media kept these monies as credits on inactive accounts and would only issue a refund if a customer requested it. As a result of the review, in May 2021 Tesco Mobile advised ComReg that 27,500 customers were impacted by the charging of Post Cancellation Charges to a value of €388,000. Tesco Mobile committed to refund all affected customers.

On 23 September 2021, ComReg notified Virgin Media that it had amended an original notification of a finding of non-compliance issued to Virgin Media on 29 March 2021. The amended notification of non-compliance was made in accordance with Regulation 31(4) of the Universal Service Regulations and notified Virgin of a finding that it has not complied with its obligations set out at Regulation 25(6)(b) of the Universal Service Regulations as it has failed to ensure that its conditions and procedures for contract termination do not act as a disincentive to a consumer to changing service provider. The conditions and procedures for contract termination that act as a disincentive to a consumer changing service provider are as follows: (a) the conditions and procedures for cancelling a contract which resulted in the vast majority of customers having to call 1908 to cancel; (b) the “Save Activity” procedure on 1908 calls when customers sought to cancel; and (c) the imposition of a 30-day notice period on customers who wished to change ECS providers. Virgin Media had until 22 October 2021 to state its views.

On 18 November 2021, ComReg notified Vodafone, trading as Clear Mobile, of a finding of non-compliance with Vodafone’s obligations under ComReg Decision D05/071 and ComReg Decision D01/092. The notification of non-compliance was made in accordance with Regulation 31 of the Universal Service Regulations and notified Vodafone of a finding that in respect of Clear Mobile it has not complied with its obligations set out in ComReg Decisions D05/07 ⁵¹ and D01/09 ⁵² as it has effectively imposed a direct monthly charge on certain customers to port their number to Clear Mobile. Vodafone had until 20 December 2021 to take specified remedial action with regard to its non-compliance and to state its views on the notification.

On 9 December 2021, the Dublin District Court heard two summonses issued by ComReg against Vodafone in relation to one count on each that Vodafone failed to ensure that conditions and procedures for contract termination do not act as a disincentive to a consumer to changing service provider. ComReg formed the view that the delay occasioned by Vodafone’s failure to provide customers with their mobile handset unlocking code (Network Access Code or “NAC”) in a timely manner amounted to a disincentive to switching to another service provider. The prosecutions were brought under Regulation 25(6) of Universal Service Regulations. In late 2020 and early 2021, ComReg received a number of contacts from Vodafone customers and observed that some customers appeared to experience a considerable delay, lasting a number of weeks, in obtaining their NAC from Vodafone. Following a review of relevant customer complaints, ComReg commenced an

⁵⁰ ComReg 20/123R www.comreg.ie/publications

⁵¹ ComReg Decision D05/07 www.comreg.ie/publications

⁵² ComReg Decision D01/09 www.comreg.ie/publications

investigation. This investigation culminated in ComReg commencing District Court prosecutions against Vodafone for breaches of Regulation 25(6) as Vodafone had failed to provide the NAC in a timely manner and this acted as a disincentive to the customers in changing service providers. Vodafone pleaded guilty to each count on each of the two summonses before the Court. Judge Halpin imposed criminal convictions for each count and ordered Vodafone to pay a total of €3,000 in fines. Vodafone also contributed to ComReg's costs, as agreed between the parties.

Also on 9 December 2021, the Dublin District Court heard 5 summonses issued by ComReg against Vodafone relating to 10 counts that Vodafone failed to port customer landlines to Vodafone in the timeframes mandated by Regulation 25(4) of the Universal Service Regulations which provides that a Service Provider is required to port a customer's number when requested by the customer to do so within a specified timeframe. In late 2020 and early 2021, ComReg received a number of contacts from Vodafone customers and observed that some customers appeared to experience a considerable delay, lasting a number of weeks, in their landline number being ported to Vodafone. Following a review of relevant customer complaints, ComReg commenced an investigation which culminated in ComReg commencing District Court prosecutions against Vodafone for breaches of Regulation 25(4) as Vodafone had failed to port the affected customers landlines within the timeframes specified. Vodafone pleaded guilty to two counts on each of the five summonses before the Court. Judge Halpin imposed criminal convictions for one count on each of the five summonses and ordered Vodafone to pay a total of €10,000 in fines, taking the second count on each of the five summonses into consideration. Vodafone also contributed to ComReg's costs, as agreed between the parties.

On 21 December 2021, ComReg announced that it had closed its investigation into non-compliance by Three with Sections 3.2 and 3.18 of the Premium Rate Services Code of Practice ("the PRS Code of Practice") and PRS licences. These sections provide respectively that "PRS provided... are of a sufficient technical quality" and "end-users must not be charged in respect of PRS, or parts thereof, that were not supplied." A notification of non-compliance in these respects was notified to Three on 15 March 2021. ComReg noted the commitments made by Three to remedy the non-compliance stating it considered these sufficient. ComReg also noted that Three executed refunds of €738,789 to approximately 21,000 impacted customers.

On 14 March 2022, ComReg reported on follow-up activities to the Notification of Non-Compliance notified to Vodafone on 18 November 2021. Vodafone's response outlined certain remedial measures and other commitments. In summary: (a) Vodafone will not impose a direct charge or any price difference on any customer that wishes to port their number as opposed to a customer not porting their number; (b) Vodafone will have the ability to offer promotional discount to customers moving service provider from certain networks and not others but additional charges will not be levied on a customer as a result of a request to port a number; and (c) Vodafone will contact and discount any customer that paid €12.99 to €14.99 on the offer that is subject to this case. Vodafone confirmed that it has now contacted and refunded the affected customers. Having considered Vodafone's response and the proposed remedies and commitments made, ComReg has nonetheless formed the Opinion that Vodafone was non-compliant with the relevant provisions of ComReg Decision D05/07 and ComReg Decision D01/09.

On 24 March 2022, ComReg reported that following a review by ComReg, Three had undertaken a review of its billing system to determine whether its customers were charged for services beyond the cancellation of their contracts, which are termed “Post Cancellation Charges”. Rather than proactively refunding customers Post Cancellation Charges, Three kept them as credits on inactive accounts and only issued a refund if a customer requested a refund. Three has also identified that customers had other types of credits, unrelated to Post Cancellation Charges, on their inactive accounts, which had not been claimed or proactively refunded by Three, following the cancellation of their Three services contract. As a result of the review, Three advised ComReg in January 2022 that over 173,000 customers were impacted by the charging of Post Cancellation Charges and credits remaining on inactive accounts. Three confirmed that all customers would be refunded to the value of €1.28 million in Post Cancellation Charges; and €1.4 million for other credits that remained on inactive accounts.

The majority of customers expected to be refunded using an Electronic Fund Transfer (EFT) and these were to issue from March 2022 with the aim of refunding all customers by September 2022. Three has confirmed that in future credits will not remain on inactive accounts and that Three will proactively refund such credits to its customers.

On 28 April 2022, ComReg announced that Three had issued €334,970 in refunds to customers and had paid ComReg €30,000 pursuant to Section 44(1) of the Communications Regulation Act 2002 (as amended) (“the Act”) in lieu of prosecution. This came on foot of a ComReg investigation that found Three had overcharged customers when roaming contrary to Section 45 (1) (a) of the Act. ComReg found that Three overcharged 29,000 customers over the period of July 2019 until December 2021. Three subsequently refunded all affected customers to the amount of €334,970. The overcharging affected customers that called a local number while roaming and did not use the international prefix 00 when dialling the local number. In these cases, Three incorrectly charged the customer for calling a country with a code similar to the first 3 digits of the local number, rather than correctly charging the customer the cost of a local call. ComReg issued 20 Notices, pursuant to Section 44 of the Act. Three paid ComReg €30,000 in full for the 20 Notices and confirmed that the billing issue had been fixed since January 2022.

5. Postal Regulation

ComReg is the regulatory authority for the postal sector in Ireland. Our role for the regulation of post comes from a European Directive transposed into Irish law. ComReg's statutory functions are to ensure:

- the provision of a universal postal service that meets the reasonable needs of postal service users
 - compliance by postal service providers with the obligations imposed on them.
- ComReg's statutory objectives are to:**
- promote the development of the postal sector and, in particular, the availability of a universal postal service within, to and from the State at an affordable price for the benefit of all users
 - promote the interests of postal service users
 - facilitate the development of competition and innovation in the market for postal service provision.

REGULATING THE UNIVERSAL POSTAL SERVICE

ComReg's role for post is largely in relation to regulating the universal postal service, a set of postal services that face limited competition. In the absence of effective competition, the regulation of the universal postal service ensures the provision of specific postal services to all, at an affordable price and to a sufficient level of quality. The universal postal service is a form of protection for postal service users, in particular vulnerable users and those that are digitally disadvantaged.

The universal postal service required by Irish law means that on every working day there is at least one clearance and one delivery to the home or premises of every person in the State. Irish law sets the regulation of the universal postal service and has designated An Post, as universal postal service provider ("USP"), to provide the universal postal service until 1 August 2023.

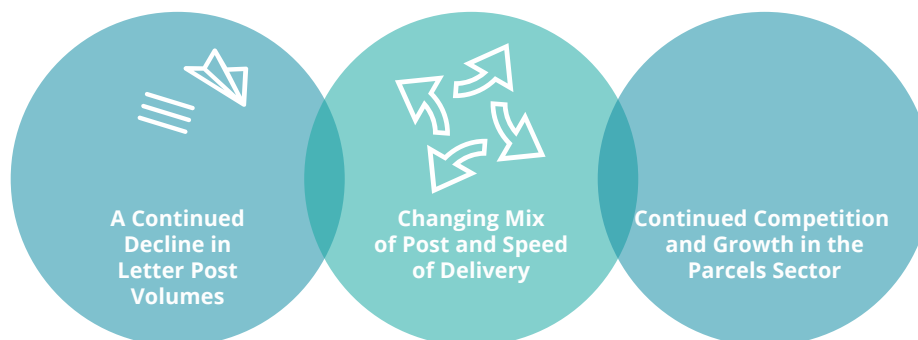
In Ireland, the universal postal service largely consists of the delivery of letters for individuals and businesses. There are very little parcels that come within the universal postal service, as parcel delivery is largely commercial with many different parcel delivery operators in Ireland.

RESOLVING CONSUMER DISPUTES

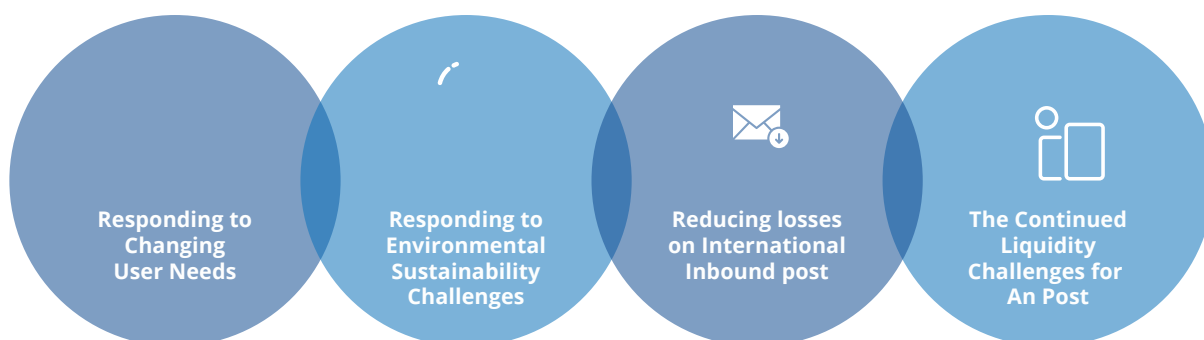
ComReg also has a consumer dispute resolution role for all postal service providers. This means that if a postal service user is not satisfied with all the steps taken by an authorised postal service provider to resolve their complaint, ComReg can then help resolve the dispute. ComReg continued to resolve such disputes during the year.

POSTAL STRATEGY STATEMENT 2022 – 2024

During the year, ComReg, following a Call for Inputs and a public consultation, set its strategy for postal regulation for the period 2022-2024⁵³. In setting our strategy for postal regulation, we identified three principal trends which are shaping, and are likely to continue to shape, the postal sector:



Given these three principal trends and other factors, we identified the following four key challenges:



The trends and challenges require action by a number of different parties. Where ComReg has a role in addressing these challenges, we considered these in developing our strategic goals as follows:

⁵³ ComReg 21/122 www.comreg.ie/publications



STRATEGIC INTENT 1:

Ensure a Universal Postal Service

There is a universal postal service that meets the reasonable needs of postal service users

STRATEGIC GOALS:

- GOAL 1** → Ensure a universal postal service that meets the reasonable needs of postal service users
- GOAL 2** → Consider the designation of universal postal service providers(s)
- GOAL 3** → Monitor compliance with universal postal service requirements



STRATEGIC INTENT 2:

Promote the Interests of the Postal Service Users

Postal service users can choose and use postal services with confidence

STRATEGIC GOALS:

- GOAL 4** → Empower postal service users by ensuring the availability of accurate and appropriate information
- GOAL 5** → Protect postal service users by ensuring the availability of complaints and redress procedures
- GOAL 6** → Engage with consumer interest groups



STRATEGIC INTENT 3:

Promote the Development of the Postal Sector

A postal sector that delivers high quality services, innovation, and choice

STRATEGIC GOALS:

- GOAL 7** → Promote the development of the postal sector by providing research, data, and information
- GOAL 8** → Facilitate the development of the postal sector by delivering our legal remit
- GOAL 9** → Facilitate the development of the postal sector by considering other remits that impact the postal sector

CROSS BORDER PARCEL REGULATION

Under EU Regulation on cross-border parcel delivery services, there is a requirement by ComReg to assess whether An Post's (as designated USP) cross-border single piece parcel tariffs within the EU are unreasonably high and to submit that assessment to the European Commission. ComReg's 2021 assessment ⁵⁴ found two of the USP's tariffs to be unreasonably high. Subsequently, the USP, in March 2022, has reduced these tariffs.

REGULATION OF USP'S QUALITY FOR UNIVERSAL POSTAL SERVICES

ComReg's is required by law to set quality of service standards for the universal postal service. ComReg is also required to monitor compliance by the USP, An Post, with the quality of service standards and to publish an annual report on the results of its monitoring.

Over the full 2021 calendar year ⁵⁵:

- An Post as the USP delivered 84% of single piece priority universal postal service mail throughout the State on the next working day following the day of posting. The 2021 result is a marginal 2% increase on the 2020 result. However, performance is 10% below the 94% regulatory standard.
- An Post as the USP delivered 98.2% of single piece priority universal postal service mail within three working days following the day of posting, again marginally above the 2020 result (97.4%) but still below the 99.5% regulatory standard.

POSTAL SURVEY

ComReg commissioned and published in October 2021 a survey on users' needs for postal services in Ireland. ⁵⁶

Key highlights included:

- Post is highly important as 7 in 10 claim daily delivery of letter post is important to them, this increases to 8 in 10 regarding parcel post
- 7 in 10 also claim next day delivery of letter post is important to them, while 2 in 3 have a similar attitude towards next day delivery of parcel post
- The majority (6 in 10) view two working days after sending as a reasonable timeline for letter post delivery
- 9 in 10 feel the price of sending letters and parcels needs to be kept affordable.

⁵⁴ ComReg 21/137 www.comreg.ie/publications

⁵⁵ ComReg 22/69a www.comreg.ie/publications

⁵⁶ ComReg 21/100a www.comreg.ie/publications

6. Market Framework

MANAGEMENT OF THE RADIO SPECTRUM RESOURCE

Radio spectrum, or spectrum, refers to a specific range of frequencies of electromagnetic energy that is used to communicate information. Applications important for society, such as radio and television broadcasting, civil aviation, satellites, defence, and emergency services, depend on specific allocations of radio frequency. It is a valuable national resource as it underpins much of the communications services in the State. Many services rely on wireless connectivity as part of the backbone linking mobile base stations, providing feeds to broadcast transmitters and telemetry links that allow the monitoring of remote equipment e.g. water levels and status of power transformers.

As the authority with responsibility for the management of the radio spectrum resource in Ireland, ComReg is responsible for ensuring effective management and efficient use of radio spectrum. This is an important role because radio frequencies are used to provide a wide range of communications networks, services and applications all for the benefit of society.

The value of wireless networks in our daily lives has become ever more evident and sectors which rely on radio spectrum continue to make a valuable contribution to the Irish economy. ComReg conservatively estimates that the use of radio spectrum directly accounts for €4.2 billion of Gross Value Added and contributes c. €7.2 billion of Ireland's National Income. Radio spectrum is also an important contributor to employment in Ireland and directly supports 19,000 jobs.⁵⁷

Radio spectrum is fundamental to the day-to-day operation of the emergency services and defence forces. It is also a vital input to many other services including important scientific applications, such as weather forecasting and monitoring the earth's environment. Radio spectrum underpins much of the communications services in the State and as it is a finite national resource with competing uses and users, it needs careful management to ensure it is being used effectively and efficiently.

To assist ComReg's management of the radio spectrum, ComReg regularly sets out and updates its strategy for spectrum. During the period under review, ComReg published its Radio Spectrum Management Strategy for the period 2022 to 2024, outlining ComReg's work plan and priorities for these two years in relation to ComReg's role as Ireland spectrum manager and complements ComReg's Electronic Communications Strategy Statement.⁵⁸

During the year in review, ComReg continued to issue several thousand licences to facilitate a wide range of radio services and several key spectrum management projects were completed or commenced as detailed below.

⁵⁷ ComReg 21/136 www.comreg.ie/publications

⁵⁸ ComReg 21/70 www.comreg.ie/publications

LICENSING OPERATIONS

The possession and use of radio equipment in Ireland requires authorisation from ComReg. This authorisation may take the form of either a licence or a licence exemption. Licences may be issued in accordance with the following legislation:

- Wireless Telegraphy Act 1926 (as amended); and
- Broadcasting Act 2009

As of 30 June 2022, the total number of live radio licences was 21,207, an increase of 5.4% over the previous reporting period.

Figure 6: Live Radio Licences at 30 June: 2015 – 2022

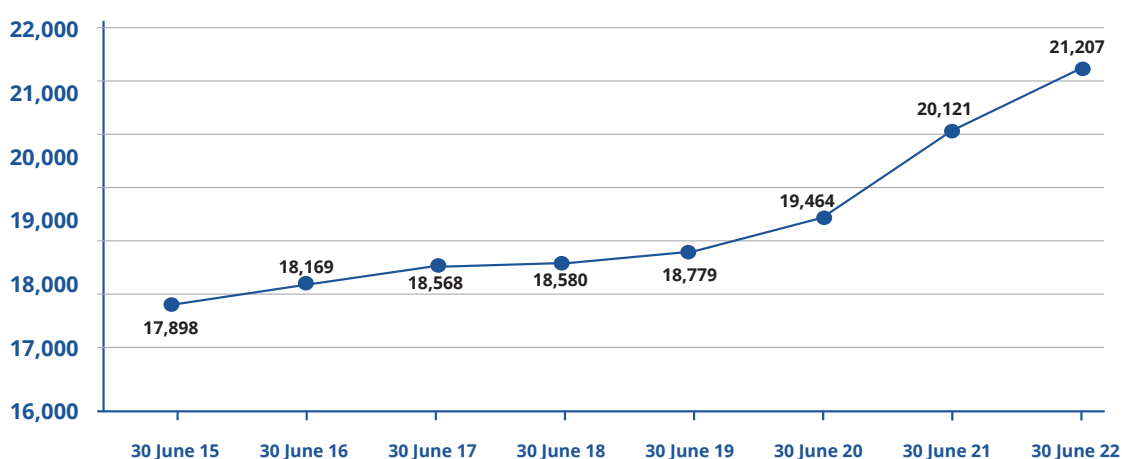
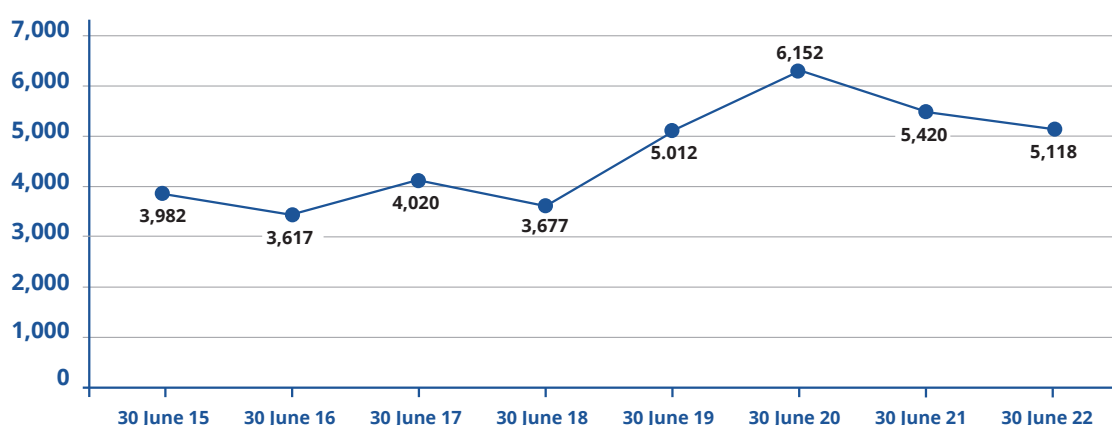


Figure 6 shows the total number of live radio licences at 30 June for the period 2015 to 2022.

The total number of new licences issued in this reporting period was 5,118, a decrease of 5.6% on the previous year. This decrease, in the main, arose because of a reduction of 13.3% in the number of Fixed Radio Link (Point-to-Point) licences granted. During the Covid-19 pandemic ComReg observed an increase in demand for Fixed Radio Link (Point-to-Point) licences. These latest trends may be reflective of a return to normality.

Figure 7 shows the total number of new radio licences issued by ComReg from 2015 to 2022.

Figure 7: New and Amended Radio Licences Issued during: 2015 – 2022

MARKET SURVEILLANCE OF PRODUCTS

PRODUCT SAFETY UNIT

During this work period ComReg set about establishing a Product Safety Unit to fulfil ComReg's obligations as the sole Market Authority for the Radio Equipment Directive (RED)⁵⁹ and the Electromagnetic Compatibility Directive (EMC).⁶⁰ This is a notable undertaking and ComReg continues to establish and perfect its approaches to effectively meeting these obligations.

DESKTOP SURVEILLANCE CARRIED OUT IN REPORTING YEAR

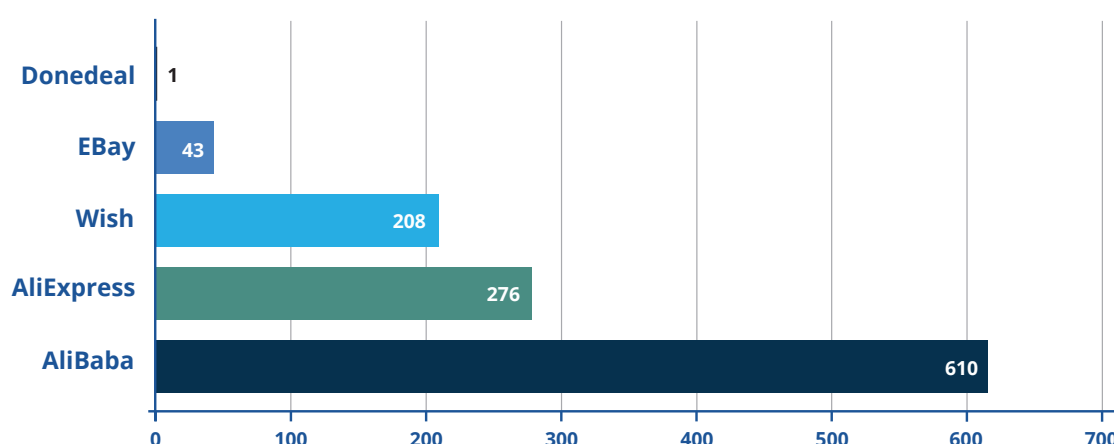
Desktop market surveillance is focused on identifying and removing relevant non-compliant products offered for sale via online platforms. During the 2021 – 2022 operating year ComReg broadened its desktop market surveillance activity through its monitoring of all the major online platforms including, but not limited to, Alibaba, AliExpress, Wish, eBay, Done Deal/Adverts and Amazon.

In this operating year, ComReg arranged to have in excess of 1,100 non-compliant products removed from online platforms. The majority of these actions were from Alibaba, AliExpress and Wish. Fewer than last year, the reduction in online take-down notices being issued to platforms likely arises from the positive and ongoing engagement with the various platforms. ComReg will continue to work with all online platforms to prevent non-compliant devices entering the Irish marketplace. Figure 8 provides details of the number of non-compliant products removed from each online platform over the last 12 months. The establishment of the Product Safety Unit has enabled an even greater focus on devices most likely to cause harmful interference.

As such, the majority of online take-down notices were issued for mobile phone signal boosters. Going forward, ComReg will expand its focus to devices that present a risk to End-Users as well as the potential to cause harmful interference to other devices.

⁵⁹ The Radio Equipment Directive 2014/53/EU is transposed into Irish law by way of the European Union (Radio Equipment) Regulations 2017 (S.I. No. 248/2017)

⁶⁰ The Electromagnetic Compatibility Directive 2014/30/EU is transposed into Irish law by way of the European Union (Electromagnetic Compatibility) Regulations 2017 (S.I. No. 69/2017)

Figure 8: Non-compliant devices taken down in the 2021-2022 operating year

ComReg notes that some websites advertise their products to be “ComReg Compliant” or “ComReg Approved” or to be based in Ireland while operating outside the EU. ComReg is not an accreditation body and does not approve any electronic or radio product. ComReg continues to monitor for these websites and works with the domain registry and search platforms such as Google to remove these sites from search results.

CUSTOMS/REVENUE INSPECTIONS

The identification and removal of non-compliant products before they enter the market is a key objective and requires co-operation and engagement with the Customs Division of the Office of the Revenue Commissioners on an ongoing basis.

The objective is to ensure that as many non-compliant devices as possible are intercepted by Customs for assessment by ComReg, to determine their compliance (or otherwise) with the relevant legislation and take the appropriate action.

ComReg continues to work closely with the Customs Division of the Office of the Revenue Commissioners (‘Customs’) at Dublin Airport and the Dublin Mail Centre. In this operating year ComReg expanded its relationship with Customs, making new contacts in the An Post Parcel Hub in Knockmitten, Dublin 12 and Coll-8 Logistics in Baldonnell, Co. Dublin.

A combination of high uptake in targeted products at the start of the Covid-19 lockdown which magnified figures for the previous period and non-compliant actors changing their delivery process has resulted in a smaller number of products being detained for ComReg to assess in this period. However, a H7 Customs profile which was activated in February 2022 has proven to be effective in detecting non-compliant products.

ComReg detained a total of 265 non-compliant products with assistance of Customs officials in the period 1 July 2021 to 30 June 2022, down from 2,804 products in the previous year.

⁶¹ COLL-8 Logistics is an independent multi-carrier distribution network.

⁶² From the 01 July 2021 it is possible to declare goods up to and equal to the intrinsic value of €150 using the H7 customs declaration that requires 3 times less data than a standard declaration.

RADIO FREQUENCY INTERFERENCE (RFI) INVESTIGATIONS

ComReg, continuously improves its processes to reflect today's radio environment, and to that end, introduced a revised RFI complaint classification process along with revised complaint response times in July 2020.

All RFI complaints are classified into three categories, Type A, Type B and Type C dependent on the impact of interference.

Complaint Type		Response Time
Type A	Generally exceptional in nature and typically have a severe impact on an operator's ability to continue to provide a radio communications service and may result in a complete loss of service to users	Immediate
Type B	Typically, there would be one or two radio stations experiencing interference but the licensee would have an alternative back-up channel to switch its service to thus resulting in only a relatively small number of users experiencing loss or degradation of service.	5 Working Days
Type C	Typically queries that ComReg can respond to and address without needing to record as a formal complaint	-

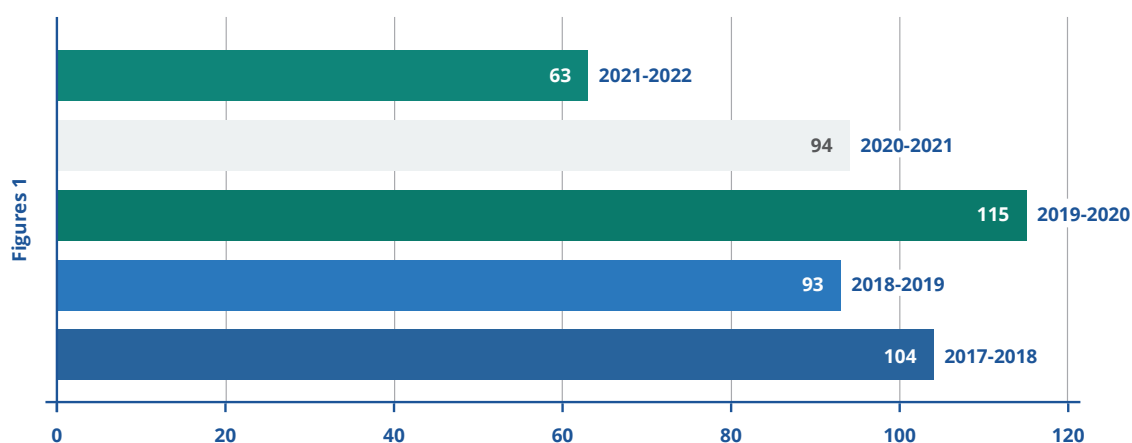
Simultaneously, ComReg introduced a reporting protocol for all RFI complaints and a process for closing complaints once complete. The reporting protocol requires complainants to provide evidence of suspected interference, and that they have taken reasonable steps to ensure that the interference is outside of their control. This assists ComReg in its prioritisation of complaints.

ComReg's supporting case management system offers several enhancements, to the benefit of all stakeholders:

- the ability to track RFI response times
- improved reporting of case details to identify trends and inform ComReg's future workplans for the SII unit
- the ability to record and track RFI complaints for both internal and outsourced work
- a web-based portal providing the capability to upload RFI reports in real time

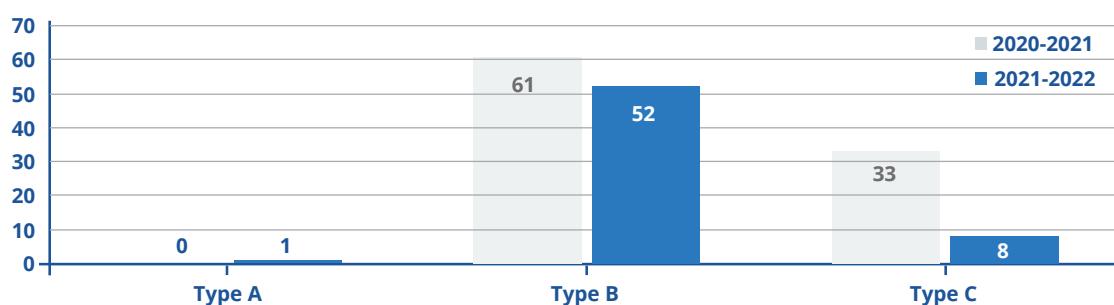
ComReg observes that, following the 2020 – 2021 reporting period, there has been a sustained reduction in RFI complaints in 2021 – 2022 with 63 RFI complaints handled by ComReg during this period. Three continues to be the network operator reporting the most instances of harmful interference to its network and ComReg is aware that Three dedicates resources to the optimisation of its network.

Figure 9: Number of reported interference complaints received each year



There has been a minor decrease in Type B complaints from 61 instances of harmful interference last year, to 52 during this year. As outlined above, the revised case classification system and reporting protocols place more obligations on complainants to provide evidence of suspected interference and requires them to carry out their own investigations on their networks prior to reporting. This approach is beginning to bear fruit insofar as only clearly legitimate issues are now being reported to ComReg.

Figure 10: Comparison of cases received by type

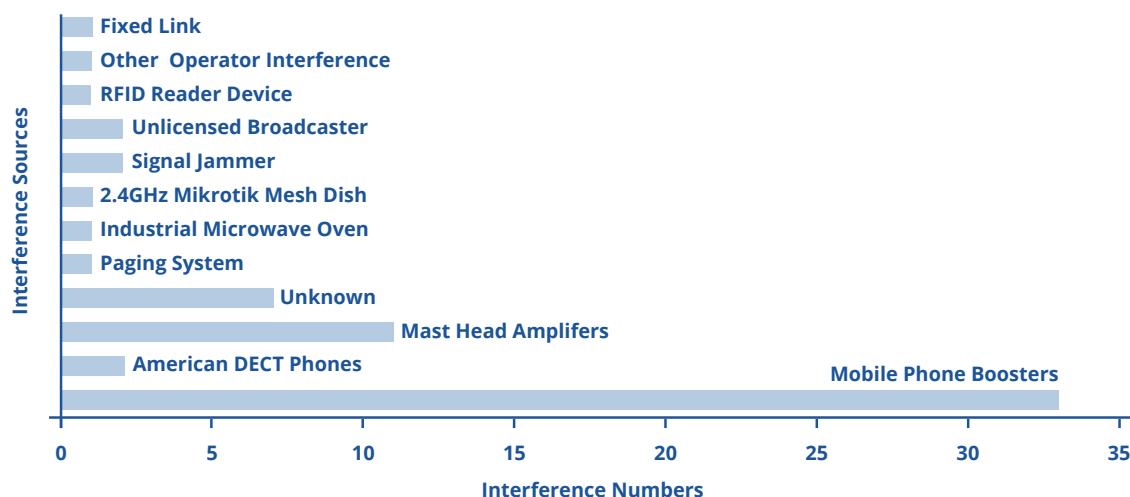


Furthermore, analysis of Type B complaints shows that mobile network operators (MNOs) dominate this category, and Three remains the network operator suffering from most reported instances of harmful radio interference.

Figure 10 above reports that ComReg investigated just one Type A report of harmful interference in this reporting year, this being from the Irish Aviation Authority (IAA). In this instance, air traffic control at Dublin Airport reported harmful interference on several frequencies on both main and back-up systems, which resulted in very difficult communications with aircraft operating on those frequencies. This required an immediate response and was successfully resolved by ComReg staff with the assistance of IAA personnel.

As noted in Figure 11 below, Mobile phone boosters remain the primary source of harmful interference for complaints investigated by ComReg, followed by Mast Head Amplifiers.

Figure 11: Interference sources



ComReg observes that the RFI experience in Ireland is reflective of that elsewhere in Europe. Each year the European Conference of Postal and Telecommunications Administrations (CEPT) subgroup FM22⁶³, which is responsible for monitoring and enforcement activities, publishes its Annual Interference Statistics Questionnaire for Reported Cases.

This report shows that in 2021 mobile networks remain the services that report most complaints of RFI across Europe.

NON-IONISING RADIATION

Licensees holding a Wireless Telegraphy Licence and those operating under a General Authorisation⁶⁴ for the provision of an electronic communications networks and/or services must ensure that public exposure to non-ionising radiation (NIR) emissions from transmitters are within the limits set by the International Commission on Non-Ionising Radiation Protection (ICNIRP)⁶⁵, as endorsed by the World Health Organisation (WHO), the European Commission and the Environmental Protection Agency (EPA).

Each year, ComReg measures NIR levels in public areas at circa 80 different sites, located throughout the country. In this reporting period, 80 sites were surveyed. ComReg also publishes quarterly reports on the NIR site surveys.⁶⁶

So far, over 1600 sites have been surveyed and NIR levels at all surveyed sites have been found, without exception, to fall well below the international limits for public exposure set by ICNIRP.

⁶³ European Conference of Postal and Telecommunications Administrations, 'FM 22 – Monitoring & Enforcement', viewed on 20th June 2022, www.cept.org/ecc/groups/ecc/wg-fm/fm-22/client/introduction/

⁶⁴ ComReg 03/81R6 www.comreg.ie/publications

⁶⁵ www.icnirp.org

⁶⁶ ComReg 20/34 www.comreg.ie/publications | ComReg 20/92 www.comreg.ie/publications
ComReg 20/126 www.comreg.ie/publications | ComReg 21/26 www.comreg.ie/publications

ComReg's methodology by which it currently conducts NIR surveys is published in ComReg Document 08/51R4.⁶⁷ ComReg makes all NIR measurement reports available online at: www.comreg.ie/nir-reports-2/. These are also viewable via ComReg's Siteviewer website at www.siteviewer.ie

Further information regarding NIR, ComReg's role in relation to NIR, along with information on the roles of other public bodies, can be found on ComReg's website.⁶⁸

COVID-19: TEMPORARY SPECTRUM LICENSING

In March 2020, in response to a combination of Government measures put in place to address COVID-19, increased traffic demands on wireless networks, and requests from the MNOs for temporary spectrum rights; ComReg consulted on - and subsequently put in place with the consent of the Minister - the first COVID-19 temporary spectrum licensing framework.

This licensing framework provided for the temporary assignment of spectrum for an overall period of up to 6 months by providing additional spectrum rights of use in the 700 MHz and 2.6 GHz Bands, and liberalised spectrum rights of use in the 2.1 GHz Band, as existing licences in that band were licensed at that time for 3G-use only.

Each of the MNOs (Meteor, Three and Vodafone) subsequently applied for and were issued with COVID-19 temporary spectrum licences for spectrum rights in the 700 MHz and 2.1 GHz bands. The MNOs used these temporary spectrum rights to provide additional network capacity to support the increased voice and data traffic demands of consumers. Given that government measures to address COVID-19 remained in place until March 2022, and these measures continued to have some impact on the MNO's traffic, ComReg consulted upon and put in place, with Ministerial consent, four further COVID-19 temporary spectrum licensing frameworks of 6 months duration, with the 4th COVID-19 temporary spectrum licensing framework due to expire on 1 October 2022.

For each of these four further licensing frameworks, the three MNOs applied for and were granted COVID-19 temporary licences for spectrum rights in the 700 MHz and, where appropriate, in the 2.1 GHz band.

In putting these arrangements in place, ComReg made it clear that it was intended solely to address the COVID-19 temporary situation and as such was without prejudice to the award of spectrum in the Multi-Band Spectrum Award (see below). All three MNOs, in making application for COVID-19 temporary licences accepted same.

Noting that COVID-19 temporary spectrum licensing frameworks have always been justified on the presence of Government COVID-19 measures and that since March 2022 there have been no Government COVID-19 restrictions in Ireland, ComReg has stated that there is no basis for considering any further COVID-19 temporary spectrum licensing framework beyond 1 October 2022.

⁶⁷ ComReg 08/51R4 www.comreg.ie/publications

⁶⁸ <https://www.comreg.ie/industry/radio-spectrum/site-viewer/non-ionising-radiation-information/>

MULTI-BAND SPECTRUM AWARD FOR WIRELESS BROADBAND

On 18 December 2020, following a comprehensive consultation process, ComReg published its decision (ComReg Document 20/122, Decision D11/20) to hold a multi-band spectrum award to assign long-term rights of use across four important spectrum bands, all of which are suitable for wireless broadband services (the “MBSA2”). These spectrum bands are the 700 MHz, 2.1 GHz, 2.3 GHz and 2.6 GHz bands which are all harmonised at European level for the provision of wireless broadband (“WBB”) services across Europe.

Spectrum awards, and particularly those suitable for the deployment WBB services, are very important events which occur only every few years and which have economy-wide impact, and the MBSA2 is hugely important for several reasons including that:

- comprises 470 MHz of harmonised spectrum which represents a 46% increase in the spectrum assigned for the provision of WBB services in Ireland. This will significantly enable operators to provide improved services to meet ever-increasing consumer demand.
- the spectrum bands are highly suitable for the provision of 4G and new 5G services.
- the 700 MHz band is an important band for the provision of widespread coverage, including in rural areas and on national transport routes, and is highly suitable for the provision of existing 4G and, over time, new 5G services. This is especially important in Ireland, given our challenging demographic characteristics and the high and exponential costs associated with deploying very high levels of coverage.
- The 2.1 GHz, 2.3 GHz and 2.6 GHz bands are ideally suited to providing network capacity and thereby enhanced performance, if used for mobile broadband services, although they can also be used for both capacity and coverage purposes (such as for fixed wireless broadband services in rural areas).

In line with its obligation to promote competition in the electronic communications sector, ComReg decided to award long-term rights of use in these important bands by way of an open and competitive award process (i.e. auction) whereby existing operators and potential new entrants could compete for such rights of use. The auction was due to take place during 2021.

APPEAL OF THE MBSA2 DECISION

However, in January 2021, Three appealed certain aspects of ComReg’s MBSA2 Decision.

ComReg contested Three’s appeal, which was heard by the High Court in mid-2021. The appeal was also before the Court in October and November 2021, and Judgment was ultimately reserved on 23rd November 2021. Judgment is still awaited as of mid-2022, the end of this reporting period.

TEST & TRIAL IRELAND

Ireland's geographic position on the western edge of Europe and its low population density provides an important natural advantage through a relative abundance of usable radio spectrum. Test & Trial Ireland is a service which entrepreneurs, researchers and developers may use to test or trial wireless technologies in a wide variety of frequency bands, including parts of the mobile and broadcasting bands. During the year in review ComReg issued 9 Test licences and 22 Trial licences. Further details are set out at Test & Trial Ireland www.testandtrial.ie which includes a short video promoting this initiative.⁶⁹

NETWORK SECURITY

SECURITY OF ELECTRONIC COMMUNICATIONS NETWORKS

Since the publication of the European Union Commission Recommendation on Cybersecurity of 5G networks C(2019) 2335 final ("Rec. 2335")⁷⁰, on 26 March 2019, ComReg has been working in close collaboration with the National Cyber Security Centre ("NCSC") to assist with the deliverables arising from Rec. 2335.

ComReg assisted the NCSC, as it led Ireland's input into several EU working groups related to the deliverables of Rec. 2335. Further to this, ComReg has provided input into relevant European Union Agency for Cybersecurity ("ENISA") and Body of European Regulators for Electronic Communications ("BEREC") working groups and subsequent output documents in respect of this matter. This culminated in the publication of the report on the EU coordinated risk assessment on cybersecurity in Fifth Generation ("5G") networks⁷¹ and the European Toolbox on the security of 5G networks⁷² ("the Toolbox") on 29 January 2020.

The NCSC published its National Cyber Security Strategy 2019 – 2024 ("NCSS 2019 – 2024") in December 2019.⁷³ ComReg, as a stakeholder, has been involved in assisting the NCSC in two of its measures relating to the cybersecurity of telecommunications networks:

- Measure 4: The NCSC, with the assistance of the Defence Forces and An Garda Síochána, will perform an updated detailed risk assessment of the current vulnerability of all Critical National Infrastructure and services to cyber-attack.
- Measure 7: Government will introduce a further set of security measures to support the cyber security of telecommunications infrastructure in the State.

⁶⁹ See https://www.youtube.com/watch?time_continue=2&v=s6ctjMo_bf4

⁷⁰ <https://ec.europa.eu/digital-single-market/en/news/cybersecurity-5g-networks>

⁷¹ https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6049

⁷² https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_127
See https://www.youtube.com/watch?time_continue=2&v=s6ctjMo_bf4

⁷³ The National Cyber Security Strategy, 2019 – 2024:
https://www.ncsc.gov.ie/pdfs/National_Cyber_Security_Strategy.pdf

ELECTRONIC COMMUNICATIONS SECURITY MEASURES (ECSMS)

ComReg has been closely involved with the NCSC in running several workshops to support the development of the ECSMs in collaboration with industry stakeholders in 2021. These workshops included speakers from security stakeholders on several relevant topics and a discussion of the principles underlying each of the ECSMs. The Department of the Environment, Climate and Communications (“DECC”) consulted on the ECSMs on 23 November 2021⁷⁴ with the consultation having closed on 28 January 2022.

ComReg will be responsible for the implementation of the ECSMs post transposition of the European Electronic Communications Code (“EECC”) and will need to do so in an objective, transparent, non-discriminatory, and proportionate manner. This will therefore be a significant work programme for ComReg which will need to establish and develop a framework by which to assess operator networks. ComReg will continue to work in close co-operation with the NCSC to assist it in the delivery of the measures contained in the NCSC 2019-2024 strategy throughout the coming period.

NETWORK INCIDENTS 2021

Twenty-four incidents were reported to ComReg in 2021, compared to seventeen in 2020. The overall number of user hours lost due to incidents reported in 2021 are on a par with 2020.

Major causes of incidents in 2021 included software bugs, poorly implemented software updates and hardware failures. Again, in common with 2020, the number of hours lost was often compounded by procedural flaws with these incidents typically arising during hardware and software network changes.

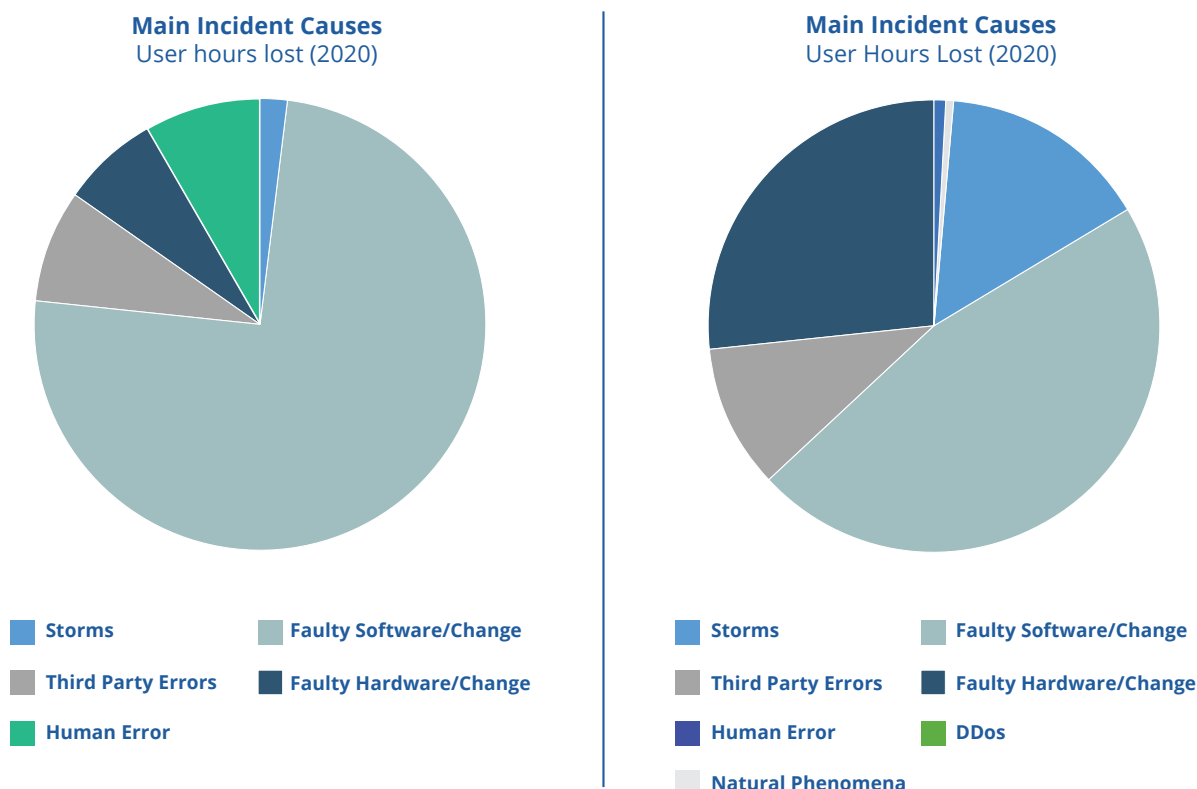
Several of the reported incidents relate to power outages, which are typically caused by weather events such as storms. Additionally, mobile and radio networks tend to be more prone to the effects of adverse weather, (wind damage, ice, and heavy rain) while the fixed underground plant tends generally to be more vulnerable to flooding, caused by storm surges and heavy rain.

In 2021, ComReg monitored weather events, of which the main events causing disruption were:

- Arwen, 25 November 2021; and
- Barra, 7 – 9 December 2021.

Only Storm Barra resulted in significant disruption and caused outages above that of other storms, totalling 9,822,864 User Hours lost, which was notably greater than the 2020 experience. For comparison of incidents in 2020 and 2021, see figure 12.

⁷⁴ <https://www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/>

Figure 12: A comparison of incidents in 2020 and 2021

ENISA REPORT 2022 AND NETWORK OPERATIONS ANNUAL REPORT 2022

ComReg will fulfil its obligation to report significant incidents to both the Minister and ENISA under Regulation 23 of the Framework regulations. This is expected to continue under the transposed EECC. Following this, ComReg will issue its Annual Report on Network Operations for 2022, including but not limited to incident reporting and incident types that have emerged during the year.

ECONOMIC AND SOCIETAL IMPACT OF INCIDENTS

As part of its work on both network incidents and on the forthcoming transposition of the European Electronic Communications Code ("EECC"), ComReg procured expert advice to develop a model to estimate the economic and societal costs of a network incident. This work is underway and expected to conclude in 2022.

RADIO FREQUENCY INTERFERENCE (RFI) INVESTIGATIONS

CLIMATE CHANGE AND ADAPTATION OF TELECOMMUNICATIONS NETWORKS

During 2021 and given the increasing intensity and incidence of storms and weather events and their subsequent effect on undertakings, ComReg commenced a project seeking expert advice on the relationship between network incidents and meteorological events. This work is now underway and expected to conclude in 2022.

NUISANCE COMMUNICATIONS

Nuisance communications are unwanted, unsolicited communications generally directed at large groups of the population. Nuisance communications often have the intent to mislead the receiver, so that they unknowingly provide sensitive personal information. This in turn can enable the criminal to perpetrate fraud.

Irish society and its economy have become ever more reliant on telecommunications technology. While it is deeply integrated into all areas of the economy and society, this constant in our lives comes with its own threats and vulnerabilities.

Fraud using electronic communications networks and services has become a low-risk form of crime. The reduced cost and increased availability of the equipment needed has seen incidents of fraud multiply in Ireland. Our daily use of electronic communications networks and services is exploited by criminals, who use social engineering type attacks, for example: vishing⁷⁵, smishing⁷⁶ and CLI spoofing⁷⁷ with the intention of illegally acquiring personal consumer information, ultimately to abet financial fraud.

NUISANCE COMMUNICATIONS INDUSTRY TASKFORCE

To help combat nuisance communications, ComReg has established an industry taskforce – the Nuisance Communications Industry Taskforce (“NCIT”), to bring together representatives of the electronic communications industry. Given the increasing frequency of nuisance communications and the damaging effects on public confidence in the integrity and trustworthiness of electronic communications, ComReg convened an industry taskforce to address the matter, with the full support of the DECC.

ComReg issued an Information Notice⁷⁸ to extend this invitation to members of the electronic communications industry. Membership of NCIT is limited to persons employed by organisations who have and operate within the State under a General Authorisation and carry voice calls and/or SMS messages.

The NCIT continues to meet monthly and is being chaired by an independent chairperson and secretariat, reporting to ComReg.

⁷⁵ Vishing – a voice phone scam designed to get potential victims to share personal information. During a vishing phone call, a fraudster uses social engineering to get potential victims to share personal information and financial details, such as account numbers and passwords. In this case a spoofed CLI, appearing to be coming from a valid source such as a bank, is displayed to the caller to gain their trust of the called user and initiate the financial fraud attempt.

⁷⁶ Smishing – is a scam where fraudsters use mobile phone text messages to trick potential victims into opening a malicious attachment or link.

⁷⁷ Calling Line Identification (“CLI”) Spoofing – refers to when the CLI shown to the call recipient has been inserted by a rogue caller and appearing to be a call from a genuine number, with the intention of the initiation of a fraud attempt.

⁷⁸ Nuisance Communications – Formation of the Nuisance Communications Industry Taskforce, 21/129, 17th December 2021.

COVID-19 AND NETWORK SECURITY

The COVID-19 pandemic and the Government's Public Health restrictions led to continued work for the industry and ComReg. This was in response to the need for employees to work from home, due to public health restrictions needed to mitigate the spread of COVID-19 and to ensure business continuity where possible.

Again, during 2021, ComReg acted as a central coordination point between undertakings and DECC, monitoring network stability and resilience. Ensuring that essential services, such as telecommunication networks, could support the increased load on both fixed and mobile data services and fixed and mobile voice services, this involved sourcing information on network stability directly from the undertakings. Regular meetings with undertakings, DECC and other stakeholders were necessary to discuss the impact of public health restrictions and/or issues that arose consequently.

NETWORK MONITORING

Due to the COVID-19 pandemic and subsequent Government Public Health restrictions, ComReg, with the agreement of its contractor, Advanced Wireless Technologies Group Limited ("AWTG"), suspended its bi-annual drive testing programme during 2020 and the first half of 2021.

Following the relaxation of the travel restrictions in the second half of 2021, AWTG conducted the winter 2021 Drive Test on behalf of ComReg and in January 2022, ComReg issued a report ⁷⁹ on the results of the drive test.

⁷⁹ <https://www.comreg.ie/publication/assessment-of-mobile-network-operators-compliance-with-licence-obligations-coverage-winter-2021>

MOBILE USER EXPERIENCE – OUTDOOR MOBILE COVERAGE MAPPING

ComReg's outdoor mobile coverage map allows consumers to assess the level of mobile coverage they might reasonably expect to experience in their own localities. This information can help consumers to make an informed choice about their connectivity requirements.

The outdoor mobile coverage map is regularly updated, both in terms of new sites coming on-line, as well as incorporating changes to the technology used on the sites. This not only affects coverage but can also lead to an improvement in the services offered in a locality. ComReg applies independent engineering calculations to the network data received from mobile network operators ("MNOs"). These calculations are then calibrated using a series of real-world Continuous Wave⁸⁰ ("CW") measurements, undertaken at several locations throughout Ireland. Following calibration, the outdoor coverage map predictions are released via the ComReg website.⁸¹ In addition to this, the analysis of the outdoor coverage predictions helps inform ComReg's current and future management of the radio spectrum.

Over the next year it is expected that a further release of the mobile coverage map will include updates to include 5G bands and technologies. Furthermore, this workstream will continue to evolve for both newly assigned frequency bands and technological updates.

SECURE SUPPLY OF POWER

The matter of secure supply of power is a matter of concern for ComReg and the telecommunications industry. In the lead-in to Winter 2021, ComReg engaged with operators regarding the risk posed to the continuity of networks and services. While not unique to Ireland, the impact of the war in Ukraine has led to further concerns regarding energy supply and its subsequent impact on the secure supply of power.

ComReg will continue to monitor the situation and engage with operators regarding the risk in the coming year.

INTERNATIONAL WORK

ComReg contributes and participates in several international fora, primarily: the Body of European Regulators for Electronic Communications ("BEREC") including its 5G cybersecurity and NIS 2 Working Groups; and ENISA, in terms of the European Competent Authorities for Secure Electronic Communications ("ECASEC") group and its Working Groups.

During the COVID-19 pandemic, this work has been conducted remotely using web-based video conferencing tools. This has facilitated both regularly scheduled and ad-hoc meetings, with ComReg being able to fully participate and contribute to the work.

⁸⁰ A continuous wave or continuous waveform is an electromagnetic wave of constant amplitude and frequency.

⁸¹ <https://coveragemap.comreg.ie/map>

MANAGING THE NATIONAL NUMBERING SCHEME

ComReg manages the National Numbering Scheme in Ireland. This encompasses geographic numbers, non-geographic numbers, mobile numbers, premium rate service numbers, short codes, and network codes. Telephone numbers and codes are essential to the provision of electronic communications networks and services, enable the effective routing of national and international communications and support the proper functioning of billing and settlement regimes. They also provide information to the caller on the service called, the price of the call, and, in some cases, the location of the calling or called party.

ComReg is committed to effective number management, to ensure the efficient use of numbers by operators and the continued availability of numbers for end users. To this end, ComReg has implemented an innovative new number management system for non-geographic numbers that is directly linked to operators' systems. This allows individual non-geographic numbers to be automatically assigned, once the operator has confirmed it has a valid customer order. These assigned numbers subsequently go live on all networks within 1 working day, by comparison with the 3-week manual process that previously existed. ComReg's website also provides an online search function to allow end-users to search for the best available number to meet their needs.

The development of such systems paves the way for the future of number management in Ireland. Future number management work will focus on working with operators to ensure their 'know your customer' (KYC) procedures are adequate to prevent numbers falling into the hands of scammers, given the continuing scourge of nuisance communications.

UPDATING NUMBERING CONDITIONS OF USE

ComReg's Numbering Conditions of Use⁸² detail the rules for number use and eligibility criteria for number holders. These conditions and eligibility criteria protect consumers and promote competition by ensuring operators have equal access to numbering resources.

The Numbering Conditions of Use are updated regularly to take account of the latest market and legislative developments. The most recent review was completed in July 2021,⁸³ following a public consultation. The consultation considered market developments since the last review in 2019, including an in-depth analysis of numbers for cloud communications platforms. This analysis was supported by market research that demonstrated that the overwhelming majority (circa 90%) of consumers favour the assignment of geographic (landline) numbers only to businesses and individuals with premises within the area code. The review also factored new and amended numbering obligations in the European Electronic Communications Code.⁸⁴ Finally, amendments were also included to address matters that arose as part of the Non-Geographic Numbers (NGN) implementation project.

Future updates of the Numbering Conditions of Use are planned and will focus on improving how operators use Calling Line Identification (CLI), together with supporting any interventions to tackle nuisance communications brought forward by the Nuisance Communications Industry Taskforce.

⁸² ComReg 15/136R3 www.comreg.ie/publication

⁸³ ComReg 21/75 www.comreg.ie/publication

⁸⁴ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code

IMPLEMENTATION OF NON-GEOGRAPHIC NUMBER DECISION

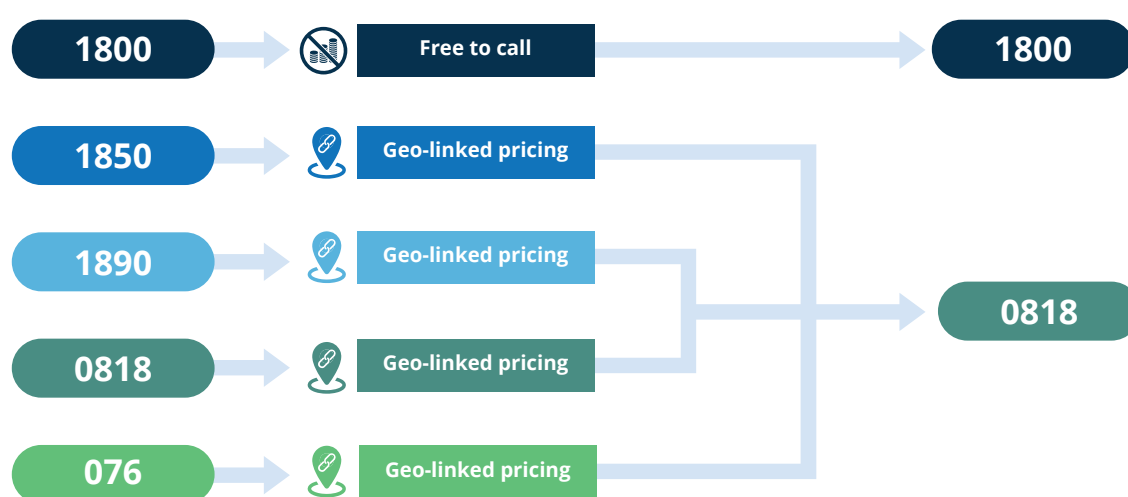
Non-Geographic numbers (NGNs) are phone numbers starting with 1800, 1850, 1890, 0818 and 076, used by organisations to provide services such as helplines, public services and banking. A key ComReg project during 2021 has been the continued implementation of ComReg's 2018 NGN Decision.⁸⁵

The NGN Decision addresses the widespread confusion on the cost of calling NGNs and the differences between the NGN ranges. The overarching purpose is to restore trust and confidence in NGNs by improving the NGN platform for consumers and organisations alike. ComReg facilitated a working group with industry, which met regularly throughout 2021 and early 2022 to discuss the practical implementation of the NGN Decision and to resolve any operational issues as they arose.

Two measures were set out in the NGN Decision, as shown in Figure 13.

- (i) The 'geo-linked' pricing measure was implemented on 1 December 2019. It ensured that calls to any 1850, 1890, 0818 or 076 NGNs were included in customer call bundles that included calls to landline numbers. When not in a bundle, these calls costed no more than calling a landline.
- (ii) The NGN 'consolidation' measure has reduced the number of NGN ranges from five (1800, 1850, 1890, 0818 and 076) to two (1800 and 0818) since early 2022. Only the 1800 Freephone and 0818 Standard Rate NGN ranges now operate, with the geo-linked pricing measure continuing to apply to 0818 calls. Calls to 1800 numbers are free of charge for the caller.

Figure 13: Implementation of the NGN Decision



Geo-linked Pricing:
Implemented 1 December 2019

NGN Consolidation
since January 2022

⁸⁵ ComReg 18/106 and D15/18 www.comreg.ie/publication

To inform consumers and organisations of the final consolidation phase of implementation of the NGN Decision, ComReg ran a series of communications campaigns across digital and social media platforms throughout 2021 and early 2022. This was supplemented with radio and press advertising in late 2021. ComReg has published multiple infographics and animations online and maintains dedicated NGN webpages⁸⁶ to explain the NGN changes to consumers and organisations. Feedback from consumers and the media coverage around the completion of implementation of the NGN Decision has been positive, with commentators greatly appreciating the benefits for both consumers and organisations that use NGNs.

A key element of the communications message has been the significant cost savings for organisations in migrating to 0818 and 1800 numbers, particularly since the introduction of a new wholesale regime for NGN calls in May 2020. A noteworthy element of the new wholesale regime is the 92% reduction in mobile origination charges for mobile calls to 1800 Freephone. Together, these improvements ensure that Ireland now has a fit for purpose and easy to understand NGN platform, and a competitive market for the provision of NGN services.

STRATEGY TO PROMOTE OVER-THE-AIR PROVISIONING AND ESIM

The European Electronic Communications Code (EECC)⁸⁷ requires Member States to promote over-the-air ('OTA') provisioning to facilitate provider switching for mobile phone consumers. OTA provisioning relies on 'embedded' SIM ('eSIM') technology. ComReg commissioned an expert study in early 2021 to support the development of a strategy for the promotion of OTA provisioning in Ireland. In November 2021 ComReg published this study, together with a consultation⁸⁸ on its proposed strategy. In June 2022, ComReg published its response to consultation and final strategy⁸⁹, which sets out a work programme for mobile operators in Ireland. The plan is to have fully online customer sign-up and switching between operators by the end of 2023, with consumers potentially being able to switch between operators in 5 minutes or less.

Other benefits of OTA and eSIM include the ability for consumers to download temporary local profiles when they are roaming abroad. This is particularly important when roaming beyond the EU, where Roam Like at Home (RLAH) obligations do not apply, and consumers often face large bills on their return home. Such temporary local profiles could ensure that consumers can benefit from more reasonable locally applicable tariffs. Further benefits of eSIM are highlighted in Figure 14.

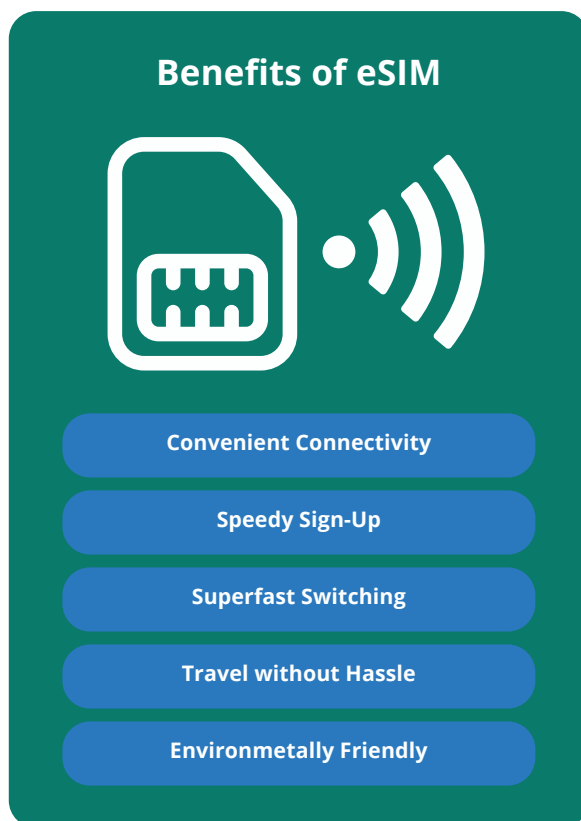
⁸⁶ See www.comreg.ie/ngn

⁸⁷ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code

⁸⁸ ComReg 21/114 www.comreg.ie/publication

⁸⁹ ComReg 22/48A www.comreg.ie/publication

Figure 14: The benefits of eSIM and OTA provisioning



7. Market Analysis and Pricing

In Ireland the scope and nature of electronic communications regulation is determined by a market analysis process as set out under the European common regulatory framework for electronic communications networks and services. Under this framework, ComReg must firstly define what markets are potentially within the scope of regulation having regard to the European Commission's 2020 Recommendation, which identifies those markets which are susceptible to ex ante regulation. Having defined the relevant market, ComReg must assess whether any company has Significant Market Power (SMP) within that market, a concept akin to that of dominance under competition law. If it is concluded that a company does have SMP, ComReg must impose at least one remedy (or obligation) to ameliorate the likely effect of identified competition problems having regard to their impact on competition and consumers. For example, ComReg may require an SMP operator to open up access to its network to competitors at the wholesale level, with such access subject to price controls. ComReg is required by European law to notify the European Commission of its draft decisions with respect to its market analysis, with the European Commission having the ability to comment on such draft measures, including in some case the ability to block their implementation. Regulated markets are reviewed from time to time under this market analysis process.

It is a guiding principle of the common regulatory framework that SMP obligations are imposed at the wholesale level, and that obligations are imposed at the retail level only where obligations at the wholesale level are insufficient to address competition issues on retail markets. Following a decision adopted in June 2022 there are no longer any retail markets in Ireland which are subject to regulation.

During the year, ComReg completed its analysis of a number of wholesale markets, as well as continuing/commencing a number of other market reviews as follows:

1. The Wholesale Central Access (WCA) market relates to the provision of retail broadband (and other) services. In 2018 ComReg adopted a decision with respect to the WCA markets. At that time, it deregulated the Urban WCA Market but continued to regulate the Regional WCA Market. It also, at that time, indicated it would carry out a mid-term assessment to take account of any further changes in the Regional WCA Market. In November 2021 ComReg issued a decision in which it further de-regulated parts of the Regional FACO Market.⁹⁰
2. The Retail Fixed Voice Access (RFVA) and Wholesale Fixed Access and Call Origination (FACO) markets are two markets relating to the provision of retail fixed telephony services. In June 2022 ComReg adopted a decision which removed regulation in the RFVA market and FACO market.⁹¹

⁹⁰ ComReg Document 21/120 Decision D10/21 www.comreg.ie/publications

⁹¹ ComReg Document 22/50 Decision D05/22 www.comreg.ie/publications

For the purposes of its market reviews and other regulatory functions, ComReg continues to engage in the gathering of information from service providers using its statutory information gathering powers. ComReg is engaged in a major multi-annual data gathering transformation project which is seeking to improve the systems and procedures between it and operators in order to enable the more effective and efficient gathering of granular information. During the year this included updating information gathered with respect to fixed voice telephony services, broadband and leased lines. While much progress has been made, the depth, quality and reliability of information provided by some operators with respect to certain communications services remains an issue, including in relation to the provision of information on network coverage and service delivery at an appropriate geographic level.

In October 2021, following a 2020 Consultation⁹², ComReg notified the European Commission (the 'EC') of its Draft Decision on the pricing of access to Eir's ducts and poles or civil engineering infrastructure ('CEI').⁹³ One aspect of the notification was the prices that National Broadband Ireland ('NBI'), in its role as the operator contracted to deliver the National Broadband Plan ('NBP'), should pay. ComReg proposed that because of the specific and unique nature of the NBP and NBI's role in it, differential, and consequentially lower, prices would apply to NBI's access to Eir's ducts and poles relative to other commercial operators. The EC raised concerns regarding ComReg's draft measures.⁹⁴ Having engaged with the Body of European Regulators for Electronic Communications ('BEREC') and with the EC on these concerns ComReg decided in December 2021 to withdraw its notified draft measures on the pricing of Eir's CEI.⁹⁵ ComReg plans to revisit the CEI price control in the context of the upcoming Physical Infrastructure Access ('PIA') market review Consultation, which is due to be published in Q4 2022. In the meantime, the CEI price control mandated in ComReg Decision D10/18⁹⁶ continues to apply.

ComReg published a Decision in October 2020⁹⁷ on the Weighted Average Cost of Capital ('WACC') in the mobile, fixed line and broadcasting sectors to be used for the purpose of price control obligations imposed on SMP operators. As set out in the October 2020 Decision (the 'WACC Decision'), ComReg recalculates the WACC for each sector annually and, each year on or before 30 June publishes, by way of an Information Notice, updated WACC values. An Information Notice was published in June 2022 with the 2022 WACC Annual Update and the updated values will be applied in any forthcoming price reviews. The 2023 WACC Annual Update⁹⁸ will be published in Q2 2023.

⁹² ComReg 20/81 www.comreg.ie/publications

⁹³ ComReg 21/108 www.comreg.ie/publications

⁹⁴ ComReg 21/119 www.comreg.ie/publications

⁹⁵ ComReg 21/127 www.comreg.ie/publications

⁹⁶ ComReg 18/94 Decision D10/18 www.comreg.ie/publications

⁹⁷ ComReg 20/96 Decision D10/20 www.comreg.ie/publications

⁹⁸ ComReg 22/47 www.comreg.ie/publications

Following on from a 2020 Consultation (the ‘ANM Consultation’)⁹⁹, ComReg published a Decision in December 2021¹⁰⁰ concerning the review and update of the cost model used to determine cost-oriented prices for services on Eir’s access network. The updated model is referred to as the Access Network Model (‘ANM’) and the Decision (the ‘ANM Decision’) includes updated prices derived from the ANM for Local Loop Unbundling, Sub-Loop Unbundling, Line Share, Dark Fibre and Current Generation Standalone Broadband. This Decision also considered the submissions to the ANM Consultation on the market impact of the existing Fibre to the Home (‘FTTH’) connection and migration prices and assess the level of costs associated with FTTH connections and migrations. The ANM Decision also assessed the combined impact of updating the inputs issued from the ANM and the latest WACC rate on Fibre to the Cabinet (‘FTTC’) prices and CG Bitstream prices. On 14 January 2022, Eir appealed the ANM Decision to the High Court (the ‘ANM Appeal’).¹⁰¹

Eir subsequently applied to the Commercial Court for a stay on the operation of the ANM Decision pending the outcome of the ANM Appeal. Following a hearing on 24 and 25 February 2022, the Commercial Court refused Eir’s stay application taking account of an undertaking given to the Court by the Notice Parties Vodafone and Sky Ireland Limited.¹⁰² This means that the prices set out in the ANM Decision applied from 1 March 2022.

Following a hearing of the ANM Appeal before Mr. Justice Quinn in July 2022 judgement was reserved.

WHOLESALE PRODUCTS

The Wholesale Products team is responsible for the Strategy and Operational elements of the Wholesale Division’s work plan and the technical specification of remedies on the basis of analysis provided by the Market Analysis team.

The Wholesale Products team actively monitor the operation of remedies in regulated markets – across Fixed Access Call Origination (FACO), Wholesale Local Access (WLA), Wholesale Central Access (WCA) and Wholesale High Quality Access (WHQA) markets. Given its Significant Market Power in the WLA, WCA and WHQA markets, Eircom are required to provide access in line with remedies imposed by ComReg. The team’s activities include the monitoring of the ongoing build out of fibre wholesale networks by Eircom, Siro and NBI, given that all of these utilise Civil Engineering Infrastructure (‘CEI’) Regulated Access Products (‘RAPs’) from Eircom. Additionally, Retail Service providers utilise Eircom regulated products to deliver their products to residential and business customers. In 2021-22, the Wholesale Products has given particular focus to the program to rollout the National Broadband Plan which involves the most extensive usage of Eircom CEI in the State outside of Eircom’s self-supply.

⁹⁹ ComReg 20/101 www.comreg.ie/publications

¹⁰⁰ ComReg 18/94 Decision D10/18 www.comreg.ie/publications

¹⁰¹ ComReg 22/03 www.comreg.ie/publications

¹⁰² ComReg 22/20 www.comreg.ie/publications

Wholesale Products maintain interactions with industry stakeholders both bi-laterally and at formal industry meetings, including participating in the Eircom hosted monthly Product Development Workshop. Another key environment for Industry interaction had been the ComReg hosted Industry Engagement Forum ('IEF'). Relunched and evolved in 2020 under an external Chairperson – in 2021/22 it continued to provide a key forum for interaction between access seekers and Eircom on active and in-development Regulated Access Products. In addition to the deployment of the above referenced fibre networks utilising RAPs – the Wholesale Products monitors the active RAPs provided on Eircom's network. Furthermore, Eircom's ongoing deployment of its Network Modernisation project continues to be monitored. This Eircom project is an enabler for the evolution of its legacy core network, while maintaining access to PSTN and ISDN services.

A number of ongoing and planned consultations were core to the 2021/22 work program. In April 2021, ComReg had published a consultation on Key Performance Indicators ('KPIs') for the broadband and fixed call origination regulated markets. KPIs are intended to measure the performance of Eircom in respect of its transparency and non-discrimination obligations and the treatment of the Other Authorised Operators ('OAOs') versus Eircom's own downstream operations. In 2021/22 Wholesale Products undertook extensive interactions and analysis of the responses and positions taken by industry. The culminated with the publication of ComReg KPI Decision D04/22, replacing the previous 2011 decision D05/11, taking account of technology and other developments in the intervening period. This Decision was published on 29 June 2022 with a 6 month period allowed for the implementation of the mandated KPIs. Preparation work was also undertaken for the upcoming consultation on a potential Physical Infrastructure Access ('PIA') market. Physical infrastructure encompasses Civil Engineering Infrastructure (CEI) such as poles and ducts. Access to CEI products will continue be a key enabler for wholesale and retail competition through the use of CEI by access seekers in deploying their own networks.

In March 2021, Eircom published its "Copper switch-off: Leaving a Legacy for the Future" paper expressing its intention to migrate its copper-based services to fibre-based services. ComReg responded welcoming this development and communicating the consultation process to be followed. Following on from Industry engagements including a Call for Inputs process, ComReg's consultation document "Framework for the Migration from Legacy Infrastructure to Modern Infrastructure" was published on 25 March 2022 with responses received by 11 May 2022. ComReg is currently analysing the responses and scoping its decision on a Framework for the transition from legacy infrastructure with a view to publication in Q1 2023.

WHOLESALE COMPLIANCE

This section covers investigations into breaches of regulatory obligations by telecoms operators, and incidents associated with misuse of Irish numbers. When dealing with investigations into compliance with regulatory obligations the conclusion of the case may result in:

- a formal opinion of non-compliance being issued to an operator
- an administrative payment by an operator
- court proceedings or
- the closure of a case where no issue is identified or closure following remediation by an operator where ComReg considers further action is not warranted

During the period, ComReg's telecoms compliance activities included:

Regulatory compliance:

- 1 case opened
- 2 cases closed
- 23 active cases

Misuse of Irish numbers:

- 9 cases opened
- 10 cases closed

Of the 23 regulatory compliance cases that were active during the year (including 2 cases closed during the year), ComReg carried out 19 active compliance investigations into the incumbent fixed line operator and 2 active compliance investigation into mobile operators.

During the period, ComReg issued the following Notifications of Non-Compliance.

- A notification¹⁰³ issued on 13 August 2021 regarding obligations imposed under ComReg Decision D10/18¹⁰⁴ (the WLA Decision Instrument) in respect of Eir denial of access to its Exchange Chambers to provide local access fibre connections between exchanges and external access network chambers.
- A notification¹⁰⁵ issued on 18 February 2022 regarding obligations imposed under the WLA Decision Instrument in respect of Eir levying Excess Charges for access to Eir's ducts.

¹⁰³ ComReg 21/82 www.comreg.ie/publications

¹⁰⁴ ComReg 18/94 www.comreg.ie/publications

¹⁰⁵ ComReg 22/11 www.comreg.ie/publications

During the period, ComReg issued with the following Notifications of Non-Compliance:

- An opinion¹⁰⁶ of Non-Compliance was issued to Eir on 4 March 2022. Eir had been notified of a finding of non-compliance¹⁰⁷ with its obligations imposed under ComReg Decision D10/18 on 8 March 2021. The notification related to the provision of access to Civil Engineering Infrastructure ('CEI') in particular, Passive Access Records.

During the period, ComReg determined the following dispute under Regulation 31 of the Framework Regulations:

A determination¹⁰⁸ was issued on 27 May 2022 in a dispute between BT Communications Ireland Limited and Eir concerning CEI Access and obligations imposed under ComReg Decision D10/18.

¹⁰⁶ 22/16 www.comreg.ie/publications

¹⁰⁷ ComReg 21/19 www.comreg.ie/publications

¹⁰⁸ ComReg 22/43 Decision D03/22 www.comreg.ie/publications

REGULATORY GOVERNANCE

Eir's regulatory governance arrangements are currently overseen by ComReg in two principal ways.

Firstly, Eir is required under the 2018 WLA/WCA Decision and the 2020 WHQA Decision to prepare and provide to ComReg, Statements of Compliance ('SoC') which detail and explain Eir's risk assessment and control procedures. The function of the SoC is to require Eir to demonstrate how it ensures compliance with SMP obligations, more particularly by reference to the regulatory governance measures and arrangements put in place in order to identify and manage risks of non-compliance.

Secondly, on 10 December 2018, ComReg and Eir entered into a settlement of a number of High Court proceedings ('Settlement Agreement'). As part of this Settlement Agreement, Eir agreed to a set of commitments (including an All-Risk assessment) which, was to result in the establishment and operation of an enhanced RGM in Eir. These commitments include among others the establishment of an Independent Oversight Body ('IOB'). The IOB is charged with, among other things, overseeing and assessing Eir's regulatory governance arrangements and to publish a report on an annual basis with an opinion regarding the implementation and effectiveness of Eir's RGM.

In this context the following are the key activities for the period under review (July 2021 to June 2022):

MILESTONE 4

Milestone 4, the completion of an All-Risk assessment, was initially assessed by ComReg in December 2020. Subsequently the parties entered into a Third Side Letter and Eir resubmitted an updated response to the Milestone in March 2021.

Following submissions by Eir in March 2021 there was correspondence between ComReg and Eir regarding clarification requests from ComReg and associated responses from Eir. ComReg having considered the matter, determined that Milestone 4 had not been met and advised Eir in June 2021

As indicated in the last annual report, Eir disputed ComReg's determination and the matter was referred for Mediation in October 2021. This proved unsuccessful and an agreeable settlement could not be reached by both sides.

In December 2021, Eir served notice on ComReg that it intended to litigate ComReg's decision.

IOB

The IOB has continued to meet and published its first report in October 2021. ComReg's reaction to the report was published in ComReg document 21/95.¹⁰⁹

The Next IOB report is expected in Q4 2022

The IOB has had a number of Board Member changes with the resignation of one of the ComReg appointees and both Eir appointees.

¹⁰⁹ ComReg 21/95 www.comreg.ie/publications

8.

Strategy and Economics

COMREG WEBINAR 2021: OUR STRATEGIC PRIORITIES

In September 2021, ComReg held a webinar outlining its strategic priorities for 2021-2023 and its current programme of work. The webinar was attended by representatives from public bodies, operators, civil society, and consumer groups.

The event focused on the scale of the transformation of the electronic communications sector and the impact of global developments. The trends and challenges that will impact the sector and shape the future role of regulation were discussed. The two main sessions were:

- An overview of the economic context by Professor Kieran McQuinn, ESRI.
- An overview of ComReg's Strategy and current work programme.

THE ROLE OF MVNOS IN EVOLVING MOBILE MARKETS

In October 2021, ComReg published a study of the role of MVNOs in the Irish Mobile Market undertaken with WIK Consult. The high-level objective of the study was to understand the current state and likely future evolution of the Irish mobile market with a particular focus on the role of MVNOs.

The project included a written report, interviews with key stakeholders and workshops with internal stakeholders. The report included a review of:

- mobile business models.
- dynamics in the market.
- technological developments and international case studies.

Conclusions and recommendations from the report included:

- MVNOs have not significantly expanded here and technological developments present both challenges and opportunities for them.
- The market is well served by sub-brands.
- There is no need for immediate intervention but it's advisable to continue to monitor the market.

COMREG WEBINAR: TOWARDS A MORE SUSTAINABLE TELECOMMUNICATIONS ECOSYSTEM

In April 2022, ComReg held a webinar on environmental sustainability in the telecommunications sector. Topics covered included how ComReg and other industry stakeholders are contributing to strengthening development toward a greener digital sector, including the latest insights from Irish consumers on the importance of sustainability in telecommunications services.

The three main sessions addressed:

- ComReg's sustainability activities, including work with BEREC.
- Environmental impact of ECS, a WIK/Ramboll study presented by Ilsa Godlovitch.
- Sustainability at Telia Company, an industry perspective presented by Olga Sihmane.

The webinar gave the opportunity to consider and discuss the question what can ComReg do and how it can be an organisation that values environmental sustainability.

THE MOBILE CONSUMER EXPERIENCE SURVEY 2022

In the Summer of 2022, fieldwork was undertaken for the ComReg Mobile Consumer Experience survey. The survey will provide insight into the usage, perceptions, and experiences of mobile phone users, especially in relation to mobile phone coverage. The survey covered topics relating to the mobile experience including:

- Use and Ownership.
- Mobile phone usage.
- Coverage issues and satisfaction.
- Switching.
- Handset locking.
- Willingness to contribute (to improve mobile coverage).

The face-to-face survey included 3,000 consumers from throughout the country split into five distinct segments based on population density measures from the Central Statistics Office.

This survey was part of ComReg's cyclical research programme with previous iterations conducted in 2017 and 2019. This survey can therefore be compared to previous iterations in order to assess trends across time.

The data collected from this survey project will also be used in combination with data collected from other research projects to conduct further in-depth analysis on the Irish Mobile market. A follow-up survey on Broadband Connectivity will also be conducted.

9. International

BODY OF EUROPEAN REGULATORS FOR ELECTRONIC COMMUNICATIONS (BEREC)

During this year ComReg continued to actively participate in the Body of European Regulators for Electronic Communications (BEREC), which acts as an important platform for ensuring the consistent implementation of the regulatory framework for electronic communications in the European Union and allows for regulatory exchange between national regulatory authorities (NRAs). BEREC's membership includes each of the NRAs from the 27 Member States of the European Union, representatives from the European Commission, the countries of European Economic Area (EEA), as well as the official candidate countries and the potential candidate countries of the European Union.

During this reporting period, ComReg Commissioner (and now Chairperson), Robert Mourik served as ComReg's representative on BEREC's Board of Regulators (BoR), having replaced Commissioner Jeremy Godfrey, who had previously served as BEREC Chair during 2019. ComReg's international activities focused on contributing to BEREC's projects and outputs as set out in the BEREC Work Programme 2021 and 2022. This necessitated active participation by ComReg experts in twelve BEREC Working Groups (WG) and also providing the Co-Chair for one WG (Wireless Network Evolution WG).

BEREC projects of note, which ComReg contributed to delivering, included providing input and analysis to the EU Commission to contribute to the reviews of the Broadband Cost Reduction Directive¹¹⁰ and the Roaming Regulation.¹¹¹ In addition, ComReg played a lead role in organising two separate workshops, gathering industry experts and commentators to discuss, "How BEREC can best promote science-based Electromagnetic Frequency (EMF) exposure limits recommended by experts" and "Open RAN". Significantly, BEREC also continued its work to better understand the environmental aspects of electronic communications networks and services.

ComReg is an active member of the BEREC working group (WG) on Sustainability which was set up in 2020. In June 2022, this Sustainability WG published a report '*Assessing BEREC's contribution to limiting the impact of the digital sector on the environment*', which featured a case study on ComReg and an external study from WIK/Ramboll ('*External Sustainability Study on Environmental impact of electronic communications*'). The key takeaways highlighted the enabling effects of the digital sector but also the sector's own environmental footprint, including the share of global Green House Gas (GHG) emissions. The lack of shared methodology to assess the environmental impact of ECNs/ECS was also highlighted, which has led to the follow-up project looking at which measurement methodologies/indicators the sector could use (2022-2023). The proliferation of harmonised measurements of electronic communications' impact on the environment could improve transparency and reporting in the sector, allow for comparability across operators/providers and could enable consumers to choose environmentally sustainable products and services.

¹¹⁰ Directive 2014/61/EU

¹¹¹ Regulation (EU) 2015/2120 amending Regulation (EU) No 531/2012

ComReg and the other members of BEREC collated information about the initiatives voluntarily taken by European telecom operators to assist refugees entering the EU from Ukraine. While the initiatives vary from country to country and from operator to operator, an indicative list of these initiatives, include:

- Providing SIM cards to refugees from Ukraine on arrival in the EU
- Making free WiFi available in camps for refugees from Ukraine
- Allowing free international calls to Ukraine
- Including Ukraine in the EU 'Roam like at home' regime
- Activation of the 'SMS donation' function to assist organizations supporting refugees
- Including Ukrainian channels in IPTV packages for no added fee.

In addition, in June 2022 the European Commission adopted a Decision to authorise NCEC, the Ukrainian regulatory authority responsible for electronic communications, to participate (without voting rights) in BEREC. This means that the NCEC can take part in the day-to-day work of BEREC's Board of Regulators, and that Ukraine may appoint experts to join in BEREC's working groups.

THE INDEPENDENT REGULATORS GROUP (IRG)

ComReg continued to actively participate in the Independent Regulators Group (IRG), which works in close cooperation with BEREC and was established in 1997 by a group of European NRAs. IRG assists NRAs in capacity building, sharing of experiences, and intelligence gathering on important issues relating not only to the regulation of the European telecommunications market but also to new issues, such as potential digital platform regulation. In 2021 and 2022, ComReg experts attended IRG training workshops on geographic segmentation & passive infrastructure sharing, coupled with webinars on global connectivity and the proposed legislation for an EU Data Act.

In relation to the IRG's experience sharing function, ComReg sought the views of IRG Members on their experiences on three different matters being studied by ComReg experts in the period, namely: Digital Legal Instruments - Mapping NRA's competencies, nuisance communications and satellite licensing regimes. ComReg also responded to more than 38 individual questionnaires circulated by other IRG Members.

ComReg's ongoing participation in IRG is an important activity, as it helps to promote information sharing and peer learning between NRAs, which improves levels of harmonisation of regulation across Europe.

THE COMMUNICATIONS COMMITTEE (COCOM)

The Communications Committee (CoCom) is a high-level advisory committee to the European Commission that was established in 2002 under the Framework Directive (Directive 2002/21/EC, as amended). CoCom is composed of Member State representatives and its main role is to provide opinions on draft measures that the Commission intends to adopt. ComReg participated as part of the Irish delegation to CoCom, in support of representatives from the Department of the Environment, Climate and Communications.

Among the implementing regulations discussed at CoCom this year were those specifying the characteristics of small-area wireless access points (small cells) to facilitate the deployment of 5G networks as well as a harmonised EU Number 116-016 for victims of gender-based violence against women (GBV helpline).

OTHER PROGRAMMATIC DUTIES CARRIED BY THE INTERNATIONAL AFFAIRS UNIT

The International Affairs unit also continued to participate in other ad-hoc and external programmatic workstreams affecting ComReg. For example, it coordinated ComReg's response to the European Commission's Digital Economy and Society Index (DESI) 2022¹¹², by filing relevant telecoms market data with the Commission.

ComReg and Ofcom (the UK's communications regulator) international affairs units continue to engage bi-laterally on topics of mutual interest, following the UK's formal withdrawal of its membership from the European Union and consequent departure from BEREC on 31 January 2020.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

ComReg is a member of the Network of Economics Regulators (NER), a subsidiary body of the OECD's Regulatory Policy Committee. ComReg is also a member of the Working Party on Communication Infrastructures and Services Policy (WPCISP), which is a working party of the OECD's Committee on Digital Economy Policy (CDEP).

CENTRE ON REGULATION IN EUROPE (CERRE)

ComReg is a member of CERRE and has sat on the steering committee for multiple projects, including 'Greening ICT in Europe: Data Centres and the Grid', as well contributing to several upcoming reports.

¹¹² <https://digital-strategy.ec.europa.eu/en/policies/desi>

10. Corporate Services

GOVERNANCE

It is ComReg's objective to ensure compliance, at all times, with best practice in Corporate Governance.

It is ComReg's policy to comply with the 2016 Code of Practice for the Governance of State Bodies and it has reported on its compliance with relevant sections of the Code either in this Annual Report or separately by way of a letter to the Minister for Communications, Climate and Environment.

ComReg has an extensive audit programme in place, overseen by its Audit Committee which met 4 times during the year. The internal audit function is outsourced. An independent trustee of the pension scheme is also in place, in keeping with best practice.

As a public body operating in a difficult environment, an ongoing challenge is to continue to add value while working within resource constraints. We continuously review and amend policies and procedures in relation to expenditure, procurement and risk management. ComReg is accountable to the Oireachtas through Oireachtas Committees.

The ongoing implementation of the procurement plan aims to achieve value for money, to provide a quality service to the public and arrange procurement in a compliant manner. During the current year we have arranged competitive tendering in respect of outsourced services. We have followed European Procurement Directives for larger contracts. We have used the Office of Government Procurement Framework Agreements where feasible.

We aim to pay all valid invoices within 15 days and we publish on our website the number and value of payments made quarterly. We continue to improve work processing cycle times, aided by the co-operation of all staff and the new technological initiatives developed internally to improve processing. In the year to 30 June 2022 95% of payments has been made within the requisite time.

COMMUNICATIONS AND PUBLIC AFFAIRS

In keeping with ComReg's strategy statement, a key goal for ComReg is to engage proactively with our many stakeholders. ComReg has a wide array of stakeholders ranging from consumers and their representative groups, to authorised operators, industry representative groups as well as domestic and international government bodies and departments, among others. We use various channels, including the ComReg website, the media, and social media, to communicate our message. We believe that open engagement with all stakeholders assists ComReg in its work as a national regulatory authority. During the period, we published 183 documents on ComReg's website.

On 23 February 2022, ComReg appeared before the Joint Oireachtas Committee on Transport and Communications Networks to discuss the general scheme of the Communications Regulation Bill.

ENVIRONMENTAL AND SOCIAL GOVERNANCE

As a State agency, ComReg is conscious of the impact of its activities on sustainability and society. ComReg is keen to understand how the electronic communications sector can reduce its own carbon footprint and how it can adapt to a changing environment. From tele-working and videoconferencing, reducing Green House Gas (GHG) emissions associated with transport, to Internet of Things (IoT) devices improving efficiency in agricultural operations and energy consumption in the home, the sector can enable a more sustainable and circular inclusive economy.

ComReg's Electronic Communications Strategy Statement 2021-2023 states that at all times ComReg seeks to be an organisation that values environmental sustainability. ComReg has undertaken several green initiatives in recent years to lower its organisational carbon footprint, in line with best practice. For example, ComReg uses 'keep cups' and no longer uses disposable cups as part of its efforts to reduce waste.

ComReg firmly believes in the importance of an inclusive and fair environment for all those working in ComReg, ensuring that people in ComReg are treated with respect and dignity. Our values of Integrity, Impartiality, Transparency, Excellence and Effectiveness - and the behaviours associated with these values - are woven into our daily interactions and decisions. The values also form part of ComReg's Respect Charter.

In ComReg, we treat everyone we come into contact within the course of our work equally and with respect. There is an obligation to understand when our unconscious biases may affect our decisions and influence the way we treat each other. This is an issue we inform all new staff about during induction.

From a societal perspective, ComReg has a statutory obligation to protect and inform consumers and we aim to achieve this goal through the publication of timely, relevant, clear, and accessible information. We recognise the need for consumers to be appropriately informed to make choices in respect of electronic communications, and to assist them in their dealings with service providers. In this respect, we continually update the consumer section of our website, www.comreg.ie/consumer, with relevant information and news about choosing and using communications services. We also provide a number of online services to assist consumers make informed choices in relation to electronic communications. These include an outdoor mobile phone coverage map. The map is available at www.comreg.ie/coveragemap and it allows consumers to check ComReg's calculation of operator mobile phone coverage and signal levels at locations throughout the country.

ComReg also provides an online facility to assist consumers who have questions about Premium Rate Services (PRS) charges that have been applied to their bill or deducted from their phone credit. The online tool, Service Checker, is available at <http://servicechecker.comreg.ie/>

INFORMATION TECHNOLOGY

ComReg has continued to develop and secure its Information Technology services in line with current eGovernment policy. ComReg enhanced its consumer and industry facing services significantly over the period with further improvements in cybersecurity and spectrum licensing as well as online consumer resources & information services accessible through comreg.ie. Significant further developments have also been achieved in relation to ComReg's market data gathering and analysis systems and processes. IT resources and attention have been directed to the implementation of modern secure collaborative platforms, supporting process improvements and control of cyber security and data management threats. ComReg has been able to leverage its modern and secure IT environment to support the necessary move to staff remote working during the Covid-19 pandemic. The organisation is moving to a blended working style with the necessary technical changes that will facilitate this in the most efficient and productive manner possible.

HUMAN RESOURCES AND OPERATIONAL EXCELLENCE

ComReg adapted to virtual working during the pandemic and as restrictions were lifted, people returned to the office on a phased basis. We have adopted a blended model and transitioned to this new way of working with great success. The underlying imperative is to continue to deliver our mission which is to support the development of a competitive communications sector in Ireland that attracts investment, encourages innovation, and empowers consumers to choose and use communications services with confidence.

During the period of remote working, through survey's and focus groups, we sought the opinion and feedback of the people of ComReg. Based on this feedback, we formed our approach to blended working. We committed to a 6-month trial period of "experimenting" with various arrangements to provide us with information to inform the future working model.

We are focused on finding optimum ways of working to enable us to:

- deliver our mission and goals
- strengthen collaboration and collegiality
- nurture new starters in an environment where they have access to an internal network to learn from, observe, question, and interact with,
- optimise opportunities for deep-thinking and focus
- get things done

At the end of the experimentation phase, ComReg will agree a Blended Working Policy – this will not be a static document but will continue to evolve as we incorporate feedback and advances in ways of working.

Our emphasis on health and safety heightened during the pandemic and, while many restrictions are no longer necessary, we have retained some of the hygiene measures and a new group of recently qualified First Aiders are on hand if required. We have also introduced "toolbox talks" on topics such as "ergonomics", "maintaining personal safety", "basics of how to respond to practically to H&S challenges" etc. These talks go hand in hand with our other initiatives under learning and development and wellbeing banners.

We continue to grow our workforce. A strong focus for the period under review has been, attracting, hiring, developing, engaging, and retaining people. The achievement of our mission relies on a team of dedicated professionals working collaboratively with access to the required tools and resources. We recognise that people are the life-force of the organisation and during the year, we are delighted to say that we have welcomed talented individuals who will enhance our knowledge base, increase our specialist skills, and support the delivery of our objectives.

Through investment in developing people, we endeavour to support staff in growing their capability and achieving their potential. We continue to sponsor education and strongly encourage staff to supplement their existing knowledge and qualifications. This support for development is provided through on-the-job training, coaching, mentoring, bespoke courses, and formal education. We delivered an extensive learning and development calendar including leadership development, professional, technical, and regulatory programmes as well as sharing networks to encourage collaboration and information sharing. Our mentoring programme this year concentrated on those who joined the organisation over the past two years. The programme was a new initiative in that it took the shape of group mentoring. Recent starters were given an opportunity to network, explore topics in a safe environment under the direction of an experienced mentor. We are advanced in the delivery of this programme, and it has been a great success to date.

Much of ComReg's interaction is by way of written communication. To help us better refine our competence, an "Effective Writing" project was initiated. This was designed by a working group from within ComReg, which identified a requirement for a number of modules - each building on the previous one - starting with foundations and fundamentals and continuing to planning and editing documents. We procured external specialists to partner with us in the design and delivery. This programme is on-going, and the fundamentals module will form part of our current and future core learning suite for new starters.

We have continued to make improvements to our performance model, the Performance and Development Dialogue (PDD), and this year, we added functionality around further education and probation. The PDD process links our Competency Framework to performance and expands the focus to include both what is achieved and how it is achieved. The emphasis is on setting goals linked to strategy and business plans where monthly conversations take place between reviewer and reviewee.

ComReg is strongly committed to promoting diversity, inclusion and gender balance in the workplace. We want people to enjoy their work, to be confident that while at work they will be treated with respect and understand that they are expected to treat colleagues the same way. Our values of Integrity, Impartiality, Transparency, Excellence and Effectiveness - and the behaviours associated with these values - are woven into our interactions and decisions. The creation of an inclusive workplace is central to the ethos of ComReg. We are proud to acknowledge the diversity of our workforce through the celebration of Pride month and through the recognition of important occasions across a broad range of cultures. We also celebrate international women's day and mark the occasion by holding a themed all staff discussion.

ComReg recognises the value of group/social differences (e.g., ethnicity, social class, gender, sexual orientation, disability, etc.) in improving the quality of work and decision making in the organisation.

As at 30 June, ComReg's Audit and Risk Committee (ARC) had 50% female and 50 % male members, with one position vacant. The composition of the ARC membership aligns with the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

We have further embedded our Code of Conduct and Respect Charter into the induction process reiterating the standards of interaction and behaviour expected in our approach to work. The code is interpreted to illustrate responsibility and obligations relating to our business interactions. It also emphasises the need to eliminate bias and prejudice and underlines a people first approach. Over the past year, we continued to develop our Dignity and Respect at Work Programme to further embed our RESPECT charter. This charter was launched in early 2020 and has its foundation in discussions involving the whole organisation. The follow-on workshops focused on how we can each take personal responsibility for bringing the Charter to life by considering how we can - Be Kind, Be Brave, Be Fair and Be Committed – in our daily interactions.

ComReg is committed to providing people with relevant support at key stages of life - education, parenthood, illness and bereavement, among others. We strive to create and nurture a supportive culture, through policies, charters, and a strong Wellbeing programme. This Programme recognises the importance of taking care of mental, physical, and spiritual health. There are major holistic benefits to having a robust and well-defined approach to wellbeing. ComReg pro-actively creates a supportive environment where people can avail of opportunities to learn strategies to improve and maintain their health. Our wellbeing programme was further defined this year with a planned quarterly programme communicated. Our steps challenge got about a quarter of our people moving in the great outdoors and sharing photographs of sunrises or sunsets seen in our early morning or late evening walks. Our yoga/Pilates has helped keep joints flexible after long days of partaking in seated meetings.

This year also, our wellness programme has highlighted the topic of menopause and examine how we can raise awareness and let those impacted know about options. Our objectives are:

- to offer support to women experiencing symptoms
- to underline the relevance of the topic to all genders
- to create heightened awareness of the topic for all employees
- to stop it being a taboo subject and encourage conversations

ComReg is required to comply with sections 25, 26, 27 and 28 of the Disability Act 2005. Under the Act, ComReg ensures that the public areas of our building are accessible to people with disabilities and that our public services are also accessible to people with disabilities.

The achievements of ComReg are built on the professional standards of the people who work here. We are grateful to our workforce of committed and competent people.

FI

**Of The Commission For Communications Regulation
For The Year Ended 30 June 2022**



Content

	Page Number
1 Commission Members and Other Information	80
2 Governance Statement and Commission Members' Report	81
3 Statement on Internal Control	88
4 Report of The Comptroller And Auditor General	91
5 Statement of Income and Expenditure and Appropriation Account	93
6 Statement of Comprehensive Income	95
7 Statement of Financial Position	96
8 Statement of Cash Flows	97
9 Notes to the Financial Statements	98

1.

Commission Members And Other Information

Commission	As at 30 June 2022 the Commission comprised of 2 Commissioners: Robert Mourik - Chairperson Garrett Blaney - Commissioner
Offices	1 Dockland Central Guild Street Dublin 1
Auditors	Comptroller & Auditor General 3A Mayor Street Upper Dublin 1
Bankers	Bank of Ireland 6 – 7 O’Connell Street Lower Dublin 1

2. Governance Statement And Commission Members' Report

Governance

The Commission for Communications Regulation (ComReg) was established on 1 December 2002. The functions of the Commission are specified in the Communications Regulation Act, 2002, and the Communications Regulation (Amendment) Act, 2007. These functions relate to the regulation and licensing of the electronic communications industry (including radio and broadcasting transmission), the regulation of postal services, the regulation of premium rate services and the regulation of the .ie domain name. The Commission is funded wholly by income received from the electronic communications, postal and premium rate services industries.

Section 11 of the 2002 Act states that, subject to the 2002 Act, the Commission shall be independent in the exercise of its functions. Section 14 of this Act states that the Commission shall consist of at least one and not more than three Commissioners and subject to this Act, the Commission may regulate its own procedure. The Commission is responsible for ensuring good governance and performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of ComReg are the responsibility of the Commission and the Leadership Team. The Leadership team must follow the broad strategic direction set by the Commission, and must ensure that all Commission members have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise.

Commission Responsibilities

The work and responsibilities of the Commission were originally set out in the 2002 Act. Our objectives are set out in line with both primary and secondary legislation, and this legislative framework continues to evolve since the 2002 Act and the Communications (Regulation) Act of 2007. In 2007, ComReg's responsibilities and powers, as well as available enforcement measures, were augmented by the Communications Regulation (Amendment) Act 2007.

Section 21 of the 2002 Act provides that 'the exercise of functions of the Commission may be carried out by or through any member of staff or authorised officer of the Commission as the Commission shall deem proper'. The Commission has delegated certain functions but there are other matters specifically reserved for Commission decision. Items considered by the Commission include

- reports from the Audit & Risk Committee / working groups
- financial reports / management accounts
- performance reports, and
- reserved matters.

Commission Responsibilities (cont'd)

Section 32 of the Communications Regulation Act, 2002, requires the Commission to keep in such form as may be approved by the Minister for the Environment, Climate and Communications, with the consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of moneys received or expended by it, including an income and expenditure account and a balance sheet, distinguishing between:

- (a) its functions relating to electronic communications,
- (b) its functions relating to postal matters and
- (c) its functions relating to premium rate services.

In preparing financial statements, the Commission is required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Commission will continue in operation.
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements;

The Commission is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, the financial position of the Commission and which enable the Commission to ensure that financial statements comply with the requirements of Section 32 of the Communications Regulation Act. The maintenance and integrity of the corporate and financial information on the Commission's website is the responsibility of the Commission.

The Commission is responsible for approving the annual action plan and budget. An evaluation of the performance of the Commission by reference to the annual plan and budget was carried out in June 2022.

The Commission is responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Commission considers that its financial statements give a true and fair view of the financial performance and the financial position of the Commission at 30 June 2022.

Commission Structure

Section 14 of the Communications Regulation Act, 2002 states that the Commission shall consist of at least one and not more than three Commissioners. Section 15 of the Act states that a Commissioner shall be appointed on a full-time basis for a period of not less than three years and not more than five years. The Act also provides that where there is more than one Commissioner, the Minister shall appoint one of them to be the chairperson of the Commission.

Under Section 17 of the Communications Regulation Act, 2002 the Commission shall, where there is not more than one Commissioner appointed under Section 15, designate a member of its staff as a deputy member of the Commission ("deputy commissioner") who shall assume and carry out with the authority of the Commission all of the functions of the Commission in the absence of the Commissioner.

As at 30 June 2022 the Commission comprised two Commissioners all of whom were appointed by the Minister for the Environment, Climate and Communications. The table below details the members of the Commission and their appointment, or re-appointment dates (Commission members cannot serve more than two terms of office as a Commissioner). The Commission meets regularly to discuss regulatory and operational issues.

Commission Member	Date Appointed
Robert Mourik* Chairperson	7 January 2019
Garrett Blaney**	7 January 2019
Jeremy Godfrey	2 September 2013 (resigned on 31 December 2021)

*Chairperson from 7 January 2022

**Chairperson until 6 January 2022

Audit and Risk Committee

The Commission has established an Audit and Risk Committee (ARC). The members of the ARC are appointed by the Commission and consist of not more than five people:

- two Commissioners (Note: The Chairperson is the Accounting Officer and hence is not appointed to the Audit and Risk Committee);
- three independent external members.

The ARC is chaired by one of the external members.

The role of the ARC is to support the Commission in relation to its responsibilities for issues of risk, control and governance and associated assurance. The ARC is independent from the financial management of the organisation. In particular the ARC ensures that the internal controls systems including audit activities are monitored actively and independently. The ARC reports formally in writing to the Commission annually.

Commissioners Jeremy Godfrey, Garrett Blaney and Robert Mourik were members of the ARC in the year ended 30 June 2022. The external members of the Audit and Risk Committee at 30 June 2022 were: Patricia Byron (Chairperson), Marie Collins and Michael Tutty (appointed 11 April 2022). Jimmy Murphy resigned from the ARC on 22 June 2022. Robert Mourik resigned from the ARC on his appointment as Chairperson of ComReg and he was replaced by Garrett Blaney. There were four meetings of the ARC in the year ended 30 June 2022.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Audit & Risk Committee meetings for 2022 is set out below including the fees received by each member. There were no expenses paid in 2022.

Audit and Risk Committee Members

Name	Role	Number of Meetings Attended	Fees 2022 €
Patricia Byron - Chairperson	External Member	4	8,000
Marie Collins	External Member	4	4,800
Jimmy Murphy (resigned 22 June 2022)	External Member	3	3,600
Michael Tutty (appointed 11 April 2022)	External Member	1	1,200
Jeremy Godfrey (resigned 31 December 2021)	Commissioner	2	N/a
Garrett Blaney (appointed 7 January 2022)	Commissioner	2	N/a
Robert Mourik (resigned 7 January 2022)	Commissioner	2	N/a

Key Personnel Changes

Commissioner Jeremy Godfrey left on 31 December 2021. In accordance with the 2002 Communications Regulation Act the Minister appointed Robert Mourik as Chairperson from 7 January 2022.

Disclosures required by Code of Practice for the Governance of State Bodies (2016)

The Commission is responsible for ensuring that ComReg has complied with the requirements of the Code of Practice for the Governance of State Bodies ("the Code"), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code.

Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Range (€'000)	30 June 2022 Number	30 June 2021 Number
60 - 70	13	15
70 - 80	16	17
80 - 90	16	19
90 - 100	15	12
100 - 110	8	7
110 - 120	5	7
120 - 130	11	9
130 - 140	7	7
140 - 150	3	3
150 - 160	2	0
160 - 170	1	1
170 - 180	0	0
180 - 190	1	1
190 - 200	0	0
200 - 210	0	0
210 - 220	0	2
220 - 230	2	0
230 +	2	2

Note:

For the purpose of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, performance related pay and benefit-in-kind in respect of medical insurance payments made on behalf of the employee but exclude employer's PRSI.

Technical Advice Costs

Technical Advice costs include the cost of external advice to management and includes outsourced 'business-as-usual' functions. Legal Advice costs of €1.4m (2021: €2.0m) are shown separately as part of Legal Costs below.

	2022 €'000	2021 €'000
Professional & Technical Advice	7,727	7,500
Contact Management	913	912
Market Research	562	300
Quality of Service Monitoring	576	552
	9,778	9,264

Legal Costs

The table below provides a breakdown of amounts recognised as expenditure in the reporting period in relation to legal costs.

	2022 €'000	2021 €'000
Legal Advice	1,380	2,038
Legal Costs relating to Legal Proceedings	1,862	1,157
	3,242	3,195

Legal expenses are stated net of costs recovered from third parties. There were no conciliation and arbitration payments or settlement payments made in the year.

Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

	2022 €'000	2021 €'000
Domestic Travel	23	-
International Travel	64	-
	87	-

Hospitality Expenditure

The Income and Expenditure Account includes the following hospitality expenditure:

	2022 €'000	2021 €'000
Staff Hospitality Costs	28	13
Contribution to Sports and Social Club	8	3
	36	16

ComReg does not engage in Client Hospitality. The above amounts do not include expenditure on refreshments/hospitality associated with business operations such as conference hosting, events and meetings.

Statement of Compliance

The Commission is committed to maintaining the highest standards of corporate governance. The Code of Practice for the Governance of State Bodies published by the Department of Public Expenditure and Reform is the foundation on which our corporate governance policies are based.

Section 33 of the Communications Regulation Act, 2002, requires the Commission to adopt, with the approval of the Minister for the Environment, Climate and Communications and the Minister for Public Expenditure and Reform, a code of financial management and to arrange for its publication following such approval. In addition the Commission is required to review periodically its code of financial management and revise and republish the code as appropriate. There is also a requirement on the Commission to comment in the annual report on adherence to the code.

Our code of financial management (which is based on the Code of Practice for the Governance of State Bodies (2016) published by the Department of Public Expenditure and Reform) has been approved by the Minister for the Environment, Climate and Communications and the Minister for Public Expenditure and Reform. The code is published on our website. It is the policy of the Commission to ensure compliance with the Code.

On behalf of the Commission



Robert Mourik
Chairperson
Date: 31 January 2023

3. Statement On Internal Control

Responsibility for Internal Control

On behalf of ComReg I acknowledge the Commission's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in ComReg for the year ended 30 June 2022 and up to the date of approval of the financial statements.

Capacity to Handle Risk

ComReg has an Audit and Risk Committee (ARC) comprising a maximum of two members of the Commission and a maximum of four external members, with financial and audit expertise, one of whom is the Chair. The ARC met four times in the year ended 30 June 2022.

ComReg has also established an outsourced internal audit function which is adequately resourced and conducts a programme of work agreed with the ARC.

The Commission has developed a risk management policy which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. The policy has been issued to all staff who are expected to work within ComReg's risk management policies, to alert management on emerging risks and control weaknesses and assume responsibility for risks and controls within their own area of work.

Risk and Control Framework

ComReg has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible mitigate those risks.

A risk register is in place which identifies the key risks facing ComReg and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Commission on a quarterly basis. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff. I confirm that a control environment containing the following elements is in place:

- procedures for all key business processes have been documented,
- financial responsibilities have been assigned at management level with corresponding accountability,
- there is an appropriate budgeting system with an annual budget which is kept under review by senior management,
- there are systems aimed at ensuring the security of the information and communication technology systems, and
- there are systems in place to safeguard the assets.

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Commission, where relevant, in a timely way. I confirm that the following ongoing monitoring systems are in place:

- key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned, and
- there are regular reviews by senior management of periodic and annual performance and financial reports which indicate performance against budgets/forecasts.

Procurement

ComReg has developed a Corporate Procurement Plan which was approved by the Commission. In addition it has put procedures and policies in place to ensure compliance with current procurement rules and guidelines. The nature of ComReg activities mean that in a certain small number of instances it may not be possible or appropriate to comply with the appropriate procurement rules and guidelines. The Commission has put in place an appropriate governance policy to follow in such circumstances.

During 2022 total expenditure of €44,000 (2021: €8,000) was incurred in respect of three contracts (with the same service provider) for IT security services where due to the confidential nature of the work, all the work was done by a specific specialist contractor. In addition, courier costs (which were greater than anticipated) at €8,000 and an offsite meeting cost of €2,000 were not subject to a tender process. The total value of non-compliant procurement was €54,000 (2021: €8,000).

Review of Effectiveness

I confirm that ComReg has procedures to monitor the effectiveness of its risk management and control procedures. ComReg's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work, and the senior management within ComReg responsible for the development and maintenance of the internal financial control framework.

I confirm that the Commission conducted an annual review of the effectiveness of the internal controls for the year ended 30 June 2022 which was completed on 7 June 2022.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2022 that require disclosure in the financial statements.

Covid 19

The Covid-19 pandemic continued to be a significant challenge for the organisation and the industries we regulate. Since March 2020, in accordance with Government guidelines we moved to a situation where, the vast majority of staff worked remotely. Appropriate social distancing and other safety measures were introduced in our offices where an on-site presence was required (for a small number of staff) to ensure essential services were maintained for those we regulate.

ComReg was fortunate that its Business Continuity Plan and infrastructure provided technically for full organisation remote working. Staff were provided with the necessary support from our IT colleagues regarding the move to remote working and the use of virtual conference facilities etc.

In 2022, we commenced a gradual return to the office (in accordance with Government guidelines). The purpose of the gradual return to the office is to determine what mix of blended working is appropriate for the organisation.

The Commission has continued to actively review and respond to the risks and uncertainties arising from the rapidly changing environment. Preventative measures have been implemented and are being regularly re-assessed to ensure the safety of our employees and stakeholders.

The Commission continues to monitor the impact of Covid-19 on the control environment, including the impact on the financial day to day operations. Appropriate procedures were put in place since 2020 for the remote working environment to ensure that segregation of duties and all financial controls were maintained. There was no diminution in the control environment as a consequence of Covid 19. We have confirmed in this statement that there were no weaknesses identified in internal control that require disclosure in the financial statements. During this time, we have confirmed to the Audit and Risk Committee that we were maintaining our existing control environment and there was no diminution in the control environment.

On behalf of the Commission



Robert Mourik
Chairperson
Date: 31 January 2023

4.

Report of the Comptroller and Auditor General For Presentation to the Houses of the Oireachtas



Ard Reachtaire Cuntas agus Ciste Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Commission for Communications Regulation

Opinion on the financial statements

I have audited the financial statements of the Commission for Communications Regulation for the year ended 30 June 2022 as required under the provisions of section 32 of the Communications Regulation Act 2002. The financial statements comprise

- the statement of income and expenditure and appropriation account
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Commission at 30 June 2022 and of its income and expenditure for the year then ended in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Commission and I have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Commission has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Commission members' report, and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

Andrew Harkness
For and on behalf of the
Comptroller and Auditor General
31 January 2023

Appendix to the report

Responsibilities of the Commission

As detailed in the governance statement and Commission members' report, the Commission is responsible for

- the preparation of annual financial statements in the form prescribed under section 32 of the Communications Regulation Act 2002
- ensuring that the financial statements give a true and fair view in accordance with FRS102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 32 of the Communications Regulation Act 2002 to audit the financial statements of the Commission and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

5.

Statement of Income and Expenditure and Appropriation Account

	Notes	Year to 30 June 2022				Year to 30 June 2021	
		Electronic Communications		Post	Premium Rate Services	Total	Total
		Levy €'000	Other €'000	Levy €'000	Levy €'000	€'000	€'000
Income							
Levy		7,370		1,961	342	9,673	9,366
Licensing Fees	2		44,119			44,119	44,072
Spectrum Income	2		9,100			9,100	7,600
Other Income	2		2,976			2,976	1,163
Total Income		7,370	56,195	1,961	342	65,868	62,201
Expenditure							
Staff Costs	3	9,339	4,955	579	287	15,160	14,809
Retirement Benefit Costs	16(b)	1,965	1,043	122	60	3,190	2,779
Technical Advice	4	5,038	3,610	877	253	9,778	9,264
Legal Expenses	5	1,974	1,062	117	89	3,242	3,195
Advertising		26	349	1	1	377	97
Administrative Expenses	6	2,150	1,416	132	119	3,817	3,104
Auditors' Remuneration		15	9	1	1	26	28
Premises and Related Expenses		1,366	936	82	82	2,466	2,398
Depreciation	7	1,264	777	76	76	2,193	2,285
Loss (Profit) on Disposal of Assets			(17)			(17)	5
Subscriptions to International Organisations	14	718				718	722
Total Expenditure		23,855	14,140	1,987	968	40,950	38,686
Surplus / (Deficit) before Appropriations		(16,485)	42,055	(26)	(626)	24,918	23,515
Less: Appropriations							
Transfer from Capital Reserve	11					1,055	330
Payable to Central Fund	12					(25,766)	(23,712)
Pension Reserve adjustment	12					(207)	(133)
Surplus after Appropriations						0	0

The Statement of Cash Flows and Notes 1 to 23 form part of these financial statements.

On behalf of the Commission



Robert Mourik
Chairperson
Date: 31 January 2023

6.

Statement of Comprehensive Income

		Year to 30 June 2022	Year to 30 June 2021
	Notes	Total €'000	Total €'000
Surplus after Appropriations			
ComReg Defined Benefit Scheme			
Actual return less expected return on scheme assets	16 (f)	(7,824)	8,284
Experience (losses) / gains on retirement benefit obligations	16 (f)	(2,688)	(14)
Changes in assumptions underlying the present value of Retirement benefit obligations		19,760	(7,698)
Transfers in for prior service	16 (g)	-	-
Actuarial (loss) / gain in the year		9,248	572
Single Public Sector Pension Scheme			
Experience (losses) on retirement benefit obligations		311	(72)
Changes in assumptions underlying the present value of Retirement benefit obligations		2,105	(698)
Adjustment to Deferred Funding		(2,416)	770
Actuarial (loss) / gain in the year		-	-
Total actuarial gain / (loss) in the year		9,248	572
Movement in Retirement Benefit Reserve			
Balance at 1 July		(8,336)	(9,041)
Total Recognised Gains in the year		9,248	572
Pension Reserve adjustment	12	207	133
Balance at 30 June		1,119	(8,336)

The Retirement Benefit Pension Reserve represents the difference between the cumulative cost of retirement benefits less amounts paid out to date.

The Statement of Cash Flows and Notes 1 to 23 form part of these financial statements.

On behalf of the Commission



Robert Mourik
Chairperson
Date: 31 January 2023

7.

Statement of Financial Position

		30 June 2022	30 June 2021
	Notes	€'000	€'000
Fixed Assets			
Property, Plant & Equipment	7	4,834	5,889
		-----	-----
Current Assets			
Receivables	8	2,731	4,124
Short-Term Investments	9	216,375	40,000
Cash and Cash Equivalents		2,405	13,617
		221,511	57,741
Current Liabilities (Amounts falling due within one year)			
Payables	10	(221,511)	(57,741)
Net Current Assets		0	0
Total Assets less Current Liabilities		4,834	5,889
Total Net Assets excluding Retirement Benefits (Liability)		4,834	5,889
Retirement Benefits			
Deferred Funding Asset for SPSPS Pensions	16c(i)	4,537	5,304
Single Public Sector Pension Scheme (Liability)	16c(iv)	(4,537)	(5,304)
ComReg Scheme Asset / (Liability)	16c(i)	1,119	(8,336)
Total Net Assets / (Liabilities) including Retirement Benefits Asset / (Liability)		5,953	(2,447)
Representing			
Capital Reserves	11	4,834	5,889
Retirement Benefit Reserve		1,119	(8,336)
		5,953	(2,447)

The Statement of Cash Flows and Notes 1 to 23 form part of these financial statements.
On behalf of the Commission



Robert Mourik
Chairperson
Date: 31 January 2023

8.

Statement of Cash Flows

		Year to 30 June 2022	Year to 30 June 2021
	Notes	€'000	€'000
Net Cash Flows from Operating Activities			
Excess Income over Expenditure (before Appropriations)		25,973	23,845
Difference between pension charge and contributions		(207)	(133)
Depreciation	7	2,193	2,285
(Profit) / Loss on Disposal of Asset		(17)	5
Capital reserve transfer	11	(1,055)	(330)
Decrease / (Increase) in Receivables		1,393	1,003
Increase / (Decrease) in Payables (excluding Central Fund)		161,396	689
Net Cash Inflow from Operating Activities		189,676	27,364
Cash Flows from Investing Activities	7		
Payments to acquire Property, Plant & Equipment		(1,171)	(1,991)
Cash Flows from Financing Activities			
Receipt from sale of Asset		50	31
Payment to Central Fund		(23,392)	(54,134)
Net Increase / (Decrease) Cash and Cash Equivalents		165,163	(28,730)
Opening Cash and Cash Equivalents		53,617	82,347
Closing Cash and Cash Equivalents		218,780	53,617

9. Notes to the Financial Statements

1. Accounting Policies

The basis of accounting and significant accounting policies adopted by the Commission are set out below. They have all been applied consistently throughout the year and for the preceding year.

a) General Information

The Commission was set up under the Communications Regulation Act, 2002 and has offices at One Dockland Central, Guild Street, Dublin 1.

The functions of the Commission are specified in the Communications Regulation Act, 2002, and the Communications Regulation (Amendment) Act, 2007. These functions relate to the regulation and licensing of the electronic communications industry (including radio and broadcasting transmission), the regulation of postal services, the regulation of premium rate services and the regulation of the .ie domain name.

The Commission is a Public Benefit Entity (PBE).

b) Statement of Compliance

The financial statements of the Commission for the year ended 30 June 2022 have been prepared in compliance with the applicable legislation, and with FRS 102 The Financial Reporting Standard applicable in the UK and the Republic of Ireland issued by the Financial Reporting Council in the UK.

The Code of Practice for the Governance of State Bodies (2016) was effective in relation to financial reporting periods beginning on or after 1st September 2016 and it has been adopted in these Financial Statements.

c) Basis of Preparation

The financial statements have been prepared under the historical cost convention, except for certain assets and liabilities that are measured at fair values as explained in the accounting policies below. The financial statements are in the form approved by the Minister for the Environment, Climate and Communications with the consent of the Minister for Public Expenditure and Reform under the Communications Regulation Act 2002. The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Commission's financial statements.

1.1 Income Recognition

The Commission receives income from a number of sources.

- Levies on certain providers to fund the costs of regulation. The relevant levies are as follows:

1. Accounting Policies (cont'd)

I. Electronic Communication levy - The Levy is imposed on providers of electronic communications services. The levy payment due from an individual service provider for any particular year is calculated based on their annual turnover during the financial year ending in the levy year and is payable in four instalments. Income is recognised on a receivable basis.

II. Postal Levy - The Levy is imposed on postal service providers providing postal services within the scope of the universal postal service. Income is recognised on a receivable basis.

III. Premium Rate Services (PRS) are goods and services that you can buy by using your landline, mobile phone, the Internet, interactive digital TV or fax. The PRS Levy is paid equally by PRS services providers and network operators. The levy is invoiced one month in arrears and income is recognised on a receivable basis.

- **Licencing Fees** - The main area this covers is the Radio Communication licensing.
- **Spectrum Income** - Income represents fee income paid to the Commission for the right to use radio spectrum. This income is brought to account in the period when it falls due. In circumstances where the commencement of the related licences is delayed, ComReg makes a provision for the amount potentially repayable based on its estimate of the length of the delay. This is not recognised as income and is included as a creditor (See Note 10). The amount of the provision is reassessed at the end of each accounting period.
- **Other income** - Other income includes bank and NTMA interest on deposits and amounts payable to the Commission on foot of compliance and enforcement activities.

1.2 Appropriation of Operating Surplus

The surplus generated in the year net of the pension reserve adjustment is payable to the Exchequer. Amounts are paid over to the Central Fund by direction of the Minister for the Environment, Climate and Communications (See Note 12).

1.3 Fixed Assets and Depreciation

Property plant and equipment are stated at cost less accumulated depreciation, adjusted for any provision for impairment. Depreciation is provided on all property, plant and equipment at rates estimated to write off the cost less the estimated residual value of each asset on a straight line basis over their estimated useful lives, as follows:

Technical equipment	- 15% per annum
Computer equipment and software	- 33 1/3% per annum
Fixtures & fittings	- 9% per annum
Office Furniture & office equipment	- 15% per annum
Motor vehicles	- 20% per annum

Residual value represents the estimated amount which would currently be obtained from disposal of an asset, after deducting estimated costs of disposal, if the asset were already of an age and in the condition expected at the end of its useful life. The Commission adopts a minimum capitalisation threshold of €1,000.

1. Accounting Policies (cont'd)

If there is objective evidence of impairment of the value of an asset, an impairment loss is recognised in the Statement of Income and Expenditure in the year.

1.4 Receivables

Receivables are recognised at fair value, less a provision for doubtful debts. The provision for doubtful debts is a specific provision, and is established when there is objective evidence that the Commission will not be able to collect all amounts owed to it. All movements in the provision for doubtful debts are recognised in the Statement of Income and Expenditure.

1.5 Capital Reserve

The capital reserve represents the unamortised amount of income used to purchase fixed assets.

1.6 Foreign Currencies

Transactions denominated in foreign currencies relating to revenues and costs are translated into euro translated at the rates of exchange ruling on the dates on which the transactions occurred.

Monetary assets and liabilities denominated in foreign currencies are translated into euro at the rates of exchange ruling at the Statement of Financial Position date.

1.7 Short Term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

1.8 Retirement Benefits

(a) Main Scheme

The Commission is staffed by Commissioners and directly recruited employees. A defined benefit pension scheme is in place for Commissioners and employees of the Commission. The scheme applies to persons appointed before 1 January 2013 or those appointed after that date with continuous qualifying prior service before 1 January 2013 in another public service body. The scheme is funded by contributions from Commissioners, employees and the Commission, which are transferred to a separate trustee administered fund.

The Commission has adopted FRS 102 which has impacted on the calculation of Retirement Benefits. Pension scheme assets are measured at fair value. Pension scheme liabilities are measured on an actuarial basis using the projected units method. An excess of scheme liabilities over scheme assets is presented on the Statement of Financial Position as a liability.

The pension charge in the Statement of Income and Expenditure comprises the current service cost plus the difference between the expected return on defined benefit scheme assets and the interest cost of scheme liabilities

1. Accounting Policies (cont'd)

(b) Single Public Sector Pension Scheme

The Commission also operates the Single Public Services Pension Scheme ("Single Scheme"), which is a defined benefit scheme for pensionable public servants appointed on or after 1 January 2013. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform (DPER). In addition, the Commission is liable to pay an employer contribution to DPER in accordance with DPER Circular 28/2016.

To the extent that a material liability arises, the liability in respect of the Single Scheme members is matched by a deferred funding asset on the basis of the provisions of Section 44 of the Public Service Pensions (Single Scheme and other Provisions) Act 2012.

The pension charge in the Statement of Income and Expenditure comprises the employer contribution. The current service cost plus interest on the SPSPS liability is offset by an equivalent amount of deferred funding. The SPSPS liability is calculated on the same basis as the main scheme set out above.

Actuarial gains and losses arising from changes in actuarial assumptions and from experienced surpluses and deficits are recognised in the Statement of Comprehensive Income for the year in which they occur.

The financial statements reflect, at fair value, the assets and liabilities arising from the Commission's defined benefit pension obligations and any related funding, and recognises the cost of providing pension benefits in the accounting period in which they are earned by employees. Retirement benefit scheme liabilities are measured on an actuarial basis using the projected unit credit method.

1.9 Taxation

The Commission is not liable for Corporation Tax. Income raised by the Commission is not subject to VAT. Provision is made for taxation on deposit interest received.

1.10 Allocation of Costs

The Commission is required under Section 32 of the Communications Regulation Act, 2002, to distinguish between its functions relating to electronic communications, its functions relating to postal matters and its functions relating to the premium rate services. Revenues and expenses directly related to each function are identified separately in the accounts. Shared overhead costs are allocated to each function in proportion to the staff numbers engaged in each function.

1.11 Critical Accounting Judgements and Estimates

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the Statement of Financial Position date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates and may be material. The following judgements have had the most significant effect on amounts recognised in the financial statements.

a) Depreciation and Residual Values

The Commission have reviewed the asset lives and associated residual values of all fixed asset classes, and in particular, the useful economic life and residual values

of fixtures and fittings, and have concluded that asset lives and residual values are appropriate.

b) Retirement Benefit obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels and mortality rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the retirement benefit and post-retirement plans.

The assumptions can be affected by:

- (i) the discount rate, changes in the rate of return on high-quality corporate bonds
- (ii) future compensation levels, future labour market conditions.

2. Non Levy Income

	Year to 30 June 2022	Year to 30 June 2021
	Total €'000	Total €'000
Electronic Communications Licensing Fee		
3G Radio Licensing Fees	7,508	7,936
4G Liberalised Use Licensing Fees	22,964	22,633
Other Radio Licensing Fees	13,647	13,503
	44,119	44,072
Electronic Communications Spectrum Income		
3G Spectrum Income	9,100	7,600

3G Spectrum Income of €9.1m (2021: €7.6m) was earned in 2022 in respect of a 3G licence issued in 2007.

	Year to 30 June 2022	Year to 30 June 2021
	Total €'000	Total €'000
Other Income		
Sundry Income	2,976	1,163

Sundry Income in 2022 includes €2.8m received from Virgin Media Ireland Limited ("Virgin") following a settlement agreement reached following ComReg's investigation of certain compliance matters. The 2021 Sundry Income figure includes a payment by Eircom Limited ("Eircom") of €1m in respect of certain compliance litigation which had been brought to the High Court. It was agreed that Eircom would pay ComReg a total of €3 million in respect of the compliance litigation and certain open compliance cases. Of the total of €3m, €2m was paid in the year to 30 June 2020 and the final payment of €1m was made in July 2020.

Sundry Income also includes various amounts payable to the Commission on foot of compliance and enforcement activities conducted in the period. Where such activities were concluded by legal settlement, they may be subject to a confidentiality clause. Bank interest earned is also included here.

3. Staff Costs

	Electronic Communications		Post	PRS	Year to 30 June 2022	Year to 30 June 2021
	Levy €'000	Other €'000	Levy €'000	Levy €'000	Total €'000	Total €'000
Employee Short-term benefits	8,520	4,520	528	262	13,830	13,510
Employer's contribution to social welfare	819	435	51	25	1,330	1,299
	9,339	4,955	579	287	15,160	14,809
The average number of staff employed by the Commission during the year, analysed by category, was as follows:	83	51	5	5	144	142
Employee Short term benefits						
Basic Pay					12,746	12,442
Performance related pay#					1,067	1,051
Allowances					17	17
					13,830	13,510

The Commission operates a performance related remuneration scheme (which was originally established by the Office of the Director of Telecommunications Regulation). The scheme is based on individual performance and the Commission approves all payments made under the scheme. Of the total Employee Short-term benefits cost, €1,067,000 (or 8%) of the total represents payments to staff in accordance with the provisions of the performance related remuneration scheme and the terms of their contracts of employment (2021: €1,051,000 (8%)).

Key Management Personnel

Key Management Personnel in ComReg consists of the members of the Commission. Details of the remuneration of the members of the Commission (excluding the value of retirement benefits earned in the period) are shown below. They are members of the Single Public Service Pension Scheme or the model public service pension scheme and their entitlements in that regard do not extend beyond the terms of the model public service pension scheme.

	Total Remuneration €'000
Robert Mourik – Chairperson*	178
Garrett Blaney – Commissioner **	178
Jeremy Godfrey – Commissioner***	112

* Chairperson from 7 January 2022

**Chairperson until 6 January 2022

***Resigned as Commissioner on 31 December 2021

4. Technical Advice

	30 June 2022	30 June 2021
	€'000	€'000
Professional/Technical Advice	9,778	9,264

5. Legal Advice

	30 June 2022	30 June 2021
	€'000	€'000
Legal expenses are stated net of costs recovered from third parties.	3,242	3,195

6. Administrative Expenses

	30 June 2022	30 June 2021
	€'000	€'000
Equipment and IT Maintenance	2,272	1,687
Subscriptions to Databases/Research Reports	262	425
Travel and Subsistence	87	-
Conferences/Meetings	85	44
Postal and Telecommunications	168	119
Stationery	15	15
Publishing and Promotion	-	102
Recruitment	120	43
Light, Heat and Cleaning	127	10
Insurance	52	52
Staff Training and Professional Development	497	419
Other Administrative Costs	132	188
	3,817	3,104

7. Property, Plant And Equipment

	Technical Equipment	Computer Equipment & Software	Fixtures, Fittings & Office Equipment	Motor Vehicles	Total
	€'000	€'000	€'000	€'000	€'000
Cost					
At 30 June 2021	3,084	12,691	4,521	318	20,614
Additions	135	970	66	-	1,171
Disposals	-	-	-	(204)	(204)
At 30 June 2022	3,219	13,661	4,587	114	21,581
Accumulated Depreciation					
At 30 June 2021	2,566	10,067	1,918	174	14,725
Disposals	-	-	-	(171)	(171)
Charge for period	240	1,464	449	40	2,193
At 30 June 2022	2,806	11,531	2,367	43	16,747
Net Book Value					
30 June 2022	413	2,130	2,220	71	4,834
30 June 2021	518	2,624	2,603	144	5,889

Computer Equipment Additions in 2022 includes €0.6m of IT Development Costs (2021: €1.267m).

8. Receivables

	30 June 2022	30 June 2021
	€'000	€'000
<i>Due within one year:</i>		
Electronic Communications administration levy	59	267
Radio Licence Income	1,211	2,476
Accrued Income	410	746
Pre-payments & Recoverable expenses	1,051	635
	2,731	4,124

9. Short Term Investments

	30 June 2022	30 June 2021
	€'000	€'000
Short Term Investments	216,375	40,000

Short Term Investments comprise Exchequer Notes purchased from the National Treasury Management Agency Limited. The Commission places excess cash holdings in short term investments. These cash holdings mainly represent surpluses generated by the Commission which are payable to the Exchequer (as disclosed in Note 11), monies held in trust in relation to commitments made by third parties to the Commission, potential refunds in respect of the delayed commencement of certain licences (also disclosed in Note 10) and deposits received in respect of a Multi Band Spectrum Award (also disclosed in Note 10).

10. Payables

	30 June 2022	30 June 2021
	€'000	€'000
Payables		
<i>Amounts falling due within one year</i>		
Trade Creditors	1,874	1,902
Other Creditors	166,508	6,123
Value-added tax	246	95
Accruals	1,780	1,215
Deferred income (see analysis below)	25,069	24,796
Payroll	1,428	1,378
Payable to Central Fund (see Note 12)	24,606	22,232
	221,511	57,741

Other Creditors includes potential refunds of €6.0m (2021: €6.1m) in respect of delayed commencement of 3.6GHz Band Liberalised Use licences. It also includes €160.4 million of deposits which was received as part of the auction process related to Multi Band Spectrum Award process. The €160.4 million of deposits are held by ComReg until the process is completed and may be refunded in certain specific circumstances. Both of the corresponding amounts are included in the Commission's year end Short Term Investments balance.

	30 June 2022	30 June 2021
	€'000	€'000
Analysis of Deferred Income		
Radio Licence Income	25,069	24,655
Other	-	141
	25,069	24,796

Where licences are renewed for a period which extends beyond the end of the financial year, a proportion of that income is deferred to meet expenditure in the following year.

11. Capital Reserves

	30 June 2022	30 June 2021
	€'000	€'000
Opening Balance	5,889	6,219
<i>Transfer (to) / from Income and Expenditure Account:</i>		
Additions to fixed assets	1,171	1,991
Amortisation in line with fixed asset depreciation	(2,193)	(2,321)
Amount released on disposal of Fixed Assets	(33)	(36)
Net Amount (to)/ from Income and Expenditure Account	(1,055)	(330)
Closing Balance	4,834	5,889

12. Appropriation of Surplus

Section 30 of the Communications Regulation Act 2002 provides that the Minister may, with the consent of the Minister for Public Expenditure and Reform direct the Commission to pay sums to the Exchequer. The amount to be paid over is decided by the Minister after consultation with the Commission. The Commission is awaiting direction from the Department in relation to the final determination of the amount payable to the Central Fund for the year ending 30 June 2022.

The amount owed to the Exchequer is determined by reference to the surplus recorded by the Commission in the period, adjusted for a number of items as set out below.

	Gross Amount Due	Pension Adjustment (b)	Net Amount Due
	€'000	€'000	€'000
Balance due to Exchequer at 30 June 2021	23,712	(1,480)	22,232
Surplus for 2022 including Transfer from Capital Reserve	25,973		25,973
Paid in 2022	(23,392)		(23,392)
Pension reserve adjustment (a)	(207)		(207)
Pension fund payment clawback (b)	(320)	320	-
Balance at 30 June 2022	25,766	(1,160)	24,606

The comparative figures in respect of the amount owed to the Exchequer as at 30 June 2021 are shown below.

12. Appropriation of Surplus (continued)

	Gross Amount Due	Pension Adjustment (b)	Net Amount Due
	€'000	€'000	€'000
Balance due to Exchequer at 30 June 2020	54,454	(1,800)	52,654
Surplus for 2021 including Transfer from Capital Reserve	23,845		23,845
Paid in 2021	(54,134)		(54,134)
Pension reserve adjustment (a)	(133)		(133)
Pension fund payment clawback (b)	(320)	320	-
Balance at 30 June 2021	23,712	(1,480)	22,232

(a) The pension reserve adjustment represents the difference between the pension amount charged to the Income and Expenditure Account in 2022 of €3,190,000 (2021: €2,779,000) and the employer contributions in the period of €3,397,000 (2021: €2,912,000).

(b) The Commission made a total contribution of €5m to its pension fund (€2.5m in 2008 and €2.5m in 2009, a total of €5m). The amount owed to the Exchequer is shown net of this contribution which is being recovered at €320,000 per annum as payments to the Exchequer are made. In 2022 one year of payments was made resulting in a clawback of €320,000 (2021: €320,000).

13. Premises and Accommodation

The Commission moved to new lease premises located at One Dockland Central, Guild Street, Dublin 1 on 6 June 2017. The premises are rented at a cost of €1.6m (excluding VAT) per annum.

The total of future minimum operating lease payments (excluding VAT) under non-cancellable operating leases in respect of premises occupied by the Commission are as follows:

	30 June 2022	30 June 2021
	€'000	€'000
Payable:		
Within one year	1,637	1,679
Between one and five years	5,071	6,500
More than five years	-	150
	6,708	8,329

14. Membership Of International Telecommunications Organisations

Certain payments to International Telecommunications Organisations are met by the Department of the Environment, Climate and Communications (DECC) out of the proceeds of the Electronic Communication Administrative Levy. The charge to the Income and Expenditure Account includes €718,000 (2021: €722,000) for that purpose. Such charges are invoiced to DECC who are subsequently reimbursed by ComReg.

15. Commissioners, Staff And Advisors/Consultants – Disclosure Of Interests

The Commissioners and staff complied with the requirements of Section 25 (Disclosure of Interests) of the Communications Regulation Act, 2002. There were no transactions in the year in relation to the Commission's activities in which the Commissioners or any advisor or consultant had any interest.

16. Retirement Benefits

a) Description of Scheme

The Commission is a national regulatory authority established under the Communications Regulation Act, 2002. Sections 26 and 27 of the Act provide that the Commission shall make schemes for granting of superannuation benefits to and in respect of Commissioners and staff members, subject to Ministerial approval.

A funded defined-benefit scheme is being operated for the employees of the Commission. The benefits are defined by reference to the current 'model' public sector scheme regulations. Employer contribution rates are set having regard to actuarial advice and periodic review on the funding rate required for the scheme. The scheme provides a retirement benefit (one eightieth per year of service), a gratuity or lump sum (three eightieths per year of service) and spouse's and children's retirement benefits. Normal retirement age is a member's 65th birthday. Retirement benefits in payment (and deferment) normally increase in line with general public sector salary inflation.

The Commission also operates the Single Public Service Pension Scheme ("Single Scheme") for those staff who joined the Single Scheme on or after 1 January 2013. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform (DPER). In addition, the Commission is liable to pay an employer contribution to DPER in accordance with DPER Circular 28/2020. The Commission has accounted for its costs and liabilities under the single public services pension scheme (since 1 July 2017) on an incurred basis.

For the purposes of reporting in accordance with Financial Reporting Standard 102 – (FRS 102), an update of the actuarial review (in respect of the funded defined benefit scheme) was completed as at 30 June 2022.

16. Retirement Benefits (continued)

	30 June 2022	30 June 2021
	€'000	€'000
b) Retirement Benefit Costs		
Made up of:		
<i>Defined Benefit Scheme</i>		
Current service cost	2,627	2,302
Interest cost	1,356	1,207
Expected return on Scheme Assets	(1,236)	(1,067)
Less: Employees' Contributions	(416)	(393)
	2,331	2,049
<i>Single Public Service Pension Scheme (SPSPS)</i>		
Employer Contribution	859	730
Current Service Cost*	1,556	1,157
Interest Cost	93	60
Adjustment to deferred Exchequer Pension funding	(1,649)	(1,217)
	859	730
Total Retirement Benefit Costs	3,190	2,779
*Employee contributions of €286,000 (2021: €242,000) remitted to DPER, have been included in the calculation of the current service cost.		
c) Net Retirement Benefit Liability (Defined Benefit Scheme)		
(i) Made up of:		
Fair value of Scheme Assets	64,905	69,724
Present Value of Retirement benefit obligations	(63,786)	(78,060)
Net (Liability)	1,119	(8,336)

Note: The Balance Sheet Liability in respect of Single Scheme Retirement Benefits in 2022 comprises a Deferred Funding Asset of €4.537m (2021: €5.304m) to match the Single Scheme Liability of €4.537m (2021: €5.304m) giving a nil Net Liability.

16. Retirement Benefits (continued)

	30 June 2022	30 June 2021
	€'000	€'000
(ii) Present Value of Retirement Benefit Obligations at beginning of year (Defined Benefit Scheme)	78,060	67,235
Current Service Cost	2,627	2,302
Interest Cost	1,356	1,207
Actuarial (Gain) / Loss	(17,072)	7,712
Benefits Paid	(1,114)	(329)
Premiums Paid	(71)	(67)
Present Value of Retirement Benefit Obligations at end of year (Defined Benefit Scheme)	63,786	78,060
(iii) Change in Scheme Assets (Defined Benefit Scheme)	69,724	58,194
Fair Value of Scheme Assets at beginning of year		
Expected return on Scheme Assets	1,236	1,067
Actuarial (Loss) / Gain	(7,824)	8,284
Employer Contributions	2,538	2,182
Members' Contributions	416	393
Benefits Paid	(1,114)	(329)
Premiums Paid	(71)	(67)
Fair Value of Scheme Assets at end of year	64,905	69,724
The current practice of increasing retirement benefits in line with public sector salary inflation is taken into account in measuring the defined retirement benefit obligation.		
(iv) Retirement Benefits Liability (SPSPS)		
Present Value as at 1 July 2021	5,304	3,317
Current Service Cost	1,556	1,157
Interest Cost	93	60
Actuarial (Gain) / Loss	(2,416)	770
Benefits Paid	-	-
Present Value as at 30 June 2022	4,537	5,304

16. Retirement Benefits (continued)

	30 June 2022	30 June 2021
	€'000	€'000
(d) Scheme Asset Composition (Defined Benefit Scheme)		
The scheme assets at the year end were composed of:		
Equities	26,159	31,310
Bonds	25,469	26,466
Property	660	615
Cash and Other liquid assets	12,617	11,333
	64,905	69,724
The scheme assets at the year end expressed in % terms comprised:	%	%
Equities	40.3%	44.9%
Bonds	39.2%	38.0%
Property	1.0%	0.9%
Cash and Other assets*	19.5%	16.2%
	100.0%	100.0%
*consists of alternative strategies and enhanced yield funds		
Weighted average assumptions used to determine benefit obligations (Defined Benefit Scheme)	%	%
Discount Rate	3.60%	1.75%
Rate of compensation increase	3.90%	3.20%
Weighted average assumptions used to determine pension expense (Defined Benefit Scheme)		
Discount Rate	1.75%	1.80%
Expected long-term return on scheme assets	3.60%	1.75%

16. Retirement Benefits (continued)

	30 June 2022	30 June 2021
	%	%
(e) Principal Actuarial, Financial & Demographic Assumptions (Defined Benefit Scheme)		
<i>The financial assumptions used were as follows:</i>		
Discount rate	3.60%	1.75%
Salary increases	3.90%	3.20%
Pension increases	3.40%	2.70%
Inflation increases	2.40%	1.70%

The Demographic assumptions used were as follows:

	2022	2021
Mortality Pre-Retirement & Post-Retirement	S3PNA with CMI 2019 (1.5%) improvements for all members. (-1 year age offset)	S3PNA with CMI 2019 (1.5%) improvements for all members. (-1year age offset)
Retirements	It is assumed that all members who joined prior to 1 April 2004 retire at age 60 and all other members retire at 65.	It is assumed that all members who joined prior to 1 April 2004 retire at age 60 and all other members retire at 65.
Ill Health Retirement	No allowance.	No allowance.
Early Retirement	No allowance.	No allowance.
Withdrawals	No allowance.	No allowance.
Percentage married	It is assumed that 90% of members are married.	It is assumed that 90% of members are married.
Age Difference between spouses	A male is assumed to be 3 years older than his spouse.	A male is assumed to be 3 years older than his spouse.

* The mortality assumptions chosen are based on standard tables reflecting typical pensioner mortality and they allow for increasing life expectancy over time.

16. Retirement Benefits (continued)

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels and mortality rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the retirement benefit and post-retirement plans.

The assumptions can be affected by:

- (a) the discount rate, changes in the rate of return on high-quality corporate bonds
- (b) future compensation levels, future labour market conditions

	30 June 2022 €'000	30 June 2021 €'000	30 June 2020 €'000	30 June 2019 €'000	30 June 2018 €'000
(f) History of defined benefit obligations, assets and experience gains and losses					
Defined benefit obligations	63,786	78,060	67,235	71,386	59,000
Fair value of Scheme Assets	(64,905)	(69,724)	(58,194)	(55,359)	(51,695)
(Surplus) / Deficit for funded Scheme	(1,119)	8,336	9,041	16,027	7,305
Experience Adjustment on Scheme Assets	(7,824)	8,284	(378)	747	2,311
- Percentage of scheme assets	12.1%	11.9%	0.6%	1.3%	4.5%
Experience (losses) / gains on ComReg Scheme Liabilities					
- Amount	(2,688)	(14)	(17)	904	533
- Percentage of Scheme Liabilities	4.2%	0%	0%	1.3%	0.9%
Experience gains / (losses) on Single Public Sector Pension Scheme Liabilities					
- Amount	311	(72)	299	(28)	10
- Percentage of Scheme Liabilities	6.9%	1.4%	9.0%	1.1%	0.6%

16. Retirement Benefits (continued)

(g) Prior Pensionable Service

The liabilities of the pension scheme relate to retirement benefits arising from service with the Commission and service with other public bodies prior to joining the Commission where such service is known to the Commission. The Commission is entitled to seek to recover the cost of funding the prior service from other public bodies under the terms of its membership of the Public Service Transfer Network.

For service transferred by members prior to 30 June 2021, the total value of such payments received in the year to 30 June 2022 was Nil (2021: Nil).

Payments in respect of transferred in service (when received) are shown as a separate item in the Statement of Comprehensive Income.

(h) Funding of retirements benefits

A triennial actuarial valuation of the scheme was carried out as at 1 January 2022 and the recommended contribution rate was subsequently agreed. The next triennial actuarial valuation is due to be carried out as at 1 January 2025.

(i) Deferred Funding Asset for Pensions (Single Public Service Pension Scheme)

In compliance with the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, the Commission as the "Relevant Authority" has calculated the retirement benefit applicable to the Single Public Service Pension Scheme at the 30 June 2022.

The deferred funding asset for pensions relates to the creation of an asset equal to the defined benefit liability of this scheme. The liability in respect of the Single Scheme members is matched by a deferred funding asset on the basis of the provisions of Section 44 of the Public Service Pensions (Single Scheme and other Provisions) Act 2012.

17. Contingent Liabilities

Legal costs incurred to date have been fully provided for in these financial statements. However, the Commission is involved in a number of legal cases, the outcome of which is uncertain. Potential future costs in relation to these cases have not been provided for due to the uncertainty around the outcome and the potential costs that may be incurred.

18. Related Party Transactions

As part of the ordinary course of business, the Commission has had transactions with other government departments and other state bodies. Key Management Remuneration is disclosed in Note 3.

19. Additional Superannuation Contribution

An amount of €537,000 (2021: €508,000) deducted from salaries in respect of the Additional Superannuation Contribution was paid to the Department of the Environment, Climate and Communications in the year ended 30 June 2022.

20. Post Balance Sheet Events

There are no events between the reporting date and the date of approval of these financial statements for issue that require adjustment to the financial statements.

21. Going Concern

The Commission considers that, as levy and fee receipts as provided for in Statutory Instruments are being collected in line with projections, it is appropriate to prepare these financial statements on a going concern basis.

22. Comparatives

Certain comparative information has been reclassified for consistency with current year disclosures.

23. Approval Of Financial Statements

These financial statements were approved by Robert Mourik, Chairperson, for the Commission, on the 31 January 2023.



An Coimisiún um
Rialáil Cumarsáide

Commission for
Communications Regulation

COMREG Tuarascáil Bhliantúil

2021 to 2022

An Coimisiún um Rialáil Cumarsáide
Tuarascáil Bhliantúil 2021 - 2022.

Tíolactha don Aire Comhshaoil, Aeráide agus Cumarsáide de réir
Alt 32 d'Acht um Rialáil Cumarsáide, 2002.

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

Ábhar

Rannóg

Leathanach

1	Faisnéis Maidir le ComReg	5
2	Athbhreithniú an Chathaoirligh	10
3	Forléargas Cumarsáide	14
4	Tomhaltóirí	17
5	Rialachán Poist	39
6	Creat Margaidh	43
7	Anailís Margaidh agus Praghsáil	62
8	Straitéis agus Eacnamaíocht	69
9	Idirnáisiúnta	71
10	Seirbhísí Corparáideacha	74

Clár na bhFigiúirí

Leathanach

Figióir 1:	Síntiúis Leathanbhanda bunaithe ar an gCineál Síntiúis	15
Figióir 2:	Rátaí Treáite Leathanbhanda Teaghlaigh, AE-27 agus Éire	16
Figióir 3:	Ról ComReg agus aistear an tomhaltóra	17
Figióir 4:	Sampla de Cheisteanna Coitianta ComReg Connects roinnte le páirtithe leasmhara agus comhairle agus faisnéise curtha ar fáil do thomhaltóirí	20
Figióir 5:	An líon teagmhálacha tomhaltóra tríd an gcainéal cumarsáide	21
Figióir 6:	Ceadúnais Raidió Beo ag an 30 Meitheamh: 2015 – 2022	44
Figióir 7:	Ceadúnais Raidió Nua Eisithe: 2015 – 2022	45
Figióir 8:	Gléasanna neamhchomhlíontacha bainte den mhargadh i mbliain oibriúcháin 2021-2022	46
Figióir 9:	An líon gearán trasnaíochta tuairiscithe faighte gach bliain	48
Figióir 10:	Comparáid idir cásanna bunaithe ar chineál	48
Figióir 11:	Foinsí trasnaíochta	49
Figióir 12:	Comparáid idir na heachtraí a tharla in 2020 agus 2021	54
Figióir 13:	Cur Chun Feidhme Chinneadh NGN	59
Figióir 14:	Na buntáistí a bhaineann le soláthar eSIM agus OTA	61

1. Faisnéis Maidir le ComReg

Is é an Coimisiún um Rialáil Cumarsáide (ComReg) an comhlacht reachtúil atá freagrach as rialáil cumarsáid leictreonach (teileachumarsáid, cumarsáid raidió agus líonraí craolacháin), seirbhísí poist agus seirbhísí ardráta. Is é ComReg an t-údarás rialála náisiúnta le haghaidh na n-earnálacha seo, de réir dhlí an AE agus na hÉireann. Ina theannta sin, tá an speictream minicíochta raidió agus an acmhainn uimhrithe náisiúnta á mbainistiú ag ComReg, mar aon le roinnt freagrachtaí eile.

COIMISINÉIRÍ



ROBERT MOURIK
Cathaoirleach



GARRETT BLANEY
Coimisinéir

STRUCHTÚR EAGRAÍOCHTÚIL

Bunaíodh an Coimisiún um Rialáil Cumarsáide (ComReg) ar an 1 Nollaig 2002 le hAcht um Rialáil Cumarsáide, 2002, agus tá Coimisiún a bhfuil triúr Coimisinéirí ag obair ann i gceannas ar an obair. Ag deireadh na tréimhse tuairiscithe seo, bhí beirt Choimisinéirí ag obair sa Choimisiún: Garrett Blaney agus Robert Mourik (Cathaoirleach).

Tá an Coimisiún, i dteannta leis an bhFoireann Cheannaireachta, freagrach as bainistíocht straitéiseach agus oibríochtúil na heagraíochta. Braitheann ComReg ar iarrachtaí na mball foirne ar fad (lena n-áirítear dlíodóirí, eacnamaíthe, innealtóirí, cuntasóirí, anailísithe gnó agus speisialtóirí riaracháin) chun a misean agus cuspóirí rialála a chomhlíonadh.

Tá ceithre rannán in ComReg, a bhfuil Ard-Abhcóide agus Stiúrthóir Straitéise agus Eacnamaíochta ag tacú leo. Tá an struchtúr seo bunaithe ar fhoirne ilréimsiúla atá ag obair i dtimpeallacht ildisciplíneach.



AN FHOIREANN CHEANNAIREACHTA



JOHN EVANS
An Stiúrthóir Straitéise
agus Eacnamaíochta



CAROLINE DEE-BROWN
Ard Abhcóide



JOE HEAVEY
Stiúrthóir an Rannáin Seirbhísí
Corparáideacha



DONAL LEAVY
Stiúrthóir an Rannáin
Mórdhíola



BARBARA DELANEY
Stiúrthóir an Rannáin Miondíola agus
Seirbhísí do Thomhaltóirí



GEORGE MERRIGAN
Stiúrthóir Rannán an
Chreata Margaidh

FEIDHMEANNA

Tá ComReg freagrach as tacú le hiomaíocht, tomhaltóirí a chosaint agus nuálaíocht a spreagadh. Déileálann ComReg le ceisteanna casta sna réimsí seo a leanas - dlí, eacnamaíocht, cuntasáíocht, rialáil agus teicneolaíocht.

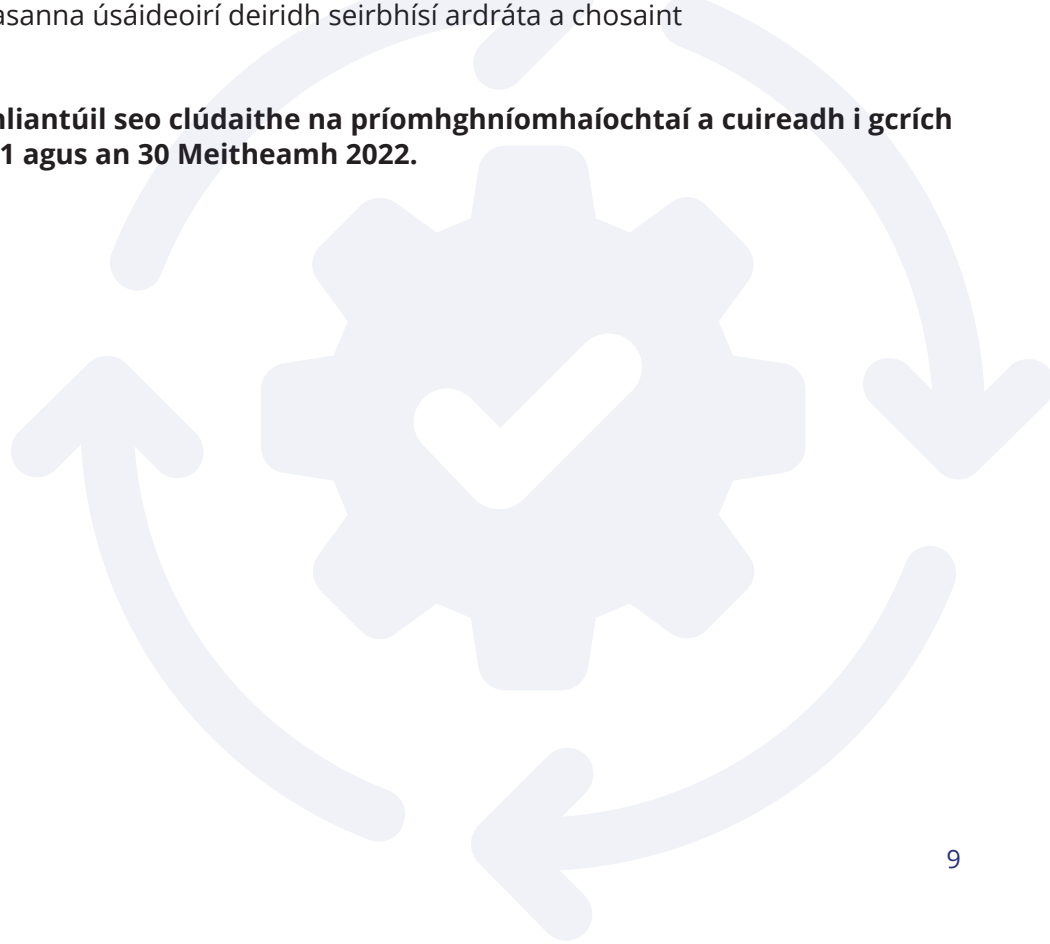
Tá a chuspóirí leagtha amach de réir na reachtaíochta príomha agus tánaistí, agus tá an creat reachtaíochta seo fós ag forbairt ó ritheadh Acht Cumarsáide (Rialáil), 2007. In 2007, bhí Acht um Rialáil Cumarsáide (Leasú), 2007, mar bhonn le freagrachtaí agus cumhachtaí ComReg a mhéadú. Tugadh cumhachtaí faoin Acht Iomaíochta do ComReg i ndáil le cumarsáid agus seirbhísí leictreonacha. Faoi Acht um Rialáil Cumarsáide (Seirbhísí Ardráta agus Bonneagar Cumarsáide Leictreonaí), 2010, aistríodh an fhreagracht as rialáil seirbhísí ardráta chuig ComReg agus chuir ComReg tús le rialáil sa réimse seo i mí Iúil 2010. Leagtar amach in Acht Poist 2011, freagrachtaí rialála ComReg i ndáil le nithe poist.

Faoi Achtanna um Rialáil Cumarsáide, 2002 go dtí 2017, tá raon feidhmeanna agus cuspóirí ag ComReg a bhaineann le soláthar líonraí cumarsáide leictreonacha, seirbhísí cumarsáide leictreonacha agus post.

Áirítear ina measc:

- A chinntiú go bhfuil oibleagáidí á gcomhlíonadh ag oibritheoirí
- Tacú le hiomaíocht
- Cur le forbairt an mhargaidh inmheánaigh
- Tacú le leasanna úsáideoirí sa Chomhphobal Eorpach
- Bainistíocht agus úsáid éifeachtach an speictrim minicíochta raidió agus uimhreacha ón scéim uimhrithe náisiúnta a chinntiú
- Tacú le forbairt na hearnála poist agus le hinfhaighteacht seirbhís uilíoch
- Leasanna úsáideoirí deiridh seirbhísí ardráta a chosaint

Sa Tuarascáil Bhliantúil seo clúdaithe na príomhghníomhaíochtaí a cuireadh i gcrích idir an 1 Iúil 2021 agus an 30 Meitheamh 2022.



2.

2 Athbhreithniú an Chathaoirligh

I rith na bliana atá á hathbhreithniú, bhíomar ag déileáil le héifeachtaí Covid-19 tráth a raibh gnóthaí agus eagraíochtaí ag filladh ar a gcuid oifigí ar bhonn hibrideach. Ceann de na ceachtanna móra a foghlaimíodh ó phaindéim Covid ba ea gur bhain tábhacht ar leith le nascacht ar ardchaighdeán. Tharla athrú tapa ó 'fhóntas a bheadh go deas' go dtí fóntas riachtanach agus níl aon amhras ach gur chuir paindéim Covid dlús faoin treocht seo.

Anois níos mó ná riamh tá ról lárnach ag cumarsáid leictreonach i saol gach duine. Gnáthchuid den saol laethúil anois é freastal ar chruinniú agus ar imeachtaí go cianda. Tá teorainneacha geografacha á sárú againn agus táimid ag bualadh go fíorúil le comhghleacaithe, cairde agus baill teaghlaigh ar bhonn fíor-ama. Athrú cultúrtha mar aon le hathrú teicneolaíoch a bhí anseo agus tarraingíonn sé aird ar an ról suntasach atá ag cumarsáid sheasta agus mhóibíleach inár saol sóisialta, oideachais agus oibre.

I rith na tréimhse atá á hathbhreithniú, tugadh feabhsuithe suntasacha faoi dara in Éirinn chomh fada is a bhaineann le dul chun cinn digiteach agus táimid rangaithe sa chúigiú háit anois sa mheasúnú a rinne an Coimisiún ar an 27 Ballstát den AE in 2022. Tá Éire rangaithe i measc dtíortha is fearr san Eoraip anois. Tá forbairt ag teacht ar an reachtaíocht a bhaineann le cúrsaí cumarsáide freisin. Ar fud an AE, tá an Cóid um Chumarsáid Leictreonach Eorpach (EECC) ag tacú le nuashonrú agus le comhdhlúthú an chreata reachtaigh atá mar bhonn leis an gcóras rialála do chumarsáid leictreonach. Tá ComReg réidh chun déileáil leis na dúshláin a bheidh ann amach anseo in earnáil cumarsáide leictreonaí atá ag síorathrú.



LEATHANBHANDA

Is léir go bhfuil ról lárnach ag leathanbhanda inár ngeilleagar agus sochaí. Faoi dheireadh na tréimhse tuairiscithe seo, bhí 1.95 milliún líne rannpháirtí leathanbhanda ann, sin méadú 3% i gcomparáid le 2021. Chomh maith leis sin, tugadh méadú suntasach faoi deara sna síntiúis Cábala Snáthoptaice go háitreabh (FTTP), méadú 39.5% go dtí 431,388 i rith na tréimhse.

Tugadh méadú faoi deara freisin i dtomhaltas sonraí agus luasanna leathanbhanda. Ag deireadh Ráithe 2 2022, d'úsáid an meán-rannpháirtí leathanbhanda seasta 327.8 GB sonraí gach mí, sin méadú 324 GB i gcomparáid leis an mbliain roimhe sin. Chomh fada is a bhaineann le luas síntiúis, i Ráithe 2 2022, bhí luasanna cothrom le nó níos mó ná 100Mbps díoltas ag 53.3% de gach síntiús leathanbhanda.

MÓIBÍLEACH



Ag deireadh mhí an Mheithimh 2022, bhí 8.36 milliún síntiús do sheirbhís cumarsáide móibíleacha bunaithe, lena n-áirítear síntiúis le haghaidh leathanbhanda móibíleach agus Cumarsáid idir Meaisíní (M2M) in Éirinn.

Laghdaigh an meánlíon nóiméad míosúil guthghlao le haghaidh gach rannpháirtí móibíleach in Éirinn go dtí 197 nóiméad sa mhí i mí Meithimh 2022, sin laghdú ó 228 i mí Meithimh 2021. Bhí meántrácht míosúil an rannpháirtí mhóibíleach a bhí ag úsáid seirbhísí gutha agus sonraí cothrom le 13.8GB i mí Meithimh 2022 i gcomparáid le 10.9B i mí Meithimh 2021.



TOMHALTÓIR

Tá oibleagáid reachtúil ar ComReg tomhaltóirí a chosaint agus eolas a roinnt leo. I rith na bliana atá á hathbhreithniú, lean ComReg lena sheirbhís láimhseála gearán a chur ar fáil dá thomhaltóirí. Dhéileáil Foireann Líne Tomhaltóirí ComReg le thart ar 47,000 teagmháil ó thomhaltóirí. Is féidir le tomhaltóirí teagmháil a dhéanamh le Foireann Líne Tomhaltóirí ComReg trí na cainéil seo a leanas – teileafón, ríomhphost, foirm ghearáin ar líne, litir, comhrá gréasáin, SMS agus Teanga Chomharthaíochta na hÉireann. Freagraíodh 96% de na glaonna ar Fhoireann Cúraim Tomhaltóirí ComReg laistigh de 20 soicind agus freagraíodh 96% de na teagmhálacha scríofa laistigh de 24 uair an chloig.

CUMARSÁID NÚISE

In 2021, shainaithin ComReg baol tromaí díobhála do thomhaltóirí ag eascirt as méadú ar an líon “Glaonna Camscéime” nó “Téacsanna Camscéime”. Tugadh é seo faoi deara nuair a bhíonn tuairiscí á ndéanamh maidir le méadú a bheith tagtha ar Chumarsáid Núise i ndlínsí eile.

Creideann ComReg gur cheart go mbeadh tomhaltóirí muiníneach nuair a bhíonn glaonna á ndéanamh agus á bhfáil acu. Táimid airdeallach ar na héifeachtaí damáisteacha agus ar cé chomh casta is atá cumarsáid núise. Ar an gcúis sin, bhunaigh ComReg Tascfhórsa Tionscail um Chumarsáid Núise (NCIT).

Is é príomhfheidhm NCIT idirghabhálacha praiticiúla a shainaithint agus a mholadh ar féidir iad a chur i bhfeidhm ar bhonn gearrthéarmach, meántéarmach agus fadtéarmach chun dul i ngleic le cumarsáid núise ó oibrítheoirí líonra. D'oibrigh ComReg i ndlúthchomhar leis an tionscal, trí NCIT, agus tá roinnt idirghabhálacha sainaitheanta acu atá oiriúnach chun an díobháil a bhaineann le Cumarsáid Núise a mhaolú agus a laghdú.

IOMAÍOCHT



Tá margaí miondíola ag éirí níos iomaíche de réir a chéile agus, i rith na tréimhse, dhírialáil ComReg an Margadh Miondíola Seasta Rochtana Gutha. Is ábhar dóchais iad na leibhéil infheistíochta i leathanbhanda seasta. Tá gealltanús tugtha ag go leor de na hoibritheoirí trachtála infheistíocht a dhéanamh ina gcuid líonraí agus i dteannta le Plean Náisiúnta Leathanbhanda an Rialtais, tá deis mhaith ag Éireann ardleibhéil de chlúdach leathanbhanda ar ardchaighdeán a chinntiú in Éirinn sna blianta amach romhainn.

IDIRNÁISIÚNTA



I rith na bliana seo, lean ComReg le páirt ghníomhach a bheith aige i gComhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach (BEREC), a fheidhmíonn mar ardán tábhachtach chun cur chun feidhme comhsheasmhach a chinntiú sa chreat rialála don chumarsáid leictreonach san Aontas Eorpach. Chomh maith leis sin, éascaíonn sé malartú rialála idir údaráis rialála náisiúnta (NRAnna). I measc bhaill BEREC tá gach NRA ón 27 Ballstát den Aontas Eorpach, ionadaithe ón gCoimisiún Eorpach, tíortha an Limistéir Eorpaigh Eacnamaíoch (EEA), mar aon leis na tíortha oifigiúla is iarrthóir agus na tíortha poitéinsiúla oifigiúla is iarrthóir den Aontas Eorpach.

I rith na tréimhse tuairiscithe seo, bhí mise ag obair mar ionadaí ComReg ar Bhord Rialtóirí (BoR) BEREC, in áit an Choimisinéara Jeremy Godfrey, a bhí ag obair mar Chathaoirleach BEREC i rith 2019. Chomh maith leis sin, toghadh mé mar leas-uachtarán BEREC. Bhí gníomhaíochtaí idirnáisiúnta ComReg dírithe ar chur le tionscadail agus aschuir BEREC atá leagtha amach i gClár Oibre 2021 agus 2022 BEREC. Cheangail sé seo rannpháirtíocht ghníomhach shaineolaithe ComReg in 12 Mheitheal (WG) BEREC, agus cuireadh Comhchathaoirleach ar fáil le hagaidh WG amháin (Éabhlóid Líonra Gan Sreang WG).

CONCLÚID

I rith na bliana, chuir ár n-iarchoimisinéir agus comhghleacaí, Jeremy Godfrey, tús le ról nua mar Chathaoirleach an Choimisiúin um Iomaíocht agus Cosaint Tomhaltóirí (CCPC), i ndiaidh 10 mbliana a chaitheamh ag obair le ComReg.

I rith na paidéime, chuaigh ComReg i dtaithí ar obair fhíorúil agus nuair a cuireadh deireadh leis na srianta, d'fhill baill foirne ComReg ar an oifig ar bhonn céimnithe. Roghnaíomar samhail atá bunaithe ar obair chumaisc agus chuamar i dtaithí ar an modh oibre nua seo. Is é an bunriachtanas leanúint ar aghaidh lenár misean a sholáthar, is é sin tacú le forbairt earnáil cumarsáide iomaíoch in Éirinn a mheallann infheistíocht, a spreagann nuálaíocht, a chumhachtaíonn tomhaltóirí chun seirbhísí cumarsáide a roghnú agus a úsáid go muiníneach.

Táimid ag leanúint ar aghaidh ag cur lenár bhfoireann agus bhí béim á leagan againn ar dhaoine a mhealladh, a fhorbairt agus a choimeád. Tuigimid gurb iad daoine príomhshócmhainn na heagraíochta agus i rith na bliana cúis áthais dúinn a fhógairt gur fháiltíomar roimh dhaoine cumasacha chuig an eagraíocht a chabhróidh linn ár mbonn eolais a fheabhsú, ár scileanna speisialaithe a mhéadú agus tacú le soláthar ár gcuspóirí.

Trí infheistíocht a dhéanamh chun daoine a fhorbairt, tá sé mar aidhm againn tacú le baill foirne a gcumas a fhorbairt agus barr a gcumais a bhaint amach. Táimid ag leanúint ar aghaidh le hurraíocht a dhéanamh ar chúrsaí oideachais agus molaimid go láidir do bhaill foirne cur leis an méid atá ar eolas acu agus lena gcáilíochtaí.

Robert Mourik
Cathaoirleach ComReg

3.

Forléargas Cumarsáide

SCIAR DE MHARGADH NA LÍNE SEASTA

Bunaithe ar shonraí oibritheora curtha ar fáil trí cheistneoir na Tuarascála Ráithiúla, is ag Eircom Teoranta (atá ag trádáil mar “Eir”) a bhí 41.4% de mhargadh iomlán na líne seasta chomh fada is a bhaineann le hioncam iomlán (miondíol agus mórdhíol) faoi Mheitheamh 2022, laghdú ó 43.1% i mí Meithimh 2021. Is ag Oibritheoirí Údaraithe Eile (OAOanna) a bhí an sciar eile den mhargadh.

TEILEAFÓNAÍOCHT GUTH SHEASTA

Bhí 1.26 milliún síntiús guth sheasta i margadh na hÉireann amhail ó Mheitheamh 2022, laghdú 5.4% ó Mheitheamh 2021. Ag deireadh mhí an Mheithimh 2022, is ag Eir a bhí 40% den mhargadh Guth Sheasta agus is ag Virgin Media a bhí 21.1% den mhargadh. Laghdaigh trácht gutha a bhí bunaithe ar líonraí seasta i Ráithe 2 2022 go dtí breis is 431 milliún nóiméad agus bhí 67 nóiméad de ghlaonna guth sheasta á ndéanamh ag an ngnáth-rannpháirtí cónaithe agus 385 nóiméad de ghlaonna guth sheasta ag an meán-rannpháirtí gnó i Ráithe 2 2022.

SEIRBHÍSÍ CUMARSÁIDE MÓIBÍLEACHA

Ag deireadh mhí an Mheithimh 2022, bhí 8.36 milliún síntiús do sheirbhísí cumarsáide móibíleacha bunaithe, lena n-áirítear síntiús le haghaidh leathanbhanda móibíleach agus Cumarsáid idir Meaisíní (M2M) in Éirinn. I Ráithe 2 2022, bhí an líon iomlán síntiús M2M cothrom le 2.5 milliún, arb ionann é agus fás bliantúil 39%. Is ag Three Ireland (Hutchison) Teoranta agus Three Ireland Services (Hutchison) Teoranta (ar a dtugtar “Three” i dteannta a chéile) atá an sciar is mó síntiús (lena n-áirítear leathanbhanda móibíleach agus M2M) ag 41.3 %, agus is ag Vodafone Ireland Teoranta (“Vodafone”) atá 34.9% agus is ag Eir Mobile atá 15.1%.

Laghdaigh an meánlíon nóiméad míosúil guthghlao le haghaidh gach rannpháirtí móibíleach in Éirinn go dtí 197 nóiméad sa mhí i mí Meithimh 2022, sin laghdú ó 228 i mí Meithimh 2021. Bhí meántrácht míosúil an rannpháirtí mhóibíligh a bhí ag úsáid seirbhísí gutha agus sonraí cothrom le 13.8GB i mí Meithimh 2022 i gcomparáid le 10.9GB i mí Meithimh 2021.

AN MARGADH LEATHANBHANDA

Faoi dheireadh mhí an Mheithimh 2022, bhí 1.95 milliún líne rannpháirtí leathanbhanda ann. B’ionann é sin agus méadú 3% i gcomparáid le Ráithe 2 2021. Mhéadaigh na síntiúsí Cábla Snáthoptaice go hÁitreabh (FTTP) go dtí 431,388 i Ráithe 2 2022, sin méadú 39.5% ó Ráithe 2 2021.

Figiúr 1: Síntiúis Leathanbhanda bunaithe ar an gCineál Síntiúis

An Cineál Líne	Ráithe 2 2022	Fás Ráithiúil Ráithe 1 2022 – Ráithe 2 2022	Fás Bliantúil Ráithe 2 2021 – Ráithe 2 2022
Leathanbhanda Cábla	372,423	-1.0%	-1.2%
Leathanbhanda DSL	132,496	-5.1%	-20%
Leathanbhanda VDSL	571,166	-2.6%	-8.7%
Leathanbhanda FTTP	431,388	7.7%	39.5%
Leathanbhanda Satailíte	3,296	98%	58.5%
Leathanbhanda FWA	84,327	1.4%	11.6%
Leathanbhanda Seasta Iomlán	1,595,096	0.5%	2.6%
Leathanbhanda Móibíleach	357,746	1.2%	5.0%
Leathanbhanda Iomlán	1,952,842	0.6%	3.0%

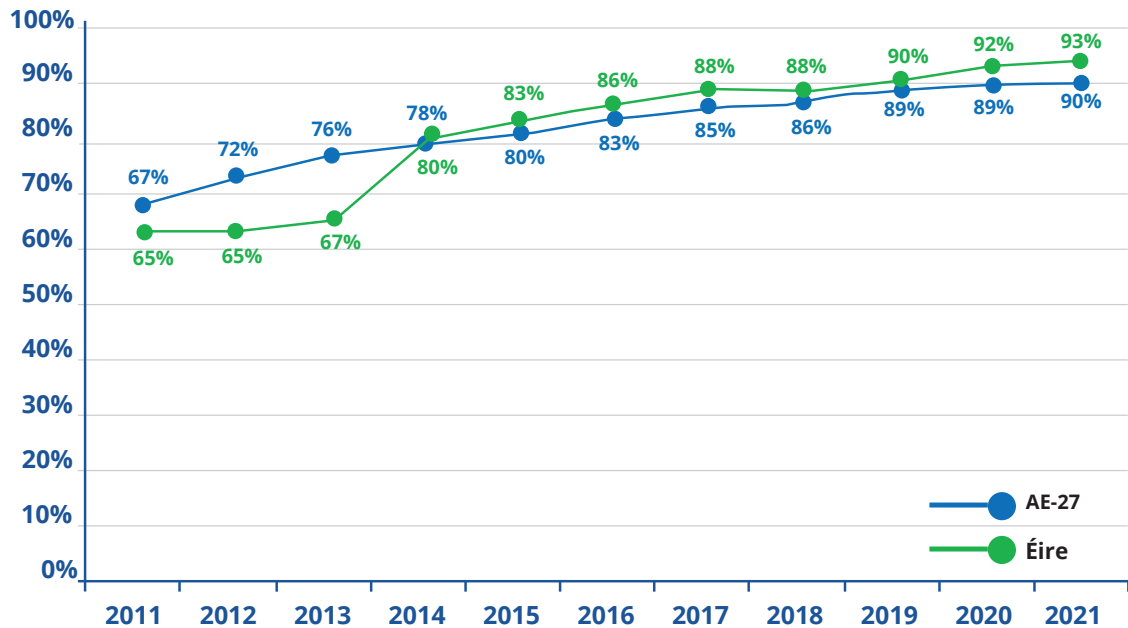
I Ráithe 2 2022, is ag Eir a bhí 27.3% de na línte iomlána rannpháirtí miondíola leathanbhanda seasta, agus is ag Virgin Media a bhí 24.2% de na línte. Is ag Vodafone a bhí 20.2% (gan leathanbhanda móibíleach a áireamh), is ag Sky Ireland a bhí 14.2%, is ag Imagine a bhí 2.9%, is ag Pure Telecom a bhí 2.3% agus is ag Digiweb a bhí 2.1% den sciar margaidh. Is ag na OAOanna eile ar fad a bhí an sciar fágtha 6.8% de na línte rannpháirtí miondíola leathanbhanda seasta.

I Ráithe 2 2022, d'úsáid an meán-rannpháirtí leathanbhanda seasta 327.8 GB de shonraí gach mí, sin méadú ó 324 GB i Ráithe 2 2021. Chomh fada is a bhaineann le luas síntiúis, ag deireadh Ráithe 2 2022, bhí luasanna díolta cothrom le nó níos mó ná 100Mbps ag 53.3% de gach síntiús leathanbhanda.

TREÁ LEATHANBHANDA

Léirítear i bhFigiúr 2 seasamh na hÉireann i gcomparáid leis an AE chomh fada is a bhaineann le treá teaghlaigh leathanbhanda seasta agus móibíleach. Bhí Éire (93%) os cionn mheán an AE (90%) chomh fada is a bhain le treá leathanbhanda teaghlaigh (seasta agus móibíleach) in 2021.

Figiúr 2: Rátaí Treáite Leathanbhanda Teaghlaigh, AE-27 agus Éire

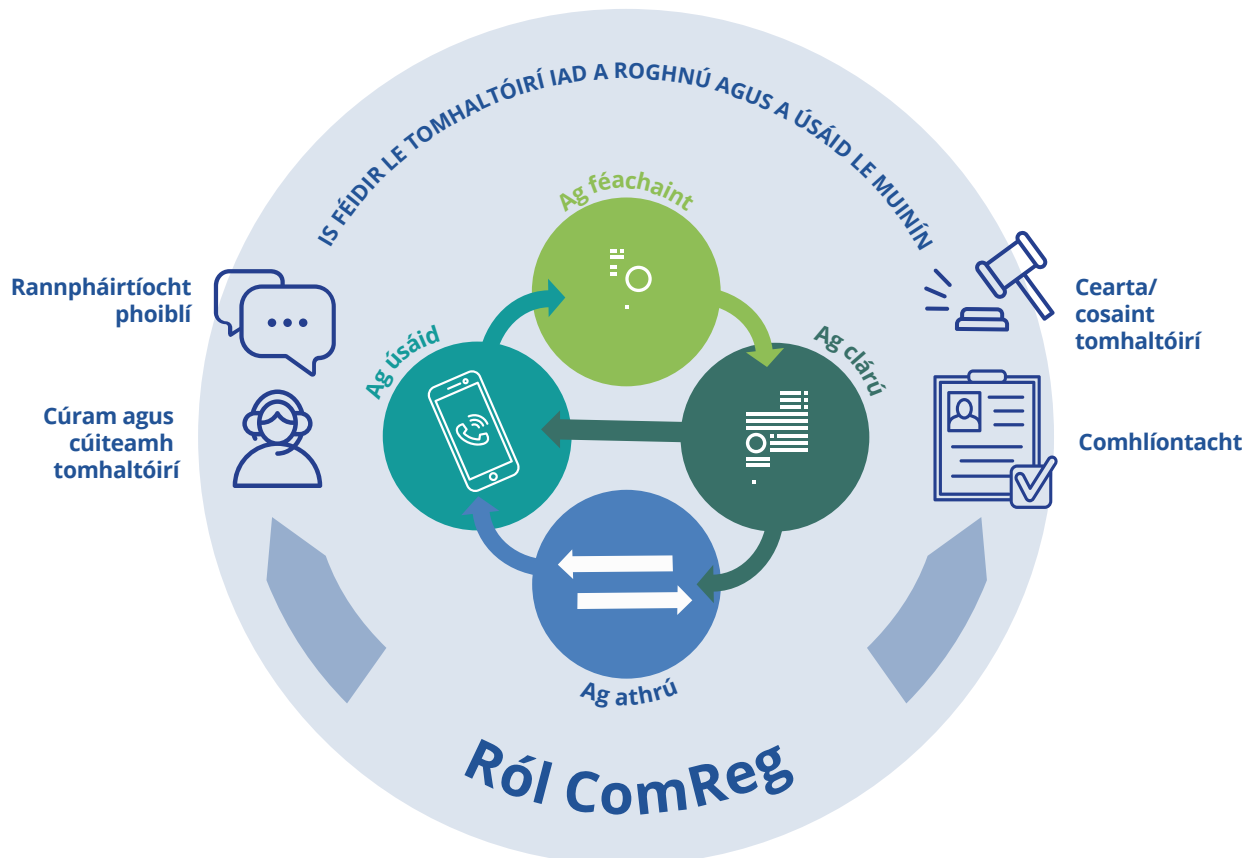


4. Tomhaltóirí

Is é cur chuige straitéiseach iomlán ComReg tomhaltóirí a chosaint agus a chur ar an eolas ionas gur féidir leo seirbhísí cumarsáide a roghnú agus a úsáid go muiníneach.

I rith na tréimhse, chuir ComReg roinnt gníomhartha i gcrích chun a chuspóirí tomhaltóra gaolmhara a chomhlíonadh i rith chéimeanna aistear an tomhaltóra: Cuardach, Clárú, Aistriú agus Úsáid. Chuir ComReg gníomhartha i gcrích, mar atá léirithe thíos, sna réimsí seo a leanas - Rannpháirtíocht an Phobail, Cúram agus Cúiteamh tomhaltóirí, Cearta/cosaint tomhaltóirí, Comhlíontacht agus Comhlíonadh Tomhaltóirí.

Figiúr 3: Ról ComReg agus aistear an tomhaltóra



RANPHÁIRTÍOCHT PHOIBLÍ

Tá sé mar aidhm ag ComReg tomhaltóirí a chumhachtú trína chinntiú go bhfuil faisnéis agus uirlisí oiriúnacha agus trédhearcacha ar fáil agus ag an am céanna próiseas éifeachtach láimhseála gearán a thairiscint. Is mian le ComReg riachtanais athraitheacha tomhaltóirí a thuiscint trí dhul i mbun idirchaidrimh le páirtithe leasmhara éagsúla trí úsáid a bhaint as cainéil éagsúla cosúil leis an bhFoireann Cúraim Tomhaltóirí; trína chlár Cumarsáide agus Rannpháirtíochta (lena n-áirítear láithreach ar líne agus anailís ar threochtaí); trí Phainéal Comhairleach Tomhaltóirí ComReg; an Fóram um Chomhionannas Rochtana agus Rogha, agus trí shuirbhéanna ábhartha a dhéanamh agus ionchuir ó eagraíochtaí tomhaltóirí a ndéanaimid idirchaidreamh leo a chur san áireamh.

FAISNÉIS MAIDIR LE CEARTA TOMHALTÓIRÍ

Roinntear faisnéis le tomhaltóirí trí fhaisnéis thráthúil, ábhartha, shoiléir agus inrochtana. Tá ComReg airdeallach ar an ngá atá le faisnéis chuí a chur ar fáil do thomhaltóirí, lena n-áirítear úsáideoirí deiridh leochaileacha agus faoi mhíchumas, ionas gur féidir leo roghanna a dhéanamh maidir le cumarsáid leictreonach, agus d'fhonn cabhrú leo déileáil lena soláthraí seirbhíse, go háirithe ó tharla dlús a bheith á chur le hiomaíocht. Sa chomhthéacs seo, lean ComReg lena rannóg tomhaltóirí de www.comreg.ie a nuashonrú le faisnéis agus nuacht ábhartha maidir le seirbhísí cumarsáide a roghnú agus a úsáid. I rith na tréimhse, comhdhlúthaíodh agus feabhsaíodh rannóg tomhaltóirí an tsuimh gréasáin agus cuireadh roinnt míreanna nuachta do thomhaltóirí san áireamh.

D'fhoilsíomar míreanna nuachta do thomhaltóirí go rialta¹ a bhí bunaithe ar ábhair éagsúla lena n-áirítear glaonna camscéime, ábhair agus comhairle atá ábhartha do thomhaltóirí, gníomhartha comhlíonta, uirlisí agus seirbhísí do thomhaltóirí ComReg, athruithe uimhreach, fógraí aisghairme sábháilteachta táirgí, straitéis poist agus tuarascálacha. Chomh maith leis sin, d'fhoilsíomar achoimrí nuachta ráithiúla do thomhaltóirí.²

UIRLISÍ DO THOMHALTÓIRÍ - LÉARSCÁIL CLÚDAIGH FÓN PÓCA, SEICEÁLAÍ COMPARÁIDE AGUS SEIRBHÍSE COMREG

Soláthraíonn ComReg léarscáil clúdaigh fón póca allamuigh, ag www.comreg.ie/coveragemap, a thugann deis do thomhaltóirí ríomh ComReg maidir le clúdach fón póca oibritheora agus leibhéil chomhartha a sheiceáil ag suíomhanna ar fud na tíre. Tugann an léarscáil seo deis d'úsáideoirí fón póca féachaint ar leibhéal an chlúdaigh fón póca san áit ina bhfuil siad ag obair nó ina gcónaí inti agus cabhraíonn sé le tomhaltóirí nuair a bhíonn roghanna á ndéanamh idir oibritheoirí bunaithe ar infhaighteacht chlúdaigh réamh-mheasta ina gceantar nó suíomh roghnaithe. Gineadh an léarscáil trí úsáid a bhaint as sonraí a chuir na príomhoibritheoirí líonra fón póca ar fáil agus cuirtear san áireamh freisin sonraí d'oibritheoirí líonra fíorúil fón póca (soláthraithe seirbhíse a bhfuil a gcuid seirbhísí á n-óstáil ag na príomhoibritheoirí líonra fón póca). Nuashonraíodh sonraí na léarscáile i Ráithe 3 2021, Ráithe 4 2021 agus Ráithe 2 2022. Tá an léarscáil ar fáil i bhformáid dhathchódaithe – léirítear clúdach maith trí dhath donn agus léirítear clúdach imeallach

¹ <https://www.comreg.ie/category/consumer-news/>

² <https://www.comreg.ie/comreg-consumer-news-q2-2022-2/>
<https://www.comreg.ie/comreg-consumer-news-q1-2022/>
<https://www.comreg.ie/comreg-consumer-news-q4-2021/>
<https://www.comreg.ie/comreg-consumer-news-q3-2021/>

trí dhath béasa. Tá láidreacht an chomhartha á léiriú ar an léarscáil freisin, idir an-mhaith, go maith, measartha, imeallach agus easpa clúdaigh le haghaidh 2G (Guth), 3G (Sonraí agus Guth) agus 4G (Sonraí agus Guth). Tá Aip ar fáil freisin d'úsáideoirí fón póca, agus tá feidhmiúlacht nua curtha leis an Aip.

Le cois na léarscáile clúdaigh lasmuigh, oibríonn ComReg leis an tionscal freisin d'fhonn a chinntiú go bhfuil faisnéis ábhartha, bheacht ar fáil do thomhaltóirí ar a uirlis comparáide luacha, ComReg Compare, ag www.comreg.ie/compare, maidir le tairiscintí margaidh reatha, chun cabhrú leo lena gcinntí ceannaigh. Is féidir le tomhaltóirí an t-áireamhán seo a úsáid chun comparáid a dhéanamh idir tairiscintí margaidh soláthraithe seirbhíse cumarsáide bunaithe ar an gcineál sáis láimhe, meánchostas míosúil, costas iomlán lena n-áirítear costais sáis láimhe, liúntais agus luas, bunaithe ar an bhfaisnéis úsáide atá curtha ar fáil.

Chun cabhrú le tomhaltóirí a bhfuil ceisteanna maidir le muirir Seirbhísí Ardráta (PRS) acu atá curtha i bhfeidhm ar a mbille nó asbhainte óna gcreidmheas fóin, tairgeann ComReg saoráid ar líne freisin, Seiceálaí Seirbhíse, ag www.comreg.ie/servicechecker áit ar féidir leat na sonraí teagmhála agus sonraí eile le haghaidh gach seirbhís ardráta a sheiceáil. Is féidir le tomhaltóirí ainm na seirbhíse nó uimhir cúig dhigit na seirbhíse ar gearradh muirear orthu lena haghaidh a ionchur agus cuirtear sonraí uimhir líne chabhrach na seirbhíse do chustaiméirí agus an seoladh ríomhphoist chuí ar fáil dóibh.

FAISNÉIS - CLÁR RANPHÁIRTÍOCHTA TOMHALTÓIRÍ

Lean ComReg ar aghaidh le cumarsáid agus le rannpháirtíocht tomhaltóirí i rith na tréimhse trí thairbhe a bhaint as feachtais spriocdhírthe a raibh sé mar aidhm leo faisnéis a roinnt le tomhaltóirí maidir lena gcearta mar aon leis an bhfaisnéis atá á cur ar fáil ag ComReg. Áirítear i measc tionscnamh den chineál sin suíomh gréasáin ComReg a nuashonrú le faisnéis agus le feidhmiúlacht nua do thomhaltóirí, for-rochtain agus feachtais dhigiteacha agus thraidisiúnta margaíochta chun eolas a roinnt le tomhaltóirí.³

Cabhraíonn branda tomhaltóirí ComReg, 'ComReg Connects', lena chinntiú go n-aithníonn an poiblí ComReg mar bhranda a bhfuil ról lárnach aige i gcosaint tomhaltóirí, branda a léiríonn cén cineál eagraíochta é ComReg agus cén cineál oibre atá á dhéanamh aige. Chuaigh ComReg i mbun comhairle le roinnt páirtithe leasmhara maidir le ceisteanna a bhaineann le tomhaltóirí lena n-áirítear Coiste Comhairleach Roinne agus Oifigigh Leathanbhanda Náisiúnta, Tascfhórsa Móibíleach agus Leathanbhanda an Rialtais, Aoisbhá Éireann, Fóram Comhairleach Tomhaltóirí agus Fóram um Chomhionannas Rochtana agus Rogha.⁴

³ <https://www.comreg.ie/category/engagement/>

⁴ <https://www.comreg.ie/engagement/panels-forums/>

Figiúr 4: Sampla de Cheisteanna Coitianta ComReg Connects roinnte le páirtithe leasmhara agus comhairle agus faisnéise curtha ar fáil do thomhaltóirí



Commission for Communications Regulation
An Comisiún um Rialáil Cumarsáide



Scam Calls and Scam Texts FAQs

What are scam calls and scam texts?

Scam calls and scam texts are unwanted, unsolicited, nuisance communications. The intent of scam calls and texts is often to mislead the receiver to share personal information or money to the scammer.

Why am I getting so many scam calls and scam texts lately?

More people are working from home, shopping online, banking online and using social media. This creates opportunities for scammers to steal data and money from unsuspecting users. Though your phone service provider is likely to be already blocking suspicious numbers, some calls get through as it is difficult to quickly recognise scammers and block their calls and texts efficiently without blocking genuine numbers.

How did the scammers get my number and why are they targeting me?

Scammers use software to call or text a range of numbers at the same time and then note which are answered. Answered numbers are recorded as genuine in-use numbers and may be sold on the internet to other cyber criminals. Therefore, making your number ex-directory or adding your number to the "do not call" register for direct marketing will not prevent scams. If you have fallen victim to a scam previously, you may be contacted by other scammers who claim to be able to help you to get your money back for a fee.

What can I do to protect myself from being scammed?

Unfortunately, scam calls and texts can be difficult to identify. Vigilance is important, such as:

Do's

- Hang up if a caller pressures you, claims urgent action is needed or threatens negative consequences. Ask someone you trust if they think the call was genuine.
- If a call or text message claims to be from a bank, government agency or a company you do business with it is best not to engage with the caller or message the sender. Instead, end the call, look up their official contact details and contact them back to verify if the call is legitimate.
- If you have friends or relatives abroad that may be calling you, store their number (including the country prefix) in your phone. Get to know the prefix for the country they might be calling from.

Don'ts

- If you dial back an unknown number by mistake, hang up immediately if there appears to be no recipient on the other end or where you are left on hold.
- If you are receiving calls late at night, you could turn down the volume on your home phone or select silent mode or do not disturb mode on your mobile phone.
- If you are getting persistent calls from a number you don't know, contact your service provider, and request that calls from that number be blocked.
- Sometimes, scammers display a phone number like your own on your caller ID, to increase the likelihood that you will answer the call. If your number is being used in this way, contact your service provider and request that calls from that number be blocked.
- Some mobile phones have the capability of allowing you to screen, block or silence nuisance numbers from contacting you. Check your phone settings to see if this is a feature of your handset or contact your service provider who may be able to assist.

What should I contact if I have shared personal information?

Scam calls and scam texts are illegal. Therefore, you should contact and An Garda Síochána immediately, as well as your financial institution if you have shared personal information relating to your finances.

ComReg Connects
Commission for Communications Regulation,
One Dockland Central, Guild Street,
Dublin, D01 E4X0
<https://www.comreg.ie/advice-information/scam-calls/>
Consumer Care Team:
01 8049668
consumerline@comreg.ie

CÚRAM AGUS SÁSAMH TOMHALTÓIRÍ

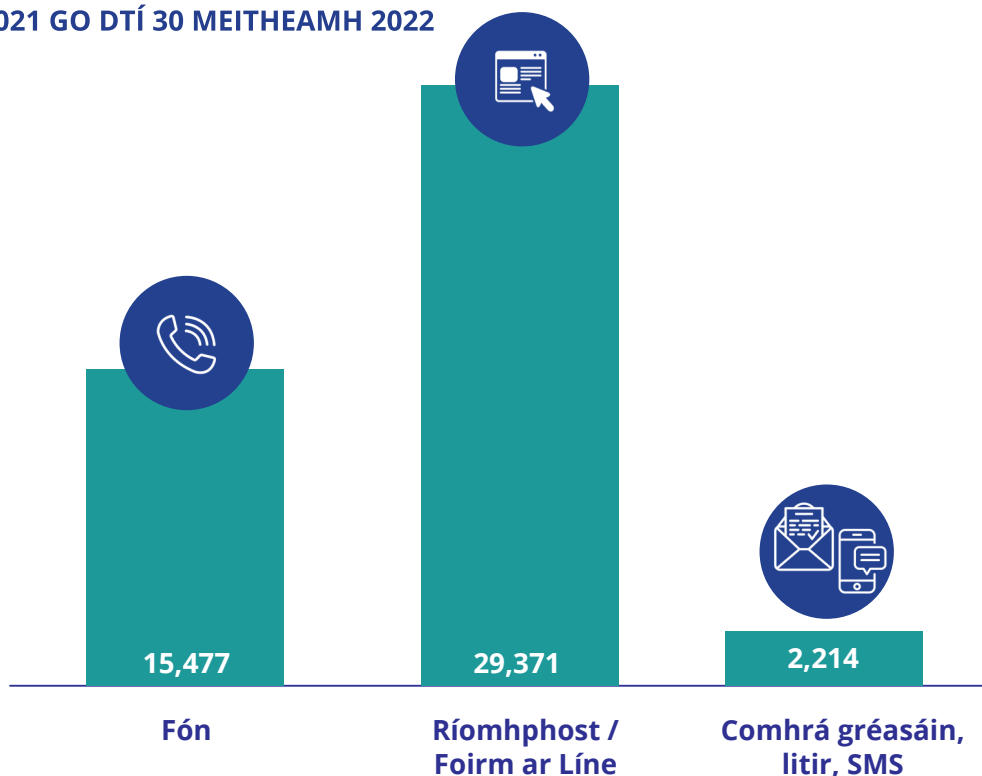
LÁIMHSEÁIL GEARÁN

Tá ComReg ag leanúint ar aghaidh le seirbhís láimhseála gearán ar ardchaighdeán a chur ar fáil do thomhaltóirí. I rith na bliana, dhéileáil Foireann Líne Tomhaltóirí ComReg le thart ar 47,000 teagmháil ó thomhaltóirí. Is féidir le tomhaltóirí teagmháil a dhéanamh le Foireann Líne Tomhaltóirí ComReg trí na cainéil seo a leanas – teileafón, ríomhphost, foirm ghearáin ar líne, litir, comhrá gréasáin, SMS agus Teanga Chomharthaíochta na hÉireann.⁵

Freagraíodh 96% de na glaonna ar Fhoireann Cúraim Tomhaltóirí ComReg laistigh de 20 soicind agus freagraíodh 96% de na teagmhálacha scríofa laistigh de 24 uair an chloig.

Figiúr 5: An líon teagmhálacha tomhaltóra tríd an gcainéal cumarsáide

IÚIL 2021 GO DTÍ 30 MEITHEAMH 2022



Líon na dTeagmhálacha Tomhaltóra, 1 Iúil go 30 Meitheamh.

Tá ComReg ag leanúint ar aghaidh le staitisticí ráithiúla a fhoilsiú maidir le ceisteanna a chuireann tomhaltóirí a rinne teagmháil le Foireann ár Líne Tomhaltóirí. I rith na tréimhse idir Iúil 2021 agus Meitheamh 2022, rinne tomhaltóirí teagmháil linn maidir le thart ar 19,000 ceist. Bhain thart ar 67% de na ceisteanna ar fad a cuireadh le cumarsáid leictreonach, agus bhain 9% eile le seirbhísí ardráta agus bhain na ceisteanna eile le nithe nár bhain le sainchúram ComReg nó nithe anaithnide.⁶

⁵ <https://www.comreg.ie/advice-information/consumer-care/contact-our-consumer-care-team/>

⁶ <https://www.comreg.ie/advice-information/consumer-care/consumer-statistics/>

As measc na gceisteanna ar fad a cuireadh faoi bhráid ComReg i rith na tréimhse, géaraíodh 13% de na gearáin thar ceann tomhaltóirí chuig na Soláthraithe Seirbhíse ábhartha le haghaidh seirbhísí ECS agus PRS.

Bhain formhór na gceisteanna ECS a bhain le sainchúram ComReg le billeáil, seirbhís, conarthaí agus aistriú/iniomparthacht uimhreach. Bhain formhór na gceisteanna PRS le cásanna ina ndiúltaíonn tomhaltóirí go raibh baint acu leis an PRS nó le cásanna ina bhfuil díospóid á déanamh ag an tomhaltóir maidir leis an muirear PRS.

Tá foilseacháin ráithiúla staitisticí ComReg forbartha aige i rith na tréimhse agus anois tá sonraí le fáil sa tuarascáil ráithiúil maidir le gearáin faighte bunaithe ar an gcineál rangaithe agus sonraí maidir le suirbhé sástachta teileafóin agus ríomhphost ár gcustaiméirí.

RÉITEACH DÍOSPÓIDÍ

Le cois seirbhís láimhseála gearán ComReg (Líne Tomhaltóirí ComReg), tá nósanna imeachta foirmiúla réitigh díospóidí bunaithe ag ComReg le haghaidh gearán a bhaineann le fón póca, fón baile agus leathanbhanda, atá gan réiteach le haghaidh 40 lá oibre nó níos mó i ndiaidh gearán a thaisceadh leis an soláthraí seirbhíse.

BEARTA COSANTA TOMHALTÓIRÍ

Tá roinnt cosaintí tomhaltóirí bunaithe cheana féin lena n-áirítear bearta tacaíochta breise d'úsáideoirí deiridh atá faoi mhíchumas, bearta a bhaineann le huimhreacha neamhghheografacha, bearta maidir le caiteachas agus rialú costais, billeáil mhiondealaithe agus meáin bhilleála ⁷ agus urchosc roghnach glaonna.

Is é sprioc ComReg go mbeadh cearta agus cosaintí tomhaltóirí, lena n-áirítear tomhaltóirí leochaileacha agus faoi mhíchumas, oiriúnach chun díobhálacha do thomhaltóirí a mhaolú.

Ábhartha don sprioc thuasluaite, i rith na tréimhse, rinne ComReg monatóireacht agus breithniú ar cibé acu an raibh nó nach raibh sé oiriúnach bearta a chur chun feidhme, a fheabhsú nó a fhorbairt chun díobhálacha ECS agus PRS do thomhaltóirí a mhaolú.

BEARTA CÚLTACA CADHNRA

De réir mar atá infhaighteacht VoIP ⁸ ar líonra leathanbhanda agus seirbhísí OTT ag forbairt i gceantair gheografacha (mar gheall ar rolladh amach VHCN nua), aithnítear go bhféadfadh tionchar i bhfad níos forleithne a bheith ag gearradh cumhachta. Bhreithnigh ComReg athbhreithniú ar an gcinneadh a rinneadh sé in 2018 maidir le Cúltaca Cadhnra ⁹ (BBU) agus aon oibleagáidí oiriúnacha a bhain le húsáideoirí leochaileacha.

⁷ Cinneadh ComReg D08/13 www.comreg.ie/publications Shainigh an cinneadh seo na bealaí nach mór do gach soláthraí atá údaraithe chun líonraí agus seirbhísí cumarsáide leictreonaí a sholáthar billí a eisiúint do thomhaltóirí. Bhí na bearta seo mar bhonn leis na rialacha a bhaineann le billeáil atá infheidhme do sholáthraithe d'fhonn a chinntiú go raibh siad comhsheasmhach agus trédhearcach sa tionscal trí chéile.

⁸ Is é VoIP (ar a dtugtar guthghlaonna idirlín freisin) an teicneolaíocht líne talún baile is déanaí. Chun VoIP a sholáthar ní mór an fón líne talún nó stáisiún nasctha a phlugaíl isteach sa mhóideim leathanbhanda agus i bpríomhsholáthar cumhachta chun seirbhís ghutha a fháil. Ar leithligh ó sheirbhís teileafóin líne talún VOIP, chun seirbhís VoIP a fháil ní mór gléas a úsáid de ghnáth (ríomhaire, ríomhaire glúine, táibléad nó fón póca cliste) chun guthghlaonna a dhéanamh nó a fháil tríd an idirlíon (e.g., feidhmchláir idirlín, cosúil le, WhatsApp, Skype, Viber, Facebook Messenger etc) seachas trí úsáid a bhaint as nasc teileafóin líne talún baile.

⁹ Cinneadh ComReg D02/18 dar teideal "Requirements regarding Battery Back-up and information for Fixed Voice Services over non-Public Switched Telephone Networks", an 30 Eanáir 2018. <https://www.comreg.ie/publication/requirements-regarding-battery-back-information-fixed-voice-services-non-public-switched-telephone-networks>

Rogha amháin atá ar fáil d'úsáideoirí deiridh a bhfuil nasc neamh-PSTN/seirbhís(i) VoIP in úsáid acu thar nasc, chun maolú i gcoinne an riosca a bhaineann le rochtain teileafóin nó idirlín a chailleadh go sealadach i rith gearradh cumhachta, é fón póca a úsáid (braitheann sé seo ar chlúdach agus ar ghléas a bhfuil cadhnra oiriúnach ann chun guthghlao a dhéanamh). Tá infhaighteacht agus úsáid fón póca ag tarlú ar bhonn uilíoch in Éirinn tríd is tríd, ainneoin nach gá go mbeadh fón póca ag an oiread céanna daoine a bhaineann leis na haoisghrúpaí níos sine. Lena chois sin, is féidir le húsáideoirí deiridh gléas BBU a úsáid a oireann dá gcuid imthosca agus riachtanas. Is gléas é BBU a d'fhéadfadh úsáideoir deiridh a úsáid chun trealamh áitribh custaiméirí ("CPE") a chumhachtú, go háirithe, ródaire/móideim a bheadh in ann leanúint ar aghaidh ag úsáid seirbhís teileafóin líne talún baile chun glaonna a dhéanamh agus a fháil lena n-áirítear chun teagmháil a dhéanamh le seirbhísí éigeandála, ar bhonn sealadach, i rith gearradh cumhachta.

D'aistarraing ComReg D02/18 ag féachaint d'Airteagal 101 den Chód um Chumarsáid Leictreonach Eorpach ¹⁰ ("EECC" nó "an Cód") agus cuireadh an méid sin in iúl do pháirtithe leasmhara trí Fhógra Faisnéise ComReg.¹¹ Mar chuid den athbhreithniú ar na ceanglais a bhaineann le faisnéis agus BBU, réachtáil ComReg suirbhé agus fócasghrúpa.¹²

Tá ComReg airdeallach ar an bpointe go bhfuil úsáideoirí deiridh á gcosaint agus gur féidir leo cinneadh eolasach a dhéanamh, agus ar na hoibleagáidí a d'fhéadfadh a bheith le forchur ar sholáthraithe i ndiaidh thrasuí an Chóid d'fhonn infhaighteacht seirbhísí cumarsáide leictreonaí a chinntiú ("ECS"). Ciallaíonn na Rialacháin¹³ agus an Cód¹⁴ go bhfuil oibleagáidí faisnéise úsáideora deiridh le comhlíonadh go díreach ag soláthraithe. Ba cheart do sholáthraithe leanúint ar aghaidh le faisnéis riachtanach a roinnt le húsáideoirí deiridh, lena n-áirítear, faisnéis maidir leis an mbaol go gcuirfear isteach ar ECS. Chomh maith leis sin, déanfaidh ComReg teagmháil le húsáideoirí deiridh agus cuirfidh sé faisnéis ar fáil d'úsáideoirí deiridh maidir le hinfhaighteacht ECS i rith gearradh cumhachta agus BBU. Déanfaidh ComReg monatóireacht ar an margadh athraitheach agus ar fhorbairt reachtach agus ar iompar agus dearchthaí athraitheacha tomhaltóirí maidir le faisnéis agus BBU. De bhua thrasuí an Chóid, féadfaidh ComReg idirghabháil a dhéanamh más gá, más cuí agus más comhréireach, chun cur ar chumas úsáideoirí deiridh cinní eolasacha a dhéanamh agus ECS a úsáid go muiníneach.

¹⁰ Achtaíodh Treoir (AE) 2018/1972 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2018 lena mbunaítear an Cód um Chumarsáid Leictreonach Eorpach (Athmhúnlú) ("An Cód") ar an 20 Nollaig 2018.

¹¹ ComReg 21/143 www.comreg.ie/publications

¹² ComReg 21/143a www.comreg.ie/publications

¹³ De bhua Rialachán 14 de I.R. Uimh. 337/2011.

¹⁴ De bhua Airteagal 102 (Ceanglais faisnéise do chonarthaí) agus 103 (Trédhearcacht, comparáid idir tairiscintí agus foilsiú faisnéise) den Chód.

RIALÁIL FÁNAÍOCHTA

Is uirlisí tábhachtacha iad na Rialacháin Fánaíochta¹⁵ agus an Rialachán maidir Glaonna Laistigh den Aontas¹⁶ chun cur ar chumas ComReg tomhaltóirí a chosaint agus billí nach raibh súil leo a sheachaint. De réir a fheidhme reachtúla, lean ComReg le monatóireacht a dhéanamh ar chur chun feidhme an Rialacháin Fánaíochta i measc cuideachtaí móibíleacha Éireannacha.¹⁷

Cuimsítear sna rialacha sonracha AE maidir le fánaíocht mhóibíleach a chosnaíonn tomhaltóirí taraifí nuair a bhíonn siad ag taisteal i dtíortha AE eile agus bearta trédhearcachta. Ó mhí Meithimh 2017, cuireadh an praghas miondíola baile ar chustaiméirí nuair a úsáideann siad a bhfón póca (le haghaidh glaonna, téacsanna agus sonraí) nuair a bhíonn siad ag taisteal in aon tír san Aontas Eorpach agus sa LEE (an Íoslainn, Lichtinstéin agus an Iorua) – Fánaíocht ar Tháillí Baile (RLAH) a thugtar air seo. Mar thoradh ar RLAH, ní féidir le soláthraithe seirbhíse táille níos mó ná an táille a ghearrfaí dá mbeadh na seirbhísí seo in úsáid ag an gcustaiméir sa tír bhaile a ghearradh i.e., an praghas baile. Tá eisceachtaí ann, áfach. Áirítear ina measc an cumas beartas cóir-úsáide a chur i bhfeidhm le haghaidh forálacha sonraí, frith-mhí-úsáide agus inbhuanaitheachta.

Lena chois sin, tá bearta trédhearcachta curtha i bhfeidhm a chabhróidh le custaiméirí fánaíochta a dtomhaltas agus costas a bhainistiú. Leanfaidh tomhaltóirí atá ag fánaíocht Teachtaireacht SMS phearsantaithe a fháil i ndiaidh dóibh dul isteach i dtír LEE eile. Tá sonraí le fáil sa teachtaireacht seo maidir leis an bpraghas (gan CBL a áireamh) atá luaite le glaonna a dhéanamh agus a fháil, SMS a sheoladh agus aon bheartas úsáide agus muirir sa bhreis ar theorainneacha agus ar fhomhuirir, an uimhir theileafóin saor in aisce le haghaidh tuilleadh eolais agus an uimhir chun teagmháil a dhéanamh le seirbhísí éigeandála. Chomh fada is a bhaineann le húsáid sonraí, faigheann tomhaltóirí atá ag fánaíocht (i bhfeidhm sa chuid eile den domhan agus ní laistigh den AE amháin) nuair a shroichtear teorainn airgeadais de €50 (gan CBL a áireamh). Tá an teorainn airgeadais nó méid a bhaineann le tomhaltas fánaíochta sonraí de €50 (gan CBL a áireamh) i bhfeidhm don tréimhse bhilleála mhíosúil. Ansin fiafraítear de thomhaltóirí deimhniú a thabhairt más mian leo leanúint ar aghaidh ag úsáid sonraí. Lena chois sin, tá an ceart ag tomhaltóirí faisnéis níos mionsonraithe a iarraidh agus a fháil, saor in aisce, óna soláthraí seirbhíse fánaíochta ó áit ar bith sa LEE.

I rith na tréimhse, lean ComReg ag obair lena chomhghleacaithe i gComhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach (BEREC) i ndáil leis an rialachán fánaíochta atá molta ag an gCoimisiún Eorpach a leasú. Amhail ón 1 Iúil 2022, tá síneadh curtha le RLAH, bunaithe ar Rialachán (AE) 2022/612¹⁸ (“na rialacha nua”) go dtí an 30 Meitheamh 2032. D’fhoilsigh ComReg Fógra Faisnéise¹⁹ ina dtarraingítear aird custaiméirí ar an méid seo a leanas - mar chuid de na rialacha nua tá bearta breise bunaithe a bhfuil sé mar aidhm leo breis trédhearcachta a chinntiú do chustaiméirí fánaíochta, agus cabhrú le custaiméirí fánaíochta muirir nach raibh siad ag súil leo a sheachaint. Beidh buntáistí breise a thacóidh le heispéireas fánaíochta feabhsaithe mar thoradh ar na bearta seo.

¹⁵ Rialachán (AE) Uimh. 531/2012 ó Pharlaimint na hEorpa agus ón gComhairle an 13 Meitheamh 2012 maidir le líonraí cumarsáide móibíleacha poiblí laistigh de Théacs an Aontais lena mbaineann ábharthacht LEE.

¹⁶ Rialachán (AE) 2015/2120 arna leasú ag Rialachán (AE) 2018/1971, Rialachán atá á chur chun feidhme ag an Rialachán an Aontais Eorpach (Muirir Mhiondíola do Chumarsáid Rialaithe Laistigh den Aontas) 2020, I.R. Uimh. 668 de 2020.

¹⁷ Tagairtí do thuarascálacha maidir le cur chun feidhme. ComReg 22/36 www.ccomreg.ie/publications

¹⁸ RIALACHÁN (AE) 2022/612: EUR-Lex - 32022R0612 - EN - EUR-Lex (europa.eu)

¹⁹ ComReg 22/68 ComReg 21/143 www.comreg.ie/publications

I rith na tréimhse, lean ComReg ar aghaidh ag obair lena chomhghleacaithe in BEREC i ndáil le bailiú sonraí maidir fánaíocht idirnáisiúnta chun críche tuairisciú maidir le forbairt patrún praghsála agus tomhaltas sna Ballstáit le haghaidh seirbhísí baile agus fánaíochta, agus chun Tuarascáil Trédhearcachta agus Inchomparáideachta 2021 a chur i dtoll a chéile.

Ina theannta sin, ón 15 Bealtaine 2019, tá an costas a ghearrtar ar thomhaltóirí Éireannacha as glaonna a dhéanamh nó téacsteachtaireachtaí SMS a sheoladh as Éirinn chuig uimhir sheasta nó mhóibíleach i mBallstát eile den AE caidhpeáilte.²⁰ Ní ghearrfar nach mó ná €0.19 (+VAT) don nóiméad ar thomhaltóirí AE agus Éireannacha le haghaidh glaonna déanta (lena n-áirítear aon táille cheangail) agus €0.06 (+CBL) le haghaidh gach SMS seolta as Éirinn chuig aon uimhir sheasta nó mhóibíleach i mBallstát den AE, rud ba cheart a bheith mar bhonn le heispéireas an tomhaltóra a fheabhsú. I rith na tréimhse, d'oibrigh ComReg le BEREC chun monatóireacht a dhéanamh ar an margadh agus ar fhorbairtí praghsais do chumarsáid rialaithe laistigh den AE agus chun tuairisciú do Choimisiún an AE.

Rinne ComReg monatóireacht ghníomhach ar na himpleachtaí a bheidh ag Brexit ar an earnáil cumarsáide leictreonaí agus tá treoir agus faisnéis do thomhaltóirí eisithe aige.²¹

RIALACHA MAIDIR LEIS AN IDIRLÍON OSCAILTE

Faoi Rialacha an AE maidir leis an Idirlíon Oscailte, i Rialachán (AE) 2015/2120,²² tá tomhaltóirí i dteideal faisnéis agus ábhar a dháileadh agus rochtain a bheith acu orthu, feidhmchláir agus seirbhísí a úsáid agus a sholáthar agus trealamh teirminéil dá rogha a úsáid, beag beann ar shuíomh an úsáideora deiridh ná soláthraí ná suíomh na faisnéise, an ábhair, an fheidhmchláir nó na seirbhíse.

Cosnaíonn an Rialachán cearta tomhaltóirí agus tacaíonn sé le hidirlíon oscailte agus nuálach. Lean ComReg le monatóireacht a dhéanamh ar oscailteacht an idirlín trí sheirbhísí agus teicneolaíochtaí a fhorbairt, lena n-áirítear i ndáil le forbairtí a bhaineann le seirbhísí nialas-rátaíthe.

D'oibrigh ComReg lena chomhghleacaithe ag BEREC ar chlár maidir leis an idirlíon oscailte i rith na tréimhse seo lena n-áirítear an comhairliúchán poiblí maidir le nuashonrú Threoirínte BEREC²³ (ar a dtugtar **Na Treoirínte maidir le cur chun feidhme an Rialacháin maidir leis an Idirlíon Oscailte**) agus cur chun feidhme an Rialacháin maidir leis an Idirlíon Oscailte.

I mí Meithimh 2022, d'fhoilsigh ComReg a thuarascáil bhliantúil maidir le cur chun feidhme Rialacháin an AE maidir le Rochtain ar an Idirlíon Oscailte in Éirinn.²⁴

²⁰ Tá sé seo de réir Rialachán (AE) 2018/1971.

²¹ Suíomh gréasáin ComReg maidir le Brexit - <https://www.comreg.ie/consumer-information/brexit/> ; Tá an fhaisnéis is déanaí do thomhaltóirí le fáil ar an Leathanach Faisnéise do Thomhaltóirí ar shuíomh gréasáin ComReg – nuacht agus comhairle agus leideanna maidir le conas fánaíocht neamhbheartaithe a sheachaint <https://www.comreg.ie/consumer-information/roaming/> mar aon le nuashonruithe do thomhaltóirí maidir le glaonna agus SMS laistigh de AE ar shuíomh gréasáin ComReg <https://www.comreg.ie/price-cap-for-calls-sms-text-messages-between-eu-states-intra-eu-communications/>

²² Trasuite i ndlí na hÉireann ag Rialacháin an Aontais Eorpaigh (Rochtain ar an Idirlíon Oscailte), 2019 (I.R. Uimh. 343 de 2019) ("Na Rialacháin maidir leis an Idirlíon Oscailte, 2019") – a chuireann chun feidhme roinnt gnéithe den Rialachán maidir le Rochtain ar an Idirlíon Oscailte AE/2015/2120 a bhaineann le cumhachtaí agus pionóis ComReg

²³ Féach https://berec.europa.eu/eng/document_register/subject_matter/berec/regulatory_best_practices/guidelines/9277-berec-guidelines-on-the-implementation-of-the-open-internet-regulation

²⁴ ComReg 22/51 www.comreg.ie/publications

COSAINT ÚSÁIDEOIRÍ LEOCHAILEACHA

Reáchtáil ComReg roinnt cruinnithe dá Fhóram um Sheirbhísí Cumarsáide Leictreonaí do Dhaoine faoi Mhíchumas in 2021 agus 2022 chun scrúdú a dhéanamh ar ábhair agus ar cheisteanna a bhain go sonrach le hinrochtaineacht, taithí úsáideoirí deiridh ar rochtain agus úsáid Sheirbhís Athsheachadta Téacs na hÉireann (ITRS)²⁵ agus faisnéis inrochtana ar an suíomh gréasáin oifigiúil maidir le ITRS mar shampla.²⁶

Aistríonn ITRS téacs go guth agus guth go téacs chun tacú le daoine atá Bodhar agus Faoi Allaíre agus daoine a bhfuil deacrachtaí labhartha acu, chun glaonna a dhéanamh agus a fháil, lena n-áirítear gléasanna móibíleacha a úsáid in Éirinn. Athsheachadtar glaonna trí ghníomhairí ITRS a dhéanann an t-aistriúchán. Tá an tseirbhís ITRS a soláthar ag Eir atá ag freastal ar chustaiméirí Three, Eir, Sky, Tesco Mobile, Virgin Media agus Vodafone, agus tá an tseirbhís seo á maoiniú ag na triúr oibritheoirí seo. D'éascaigh ComReg díospóireacht maidir leis na bacainní a d'fhéadfaí a lua le hinúsáidteacht saoráidí ITRS agus seirbhísí inrochtana agus faisnéis agus bealaí lena chinntiú gur féidir níos mó buntáistí a bhaint as ITRS. Ar an 1 Iúil 2021, sheol na soláthraithe seirbhíse leagan athnuaite de ITRS agus soláthraíonn siad faisnéis maidir le conas tacaíocht ITRS a rochtain agus a oibriú ar an suíomh gréasáin www.ITRS.ie.

I rith na tréimhse d'fhreastail ComReg ar roinnt cruinnithe den Choiste Comhairleach Roinne a reáchtáil an Roinn Comhshaoil, Aeráide agus Cumarsáide (DECC) maidir le nithe a bhaineann le hinrochtaineacht táirgí agus seirbhísí d'úsáideoirí deiridh faoi mhíchumas.

D'fhoilsigh ComReg mír nuachta do thomhaltóirí lena n-áirítear staitisticí maidir le rátaí glactha agus úsáid ITRS ar ComReg.ie²⁷ agus tá sé ag leanúint ar bhonn rialta le rannpháirtíocht le páirtithe leasmhara cosúil le hAoisbhá Éireann maidir le taithí daoine scothaosta ar rochtain agus ar úsáid na seirbhíse cumarsáide leictreonaí mar aon le grúpaí ionadaíocha eile cosúil leis an Údarás Náisiúnta Míchumais maidir le riachtanais na n-úsáideoirí deiridh faoi mhíchumas chomh fada is a bhaineann le hinrochtaineacht agus comhionannas rochtana agus rogha.

Tá roinnt cosaint tomhaltóra i bhfeidhm cheana féin d'úsáideoirí deiridh atá faoi mhíchumas.²⁸ Chuir ComReg tús le hathbhreithniú ar na hoibleagáidí atá ar Sholáthraithe Seirbhíse cheana féin, lena n-áirítear Seirbhís Athsheachadta Téacs na hÉireann, d'fhoill a chinntiú go léiríonn na bearta atá curtha i bhfeidhm d'úsáideoirí deiridh faoi mhíchumas forbairtí margaidh agus go bhfuil riachtanais tomhaltóirí á gcomhlíonadh go leanúnach. Féadfaidh ComReg dul i gcomhairle maidir le haon cheisteanna a sainaithnítear mar chuid dá athbhreithniú níos ginearálta agus ag féachaint d'fhorálacha an Chóid um Chumarsáid Leictreonach Eorpach ("EECC" nó "An Cód") a bhaineann le faisnéis inrochtana, go háirithe, maidir leis an Achoimre Conartha, maidir le caighdeán a gcuid seirbhísí agus bearta curtha i gcrích chun comhionannas rochtana d'úsáideoirí deiridh faoi mhíchumas a chinntiú. Cinnteoidh ComReg go mbeidh riachtanais rochtana na n-úsáideoirí deiridh sin á gcomhlíonadh agus tacóidh sé forálacha maidir le comhionannas rochtana d'úsáideoirí deiridh faoi mhíchumas a shamhlaítear in Airteagal 111 de EECC.

²⁵ ComReg 14/143 Cinneadh D09/15 www.comreg.ie/publications

²⁶ www.itrs.ie

²⁷ Féach ar staitisticí maidir le Ráta Glactha agus Úsáid na Seirbhíse Athsheachadta Téacs; Iúil 2021-Nollaig 2021 <https://www.comreg.ie/publication/text-relay-service-take-up-and-usage-statistics-july-2021-december-2021> agus Eanáir-Meitheamh 2022 <https://www.comreg.ie/publication/trs-take-up-and-usage-ttv-vtt-january-to-june-2022>

²⁸ ComReg 14/52 www.comreg.ie/publications

SEIRBHÍSÍ ARDRÁTA

I rith na tréimhse seo, lean ComReg ar aghaidh le monatóireacht a dhéanamh ar fhorbairtí i margaí Seirbhísí Ardráta (PRS), lena n-áirítear seirbhísí nua do bhilleáil dhíreach iompróra (DCB), d'fhoilligh a chinntiú nach mbíonn síntiús á ghlacadh ag tomhaltóirí mar thoradh ar a gcéad rannpháirtíocht le PRS agus go gcuirtear faisnéis oiriúnach ina láthair maidir leis an tseirbhís síntiúis, lena n-áirítear faisnéis maidir le praghsáil, sula ndeimhníonn siad a síntiús agus le linn dóibh úsáid a bhaint as PRS, de réir mar a cheanglaíonn Cód Cleachtais PRS ComReg.²⁹ Tá beart bunaithe ag ComReg cheana féin chun deis a thabhairt do thomhaltóirí bac a chur ar a PRS móibíleach mura mian leo tairbhe a bhaint as a leithéid. Féadfaidh ComReg athbhreithniú a dhéanamh ar cibé acu atá nó nach bhfuil cosaintí breise a bhaineann le billeáil tríú páirtí oiriúnach, de bhua cheanglais EECC.

Lena chois sin, d'oibrigh ComReg le comhghleacaithe in BEREC ar mheasúnú maidir leis an status quo agus tagarmharc na gcleachtais reatha a bhaineann le billeáil tríú páirtí agus conas atá forálacha an Choimisiúin Eorpaigh á gcur chun feidhme i mBallstáit.³⁰

TREOIR RIALÁLA MAIDIR LE EECC

Lean ComReg ar aghaidh le rannpháirtíocht le páirtithe leasmhara maidir leis an gCód lena n-áirítear le Cónaidhm Ghnólachtaí agus Fhostóirí na hÉireann (IBEC)/Tionscal Teileachumarsáide na hÉireann (TII) agus Soláthraithe Seirbhísí Teileachumarsáide i rith na tréimhse seo maidir le cur chun feidhme gnéithe den Chód a bhaineann le húsáideoirí deiridh. Glactar leis mar phíosa de reachtaíocht lárnach chomh fada is a bhaineann le sochaí Gigighiotáin na hEorpa agus chun rannpháirtíocht iomlán gach saoránach den AE sa gheilleagar agus sa tsochaí dhigiteach a chinntiú.

Bunaítear cearta nua d'úsáideoirí deiridh in EECC lena n-áirítear cearta a bhaineann leis an gceart faisnéis íosta áirithe réamhchonarthach a fháil agus Achoimre Conartha nua³¹ roimh pháirt a ghlacadh i gconarthaí, rochtain idirlín a aistriú agus beart-tairiscintí.

D'fhoilligh le soláthraithe seirbhíse an raon ceart atá ag úsáideoirí deiridh a thuiscint, in 2020 d'fhoilsigh ComReg Treoir Rialála maidir le Cearta Úsáideoirí Deiridh EECC. D'fhoilsigh ComReg Treoir Rialála maidir le cearta úsáideoirí deiridh áirithe bunaithe ar EECC den chéad uair ar an 10 Samhain 2020 agus foilsíodh an chéad nuashonrú ar an 23 Nollaig 2020.³²

Anuas air sin, ar an 7 Deireadh Fómhair 2021 d'fhoilsigh ComReg Treoir Rialála do sholáthraithe Seirbhísí Rochtana Idirlín ("IAS") do mhargadh na hÉireann inar sonraíodh tuairimí ComReg maidir le brí agus éifeacht fhorálacha an Chóid a bhaineann le haistriú IAS úsáideoirí deiridh.³³ Bhí sé beartaithe go mbeadh Treoir IAS in úsáid chun cabhrú leis an tionscal próisis idir-oibritheora a dhearadh chun a gcuid ceanglas de bhua Airteagal 106 den Chód a chomhlíonadh agus gurb é a bheadh mar thoradh leis go mbeadh an ceart ag an úsáideoir deiridh rogha a fheidhmiú agus soláthraí IAS a athrú. Leanfaidh ComReg ar

²⁹ ComReg 18/09 Cinneadh D03/18 www.comreg.ie/publications

³⁰ Foilsithe ar an 30 Meán Fómhair 2021 https://www.berec.europa.eu/sites/default/files/files/document_register_store/2021/10/BoR_%2821%29_118_Report_on_how_to_handle_third-party_payment_charges_on_mobile_phone_bills.pdf

³¹ (AE) 2019/2243. Tá ceanglais shonracha agus cheangailteacha eisithe ag an gCoimisiún Eorpach maidir leis an Achoimre Conartha i Rialachán Cur Chun Feidhme an Choimisiúin lena mbunaítear Teimpléad don Achoimre Conartha.

³² ComReg 20/111R www.comreg.ie/publications

³³ ComReg 20/107R www.comreg.ie/publications

aghaidh lena rannpháirtíocht le páirtithe leasmhara maidir le haistriú IAS agus lena threoir féin maidir le cur chun feidhme fhorálacha a bhaineann le cearta úsáideoirí deiridh, de réir mar is cuí.

BUNACHAR SONRAÍ AN EOLAIRE NÁISIÚNTA

Is taifead é Bunachar Sonraí an Eolaire Náisiúnta (“NDD”) de gach rannpháirtí de sheirbhísí teileafóin atá ar fáil don phobal in Éirinn, lena n-áirítear daoine a bhfuil uimhreacha seasta, pearsanta agus móibíleacha acu, nár dhiúltaigh a gcuid sonraí a áireamh sa taifead sin. Is é príomhfheidhm NDD tiomsú agus rochtain ar fhaisnéis d’eolairí teileafóin agus di sheirbhísí fiosraithe eolais a éascú. Lena chois sin, i ndiaidh theacht i bhfeidhm na Rialachán r-Phríobháideachais,³⁴ tá NDD ag leanúint ar aghaidh ag feidhmiú mar bhonn d’oibriú an chlár “díliostála” chun críche margaíocht dhíreach.

Ba é Porting Access B.V.³⁵ (“PortingXS”) an gnóthas a threoraigh ComReg faoi Chinneadh ComReg D16/18³⁶ (“D16/18”) chun an NDD a bhainistiú agus a chothabháil de réir na sonraíochta oibríochtúla a comhaontaíodh le ComReg (“an tSonraíocht Oibríochtúil”), le haghaidh tréimhse íosta de 3 bliana agus suas go dtí 5 bliana ón 1 Iúil 2019.

I ndiaidh comhairliúchán poiblí a reáchtáil, ar an 30 Meitheamh 2022, chinn ComReg D16/18 a leasú, arb é an éifeacht atá leis go mbeidh D16/18 i bhfeidhm go dtí an 30 Meitheamh 2024. Dá réir sin, chinn ComReg, de bhua Chinneadh ComReg D06/22³⁷ a lánrogha a fheidhmiú agus síneadh a chur leis an treoir sin de bhua D16/18 maidir le PortingXS a cheanglaíonn go leanfaidh PortingXS leis an NDD a bhainistiú agus a chothabháil go dtí an 30 Meitheamh 2024 mura sonraí ComReg a mhalairt.

SEIRBHÍS FREAGARTHA GLAONNA ÉIGEANDÁLA

Tá freagracht reachtúil ar ComReg monatóireacht a dhéanamh ar chaighdeán seirbhíse sholáthraí na Seirbhíse Freagartha Glaonna Éigeandála (ECAS) agus as athbhreithniú a dhéanamh ar an Táille Láimhseála Glaonna (CHF) a d’fhéadfadh soláthraí ECAS a ghearradh.

I mí Eanáir 2022, chinn ComReg, i ndiaidh athbhreithniú a dhéanamh ar na costais tabhaithe ag an soláthraí ECAS, uasmhéid CHF de €2.98 do gach glao a chur i bhfeidhm ón 12 Feabhra 2022. I rith na bliana roimhe sin, idir an 12 Feabhra 2021 agus an 11 Feabhra 2022, chinn ComReg go raibh an CHF uasta cothrom le €2.83.

Ní ghearrtar táille ar an tomhaltóir le haghaidh glaonna chuig an uimhir 999 nó 112 de bhrí go n-íocann an líonra teileachumarsáide láithreach an táille seo.

I rith na tréimhse, d’fhoilsigh ComReg dhá fhógra faisnéise maidir leis an líon glaonna a cuireadh ar ECAS.

³⁴ Rialachán na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) (Príobháideacht agus Cumarsáid Leictreonach), 2011 (I.R. Uimh. 336 de 2011) (“Rialachán r-Phríobháideachais”).

³⁵ Is cuideachta Ollannach é PortingXS, “gnóthas údairithe” de bhua Rialachán 4 de Rialachán na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) (Údarú), 2011. I láthair na huaire, tá réiteach iniomparthachta d’uimhreacha seasta á sholáthar ag PortingXS in Éirinn.

³⁶ ComReg 18/108 www.comreg.ie/publications

³⁷ ComReg 22/54 www.comreg.ie/publications

SEIRBHÍS UILÍOCH DO CHUMARSÁID LEICTREONACH

Gné lárnach dár gcuid oibre maidir le cosaint tomhaltóirí a chinntiú go mbeidh seirbhís uilíoch cumarsáide leictreonaí ar fáil.

ROCHTAIN AG SUÍOMH SEASTA

I mí Iúil 2016, i ndiaidh sraith comhairliúcháin poiblí, ainmníodh Eir mar an Soláthraí Seirbhíse Uilíche (USP), de réir Rialachán na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) (Seirbhís Uilíoch agus Cearta Úsáideoirí), 2011, chun Rochtain ag Suíomh Seasta (AFL) a sholáthar le haghaidh cúig bliana go dtí an 30 Meitheamh 2021 (D05/16).³⁸ D'iarchuir D05/16 cinneadh críochnaitheach maidir le Cáilíocht Seirbhíse (QoS) ar feitheamh tuilleadh breithniúcháin.

I mí Bealtaine 2021, d'eisigh ComReg dhá chomhairliúchán ³⁹ i ndáil le Rochtain ag Suíomh Seasta. Sonraíodh sa chéad chomhairliúcháin ar marthain réamhthuarimí ComReg maidir le todhchaí AFL. Sonraíodh sa dara chomhairliúchán réamhthuarim ComReg maidir leis an ainmniúchán eatramhach AFL USO chun an t-ainmniúchán reatha maidir le Eir a choimeád, go dtí an 30 Deireadh Fómhair 2021 nó go dtí an dáta a bhfuil cinneadh críochnaitheach déanta ag ComReg maidir leis an ngá a bheidh ann amach anseo USP a ainmniú le haghaidh AFL USO, i ndiaidh breithniú a dhéanamh ar na freagairtí do Chomhairliúchán ar marthain AFL USO, cibé acu is tuisce.

Ar an 30 Meitheamh 2021, d'eisigh ComReg cinneadh ainmniúcháin eatramhaigh⁴⁰ chun Eir a ainmniú, go dtí an 30 Deireadh Fómhair 2021 nó go dtí an dáta a bhfuil cinneadh críochnaithe déanta ag ComReg maidir leis an ngá a bheidh ann amach anseo USP a ainmniú le haghaidh AFL USO.

Is é Eir an Soláthraí Seirbhíse Uilíche (USP) atá ainmnithe faoi láthair don tréimhse idir an 31 Deireadh Fómhair 2021 agus an 30 Meitheamh 2023 do rochtain ag suíomh seasta.

Ceanglaítear ar Eir na seirbhísí seo a leanas a sholáthar faoin USO:

- aon iarratas réasúnach don soláthar ag nasc suímh sheasta chuig an líonra cumarsáide poiblí
- aon iarratas réasúnach ar sheirbhís teileafóin a bheidh ar fáil don phobal thar an nasc líonra a cheadaíonn glaonna náisiúnta agus idirnáisiúnta a dhéanamh agus a fháil
- nasc a sholáthar don líonra cumarsáide poiblí atá in ann tacú le cumarsáid ghutha, facs agus sonraí ag rátaí sonraí atá oiriúnach chun rochtain fheidhmiúil Idirlín a cheadú.

CÁILÍOCHT SEIRBHÍSE NA SEIRBHÍSE UILÍCHE ("QOS")

Tá ComReg den tuairim gur gné thábhachtach de rochtain ag suíomh seasta é QoS. Dá réir sin, tá ComReg den tuairim gur bhfuil sé tábhachtach feidhmíocht QoS a chothabháil agus tá ComReg ag leanúint le monatóireacht a dhéanamh ar fheidhmíocht agus le treochtaí QoS a fhoilsiú. Dheimhnigh Eir go bhfuil sé beartaithe aige leanúint le feidhmíocht QoS a

³⁸ ComReg 16/65 D05/16 www.comreg.ie/publications

³⁹ ComReg 21/51 agus 21/66 www.comreg.ie/publications

⁴⁰ ComReg 21/71 D05/21 www.comreg.ie/publications

chinntiú, agus leanfaidh sé ar aghaidh ag tuairisciú maidir lena fheidhmíocht QoS díreach mar a bhí á dhéanamh aige roimhe seo. Déanfaidh ComReg monatóireacht ar fheidhmíocht QoS ar bhonn leanúnach agus féadfaidh sé idirghabháil a dhéanamh sna cásanna seo a leanas:

- tá na dálaí margaidh athraithe; agus/nó
- tá athruithe ag tarlú mar gheall ar fhorbairtí teicneolaíocha; agus/nó
- tharla imeachtaí a bhfuil tionchar diúltach acu ar cháilíocht seirbhíse líonra copair Eir, sa chás go measann ComReg gur cuí a leithéid a dhéanamh.

D'fhoilsigh ComReg Fógraí Faisnéise Ráithiúla ina léirítear feidhmíocht USO Eir le haghaidh gach tréimhsiúil ráithiúil de 2021 – 2022 mar aon leis an bhfeidhmíocht bhliantúil.

COSTAS USO - IARRATAIS MHAOINITHE USO 2010-2015

In 2011, d'eisigh ComReg Cinneadh ⁴¹ (Doiciméad D04/11 ComReg) faoi na prionsabail agus na modheolaíochtaí atá mar bhonn leis an nglanchostas a bhaineann leis an tseirbhís uilíoch a sholáthar a shoiléiriú. Sholáthair an cinneadh seo an bunús ar a ríomhtar an glanchostas a bhaineann leis an tseirbhís uilíoch a sholáthar agus cuirfidh sé ar chumas ComReg cinneadh a dhéanamh maidir le cibé acu an ionann nó nach ionann an glanchostas, más ann dá leithéid, agus ualach éagórach ar sholáthraí na seirbhíse uilíche.

Chuir ComReg tús le próiseas comhairliúcháin (i Ráithe 4 2017) maidir leis an measúnú a rinneadh ar iarratais Eir ar mhaoiniú le haghaidh na dtréimhsí seo a leanas - 2010-2011, 2011-2012, 2012-2013, 2013-2014 agus 2014-2015, a chuir Eir isteach arís idir Meán Fómhair 2014 agus Márta 2017.⁴²

Ar an 18 Aibreán 2019, i ndiaidh measúnú a dhéanamh ar na hiarratais a fuarthas ó Eir, d'fhoilsigh ComReg na Cinntí seo a leanas:

D05/19 "Measúnú ar Mheasúnú Iarratas Chiste na Seirbhíse Uilíche 2010-2011 Eir ar na nglanchostas agus ar an ualach éagórach don tréimhse 2010-2011"

D06/19 "Measúnú ar Mheasúnú Iarratas Chiste na Seirbhíse Uilíche 2011-2012 Eir ar na nglanchostas agus ar an ualach éagórach don tréimhse 2011-2012"

D07/19 "Measúnú ar Mheasúnú Iarratas Chiste na Seirbhíse Uilíche 2012-2013 Eir ar na nglanchostas agus ar an ualach éagórach don tréimhse 2012-2013"

D08/19 "Measúnú ar Mheasúnú Iarratas Chiste na Seirbhíse Uilíche 2013-2014 Eir ar na nglanchostas agus ar an ualach éagórach don tréimhse 2013-2014"

D09/19 "Measúnú ar Mheasúnú Iarratas Chiste na Seirbhíse Uilíche 2014-2015 Eir ar na nglanchostas agus ar an ualach éagórach don tréimhse 2014-2015"

Cinneadh i gCinneadh ComReg D05/19, don bhliain 2010-2011, go raibh glanchostas dearfach de €7.5m luaite le soláthar Eir don Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir.

Cinneadh i gCinneadh ComReg D06/19, don bhliain 2011-2012, go raibh glanchostas dearfach de €6.7m luaite le soláthar Eir don Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir.

⁴¹ Doiciméad 12/57 D04/11 ComReg www.comreg.ie/publications

⁴² Doiciméad 16/68 ComReg www.comreg.ie/publications

Cinneadh i gCinneadh ComReg D07/19, don bhliain 2012-2013, go raibh glanchostas dearfach de €7.7m luaite le soláthar Eir don Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir.

Cinneadh i gCinneadh ComReg D08/19, don bhliain 2013-2014, go raibh glanchostas dearfach de €9.5m luaite le soláthar Eir don Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir.

Cinneadh i gCinneadh ComReg D09/19, don bhliain 2014-2015, go raibh glanchostas dearfach de €11.5m luaite le soláthar Eir don Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir.

Ar an 15 Bealtaine 2019, rinne Eir achomharc chuig an Ard-Chúirt i gcoinne Chinntí ComReg D05/19; D06/19; D07/19; D08/19 agus D09/19.

Bhí sé beartaithe na himeachtaí a reáchtáil i mí Bealtaine 2020 ach mar gheall ar Covid-19 cuireadh moill ar an gcás go dtí mí Dheireadh Fómhair 2020. Cosnóidh ComReg na himeachtaí atá tionscanta ag Eir go hiomlán.

I ndiaidh éisteacht a reáchtáladh sa Rannán Tráchtála den Ard-Chúirt ar an 6 Samhain 2020, cuireadh fógra faoi bhráid na bpáirtithe ar an 19 Feabhra 2021 maidir le cinneadh na Cúirte an cheist maidir leis an measúnú ar ualach éagórach a atreorú chuig Cúirt Bhreithiúnais an Aontais Eorpaigh ("CBAE") chun críche réamhrialaithe de bhua Airteagal 267 den Chonradh ar Fheidhmiú an Aontais Eorpaigh, agus cuireadh in iúl go mbeadh breithiúnas maidir leis na gceist á eisiúint in am trátha. Sholáthair an Chúirt breithiúnas ar an 14 Bealtaine 2021 ina sonraítear an cheist atá á hatreorú ag an gCúirt chuig CBAE agus na cúiseanna atá leis an atreorú. Tá an breithiúnas seo foilsithe ag an tSeirbhís Chúirteanna. Glacfaidh ComReg páirt iomlán sa phróiseas roimh CBAE.

IARRATAIS MHAOINITHE EIR

Chuir ComReg tús le próiseas comhairliúcháin (i mí Márta 2021) maidir leis an measúnú a rinneadh ar iarratas maoinithe Eir don bhliain 2015-2016.

Chuir Eir in iúl do ComReg go gcoimeádann sé an ceart iarratais ar mhaoiniú USO a dhéanamh le haghaidh na dtréimhsí airgeadais seo a leanas - 2016-2017, 2017-2018, 2018-2019 agus 2019-2020, agus le haghaidh aon iarratas breise a bhíonn dlite roimh do Eir achomharc a dhéanamh ar chinntí ComReg maidir le hiarratas maoinithe a bhaineann le 2010-2011 agus 2014-2015 (Taifead na hArd-Chúirte 2019/167 MCA) (an “Achomharc”).

Chuir ComReg in iúl do Eir nach mór iarratais maoinithe a dhéanamh go tráthúil, i measc rudaí eile, chun aird páirtithe leasmhara a tharraingt ar an gceist agus ar mhéid aon iarratais maoinithe ag an am cuí, agus é mar aidhm cinnteacht áirithe a thabhairt do pháirtithe leasmhara maidir le scála féideartha na ranníocaíochta tionscail má chinntear gurb ionann an glanchostas atá sonraithe in iarratas maoinithe agus ualach éagórach.

Chuir ComReg in iúl do Eir nach nglacann sé leis go bhfuil Eir i dteideal an cinneadh maidir le cathain iarratais maoinithe a dhéanamh in imthosca ina bhfuil D04/11 soiléir chomh fada is a bhaineann le huainiú iarratais maoinithe USP a choimeád go haontaobhach. Níl aon bhonn curtha ag fáil ag Eir do ComReg a chiallaíonn nach féidir leis a iarratais maoinithe a chur ar fáil ar feitheamh thoradh an Achomhairc. Ní mór go mbeadh D04/11 agus na ceanglais atá sonraithe ann i bhfeidhm agus ní iad a chomhlíonadh agus a chur chun feidhme.

Forálann Cinneadh 33 de D04/11 gur féidir le ComReg síneadh a chur le spriocdháta chun iarratas a dhéanamh sa chás go bhfuil cúiseanna eisceachtúla luaite lena leithéid. Níl iarratas foirmiúil déanta ag Eir síneadh a chur leis an spriocdháta atá luaite lena hiarratais maoinithe le haghaidh 2016-2017 agus 2019-2020. Chuir ComReg in iúl do Eir, má dhéanann Eir a leithéid d'iarratais, go mbreithneoidh ComReg aon iarratais dá leithéid agus go ndéanfaidh sé cinneadh maidir leo.

COMHLÍONTACHT AGUS FORFHEIDHMIÚCHÁN

Tá ComReg airdeallach ar an tábhacht a bhaineann lena chinntiú go dtacaítear le cultúr de chomhlíontacht ionas go mbeidh aird á tabhairt ag a soláthraí seirbhíse ar chearta tomhaltóirí. Tá tábhacht ag baint le comhlíontacht agus forfheidhmiúchán éifeachtach sa chomhthéacs seo.

Chomh fada is a bhaineann le cearta tomhaltóirí, tá monatóireacht á déanamh ag ComReg ar chomhlíontacht soláthraithe PRS agus ECS le hoibleagáidí ábhartha lena n-áirítear Cód Cleachtais PRS, na Rialacháin maidir le Seirbhís Uilíoch ⁴³ agus Cinntí ComReg gaolmhara, Na Rialacháin Fánaíochta ⁴⁴, Na Rialacháin maidir le Téarmaí Conartha Éagóracha ⁴⁵ agus na Rialacháin maidir le Faisnéis agus Cealú do Thomhaltóirí. ⁴⁶ Tá Comhaontú um Chomhar bunaithe ag ComReg leis an gCoimisiún um Iomaíocht agus Cosaint Thomhaltóirí (CCPC).

Chomh fada is a bhaineann leis an Rialacháin Fánaíochta athbhreithnithe, déanann ComReg monatóireacht ghníomhach ar conas atá an córas 'Fánaíocht ar Tháillí Baile' á chur chun feidhme ag soláthraithe seirbhíse. Chomh maith leis sin, tá na Rialacháin maidir leis an Idirlíon Oscailte á bhforfheidhmiú ag ComReg. ⁴⁷

CÁSANNA COMHLÍONTACHTA TOMHALTÓIRÍ & TÁTAIL

I mí Lúnasa 2021, thuairiscigh ComReg go raibh pionós luach €21,000 íoctha ag Tesco Mobile Ireland Limited ("Tesco Mobile") i ndiaidh cinneadh a dhéanamh gur theip ar Tesco Mobile conradh ar mheán buanfasach a chur ar fáil dá chustaiméirí "Simply Prepay", contrártha do Rialachán 12 de na Rialacháin maidir le Faisnéis do Thomhaltóirí, agus gur theip ar fhaisnéis a sholáthar dá chustaiméirí reatha a d'athraigh chuig an bplean "Simply Prepay" maidir lena gceart cealúcháin agus leis an bhfoirm chealúcháin ábhartha contrártha do Rialachán 10 de na Rialacháin maidir le Faisnéis do Thomhaltóirí. Chomh maith leis sin, thug Tesco Mobile gealltanais maidir leis an méid seo a leanas (a) deimhniú aonair maidir lena gconradh a sheoladh ar mheán buanfasach chuig gach custaiméirí gníomhach a bhí ag baint tairbhe as an tairiscint "Simply Prepay"; (b) gach beart riachtanach a chur i gcrích d'fhonn a chinntiú go raibh Rialachán 10(1) agus Rialachán 12 de na Rialacháin maidir le Faisnéis do Thomhaltóirí á gcomhlíonadh; (c) an t-ioncam a mheastar a cailleadh (€83,894.46) a aisíoc leis na custaiméirí a raibh an tionchar is suntasaí aige seo orthu, eadhon 12,773 custaiméir a raibh an tairiscint athghníomhachtaithe acu de thaisme roimh an tréimhse éaga 28 lá agus (d) deimhniú a thabhairt do ComReg go bhfuil na bearta riachtanacha curtha i gcrích aige d'fhonn a chinntiú nach dtarlaíonn an rud céanna arís.

⁴³ Rialacháin na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) maidir le Seirbhís Uilíoch agus Cearta Úsáideoirí, 2011.

⁴⁴ I.R. 228/2013 – Rialacháin Chumarsáide (Fánaíocht Fón Póca), 2013.
RIALACHÁN (AE) Uimh. 531/2012 Ó PHARLAIMINT NA HEORPA AGUS ÓN GCOMHAIRLE an 13 Meitheamh 2012 maidir le fánaíocht ar líonraí cumarsáide móibíleacha poiblí laistigh den Aontas.

⁴⁵ I.R. 27/1995 – Rialacháin na gComhphobal Eorpach (Téarmaí Éagóracha) i gConarthaí Thomhaltóirí, 1995
I.R. 336/2014 – Rialacháin na Comhphobal Eorpach (Téarmaí Éagóracha i gConarthaí Thomhaltóirí) (Leasú), 2014.
I.R. Uimh. 160/2013 - Rialacháin na gComhphobal Eorpach (Téarmaí Éagóracha i gConarthaí Thomhaltóirí) (Leasú), 2013.

⁴⁶ I.R. Uimh. 484/2013 Rialacháin an Aontais Eorpaigh (Faisnéis do Thomhaltóirí, Cealú agus Cearta Eile), 2013 I.R. Uimh. 250/2014 Rialacháin an Aontais Eorpaigh (Faisnéis do Thomhaltóirí, Cealú agus Cearta Eile) (Leasú), 2014.

⁴⁷ Rialachán (AE) 2015/2120 ó Pharlaimint na hEorpa agus ón gComhairle an 25 Samhain 2015.

COMHLÍONTACHT AGUS FORFHEIDHMIÚCHÁN

Ar an 2 Mheán Fómhair 2021, d'éist Cúirt Dúiche Bhaile Átha Cliath le cúig chás a bhí tionscanta ag ComReg i gcoinne Meteor Mobile Communications Limited (ag trádáil mar "GoMo") a bhain le cúig chúiseamh d'uimhreacha fóin phóca custaiméirí a bheith á bportáil go mícheart. Tugadh na hionchúisimh faoi Rialachán 25(4) de na Rialacháin maidir le Seirbhís Uilíoch. Bhain an cheist le seirbhís mhóibíleach nua a bheith seolta, GoMo, agus leis na fadhbanna portaithe a bhí ag custaiméirí i rith na tréimhse sin. Bhí na gearáin a rinne custaiméirí bunaithe ar an méid seo a leanas: (a) a bheith gan seirbhís nó gan ach páirtseirbhís a bheith ar fáil; (b) seirbhís a bheith ar fáil ach ní custaiméirí ina ann a uimhir féin a úsáid; (c) seirbhís a bheith ar fáil ach b'éigean uimhir duine éigin eile a úsáid (rud ba chúis le glaonna agus téacsanna duine éigin eile a bheith á bhfáil ag an gcustaiméir); nó (d) seirbhís a bheith ar fáil ach bhí uimhir an chustaiméara in úsáid ag duine éigin eile (rud a chiallaigh go raibh glaonna agus téacsanna duine éigin eile á bhfáil ag an gcustaiméir). Sa chúirt, (a) phléadail GoMo ciontach do 5 chúiseamh ina choinne; (b) d'fhorchuir an Breitheamh Halpin ciontuithe coiriúla le haghaidh gach ceann den 5 chúiseamh agus ordaíodh do GoMo féineálacha iomlána luach €5,000 a íoc; agus (c) d'íoc GoMo méid comhaontaithe le ComReg trí ranníocaíocht a sholáthar do chostais dhlíthiúla ComReg.

Ar an 14 Mheán Fómhair 2021, d'éist Cúirt Dúiche Bhaile Átha Cliath 7 gcás a thionscnain ComReg i gcoinne Vodafone a bhain le 14 chúiseamh gur theip ar Vodafone Cód Cleachtais a chur chun feidhme a bhí riachtanach agus gur theip air admháil maidir leis an ngearán a sholáthar a d'áireofaí ann uimhir thagartha gearáin do chustaiméirí laistigh de 2 lá oibre. Tionscnaíodh na hionchúisimh faoi Rialachán 27(1) agus Rialachán 27(2) de na Rialacháin maidir le Seirbhís Uilíoch. In 2020, fuair ComReg roinnt teagmhálacha ón chustaiméirí Vodafone inar sonraíodh nach raibh siad in ann gearán a dhéanamh le Vodafone de réir Rialachán 27(1) agus Cinneadh ComReg D04/17.⁴⁸ Phléadail Vodafone ciontach don seacht gcúiseamh a thionscain ComReg. Nuair a bhí an tAcht Promhaidh á chur i bhfeidhm, d'ordaigh an Breitheamh Halpin do Vodafone €10,000 a thabhairt do charthanas faoin 7 Deireadh Fómhair 2021. Chomh maith leis sin, chabhraigh Vodafone le costais ComReg a ghlanadh, bunaithe ar chomhaontú idir na páirtithe.

I mí Dheireadh Fómhair 2021, thug ComReg le fios go raibh sé den Tuairim nach raibh forálacha ábhartha na Rialachán maidir le Seirbhís Uilíoch agus Cinneadh ComReg D13/12 á gcomhlíonadh.⁴⁹ Tugadh é sin le fios i ndiaidh Fógra maidir le Neamhchomhlíonadh a bheith eisithe chuig Virgin Media i mí Eanáir 2020 a bhain le roinnt Fógraí maidir le hAthrú Conartha (CCNanna) a bheith eisithe ag Virgin dá chustaiméirí in 2017, 2018 agus 2019, ar theip orthu Rialachán 14(4) agus Rialachán (6) de na Rialacháin maidir le Seirbhís Uilíoch agus Cinneadh ComReg D13/12 a chomhlíonadh. Ina fhreagra ar an bhFógra, tagairt Virgin Media do bhearta feabhais áirithe agus do ghealltanais eile chun an méid seo a leanas a chosc: (a) ní airbheartófar tréimhse fógra 30 lá a fhorchur i bhFógraí maidir le hAthrú Conartha; (b) ceadófar do chustaiméir a c(h)onradh a aistarraingt go héasca rud a chiallaíonn gur féidir le custaiméir teagmháil a dhéanamh le gníomhaire trí ghlaó teileafóin chun críche a c(h)onradh a chealú gan aon mhoill mhíreásúnach agus gan gá a bheith le páirt a ghlacadh in aon iarrachtaí díolacháin ón ngníomhaire mura dtoilítear roimh ré dá leithéid; (c) bearta a chur chun feidhme d'fhonn a chinntiú go soiléirítear i bhFógraí maidir le hathrú conartha a dhéantar amach anseo gur féidir leis an gcustaiméir aistarraingt ón gconradh, más mian leis/léi, suas go dtí an dáta éifeachtach; (d) leanúint ar aghaidh le hathbhreithniú a dhéanamh ar an bhformáid agus ar a ord ina bhfuil faisnéis maidir le CCN

⁴⁸ ComReg 17/62 www.comreg.ie/publications

⁴⁹ ComReg 12/128 www.comreg.ie/publications

á soláthar, agus a chinntiú go áirithe, go seachnaíonn gach CCN aon mhearbhall féideartha maidir le hordú nó suntasach na faisnéise ábhartha ar fad; agus (e) an treoir agus na cúrsaí oiliúna tá á gcur ar fáil d'fhoireann an lárionaid glaonna a nuashonrú chomh fada is a bhaineann leis an nós imeachta cealaithe do chustaiméirí ar mian a gconradh a chealú de bhun CCN. I ndiaidh breithniú a dhéanamh ar fhreagra Virgin agus ar na réitigh molta agus ar na gealltanais tugtha, bhí ComReg den Tuairim nach raibh na forálacha ábhartha de na Rialacháin maidir le Seirbhís Uilíoch agus Cinneadh ComReg D13/12 á gcomhlíonadh ag Virgin ach tugadh faoi deara nach raibh sé beartaithe aige aon ghníomh breise a dhéanamh maidir leis an gceist seo.

Ar an 18 Deireadh Fómhair 2021, d'fhoilsigh ComReg Fógra Faisnéise maidir le haisíocaíocht a rinne Tesco Mobile cothrom le níos mó ná €380,000 i bhfoirm "Muirir larchealaithe". Bunaithe ar a thionscnamh féin, rinne Tesco Mobile athbhreithniú ar a chóras billeála chun cinneadh a dhéanamh maidir le cibé acu an raibh nó nach raibh a chustaiméirí á muirearú le haghaidh seirbhísí nár bhain le cealú a gconarthaí, an rud ar a dtugtar "Muirir larchealaithe". Rinneadh é seo de bhun chinneadh ComReg Fógra Faisnéise a fhoilsiú i mí na Nollag 2020 (ComReg 20/123R ⁵⁰) inar sonraíodh toradh imscrúdú a rinne ComReg ar Virgin Media Ireland Limited' ("Virgin Media") agus ar an nós a bhí aige custaiméirí a mhuirearú le haghaidh seirbhíse sa bhreis ar chealú a gconarthaí ar a dtugtar "Muirir larchealaithe". Ag an am, seachas na Muirir larchealaithe a aisíoc is custaiméirí ar bhonn réamhghníomhach, choimeád Virgin Media an t-airgead seo mar chreidmheasanna ar chuntais neamhghníomhacha agus níor eisigh sé aisíocaíocht ach amháin má lorg custaiméir aisíocaíocht. Mar thoradh ar an athbhreithniú, i mí Bealtaine 2021, chuir Tesco Mobile in iúl do ComReg go raibh tionchar ag muirearú na Muirear larchealaithe luach €388,000 ar 27,500 custaiméir. Gheall Tesco Mobile gach custaiméir a aisíoc.

Ar an 23 Meán Fómhair 2021, chuir ComReg in iúl do Virgin Media go raibh fógra bunaidh leasaithe aige, fógra a bhain le neamhchomhlíonadh a eisíodh chuig Virgin Media ar an 29 Márta 2021. Rinneadh an fógra leasaithe maidir le neamhchomhlíonadh de réir Rialachán 31(4) de na Rialacháin maidir le Seirbhís Uilíoch agus cuireadh in iúl do Virgin nár chomhlíon sé na hoibleagáidí a bhí sonraithe i Rialachán 25(6)(b) de na Rialacháin maidir le Seirbhís Uilíoch de bhrí gur theip air a chinntiú nach ionann a choinníollacha agus nósanna imeachta chun conradh a fhoirceannadh agus dídhreasacht do thomhaltóir chun soláthraí seirbhíse a athrú. Seo a leanas na coinníollacha agus na nósanna imeachta le haghaidh foirceannadh conartha a fheidhmíonn mar dhídhreasacht do thomhaltóir atá ag iarraidh a s(h)oláthraí seirbhíse a athrú: (a) na coinníollacha agus na nósanna imeachta chun conradh a chealú a bhí mar chúis le glaoch a bheith á chur ag formhór na gcustaiméirí ar an uimhir 1908 chun a gconradh a chealú; (b) an nós imeachta a bhain le "Sábháil Gníomhaíocht" ar ghlaonna 1908 nuair a rinne custaiméirí iarracht a gconradh a chealú; agus (c) forchur tréimhse fógartha 30-lá ar chustaiméirí a bhí ag iarraidh a soláthraithe ECS a athrú. Cuireadh in iúl do Virgin Media nár mhór dó a thuairimí a chur in iúl roimh an 22 Deireadh Fómhair 2021.

Ar an 18 Samhain 2021, chuir ComReg in iúl do Vodafone, atá ag trádáil mar Clear Mobile, gur tugadh faoi deara nach raibh oibleagáidí Vodafone faoi Chinneadh ComReg D05/071 agus Cinneadh ComReg D01/092 á gcomhlíonadh. Rinneadh an fógra maidir le neamhchomhlíonadh de réir Rialachán 31 de na Rialacháin maidir le Seirbhís Uilíoch agus cuireadh in iúl do Vodafone go raibh cinneadh déanta maidir le Clear Mobile - nach raibh na hoibleagáidí atá leagtha amach i gCinneadh ComReg D05/07 ⁵¹ agus D01/09 ⁵² á gcomhlíonadh aige de bhrí go raibh muirear míosúil díreach forchurtha go héifeachtach

⁵⁰ ComReg 20/123R www.comreg.ie/publications

⁵¹ Cinneadh ComReg D05/07 www.comreg.ie/publications

⁵² Cinneadh ComReg D01/09 www.comreg.ie/publications

aige ar chustaiméirí áirithe chun a n-uimhir a phortáil go dtí Clear Mobile. Bhí go dtí an 20 Nollaig 2021 ag Vodafone chun gníomhaíocht cheartaitheach shonrach a dhéanamh i ndáil lena neamhchomhlíonadh agus chun a thuairimí maidir leis an bhfógra a shonrú.

Ar an 9 Nollaig 2021, d'éist Cúirt Dúiche Bhaile Átha Cliath dhá thoghairm eisithe ag ComReg i gcoinne Vodafone i ndáil le cúiseamh amháin maidir le gach toghairm gur theip ar Vodafone a chinntiú nach bhfeidhmíonn coinníollacha agus nósanna imeachta chun conradh a fhoirceannadh mar dhídhreasacht do thomhaltóir ar mian leis/léi a s(h)oláthraí seirbhíse a athrú. Bhí ComReg den tuairim gurb ionann an mhoill a d'eascair as teip Vodafone cód díghlasála dá ngléas cinn móibíleach a chur ar fáil dá gcustaiméirí (Cód Rochtana Líonra nó "NAC") go tráthúil mar dhídhreasacht chun aistriú chuig soláthraí seirbhíse eile. Rinneadh na hionchúisimh faoi Rialachán 25(6) de na Rialacháin maidir le Seirbhís Uilíoch. Ag deireadh 2020 agus ag tús 2021, fuair ComReg roinnt teagmhálacha ó chustaiméirí Vodafone agus thug sé faoi deara gur chosúil go raibh roinnt custaiméirí ag déileáil le moill shuntasach, a mhair cúpla seachtain, i ndáil lena NAC a fháil ó Vodafone. I ndiaidh athbhreithniú a dhéanamh ar ghearáin ábhartha ó chustaiméirí, chuir ComReg tús le himscrúdú. Mar thoradh ar an imscrúdú seo, thionscain ComReg ionchúisimh sa Chúirt Dúiche i gcoinne Vodafone le haghaidh sárúithe ar Rialachán 25(6) de bhrí gur theip ar Vodafone an NAC a sholáthar go tráthúil agus gurb ionann é seo agus dídhreasacht do na custaiméirí a bhí ag iarraidh a soláthraithe seirbhíse a athrú. Phléadail Vodafone ciontach sa dá chúiseamh maidir leis an dá thoghairm os comhair na Cúirte. D'fhorchuir an Breitheamh Halpin ciontuithe coiriúla le gach cúiseamh agus d'ordaigh sé do Vodafone fineálacha luach €3,000 a íoc. Chomh maith leis sin, chabhraigh Vodafone le costais ComReg a ghlanadh, bunaithe ar chomhaontú idir na páirtithe.

Chomh maith leis sin, ar an 9 Nollaig 2021, d'éist Cúirt Dúiche Bhaile Átha Cliath 5 thoghairm a d'eisigh ComReg i gcoinne Vodafone a bhain le 10 gcúiseamh gur theip ar Vodafone, laistigh de na hamfhrámaí sainordaithe ag Rialachán 25(4) de na Rialacháin maidir le Seirbhís Uilíoch, a fhorálann go gceanglaítear ar Sholáthraí Seirbhís uimhir chustaiméara a phortáil nuair a iarrann an custaiméir, laistigh d'amframa sonraithe. Ag deireadh 2020 agus ag tús 2021, fuair ComReg roinnt teagmhálacha ó chustaiméirí Vodafone agus thug sé faoi deara gur chosúil go raibh roinnt custaiméirí ag déileáil le moill shuntasach, a mhair cúpla seachtain, i ndáil le huimhir a líne thalún a bheith á portáil go Vodafone. I ndiaidh athbhreithniú a dhéanamh ar na gearáin ábhartha ó chustaiméirí, chuir ComReg tús le himscrúdú arb é an toradh a bhí air gur thionscain ComReg ionchúisimh sa Chúirt Dúiche i gcoinne Vodafone i ndáil le sárúithe ar Rialachán 25(4) de bhrí gur theip ar Vodafone línte talún na gcustaiméirí ábhartha a phortáil laistigh de na hamfhrámaí sonraithe. Phléadail Vodafone ciontach sa dá chúiseamh maidir leis an gcúig thoghairm os comhair na Cúirte. D'fhorchuir an Breitheamh Halpin ciontuithe coiriúla le haghaidh cúiseamh amháin de gach ceann den chúig thoghairm agus ordaíodh do Vodafone fineálacha luach €10,000 a íoc, agus breithníodh an dara cúiseamh den chúig thoghairm. Chomh maith leis sin, chabhraigh Vodafone le costais ComReg a ghlanadh, bunaithe ar chomhaontú idir na páirtithe.

Ar an 21 Nollaig 2021, d'fhógair ComReg go raibh clabhsúr curtha aige le himscrúdú ar Three a bhain le hAlt 3.2 agus Alt 3.18 den Chód Cleachtais maidir le Seirbhísí Ardráta ("Cód Cleachtais PRS") agus ceadúnais PRS gan a bheith á gcomhlíonadh. Foráiltear sna hait sin faoi seach go raibh an "PRS a cuireadh ar fáil... faoin gcáilíocht theicniúil a mbeifí ag súil léi" agus "ní féidir úsáideoirí deiridh a mhuirearú i ndáil le PRS, nó codanna den PRS sin, nár cuireadh ar fáil." Seoladh fógra chuig Three i ndáil leis an bhfógra maidir le neamhchomhlíonadh ar an 15 Márta 2021. Tharraing ComReg aird ar na gealltanais a thug Three an neamh-chomhlíonadh a réiteach agus sonraíodh gur mheas sé go

raibh na gealltanais seo oiriúnach. Chomh maith leis sin, thug ComReg faoi deara gur fhorghníomhaigh Three aisíocaíochtaí luach €738,789 chuig thart ar 21,000 custaiméir ábhartha.

Ar an 14 Márta 2022, thuairiscigh ComReg ar ghníomhaíochtaí leantacha a bhain leis an bhFógra maidir le Neamhchomhlíonadh a cuireadh faoi bhráid Vodafone ar an 18 Samhain 2021. Tarraingíodh aird i bhfreagra Vodafone ar bhearta feabhais áirithe agus ar ghealltanais eile. Achoimre: (a) Ní fhorchuirfidh Vodafone muirear díreach ná aon difríocht phraghais ar aon chustaiméir ar mian leis/léi a (h)uimhir theileafóin a phortáil seachas custaiméir nach bhfuil a (h)uimhir á p(h)ortáil aige/aici; (b) beidh an cumas ag Vodafone lascaine phromóisin a thairiscint do chustaiméirí atá ag athrú ó sholáthraí seirbhíse amháin go soláthraí seirbhíse eile ó líonraí áirithe seachas a chéile ach ní thobheofar muirir bhreise ar chustaiméir mar thoradh ar iarratas uimhir a phortáil; agus (c) déanfaidh Vodafone teagmháil le agus tairgeoidh sé lascaine d'aon chustaiméirí a d'íoc idir €12.99 agus €14.99 don tairiscint atá faoi réir an cháis seo. Dheimhnigh Vodafone go bhfuil teagmháil déanta aige leis na custaiméirí ábhartha agus go bhfuil aisíocaíocht curtha ar fáil dóibh. I ndiaidh breithniú a dhéanamh ar fhreagra Vodafone agus ar na feabhsuithe molta agus ar na gealltanais a tugadh, bhí ComReg den Tuairim nár chomhlíon Vodafone forálacha ábhartha Chinneadh ComReg D05/07 agus Cinneadh ComReg D01/09.

Ar an 24 Márta 2022, thuairiscigh ComReg i ndiaidh athbhreithniú a rinne ComReg, go raibh athbhreithniú déanta ag ComReg ar a chóras billeála chun cinneadh a dhéanamh maidir le cibé acu an raibh nó nach raibh a chustaiméirí á muirearú le haghaidh seirbhísí nár bhain le cealú a gconarthaí, an rud ar a dtugtar "Muirir larchealaithe". Seachas na Muirir larchealaithe a aisíoc le custaiméirí ar bhonn réamhghníomhach, choimeád Three na muirir mar chreidmheasanna ar chuntais neamhghníomhacha agus níor eisigh sé aisíocaíocht ach amháin má lorg custaiméir aisíocaíocht. Chomh maith leis sin, shainaithin Three go raibh cineálacha eile creidmheasanna ag custaiméirí, nár bhain le Muirir larchealaithe, ar a gcuntais neamhghníomhacha, nach raibh éilithe ná aisíoctha go réamhghníomhach ag Three, i ndiaidh a gconradh seirbhísí le Three a chealú. Mar thoradh ar an athbhreithniú, mhol Three do ComReg i mí Eanáir 2022 go raibh tionchar ag muirearú na Muirear larchealaithe agus creidmheasanna fágtha ar chuntais neamhghníomhacha ar bhreis is 173,000 custaiméir. Dheimhnigh Three go mbeadh aisíocaíochtaí luach €1.28 milliún de Muirir larchealaithe á gcur ar fáil do chustaiméirí; agus €1.4 milliún le haghaidh creidmheasanna eile a bhí fágtha ar chuntais neamhghníomhacha.

Bhí formhór na gcustaiméirí ag súil le haisíocaíocht a fháil trí Ríomhaistriú Airgid (EFT) agus bhí sé beartaithe na haisíocaíochtaí a eisiúint ó Mhárta 2022 agus ba é an aidhm a bhí ann go mbeadh aisíocaíocht faighte ag gach custaiméirí faoi Mheán Fómhair 2022. Dheimhnigh Three nach mbeidh creidmheasanna á bhfágáil ar chuntais neamhghníomhacha amach anseo agus n-aisíocfaidh Three a leithéid de chreidmheasanna lena chustaiméirí ar bhonn réamhghníomhach.

Ar an 28 Aibreán 2022, d'fhógair ComReg go raibh aisíocaíochtaí luach €334,970 curtha ar fáil ag Three do chustaiméirí agus go raibh €30,000 íoctha aige le ComReg de bhua Alt 44(1) d'Acht um Rialáil Cumarsáide, 2002 (arna leasú) ("an tAcht") in ionad ionchúisimh. Tharla sé seo ar scór imscrúdú a rinne ComReg ba chúis leis an gcinneadh gur ghearr Three praghas ró-ard ar a chustaiméirí nuair a bhí siad ag fánaíocht contrártha d'Alt 45 (1) (a) den Acht. Chinn ComReg gur ghearr Three táille ró-ard ar 29,000 custaiméirí sa tréimhse idir Iúil 2019 agus Nollaig 2021. Ina dhiaidh sin, d'aisíoc Three gach custaiméir ábhartha agus ba é €334,970 an luach a bhí luaite leis na haisíocaíochtaí. Gearradh táillí ró-ard ar chustaiméirí a ghlaoigh ar uimhir áitiúil fad is a bhí siad ag fánaíocht agus nár úsáid an réamhuimhir

idirnáisiúnta 00 nuair a bhí an uimhir áitiúil á diailiú. Sna cásanna sin, mhuirearaigh Three an custaiméir, go mícheart, as glaoch ar thír le cód cosúil leis na chéad 3 dhigit den uimhir áitiúil, seachas an custaiméir a mhuirearú do chostas glao áitiúil. D'eisigh ComReg 20 Fógra, de bhua Alt 44 den Acht. D'íoc Three €30,000 le ComReg le haghaidh 20 Fógra agus dheimhnigh sé go raibh an fhadhb bhilleála ceartaithe ó Eanáir 2022

5. Rialachán Poist

Is é ComReg an t-údarás rialála don earnáil poist in Éirinn. Is ról ComReg chomh fada is a bhaineann le rialachán poist bunaithe ar Threoir Eorpach atá trasuite i ndlí Éireannach. Is é an aidhm atá le feidhmeanna reachtúla ComReg an méid seo a leanas a chinntiú:

- tá seirbhís poist uilíoch á soláthar a chomhlíonann riachtanais réasúnacha úsáideoirí seirbhísí poist
- tá oibleagáidí atá forchurtha orthu á gcomhlíonadh ag soláthraithe seirbhísí poist.
- **Is iad seo a leanas cuspóirí reachtúla ComReg:**
- tacú le forbairt na hearnála poist agus, go háirithe infhaighteacht seirbhís poist uilíoch laistigh de, chuig agus ón Stát ag praghas inacmhainne a théann chun tairbhe gach úsáideora
- tacú le leasanna úsáideoirí seirbhísí poist
- forbairt iomaíochta agus nuálaíochta sa mhargadh a éascú chun seirbhís poist a sholáthar.

AN TSEIRBHÍS POIST UILÍOCH A RIALÚ

Baineann ról ComReg i ndáil le cúrsaí poist leis an tseirbhís poist uilíoch a rialú, tacar seirbhísí poist nach bhfuil ach iomaíocht theoranta luaite leo. Mura bhfuil iomaíocht éifeachtach ann, cinntíonn rialáil na seirbhíse poist uilíoch, go bhfuil seirbhísí poist sonracha á gcur ar fáil do chách, ag praghas inacmhainne agus ag leibhéal cáilíochta oiriúnach. Is foirm chosanta d'úsáideoirí seirbhísí poist é an tseirbhís poist uilíoch, go háirithe úsáideoirí leochaileacha agus úsáideoirí atá faoi mhíbhuntáiste digiteach.

Ciallaíonn an tseirbhís poist uilíoch a cheanglaítear de réir dhlí na hÉireann, ar gach lá oibre, go bhfuil imréiteach amháin agus seachadadh amháin ar a laghad chuig baile nó áitreabh gach duine sa Stát. Sonraítear i ndlí na hÉireann rialachán na seirbhíse poist uilíoch agus tá An Post ainmnithe mar sholáthraí seirbhísí poist uilíoch ("USP"), chun an tseirbhís poist uilíoch a sholáthar go dtí an 1 Lúnasa 2023.

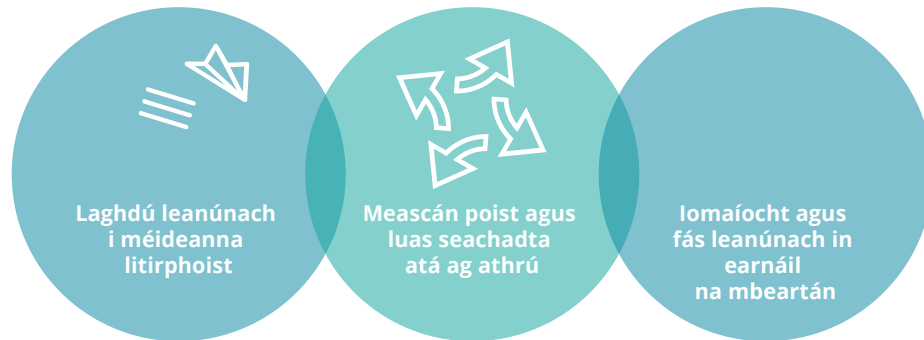
In Éirinn is éard atá i gceist leis an tseirbhís poist uilíoch, den chuid is mó, litreacha a sheachadadh chuig daoine aonair agus gnóthaí. Ní dhéileáiltear le mórán beartán sa tseirbhís poist uilíoch, de bhrí gur ar bhonn tráchtála atá formhór na mbeartán á seachadadh agus go bhfuil go leor oibrítheoirí éagsúla beartán in Éirinn.

DÍOSPÓIDÍ TOMHALTÓIRÍ A RÉITEACH

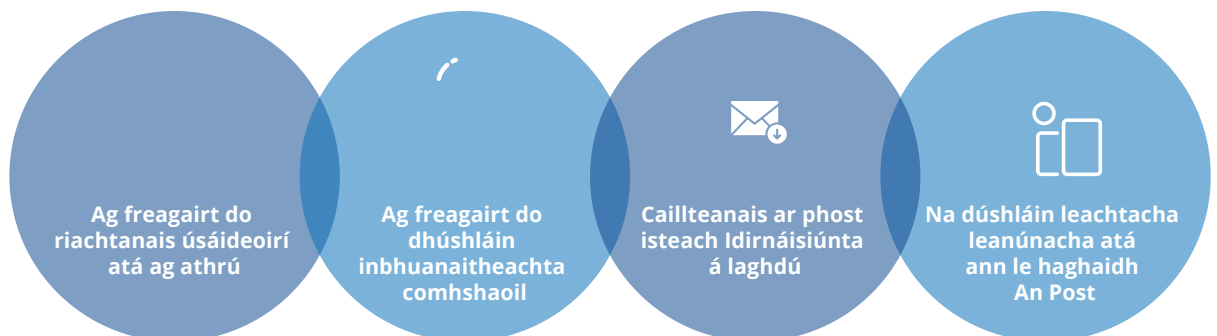
Tá ról a bhaineann le réiteach díospóidí tomhaltóirí ag ComReg freisin le haghaidh gach soláthraí seirbhísí poist. Ciallaíonn sé sin mura bhfuil úsáideoir seirbhísí poist sásta leis na céimeanna ar fad atá curtha i gcrích ag soláthraí seirbhísí poist chun an gearán a réiteach, gur féidir le ComReg cabhrú chun an díospóid a réiteach. Lean ComReg lena leithéid de dhíospóidí a réiteach i rith na bliana.

RÁITEAS STRAITÉISE POIST 2022 – 2024

I rith na bliana, shonraigh ComReg, i ndiaidh Gairm ar Ionchuir agus comhairliúcháin phoiblí, a straitéis do rialáil poist don tréimhse 2022-2024⁵³. Nuair a bhí an straitéis do rialáil poist á sonrú, shainaithin ComReg trí phríomhthreocht atá á múnú aige, agus ar dócha a bheidh á múnú aige, san earnáil poist:



Bunaithe ar na trí phríomhthreocht seo agus ar fhachtóirí eile, shainaithníomar na ceithre phríomhdhúshlán seo a leanas:



Éilíonn na treochtaí agus na dúshlán go mbeidh gníomh á dhéanamh ag roinnt páirtithe difriúla. Sa chás go bhfuil ról ag ComReg i ndéileáil leis na dúshlán seo, bhreithníomar an méid sin le linn dúinn ár gcuspóirí straitéiseacha a fhorbairt mar seo a leanas:



Cuspóir Straitéiseach 1:

Seirbhís uilíoch poist a chinntiú

Is ann do sheirbhís uilíoch poist a chomhlíonann riachtanais réasúnta úsáideoirí na seirbhíse poist

Spriocanna straitéiseacha:

- Sprioc 1** → Seirbhís uilíoch poist a chomhlíonann riachtanais réasúnta úsáideoirí na seirbhíse poist a chinntiú
- Sprioc 2** → Ainmniú soláthróirí seirbhíse uilíche poist a mheas
- Sprioc 3** → Monatóireacht a dhéanamh ar chomhlíontacht le riachtanais na seirbhíse uilíche poist



Cuspóir Straitéiseach 2:

Leasanna úsáideoirí na seirbhíse poist a chur chun cinn

Is féidir le húsáideoirí na seirbhíse poist seirbhísí poist a roghnú agus a úsáid le muinín

Spriocanna straitéiseacha:

- Sprioc 4** → Úsáideoirí na seirbhíse poist a chumhachtú trí infhaighteacht na faisnéise cruinne agus iomchuí a chinntiú
- Sprioc 5** → Úsáideoirí na seirbhíse poist a chosaint trí infhaighteacht na ngearán agus na nósanna imeachta cúitimh a chinntiú
- Sprioc 6** → Dul i dteagmháil le grúpaí leasa tomhaltóirí



Cuspóir Straitéiseach 3:

Forbairt na hearnála poist a chur chun cinn

Earnáil poist a sholáthraíonn seirbhísí, nuálaíocht agus rogha ar ardchaighdeán

Spriocanna straitéiseacha:

- Sprioc 7** → Forbairt na hearnála poist a chur chun cinn trí thaighde, sonraí agus faisnéis a sholáthar
- Sprioc 8** → Forbairt na hearnála poist a éascú trínár sainchúram dlíthiúil a sheachadadh
- Sprioc 9** → Forbairt na hearnála poist a éascú trí shainchúraimí eile a bhfuil tionchar acu ar earnáil an phoist a mheas

RIALÚ BEARTÁN TRASTEORANN

Faoi Rialachán an AE maidir le seirbhísí seachadta beartán trasteorann, tá ceanglas ar ComReg measúnú a dhéanamh ar cibé acu atá nó nach bhfuil taraifí beartán aonair trasteorann An Post (atá ainmnithe mar USP) laistigh den AE ag leibhéal míreásúnach ard agus measúnú a chur faoi bhráid an Choimisiúin Eorpaigh. Sa mheasúnú a rinne ComReg in 2021⁵⁴ tugadh le fios go raibh na taraifí USP ag leibhéal míreásúnach ard. Ina dhiaidh sin, i Márta 2022, bhí an USP mar bhonn leis na taraifí seo a laghdú.

RIALACHÁN CÁILÍOCHT USP DO SHEIRBHÍSÍ POIST UILÍOCHA

Ceanglaítear de réir dlí ar ComReg caighdeáin maidir le cáilíocht seirbhíse don tseirbhís poist uilíoch a shonrú. Chomh maith leis sin, ceanglaítear ar ComReg faireachán a dhéanamh ar an tslí a bhfuil na caighdeáin maidir le cáilíocht seirbhíse á gcomhlíonadh ag an USP, An Post, agus tuarascáil bhliantúil bunaithe ar thorthaí a hiarrachtaí faireacháin a fhoilsiú. Cuirfear an méid seo a leanas i gcrích thar bhliain féilire iomlán 2021.⁵⁵

- Sheachaid An Post, ina ról mar USP, 84% de phost tosaíochta na seirbhíse poist uilíoch ar fud an Stáit ar an gcéad lá oibre eile i ndiaidh an lae postála. Is ionann toradh 2021 agus méadú beag de 2% i gcomparáid le toradh 2020. Tá an fheidhmíocht 10% faoi bhun an chaighdeáin rialála, 94%, áfach.
- Sheachaid An Post, an USP, 98.2% de phost tosaíochta na seirbhíse poist uilíoch laistigh de thrí lá i ndiaidh an lae postála, figiúr a bhí beagán níos airde ná toradh 2020 (97.4%), ach atá fós faoi bhun an chaighdeáin rialála 99.5%.

SUIRBHÉ POIST

I mí Dheireadh Fómhair 2021, choimisiúnaigh agus d'fhoilsigh ComReg suirbhé maidir le riachtanais úsáideoirí seirbhísí poist in Éirinn.⁵⁶

Áirítear i measc na mbuaicphointí:

- Tá cúrsaí poist an-tábhachtach, thug 7 as gach 10 le fios gur dóigh leo go mbaineann tábhacht le seachadadh laethúil poist, agus ardaíonn an figiúr seo go dtí 8 as gach 10 nuair is post beartán atá i gceist.
- Chomh maith leis sin, thug 7 as gach 10 le fios go mbaineann tábhacht le seachadadh litreacha an lá dár gcionn, agus tá tuairim mórán mar an gcéanna ag gach 2 as 3 maidir le seachadadh post beartán an lá dár gcionn.
- Tá formhór na daoine den tuairim (6 as 10) gur amlíne réasúnach chun litreacha a sheachadadh é dhá lá oibre i ndiaidh litir a sheoladh.
- Síleann 9 as 10 gur cheart go mbeadh an costas a bhaineann le litreacha agus beartáin a sheoladh inacmhainne.

⁵⁴ ComReg 21/137 www.comreg.ie/publications

⁵⁵ ComReg 22/69a www.comreg.ie/publications

⁵⁶ ComReg 21/100a www.comreg.ie/publications

6.

Creat Margaidh

BAINISTIÚ ACMHAINN AN SPEICTRIM RAIDIÓ

Tagraíonn speictream raidió, nó speictream, do raon sonrach minicíochtaí d'fhuinneamh leictreamaighnéadach a úsáid chun faisnéis a roinnt. Braitheann feidhmeanna atá tábhachtach don tsochaí, cosúil le craoladh raidió agus teilifíse, eitlíocht shibhialta, satailítí, cosaint agus seirbhísí éigeandála, ar leithdháiltí sonracha de mhinicíocht raidió. Is acmhainn náisiúnta luachmhar atá ann sa mhéid is go dtacaíonn sí le go leor de na seirbhísí cumarsáide sa Stát. Braitheann go leor seirbhísí ar nascacht gan sreang mar chuid den chnámh droma a nascann na stáisiúin bhunáite mhóibíleacha, a sholáthraíonn fothaí do tharchuradóirí craolta agus naisc theiliméadrachta a éascaíonn faireachán a dhéanamh ar threalamh cianda e.g. leibhéil uisce agus stádas claochladán cumhachta.

Ó tharla gurb é ComReg an t-údarás atá freagrach as acmhainn an speictrim raidió a bhainistiú in Éirinn, tá sé freagrach as bainistiú éifeachtach agus úsáid éifeachtúil an speictrim raidió a chinntiú. Is ról tábhachtach é seo de bhrí go n-úsáidtear minicíochtaí raidió chun raon leathan líonraí cumarsáide, seirbhísí agus feidhmeanna a sholáthar a théann chun tairbhe na sochaí.

Tá an luach a bhaineann le líonraí gan sreang inár saol laethúil níos soiléir anois ná riamh agus tá earnálacha a bhraitheann ar an speictream raidió ag leanúint ar aghaidh ag cur ar bhealach luachmhar le geilleagar na hÉireann. Bunaithe ar mheastachán coimeádach, síleann ComReg go bhfuil úsáid an speictrim raidió ag tacú le €4.2 billiún den Oll-bhreisluch agus go gcuireann sé thart ar €7.2 billiún d'Ioncam Náisiúnta na hÉireann ar fáil. Chomh maith leis sin, is foinse fostaíochta in Éirinn é an speictream raidió agus tacaíonn sé go díreach le 19,000 post.⁵⁷

Tá ról tábhachtach ag an speictream raidió in oibriú laethúil na seirbhísí éigeandála agus Óglaigh na hÉireann. Chomh maith leis sin, soláthraíonn sé ionchur ríthábhachtach do sheirbhísí eile lena n-áirítear feidhmeanna tábhachtacha eolaíocha, cosúil le réamhaisnéis na haimsire agus faireachán a dhéanamh ar thimpeallacht an domhain.

Tacaíonn an speictream raidió le go leor de na seirbhísí cumarsáide sa Stát agus de bhrí gur acmhainn náisiúnta fhinideach atá ann, a bhfuil úsáidí agus úsáideoirí iomaíocha aici, ní mór an acmhainn seo a bhainistiú go cúramach agus a chinntiú go bhfuil sí á húsáid go héifeachtach agus go héifeachtúil.

D'fhoilligh le ComReg an speictream raidió a bhainistiú, tá sé de nós aige a straitéis don speictream a shonrú agus a nuashonrú go rialta. I rith na tréimhse atá á hathbhreithniú, d'fhoilsigh ComReg a Straitéis Bainistíochta don Speictream Raidió don tréimhse idir 2022 agus 2024, ina sonraítear plan oibre agus tosaíochtaí ComReg don dá bhliain seo chomh fada is a bhaineann le ról ComReg mar bhainisteoir speictrim na hÉireann agus cuireann an plan seo le Ráiteas Straitéise ComReg maidir leis an gCumarsáid Leictreonach.⁵⁸

I rith na bliana atá á hathbhreithniú, lean ComReg le cúpla míle ceadúnas a eisiúint chun tacú le raon leathan seirbhísí raidió agus cuireadh roinnt príomhthionscadal bainistíochta speictrim i gcrích nó cuireadh tús leo de réir mar atá sonraithe thíos.

⁵⁷ ComReg 21/136 www.comreg.ie/publications

⁵⁸ ComReg 21/70 www.comreg.ie/publications

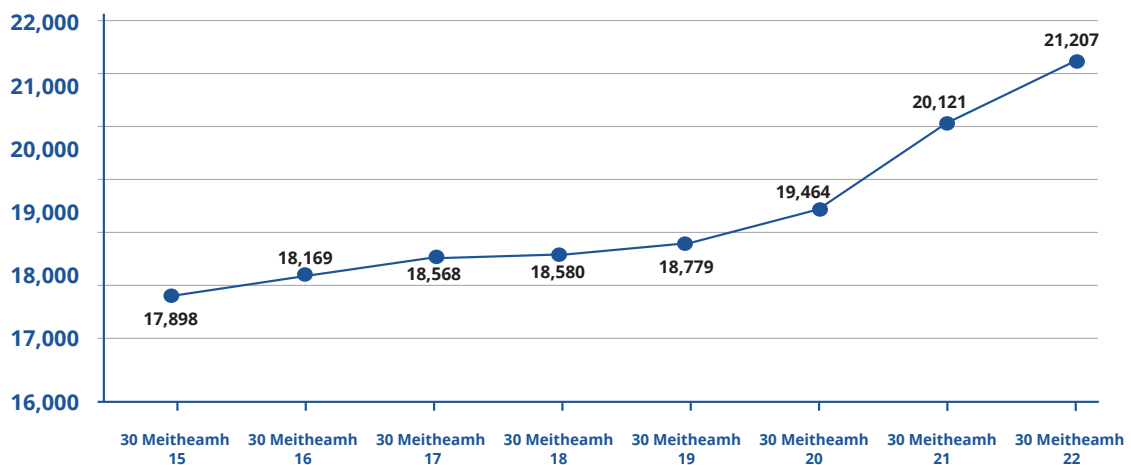
OIBRÍOCHTAÍ CEADÚNAITHE

Ní mór údarú a fháil ó ComReg chun trealamh raidió a úsáid agus a bheith i seilbh duine in Éirinn. Is éard atá san údarú seo ceadúnas nó díolúine ceadúnais. Féadfar ceadúnais a eisiúint de réir na reachtaíochta seo a leanas:

- *Wireless Telegraphy Act, 1926* (arna leasú); agus
- Acht Craolacháin, 2009

Amhail ag an 30 Meitheamh 2022, bhí an líon iomlán ceadúnas raidió beo cothrom le 21,207, sin méadú 5.4% i gcomparáid leis an tréimhse tuairiscithe roimhe sin.

Figiúr 6: Ceadúnais Raidió Beo ag an 30 Meitheamh: 2015 – 2022



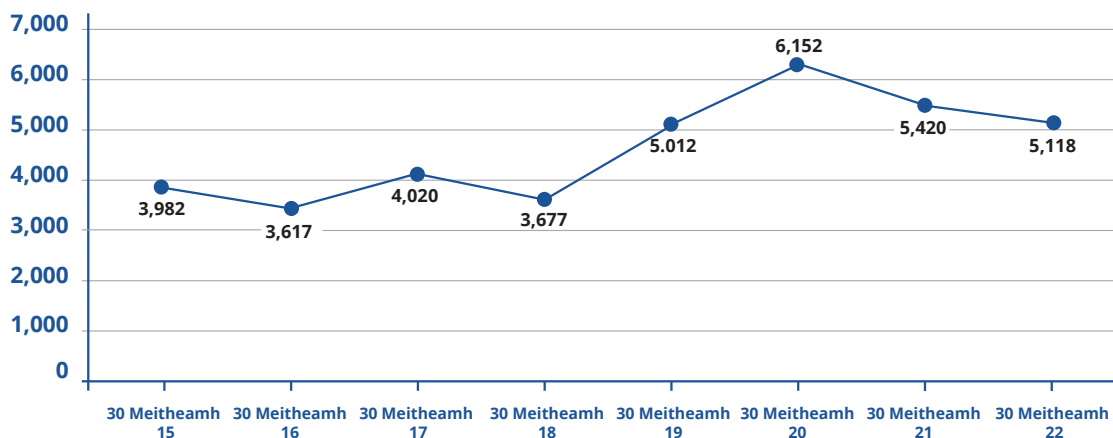
Ceadúnais Raidió Beo ag Deireadh na Bliana 2015-2022.

Léirítear i bhFigiúr 6 an líon iomlán ceadúnas raidió beo ag an 30 Meitheamh don tréimhse idir 2015 agus 2022.

Bhí an líon iomlán ceadúnas nua a eisíodh sa tréimhse tuairiscithe seo cothrom le 5,118, laghdú 5.6% i gcomparáid leis an mbliain roimhe sin. Bhain an laghdú seo, a bheag nó a mhór, le laghdú 13.3% ar an líon ceadúnas Nasc Raidió Sheasta (Pointe go Pointe) eisithe. I rith phaindéim Covid-19, thug ComReg faoi deara go raibh an t-éileamh ar cheadúnais Nasc Raidió Sheasta (Pointe-go-Pointe) ag méadú. Tá seans ann gur fianaise iad na treochtaí is déanaí seo go bhfuil cúrsaí an tsaoil ag feidhmiú mar a bhí roimh an bpaindéim arís.

Léirítear i bhFigiúr 7 an líon iomlán ceadúnas raidió beo a d'eisigh ComReg idir 2015 agus 2022.

Figiúr 7: Ceadúnais Raidió Nua Eisithe: 2015 – 2022



Ceadúnais Raidió nua agus leasaithe eisithe i rith 2015-2022.

FAIREACHAS MARGAIDH AR THÁIRGÍ

AONAD UM SHÁBHÁILTEACHT TÁIRGÍ

I rith na tréimhse oibre seo, chuir ComReg tús lena iarrachtaí chun Aonad um Shábháilteacht Táirgí a bhunú chun oibleagáidí ComReg mar an tÚdarás Margaíochta aonair don Treoir maidir le Trealamh Raidió (RED)⁵⁹ agus don Treoir maidir le Comhoiriúnacht Leictreamaighnéadach (EMC) a chomhlíonadh.⁶⁰ Is gnóthas suntasach é seo agus tá ComReg ag leanúint ar aghaidh lena chuir chuige chun na hoibleagáidí sin a chomhlíonadh go héifeachtach a bhunú agus a bheachtú.

FAIREACHAS DEISCE CURTHA I GCRÍCH I RITH NA BLIANA TUAIRISCITHE

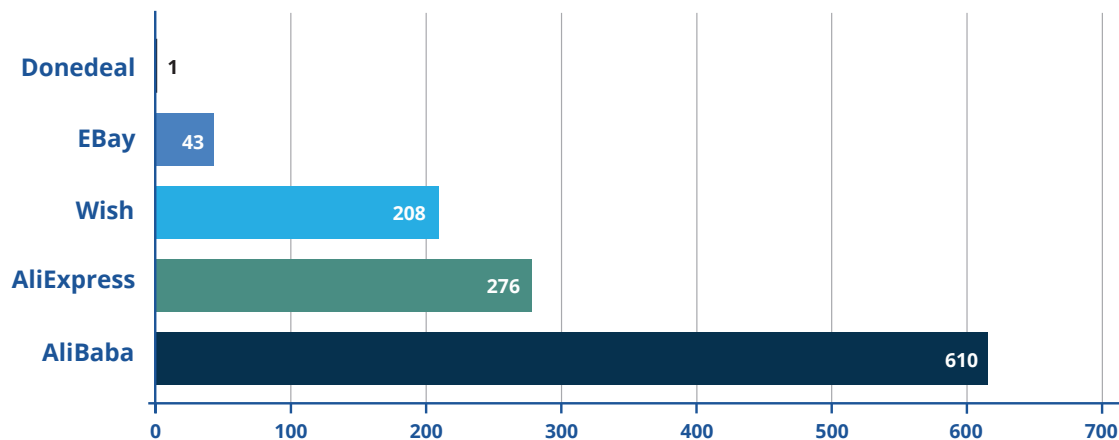
Tá faireachas margaidh deisce dírithe ar tháirgí neamhchomhlíontacha ábhartha a thairgtear le díol trí ardán ar líne a shainaithint agus a bhaint. I rith bhliain oibriúcháin 2021 – 2022, d'fhorbair ComReg a ghníomhaíocht faireachais margaidh deise trí fhaireachán a dhéanamh ar gach ardán suntasach ar líne lena n-áirítear, ach níl teoranta do Alibaba, AliExpress, Wish, eBay, Done Deal/Adverts agus Amazon.

I rith na bliana oibriúcháin seo, d'eagraigh ComReg sa bhreis ar 1,100 táirge neamhchomhlíontach a bhaint de na hardáin ar líne. Bhain formhór na dtáirgí seo á dtairiscint ag Alibaba, AliExpress agus Wish. Bhí an figiúr níos ísle ná anuraidh, agus is dócha go mbaineann an laghdú ar an líon fógraí bainte ar líne leis an rannpháirtíocht dhearfach agus leanúnach leis na hardáin éagsúla. Leanfaidh ComReg ar aghaidh ag obair le gach ardán ar líne d'fhonn a chinntiú nach mbeidh gléasanna neamhchomhlíontacha á ndíol ar mhargadh na hÉireann. Tá sonraí le fáil i bhFigiúr 8 maidir leis an líon táirgí neamhchomhlíontacha atá bainte de gach ardán le 12 mhí anuas. Chiallaigh bunú an Aonaid um Shábháilteacht Táirgí gurbh fhéidir níos mó béime a leagan ar na gléasanna is dócha a bheidh mar bhonn le trasnaíocht dhíobhálach.

Dá réir sin, eisíodh formhór na bhfógraí bainte ar líne le haghaidh treiseoirí comhartha fón póca. Amach anseo, díreoidh ComReg ar ghléasanna a chruthaíonn riosca d'Úsáideoirí Deiridh agus ar an bhféidearthacht go mbeadh siad mar bhonn le trasnaíocht dhíobhálach do ghléasanna eile.

⁵⁹ Trasuítear Treoir 2014/53/EU maidir le Trealamh Raidió i ndlí na hÉireann trí Rialachán an Aontais Eorpaigh (Trealamh Raidió), 2017 (I.R. Uimh. 248/2017)

⁶⁰ Trasuítear Treoir 2014/30/EU maidir le Comhoiriúnacht Leictreamaighnéadach i ndlí na hÉireann trí Rialachán an Aontais Eorpaigh (Comhoiriúnacht Leictreamaighnéadach), 2017 (I.R. Uimh. 69/2017)

Figióir 8: Gléasanna neamhchomhlíontacha bainte den mhargadh i mbliain oibriúcháin 2021-2022

Tharraing ComReg aird ar an bpointe go bhfógraítear ar shuíomhanna gréasáin áirithe go bhfuil a dtáirgí “ComReg Comhlíontach” nó “ComReg Faofa” nó go bhfuil siad bunaithe in Éirinn fad is atá siad ag feidhmiú lasmuigh den AE. Ní comhlacht creidiúnaithe é ComReg agus ní fhaomhann sé aon táirge leictreonach ná raidió. Tá ComReg ag leanúint ar aghaidh le faireachán a dhéanamh ar na suíomhanna gréasáin seo agus oibríonn sé leis an gclár fearann agus le hardáin chuardaigh cosúil le Google chun na suíomhanna seo a bhaint de thorthaí cuardaigh.

INIÚCHTAÍ CUSTAM/COIMISINÉIRÍ IONCAIM

Príomhchuspóir é táirgí neamhchomhlíontacha a shainaithint agus a bhaint sula mbíonn siad ar fáil ar an margadh agus ceanglaíonn sé seo comhoibriú agus rannpháirtíocht le Rannán Custam Oifig na gCoimisinéirí Ioncaim ar bhonn leanúnach.

Is é an cuspóir atá ann a chinntiú go bhfuil an oiread gléasanna neamhchomhlíontacha agus is féidir á n-idircheapadh ag Custaim ionas gur féidir le ComReg measúnú a dhéanamh orthu, chun cinneadh a dhéanamh maidir le cibé acu atá nó nach an reachtaíocht iomchuí á comhlíonadh acu (nó ar shlí ar bith eile) agus gníomhú go cuí.

Tá ComReg ag leanúint ar aghaidh ag obair i ndlúthchomhar le Rannán Custam Oifig na gCoimisinéirí Ioncaim (“Custaim”) ag Aerfort Bhaile Átha Cliath agus in Ionad Poist Bhaile Átha Cliath. I rith na bliana oibriúcháin seo, forbraíodh an caidreamh idir ComReg agus Custaim, rinneadh teagmhálaithe nua i Mol Beartán An Post i gCnoc Mitin, Baile Átha Cliath 12 agus i Coll-8 Logistics⁶¹ i mBaile Dhónaill, Co. Bhaile Átha Cliath.

Bhí meascán de rátaí glactha arda i ndáil le táirgí spriocdhírthe ag tús thréimhse dhianghlása Covid-19, ba chúis leis na figiúirí don thréimhse roimhe sin a mhéadú agus a bpróiseas seachadta a bheith á athrú ag gníomhaithe neamhchomhlíontacha, mar bhonn le líon níos lú táirgí a bheith á gcoimeád ag ComReg le measúnú a dhéanamh orthu sa thréimhse seo. Gníomhachtaíodh próifíl H7 Customs, áfach,⁶² i mí Feabhra 2022 a bhí éifeachtach chomh fada is a bhain le táirgí neamhchomhlíontacha a bhrath.

Choimeád ComReg 265 táirge neamhchomhlíontach le cabhrú ó oifigigh Custam sa thréimhse idir an 1 Iúil 2021 - an 30 Meitheamh 2022, laghdú ó 2,804 táirge i rith na bliana roimhe sin.

⁶¹ Is líonra dáileacháin iliompróra neamhspleách é COLL-8 Logistics.

⁶² Ón 01 Iúil 2021, is féidir earraí suas go dtí agus cothrom le luach intreach de €150 a dhearbhu trí úsáid a bhaint as dearbhú custam H7 a cheanglaíonn 3 oiread níos lú sonraí lena aghaidh i gcomparáid le dearbhú caighdeánach.

IMSCRÚDITHE AR THRASNAÍOCHT RADAIMHINICÍOCHTA (RFI)

Tá a phróisis á bhfeabhsú ar bhonn leanúnach ag ComReg d'fhonn a chinntiú go bhfuil siad oiriúnach do thimpeallacht raidió an lae inniu ann, agus chuige sin, bhunaigh sé próiseas rangaithe gearán athbhreithnithe RFI mar aon le hamanna freagartha gearán athbhreithnithe i mí Iúil 2020.

Tá gach gearán RFI rangaithe i dtrí chatagóir, Cineál A, Cineál B agus Cineál C, bunaithe ar an gcineál trasnaíochta.

An Cineál Gearáin		An tAm Freagartha
Cineál A	Eisceachtúil go ginearálta agus bíonn tionchar tromchúiseach acu ar chumas oibritheora leanúint ar aghaidh le seirbhís chumarsáide raidió a sholáthar de ghnáth agus d'fhéadfadh sé a bheith mar bhonn le seirbhís gan a bheith ar fáil d'úsáideoirí ar chor ar bith	Láithreach
Cineál B	Go hiondúil, bheadh stáisiún raidió amháin nó dhó ag déileáil le trasnaíocht ach bheadh cainéal cúltaca malartach ag an gceadúnaí a bhféadfaí a sheirbhís a aistriú chuige, rud a chiallaíonn nach mbeadh ach líon réasúnta beag úsáideoirí ag déileáil le cailteanas nó díghrádú seirbhíse.	5 Lá Oibre
Cineál C	Gnáthfhiosrúcháin ar féidir le ComReg a fhreagairt agus déileáil leo agus nach gá a thaifeadadh mar ghearán foirmiúil.	-

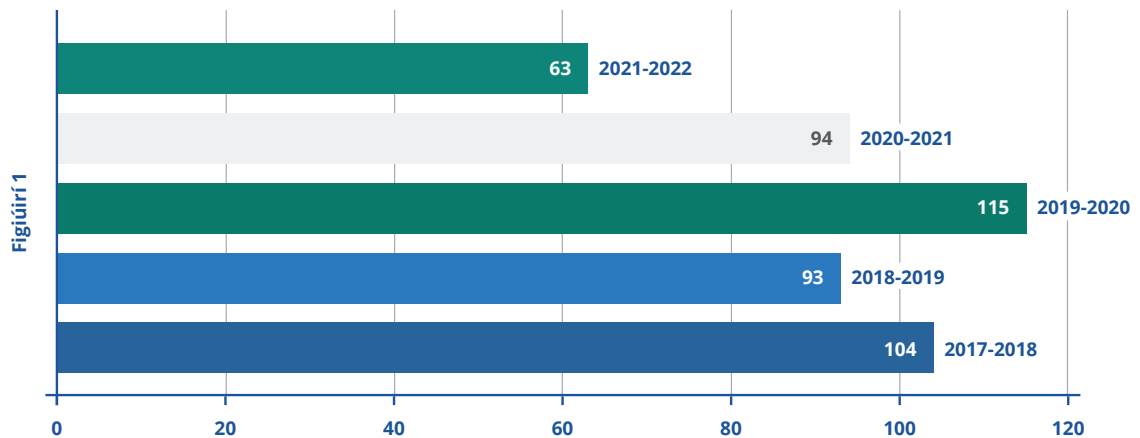
Ag an am céanna, bhunaigh ComReg prótacal tuairiscithe le haghaidh gach gearán RFI agus próiseas chun clabhsúr a chur le gearáin nuair a bhí siad curtha i gcrích. Ceanglaíonn an prótacal tuairiscithe ar ghearánaigh fianaise maidir le trasnaíocht amhrasta a sholáthar, agus go bhfuil céimeanna réasúnacha curtha i gcrích acu d'fhonn a chinntiú nach féidir leo an trasnaíocht a rialú. Cabhraíonn sé seo le ComReg déileáil lena heagráin in ord tosaíochta.

Tairgeann córas cásbhainistithe tacaíochta ComReg roinnt feabhsuithe, a théann chun tairbhe gach páirtí leasmhar:

- an cumas amanna freagartha RFI a rianú
- tuairisciú feabhsaithe sonraí cáis chun treochtaí a shainaithint agus chun bonn eolais a sholáthar do phleananna oibre ComReg amach anseo don aonad SII
- an cumas gearáin RFI d'obair inmheánach agus sheachfhoinsithe a thaifeadadh agus a rianú
- tairseach ghréasánbhunaithe a sholáthraíonn an acmhainn tuarascálacha RFI a uaslódáil ar bhonn fíor-ama.

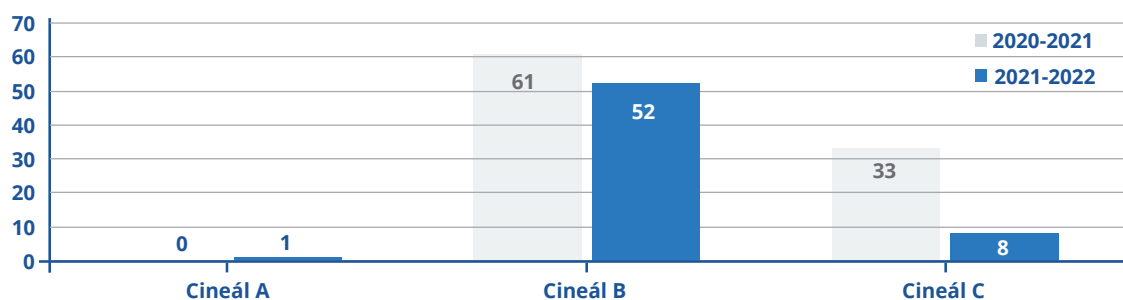
Tá ComReg airdeallach ar an bpointe, i ndiaidh thréimhse tuairiscithe 2020 – 2021, gur tugadh laghdú marthanach faoi deara sa líon gearán RFI a fuarthas in 2021 – 2022, agus láimhseáil ComReg 63 gearán RFI i rith na tréimhse. Fós is é Three an t-oibritheoir líonra atá ag tuairisciú an líon is mó cásanna de thrasnaíocht dhíobhálach ar a líonra agus tuigean ComReg go gcuireann Three acmhainní ar fáil chun a líonra a fheabhsú.

Figióir 9: An líon gearán trasnaíochta tuairiscithe faighte gach bliain



Tugadh laghdú beag faoi deara sna gearáin Chineál B ó 61 teagmhas de thrasnaíocht dhíobhálach anuraidh, go dtí 52 i mbliana. Mar atá mínithe thuas, ciallaíonn an córas rangaithe cáis agus na prótacail tuairiscithe athbhreithnithe go bhfuil níos mó oibleagáidí le comhlíonadh ag gearánaigh chun fianaise maidir le trasnaíocht amhrasta a sholáthar agus ceanglaítear orthu a gcuid imscrúduithe féin a dhéanamh ar a líonraí féin roimh thuairisciú. Tá ag éirí leis an gcur chuige seo sa mhéid is nach bhfuil ach fadhbanna dlísteanaigh á dtuairisciú do ComReg anois.

Figióir 10: Comparáid idir cásanna bunaithe ar chineál

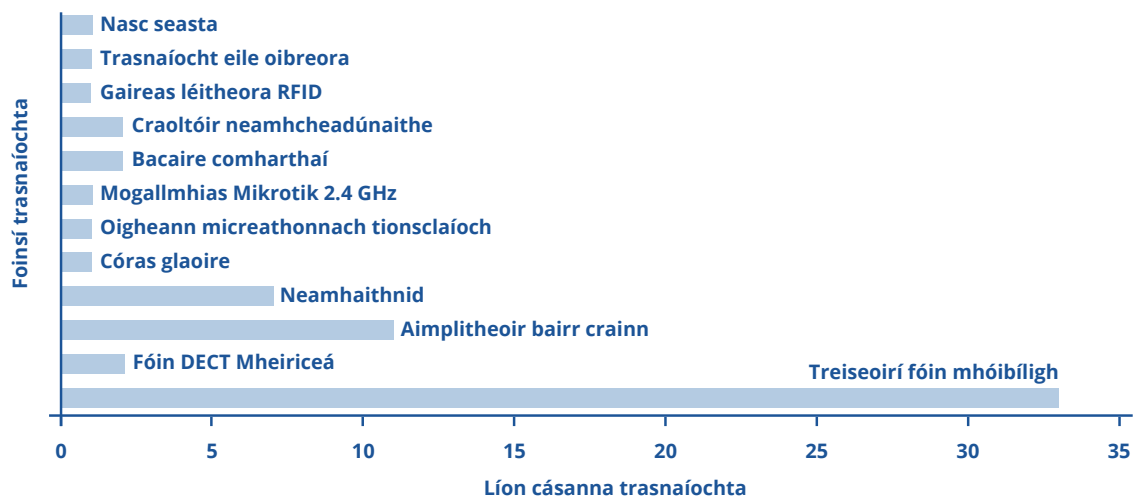


Anuas air sin, is léir ó anailís atá déanta ar ghearáin Chineál B gur le hoibritheoirí líonra mhóibíligh (MNOanna) a bhaineann an chatagóir seo, agus gurb é Three an líonra an t-oibritheoir líonra a bhfuil an líon is mó teagmhas de thrasnaíocht raidió dhíobhálach luaite leis.

Léirítear i bhFigióir 10 thuas, nach ndearna ComReg ach imscrúdú ar thuairisc Chineál A amháin de thrasnaíocht dhíobhálach i rith na bliana tuairiscithe seo, tuairisc ó Údarás Eitlíochta na hÉireann (IAA). Sa chás seo, thuairiscigh rialú aerthráchta ag Aerfort Bhaile Átha Cliath, trasnaíocht dhíobhálach ar roinnt minicíochtaí ar phríomhchórais agus ar chórais chúlta, a bhí mar bhonn le deacrachtaí cumarsáide le haerárthaí a raibh na minicíochtaí sin á n-úsáid acu. D'éiligh sé seo freagairt láithreach agus d'éirigh le baill foirne ComReg an fhadhb a réiteach le cabhair ó phearsanra IAA.

Mar atá luaite i bhFigiúr 11 thíos, is iad treiseoirí Fón Póca an phríomhfhoinsí de thrasnaíocht dhíobhálach chomh fada is a bhaineann le gearáin a bhfuil imscrúdú á dhéanamh ag ComReg orthu, agus foinse shuntasach trasnaíochta eile é Aimplitheoirí Bairr Chrainn freisin.

Figiúr 11: Foinsí trasnaíochta



Tá aird tarraingthe ag ComReg ar an bpointe gur ionann an comhthéacs RFI in Éirinn agus an comhthéacs RFI in áiteanna eile ar fud na hEorpa. Gach bliain foilsíonn foghrúpa FM22 Chomhdháil Eorpach na Riarachán Poist agus Teileachumarsáide (CEPT)⁶³, atá freagrach as gníomhaíochtaí faireacháin agus forfheidhmiúcháin, a Cheistneoir Bliantúil maidir le Staitisticí Trasnaíochta do Chásanna Tuairiscithe.

Léirítear sa tuarascáil seo, in 2021, gurb iad líonraí móibíleacha na seirbhísí a thuairiscíonn an líon is mó gearán RFI ar fud na hEorpa.

RADAÍOCHT NEAMHIANÚCHÁIN

Ní mór do cheadúnaithe a bhfuil Ceadúnas Teileagrafaíochta Gan Sreang acu agus iad siúd atá ag oibriú faoi Údarú Ginearálta⁶⁴ do sholáthar líonraí cumarsáide leictreonaí agus/nó seirbhísí a chinntiú go bhfuil nochtadh an phobail d'astaíochtaí radaíocht neamhianúcháin (NIR) ó tharchuradóirí laistigh de na teorainneacha atá sonraithe ag an gCoimisiún Idirnáisiúnta um Chosaint ar Radaíocht Neamhianúcháin (ICNIRP)⁶⁵, agus formhuinith ag an Eagraíocht Dhomhanda Sláinte (WHO), an Coimisiún Eorpach agus ag an nGníomhaireacht um Chaomhnú Comhshaoil (EPA).

Gach bliain, tomhaiseann ComReg leibhéil NIR i limistéir phoiblí ag thart ar 80 suíomh difriúil, atá lonnaithe mórthimpeall na tíre. I rith na tréimhse tuairiscithe seo, rinneadh suirbhé ar 80 suíomh. Chomh maith leis sin, foilsíonn ComReg tuarascálacha ráithiúla maidir le suirbhéanna na suíomhanna NIR.⁶⁶

⁶³ Comhdháil Eorpach na Riarachán Poist agus Teileachumarsáide, 'FM 22 – Faireachán & Forfheidhmiú', seiceáilte ar an 20 Meitheamh 2022, www.cept.org/ecc/groups/ecc/wg-fm/fm-22/client/introduction/

⁶⁴ ComReg 03/81R6 www.comreg.ie/publications

⁶⁵ www.icnirp.org

⁶⁶ ComReg 20/34 www.comreg.ie/publications | ComReg 20/92 www.comreg.ie/publications
ComReg 20/126 www.comreg.ie/publications | ComReg 21/26 www.comreg.ie/publications

Go dtí seo, tá suirbhé déanta ar bhreis is 1600 suíomh agus aimsíodh go bhfuil leibhéil NIR na suíomhanna ar fad a ndearnadh suirbhé orthu, gan eisceacht, go maith faoi bhun na dtéorainneacha idirnáisiúnta atá sonraithe ag ICNIRP maidir le nochtadh an phobail.

Tá an mhodheolaíocht atá in úsáid ag ComReg chun a shuirbhéanna NIR a reáchtáil foilsithe i nDoiciméad ComReg 08/51R4.⁶⁷ Cuireann ComReg gach tuarascáil maidir le tomhas NIR ar fáil ar líne ag: www.comreg.ie/nir-reports-2/. Tá na tuarascálacha le fáil freisin ar shuíomh gréasáin Amharcóir Suímh ComReg ag www.siteviewer.ie

Tá tuilleadh faisnéise maidir le NIR, ról ComReg i ndáil le NIR, mar aon le faisnéis maidir le róil na gcomhlachtaí poiblí eile, le fáil ar shuíomh gréasáin ComReg.⁶⁸

COVID-19: CEADÚNÚ SPEICTRIM SEALADACH

I mí Márta 2020, mar fhreagairt don mheascán de bhearta Rialtais a cuireadh i bhfeidhm chun déileáil le COVID-19, leibhéil tráchtá méadaithe ar líonraí gan sreang agus iarratais ar chearta speictrim sealadacha ó na MNOanna; chuaigh ComReg i gcomhairle maidir le - agus ina dhiaidh sin, bhunaigh sé le toiliú an Aire - chéad chreat ceadúnaithe speictrim shealadach COVID-19.

Sholáthair an creat ceadúnaithe seo do shannadh sealadach speictrim do thréimhse fhoriomlán de suas le 6 mhí trí chearta úsáide breise speictrim a sholáthar sna Bandaí 700 MHz agus 2.6 GHz, agus cearta úsáide liobrálaithe speictrim sa Bhandá 2.1 GHz, de bhrí nach raibh ceadúnais don bhandá sin ceadúnaithe ag an tráth sin ach d'úsáid 3G.

Ina dhiaidh sin, rinne gach MNO (Meteor, Three agus Vodafone) iarratas ar agus eisíodh ceadúnais speictrim shealadacha COVID-19 dóibh le haghaidh cearta speictrim sna Bandaí 700 MHz agus 2.1 GHz. D'úsáid na MNOanna na cearta speictrim sealadacha seo chun acmhainn líonra bhreise a sholáthar chun tacú leis an éileamh méadaithe ó thomhaltóirí ar thrácht gutha agus sonraí.

Ó tharla go raibh bearta rialtais chun déileáil le COVID-19 i bhfeidhm go dtí Márta 2022, agus go raibh tionchar áirithe ag na bearta seo ar thrácht na MNOanna fós, chuaigh ComReg i gcomhairle maidir le agus bhunaigh sé, le toiliú ón Aire, ceithre chreat bhreise ceadúnaithe speictrim shealadacha COVID-19 a bhí bailí le haghaidh tréimhse 6 mhí, agus tá an ceathrú creat ceadúnaithe speictrim sealadach le dul in éag ar an 1 Deireadh Fómhair 2022.

Maidir leis na ceithre chreat ceadúnaithe bhreise seo, eisíodh ceadúnais shealadacha COVID-19 le haghaidh cearta speictrim sa bhandá 700 MHz agus, áit ar cuí, sa bhandá 2.1 GHz, le haghaidh na dtrí MNO a ndearnadh iarratas orthu.

Nuair a bhí na socruithe seo á mbunú, chuir ComReg in iúl gurb é an t-aon aidhm a bhí leo déileáil le comhthéacs sealadach COVID-19 agus, dá réir sin, nach raibh dochar á dhéanamh acu don dámhachtain speictrim sa Dámhachtain Speictream Ilbhandá (féach thíos). Ghlac na trí MNO, le linn dóibh iarratas a dhéanamh ar cheadúnais shealadacha COVID-19, leis an méid sin.

Ag leagan béim ar an bpointe go raibh creataí ceadúnaithe speictrim sealadacha COVID-19 á bhfírinniú i gcónaí i gcomhthéacs bhearta COVID-19 an Rialtais agus ó mhí an Mhárta 2022 nach raibh aon srianta maidir le COVID-19 i bhfeidhm ag an Rialtas in Éirinn, shonraigh ComReg nach bhfuil aon bhonn ann chun breithniú a dhéanamh ar aon chreat ceadúnaithe speictrim shealadach COVID-19 i ndiaidh an 1 Deireadh Fómhair 2022.

⁶⁷ ComReg 08/51R4 www.comreg.ie/publications

⁶⁸ <https://www.comreg.ie/industry/radio-spectrum/site-viewer/non-ionising-radiation-information/>

DÁMHACHTAIN SPEICTREAM ILBHANDA DO LEATHANBHANDA GAN SREANG

Ar an 18 Nollaig 2020, i ndiaidh próiseas comhairliúcháin cuimsitheach a chur i gcrích, d'fhoilsigh ComReg a chinneadh (Doiciméad ComReg 20/122, Cinneadh D11/20) speictream ilbhanda a dhámhachtain chun cearta úsáide fadtéarmacha a shannadh le húsáid ar cheithre bhanda speictrim tábhachtacha, a bhí oiriúnach le haghaidh seirbhísí leathanbhanda gan sreang (an "MBSA2"). Is iad na bandaí speictrim seo na bandaí 700 MHz, 2.1 GHz, 2.3 GHz agus 2.6 GHz, atá comhchuibhithe ag leibhéal Eorpach chun seirbhísí leathanbhanda gan sreang ("WBB") a sholáthar ar fud na hEorpa.

Is imeachtaí ríthábhachtacha iad dámhachtainí speictrim atá oiriúnach le haghaidh imlonnú sheirbhísí WBB, nach dtarlaíonn ach uair amháin gach cúpla bliain agus tá tionchar acu ar an ngeilleagar ar fad, agus tá tábhacht shuntasach ag baint le MBSA2 le haghaidh roinnt cúiseanna lena n-áirítear:

- cuimsítear ann 470 MHz de speictream comhchuibhithe arb ionann é agus méadú 46% ar an speictream atá sannta chun seirbhísí WBB a sholáthar in Éirinn. Cuirfidh sé seo ar chumas oibritheoirí seirbhísí feabhsaithe a sholáthar chun freastal ar éileamh tomhaltóirí atá ag méadú i gcónaí.
- tá na bandaí speictrim oiriúnach chun seirbhísí 4G agus seirbhísí nua 5G a sholáthar.
- is banda tábhachtach é an banda 700 MHz chun clúdach forleathan a sholáthar, lena n-áirítear i gceantair thuaithe agus ar bhealaí iompair náisiúnta, agus tá sé an-oiriúnach chun seirbhísí 4G a sholáthar faoi láthair agus, de réir a chéile, seirbhísí nua 5G. Baineann tábhacht ar leith leis seo in Éirinn, mar gheall ar shaintréithe dúshlánach déimeagrafacha na tíre agus na costais arda agus easpóntúlacha a bhaineann le leibhéil an-arda clúdaigh a imlonnú.
- Tá na bandaí 2.1 GHz, 2.3 GHz agus 2.6 GHz oiriúnach chun acmhainn líonra a sholáthar agus ar an tslí sin, feidhmíocht feabhsaithe, má úsáidtear iad le haghaidh seirbhísí leathanbhanda móibíleacha, ainneoin gur féidir iad a úsáid freisin chun críocha acmhainne agus clúdaigh (cosúil le seirbhísí leathanbhanda gan sreang seasta i gceantair thuaithe).

Ar aon dul lena oibleagáid tacú le hiomaíocht san earnáil cumarsáide leictreonaí, chinn ComReg cearta úsáide fadtéarmacha a dhámhachtain le haghaidh na mbandaí tábhachtacha seo trí phróiseas dámhachtana oscailte agus iomaíoch (i.e. ceant), a chiallaigh go bhféadfadh oibritheoirí reatha agus iontrálaithe poitéinsiúla nua dul in iomaíocht le haghaidh cearta úsáide dá leithéid. Bhí sé beartaithe an ceant a reáchtáil i rith 2021.

CINNEADH MBSA2 A ACHOMHARC

I mí Eanáir 2021, áfach, d'achomharc Three gnéithe áirithe de Chinneadh MBSA2 ComReg.

Chuir ComReg in aghaidh achomharc Three, a d'éist an Ard-Chúirt i lár 2021. Chomh maith leis sin, bhí an t-achomharc os comhair na Cúirte i mí Dheireadh Fómhair agus i mí na Samhna 2021, agus i ndeireadh na dála rinne an Breithiúnas a fhorchoimeád ar an 23 Samhain 2021. Táthar fós ag feitheamh ar Bhreithiúnas i lár 2022, deireadh na tréimhse tuairiscithe seo.

TEST & TRIAL IRELAND

Is buntáiste nádúrtha tábhachtach é suíomh geografach na hÉireann ar imeall thiar na hEorpa agus a dlús daonra íseal trí fhlúirse choibhneasta an speictrim raidió inúsáidte. Is seirbhís é Test & Trial Ireland ar féidir le fiontraithe, taighdeoirí agus forbróirí a úsáid chun teicneolaíochtaí gan sreang a thástáil nó a thriail i mbandaí minicíochta éagsúla, lena n-áirítear codanna de na bandaí móibíleacha agus craolacháin. I rith na bliana atá á hathbhreithniú, d'eisigh ComReg 9 gceadúnas Tástála agus 22 ceadúnas Trialach. Tá tuilleadh sonraí le fáil ag Test & Trial Ireland www.testandtrial.ie lena n-áirítear físeán gearr atá ag tacú leis an tionscnamh seo.⁶⁹

SLÁNDÁIL LÍONRA

SLÁNDÁIL LÍONRAÍ CUMARSÁIDE LEICTREONÁÍ

Ó foilsíodh Moladh Choimisiún an Aontais Eorpaigh maidir le Cibearshlándáil Líonraí 5G C(2019) 2335 final ("Rec. 2335"),⁷⁰ ar an 26 Márta 2019, tá ComReg ag obair i ndlúthchomhar leis an Lárionad Náisiúnta Cibearshlándála ("NCSC") chun cabhrú leis na táirgí insoláthartha ag eascairt as Rec. 2335.

Chabhraigh ComReg le NCSC, nuair a bhí sé ag obair ar ionchur na hÉireann do roinnt meithleacha AE a bhain le táirgí insoláthartha Rec. 2335. Lena chois sin, sholáthair ComReg ionchur do mheithleacha ábhartha Ghníomhaireacht an Aontais Eorpaigh um Chibearshlándáil ("ENISA") agus do Chomhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach ("BEREC") agus doiciméid aschuir eile i ndáil leis an gceist seo. I ndeireadh na dála, foilsíodh tuarascáil an AE maidir le measúnú riosca comhordaithe an AE ar chibearshlándáil i líonraí den Chúigiú Glúin ("5G")⁷¹ agus Bosca Uirlisí na hEorpa maidir le slándáil líonraí 5G⁷² ("the Toolbox") ("an Bosca Uirlisí") ar an 29 Eanáir 2020.

D'fhoilsigh an NCSC a Straitéis Náisiúnta Cibearshlándála 2019 – 2024 ("NCSS 2019 – 2024") i mí na Nollag 2019.⁷³ Bhí baint ag ComReg, mar pháirtí leasmhar, i gcabhrú le NCSC le dhá bheart a bhain le cibearshlándáil líonraí teileachumarsáide:

- **Beart 4:** Déanfaidh NCSC, le cúnamh ó na Fórsaí Cosanta agus ó An Garda Síochána, measúnú riosca mionsonraithe nuashonraithe ar leochaileacht reatha gach Bonneagar Náisiúnta Criticiúil agus seirbhísí do chibirionsaí.
- **Beart 7:** Bunóidh an Rialtas tacar breise de bhearta slándála chun tacú le cibearshlándáil an bhonneagair teileachumarsáide sa Stát.

⁶⁹ Féach ar https://www.youtube.com/watch?time_continue=2&v=s6ctjMo_bf4

⁷⁰ <https://ec.europa.eu/digital-single-market/en/news/cybersecurity-5g-networks>

⁷¹ https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6049

⁷² https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_127
https://www.youtube.com/watch?time_continue=2&v=s6ctjMo_bf4

⁷³ An Straitéis Náisiúnta Cibearshlándála, 2019 – 2024: https://www.ncsc.gov.ie/pdfs/National_Cyber_Security_Strategy.pdf

BEARTA SLÁNDÁLA NA CUMARSÁIDE LEICTREONÁÍ (ECSMANNA)

D'oibrigh ComReg leis an NCSC chun roinnt ceardlann a eagrú chun tacú le forbairt ECSManna i gcomhpháirt le páirtithe leasmhara tionscail in 2021. Páirteach sna ceardlanna seo bhí cainteoirí ó ghrúpaí páirtithe leasmhara slándála a labhair faoi roinnt topaicí ábhartha agus plé faoi na prionsabail atá mar bhonn le gach ECSM. Chuaigh an Roinn Comhshaoil, Aeráide agus Cumarsáide ("DECC") i gcomhairle maidir le ECSManna ar an 23 Samhain 2021⁷⁴ agus cuireadh críoch leis an gcomhairliúchán ar an 28 Eanáir 2022.

Beidh ComReg freagrach as cur chun feidhme na ECSManna i ndiaidh thrasúí an Chóid um Chumarsáid Leictreonach Eorpach ("EECC") agus beidh riachtanach é seo a dhéanamh ar bhealach oibiachtúil, trédhearcach agus neamh-idirdhealaithe, agus comhréireach. Dá réir sin, is clár oibre suntasach é seo atá le bunú ag ComReg agus tá creat le forbairt freisin chun líonraí oibritheora a mheas. Leanfaidh ComReg ag obair i ndlúthchomhar le NCSC chun cabhrú le cur i gcrích na mbeart atá le fáil i straitéis NCSC 2019-2024 i rith na tréimhse amach romhainn.

TEAGMHAIS LÍONRA 2021

Tuairiscíodh 24 teagmhas do ComReg in 2021, i gcomparáid le 17 in 2020. Tá an líon foriomlán uaireanta úsáideora cailte mar gheall ar theagmhais a tuairiscíodh in 2021 cosúil le 2020.

Áiríodh i measc na bpríomhchúiseanna a bhí le teagmhais in 2021 fabhtaí bogearraí, nuashonruithe bogearraí nár cuireadh i bhfeidhm go héifeachtach agus cliseadh crua-earraí. Arís, cosúil le 2020, cuireadh leis an líon cailte go minic mar gheall ar lochtanna níos imeachta a bhain leis na teagmhais seo, lochtanna a tugadh faoi deara de ghnáth i rith athruithe líonra crua-earraí agus bogearraí.

Bhain roinnt de na teagmhais a tuairiscíodh le gearradh cumhachta, a tharlaíonn de ghnáth mar thoradh ar adhaimsir cosúil le stoirmeacha. Ina theannta sin, tá an chuma ar an scéal go gcuireann éifeachtaí adhaimsire isteach ar bhealach níos suntasaí ar líonraí móibíleacha agus raidió, (damáiste gaoithe, oighear agus báisteach throm) agus go ginearálta déanann tuilte, mar thoradh ar bhorrthaí stoirme agus báisteach throm, níos mó damáiste do ghléasra seasta faoi thalamh.

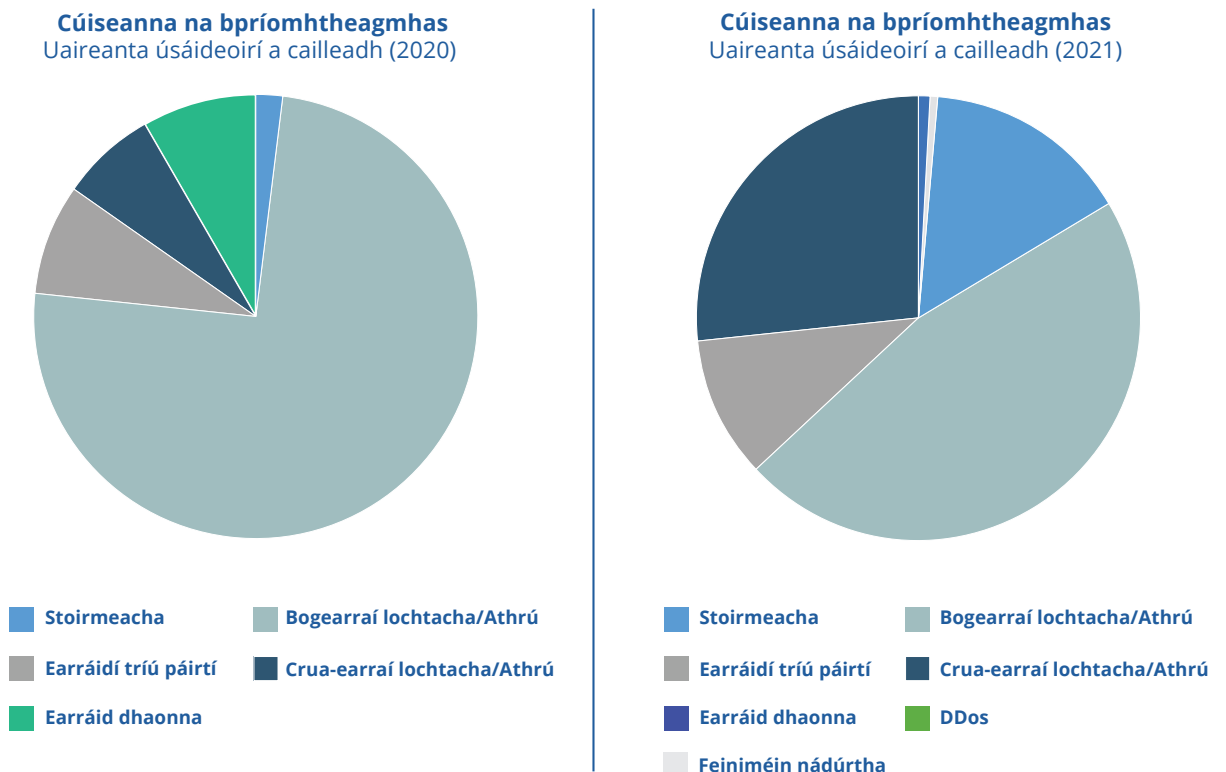
In 2021, rinneadh ComReg faireachán ar adhaimsir, agus áirítear i measc na bpríomh-imeachtaí ba chúis le cur isteach:

- Arwen, an 25 Samhain 2021; agus
- Barra, an 7 – 9 Nollaig 2021

Chuir Stoirm Barra isteach ar chúrsaí go mór agus bhí sé mar bhonn le gearradh cumhachta níos suntasaí ná stoirmeacha eile, cailleadh 9,822,864 Uair Úsáideora ar fad, i bhfad níos mó uaireanta i gcomparáid le 2020. Tá comparáid déanta idir na heachtraí a tharla in 2020 agus 2021 i bhfigiúr 12.

⁷⁴ <https://www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/>

Figiúr 12: Comparáid idir na heachtraí a tharla in 2020 agus 2021



Comparáid idir na teagmhais os cionn na tairsí in 2020-2021: Cúiseanna na bpríomhtheagmhas.

TUARASCÁIL ENISA 2022 AGUS TUARASCÁIL BHLIANTÚIL OIBRÍOCHTAÍ LÍONRA 2022

Comhlíonfaidh ComReg a oibleagáid teagmhais shuntasacha a thuairisciú don Aire agus do ENISA faoi Rialachán 23 de na rialacháin Chreata. Táthar ag súil go leanfaidh sé seo ar aghaidh faoin EECC trasuite. Ina dhiaidh sin, eiseoidh ComReg a Thuarascáil Bhliantúil maidir le hOibríochtaí Líonra le haghaidh 2022, lena n-áirítear ach níl teoranta do thuairisciú teagmhas agus cineálacha teagmhas a tháinig chun solais i rith na bliana.

TIONCHAR GEILLEAGRACH AGUS SOCHAÍOCH TEAGMHAS

Mar chuid dá obair i ndáil le teagmhais líonra agus trasuí an Chóid um Chumarsáid Leictreonach Eorpach ("EECC") amach anseo, bhain ComReg tairbhe as sainchomhairle chun samhail a fhorbairt chun meastachán a dhéanamh maidir leis na costais gheilleagracha agus shoचाíocha a bhainfeadh le teagmhas líonra. Tá an obair seo ar siúl agus táthar ag súil go mbeidh gach rud curtha i gcrích in 2022.

AN TATHRÚ AERÁIDE AGUS OIRIÚNÚ LÍONRAÍ TEILEACHUMARSÁIDE

CLIMATE CHANGE AND ADAPTATION OF TELECOMMUNICATIONS NETWORKS

I rith 2021 agus mar thoradh ar dhéine agus teagmhas méadaithe stoirmeacha agus adhaimsire agus an éifeacht a bhí acu ina dhiaidh sin ar ghnóthais, chuir ComReg tús le tionscadal chun sainchomhairle a lorg maidir leis an gcaidreamh idir teagmhais líonra agus teagmhais mhéiteareolaíocha. Tá an obair seo ar siúl anois agus táthar ag súil go mbeidh gach rud curtha i gcrích in 2022.

CUMARSÁID NÚISE

Is éard atá i gceist le cumarsáid núise cumarsáid gan iarraidh, nár iarraidh atá dírithe go ginearálta ar ghrúpaí móra den daonra. Go minic, is é an aidhm a bhíonn le cumarsáid núise dul amú a chur ar an bhfaighteoir, ionas go soláthraíonn sé/sí faisnéis phearsanta íogair go haineolach. D'fhéadfadh sé sin cur ar chumas an choirpigh calaois a dhéanamh.

Tá sochaí agus geilleagar na hÉireann ag brath níos mó anois ná riamh ar theicneolaíocht teileachumarsáide. Ainneoin go bhfuil sé comhtháite go dlúth i ngach réimse den gheilleagar agus sochaí, tá bagairtí agus leochaileachtaí ag baint leis an ngné leanúnach seo dár saol freisin.

Is cineál coireachta ísealriosca é calaois a bhaineann úsáid as líonraí cumarsáide leictreonaí. Chiallaigh costas laghdaithe agus infhaighteacht mhéadaithe an trealamh atá riachtanach go bhfuil méadú tagtha ar na teagmhais chalaoise atá ag tarlú in Éirinn. Tá dúshaothrú á dhéanamh ag coirpigh ar an úsáid laethúil atá á baint againn as líonraí cumarsáide leictreonaí agus seirbhísí, a úsáideann ionsaithe innealtóireachta sóisialta, mar shampla: glaoscaireacht ⁷⁵, smioscaireacht ⁷⁶ agus cumarsáid faoi bhréagriocht CLI⁷⁷ a bhfuil sé mar aidhm leo faisnéis phearsanta tomhaltóirí a fháil, ar mhaithe le calaois airgeadais.

TASCFHÓRSA TIONSCAIL UM CHUMARSÁID NÚISE

D'fhoill cabhrú le cumarsáid núise a chomhrac, tá tascfhórsa tionscail bunaithe ag ComReg – an Tascfhórsa Tionscail um Chumarsáid Núise (“NCIT”), arb é an aidhm atá leis ionadaithe ón tionscal cumarsáide leictreonaí a thabhairt le chéile. Bunaithe ar mhinicíocht mhéadaithe na cumarsáide núise agus na héifeachtaí díobhálacha atá ag a leithéid ar mhuinín an phobail i sláine agus in iontaofacht na cumarsáide leictreonaí, thionóil ComReg tascfhórsa tionscail chun déileáil leis an gceist, agus thacaigh DECC leis an obair seo.

D'eisigh ComReg Fógra Faisnéise⁷⁸ chun an cuireadh seo a thabhairt do bhaill den tionscal cumarsáide leictreonaí. Tá ballraíocht NCIT teoranta do dhaoine atá fostaithe ag eagraíochtaí a bhfuil Údarú Ginearálta acu agus á fheidhmiú acu laistigh den Stát, agus a tharchuireann guthghlaonna agus/nó teachtaireachtaí SMS.

Eagraíonn NCIT cruinnithe míosúla agus tá sé ag feidhmiú faoi chathaoirleacht agus rúnaíocht neamhspleách, a thuairiscíonn do ComReg.

⁷⁵ Glaoscaireacht – camscéim theileafóin ghutha a bhfuil sé mar aidhm léi faisnéis phearsanta a bhailiú ó íospartaigh. I rith glao teileafóin glaoscaireachta, úsáideann calaoiseoir innealtóireacht shóisialta chun faisnéis phearsanta agus sonraí pearsanta a bhailiú ó íospartaigh, cosúil le huimhreacha cuntais agus pasfhocail. Sa chás seo, taispeántar CLI faoi bhréagriocht, ar cosúil atá ag teacht ó fhoinsé bhailí cosúil le banc, don ghlaiteoir ionas go mbeidh muinín aige/aici as an úsáideoir a ghlaigh air/uirthi agus chun tús a chur leis an iarracht ar chalaois airgeadais a dhéanamh.

⁷⁶ Smioscaireacht – mar chuid den chamscéim seo úsáideann calaoiseoirí téacsteachtaireachtaí fóin phóca chun bob a bhualadh ar ábhar íospartaigh ionas go n-oscloídh siad ceangaltán nó nasc mailíseach.

⁷⁷ Sainithint Líne Glao (“CLI”) faoi Bhréagriocht – sa chomhthéacs seo bíonn an CLI a taispeántar d'fhaighteoir an ghlaio ionsáite ag glaoiteoir bradach ach bíonn an chuma ar an scéal gur uimhir cheart atá ann, agus is é an aidhm atá ann tús a chur le hiarracht calaoise.

⁷⁸ Cumarsáid Núise – Bunú an Tascfhórsa Tionscail um Chumarsáid Núise, 21/129, an 17 Nollaig 2021.

COVID-19 AGUS SLÁNDÁIL LÍONRA

Bhí paidéim COVID-19 agus srianta Sláinte Poiblí an Rialtais mar bhonn le hobair leanúnach a bheith ar fáil don tionscal agus do ComReg. Freagairt ba ea é sin don ghá go mbeadh fostaithe ag obair ón mbaile, mar gheall ar shrianta sláinte poiblí a bhí riachtanach chun scaipeadh COVID-19 a mhaolú agus d'fhonn a chinntiú go bhféadfaí leanúint ar aghaidh le cúrsaí gnó.

Arís, i rith 2021, d'fheidhmigh ComReg mar phointe lárnach comhordaithe idir gnóthais agus DECC, agus rinne sé faireachán ar chobhsaíocht agus ar athléimneacht an líonra. Chinntigh sé go bhféadfadh seirbhísí riachtanacha, cosúil le líonraí teileachumarsáide, tacú leis an ualach méadaithe ar sheirbhísí sonraí seasta agus móibíleacha agus ar sheirbhísí gutha seasta agus móibíleacha, agus mar chuid den obair seo bhí sé riachtanach faisnéis a aimsiú maidir le cobhsaíocht líonra go díreach ó na gnóthais. Bhí cruinnithe rialta le gnóthais, DECC agus páirtithe leasmhara eile riachtanach chun tionchar na srianta sláinte poiblí agus/nó na ndeacrachtaí a d'eascair uathu a phlé.

FAIREACHÁN LÍONRA

Mar gheall ar phaidéim COVID-19 agus srianta Sláinte Poiblí an Rialtais ina dhiaidh sin, chinn ComReg, trí chomhaontú lena chonraitheoir, Advanced Wireless Technologies Group Limited ("AWTG"), a chlár tástála tiomántáin débhlantúil a chur ar fáil i rith 2020 agus sa chéad leath de 2021.

I ndiaidh na srianta taistil a mhaolú sa dara leath de 2021, reáchtáil AWTG Tástáil Tiomántáin 2021 an gheimhridh thar ceann ComReg agus i mí Eanáir 2022, d'eisigh ComReg tuarascáil ⁷⁹ maidir le torthaí na tástála tiomántáin.

⁷⁹ <https://www.comreg.ie/publication/assessment-of-mobile-network-operators-compliance-with-licence-obligations-coverage-winter-2021>

EISPÉIREAS AN ÚSÁIDEORA FÓN PÓCA – MAPÁIL AN CHLÚDAIGH FÓN PÓCA LASMUIGH

Is féidir le tomhaltóirí leibhéal an chlúdaigh fón póca a d'fhéadfaidís a bheith ag súil leis ina gcomharsanachtaí féin a mheas trí úsáid a bhaint as léarscáil chlúdaigh fón póca lasmuigh ComReg. D'fhéadfadh an fhaisnéis seo cabhrú le tomhaltóirí rogha eolasach a dhéanamh faoina gceanglais nascachta.

Déantar an léarscáil clúdaigh fón póca lasmuigh a nuashonrú go rialta, agus cuirtear suíomhanna nua a bheidh ar fáil agus athruithe atá á ndéanamh ar an teicneolaíocht atá in úsáid ag na suíomhanna san áireamh. Ní hamháin go mbíonn tionchar aige seo ar an gclúdach ach d'fhéadfadh sé a bheith mar bhonn leis an seirbhís atá á dtairiscint i gceantar a fheabhsú.

Cuireann ComReg ríomhanna innealtóireachta neamhspleácha i bhfeidhm ar na sonraí líonra a fhaightear ó oibritheoirí líonra mhóibíligh ("MNOanna"). Ansin déantar na ríomhanna seo a chalabhrú trí úsáid a bhaint as tacar tomhas fíorshaoil Toinne Leanúnaí⁸⁰ ("CW"), tógtha ag roinnt suíomhanna ar fud na hÉireann. I ndiaidh calabhrú a dhéanamh, cuirtear réamh-mheastacháin na léarscáile clúdaigh lasmuigh ar fáil ar shuíomh gréasáin ComReg.⁸¹ Anuas air seo, cabhraíonn an anailís a dhéantar ar na réamh-mheastacháin clúdaigh lasmuigh leis an mbealach a bhfuil an speictream raidió á bhainistiú ag ComReg faoi láthair agus leis an mbealach bainistíochta a bheidh in úsáid amach anseo.

As seo go ceann bliana, táthar ag súil go mbeidh nuashonruithe maidir le bandaí agus teicneolaíochtaí 5G le fáil ar an gcéad leagan eile den léarscáil chlúdaigh fón póca. Anuas air sin, leanfar le forbairt an tsrutha oibre chomh fada is a bhaineann le bandaí minicíochta agus nuashonruithe teicneolaíocha atá sannta le déanaí.

SOLÁTHAR CUMHACHTA SLÁN

Ábhar nach mór do ComReg agus don tionscal teileachumarsáide a chur san áireamh é soláthar cumhachta slán. Roimh Gheimhreadh 2021, d'oibrigh ComReg le hoibritheoirí ar an riosca atá luaite le leanúnachas líonraí agus seirbhísí. Ainneoin nach bhfuil aon rud speisialta faoi staid na hÉireann sa chomhthéacs seo, bhí tionchar an chogaidh sa Úcráin mar bhonn le tuilleadh ábhar imní faoin soláthar cumhachta agus faoin tionchar a bheadh aige ar sholáthar cumhachta slán.

Leanfaidh ComReg le faireachán a dhéanamh ar an scéal agus oibreoidh sé leis na hoibritheoirí maidir leis an riosca sa bhliain amach romhainn.

OBAIR IDIRNÁISIÚNTA

Cuireann ComReg agus glacann sé páirt i roinnt fóram idirnáisiúnta, go príomha: Comhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach ("BEREC") lena n-áirítear a Mheithleacha cibearshlándála 5G agus NIS 2; agus ENISA, grúpa agus Meithleacha na nÚdarás Inniúlach Eorpach do Chumarsáid Leictreonach Shlán ("ECASEC").

I rith phaindéim COVID-19, rinneadh an obair seo ó chian trí úsáid a bhaint as uirlisí físchomhdhála gréasánbhunaithe. D'éascaigh an cur chuige seo cruinnithe sceidealaithe agus ad-hoc, agus bhí deis ag ComReg páirt iomlán a ghlacadh san obair agus cur leis an obair.

⁸⁰ Is éard atá i gceist le tonn leanúnach nó tonnchruth leanúnach tonn leictreamaighnéadach a bhfuil aimplitiúid agus minicíocht sheasmhach luaite léi.

⁸¹ <https://coveragemap.comreg.ie/map>

AN SCÉIM UIMHRITHE NÁISIÚNTA A BHAINISTIÚ

Tá an Scéim Uimhrithe Náisiúnta in Éirinn á bainistiú ag ComReg. Cuimsítear anseo uimhreacha geografacha, uimhreacha neamhgheografacha, uimhreacha fón póca, uimhreacha seirbhísí ardráta, cóid ghearra agus cóid líonra. Tá uimhreacha agus cóid teileafóin riachtanach chun líonraí agus seirbhísí cumarsáide leictreonaí a sholáthar, chun ródú éifeachtach cumarsáid náisiúnta agus idirnáisiúnta a chumasú agus chun tacú le feidhmiú ceart córas billeála agus socraíochta. Chomh maith leis sin, cuirfidh siad faisnéis ar fáil don ghlaiteoir maidir leis an tseirbhís ar glaoch uirthi, praghas an ghlaio agus i gcásanna áirithe, suíomh an ghlaio nó an pháirtí ar glaoth air.

Tá ComReg tiomanta do bhainistíocht éifeachtach uimhreacha, d'fhonn a chinntiú go bhfuil úsáid éifeachtach á baint ag oibritheoirí as uimhreacha agus go mbeidh uimhreacha ar fáil ar bhonn leanúnach d'úsáideoirí deiridh. Chuige sin, chuir ComReg córas bainistíochta uimhreach nua agus nuálach i bhfeidhm le haghaidh uimhreacha neamhgheografacha atá nasctha go díreach le córais na n-oibritheoirí. Ceadáíonn sé seo uimhreacha neamhgheografacha aonair a shannadh go huathoibríoch, nuair a dheimhníonn an t-oibritheoir go bhfuil ordú custaiméara bailí aige. Bíonn na huimhreacha sin beo ar gach líonra laistigh de 1 lá oibre, i gcomparáid leis an bpróiseas láimhe 3 lá a bhí in úsáid roimhe sin. Chomh maith leis sin, tá feidhm chuardaigh ar líne le fáil ar shuíomh gréasáin ComReg chun deis a thabhairt d'úsáideoirí deiridh an uimhir is fearr atá ar fáil chun a gcuid riachtanas a chomhlíonadh a chuardach.

Cabhraíonn forbairt a leithéid de chórais le huimhreacha a bhainistiú in Éirinn amach anseo. Beidh bainistíocht uimhreach amach anseo dírithe ar a bheith ag obair le hoibritheoirí d'fhonn a chinntiú go bhfuil a nósanna imeachta 'bíodh tuiscint agat ar do chustaiméir' (KYC) oiriúnach lena chinntiú nach mbíonn uimhreacha in úsáid ag caimiléirí, ó tharla gur fadhb leanúnach í an chumarsáid núise.

COINNÍOLLACHA ÚSÁIDE UIMHRITHE A NUASHONRÚ

Tá eolas maidir leis na rialacha a bhaineann le huimhreacha a úsáid agus critéir incháilitheacha do shealbhóirí uimhreach le fáil i gCoinníollacha Úsáide Uimhrithe ComReg⁸² Cosnaíonn na coinníollacha agus na critéir incháilitheacha seo tomhaltóirí agus tacaíonn siad le hiomaíochta trína chinntiú go bhfuil rochtain chomhionann ag oibritheoirí ar acmhainní uimhrithe.

Déantar na Coinníollacha Úsáide Uimhrithe a nuashonrú go rialta chun cuntas a dhéanamh de na forbairtí margaidh agus reachtacha is déanaí. Cuireadh an t-athbhreithniú is déanaí i gcrích i mí Iúil 2021,⁸³ i ndiaidh comhairliúchán poiblí a réachtáil. Mar chuid den chomhairliúchán, athbhreithníodh na forbairtí margaidh a rinneadh ó uair a ndearnadh an t-athbhreithniú deiridh in 2019, lena n-áirítear mionanailís ar uimhreacha atá le húsáid ag ardáin néalchumarsáide. Thacaigh taighde margaidh a léirigh go raibh tromlach mór (thart ar 90%) tomhaltóirí i bhfabhar uimhreacha geografacha (líne thalún) a shannadh do ghnóthaí agus do dhaoine aonair a raibh áitreabh acu laistigh den chód ceantair. Chomh maith leis sin, cuireadh oibleagáidí uimhrithe nua agus leasaithe sa Chód um Chumarsáid Leictreonach Eorpach san áireamh san athbhreithniú seo.⁸⁴ Ar deireadh, cuireadh leasuithe san áireamh freisin a raibh sé mar aidhm leo déileáil le nithe a tháinig chun solais mar chuid de thionscadal cur chun feidhme na nUimhreacha Neamhgheografacha (NGN).

⁸² ComReg 15/136R3 www.comreg.ie/publication

⁸³ ComReg 21/75 www.comreg.ie/publication

⁸⁴ Treoir (EU) 2018/1972 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2018 lena mbunaítear an Cód um Chumarsáid Leictreonach Eorpach.

Tá sé beartaithe tuilleadh nuashonruithe a chur i bhfeidhm ar na Coinníollacha Úsáide Uimhrithe agus díreofar agus conas a úsáideann oibritheoirí Sainaitheint Líne Glao (CLI) a fheabhsú, mar aon le tacú le haon idirghabhálacha a bhfuil sé mar aidhm leo déileáil le cumarsáid núise atá bunaithe ag an Tascfhórsa Tionscail um Chumarsáid Núise.

CUR CHUN FEIDHME AN CHINNIDH MAIDIR LE HUIMHREACHA NEAMHGHEOGRAFACHA

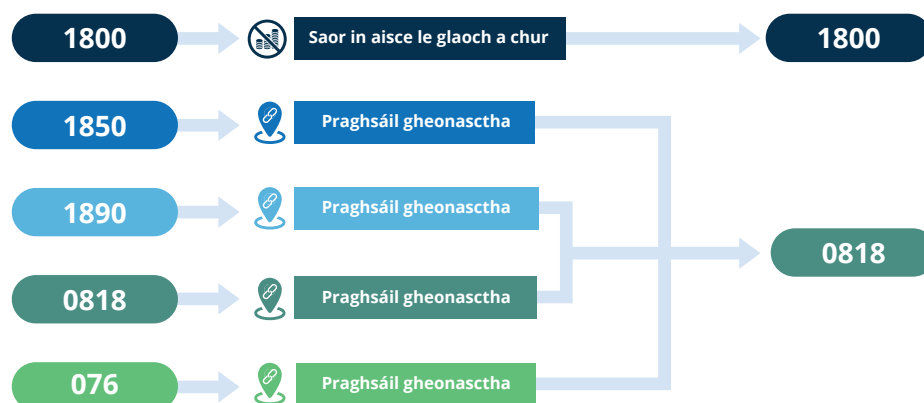
Is éard atá i gceist le huimhreacha neamhgheografacha (NGNanna) uimhreacha teileafóin a thosaíonn le 1800, 1850, 1890, 0818 agus 076, atá in úsáid ag eagraíochtaí chun seirbhísí cosúil le línte cabhrach, seirbhísí poiblí agus baincéireachta a sholáthar. Príomhthionscadal ComReg i rith 2021 ba ea leanúint ar aghaidh le cur chun feidhme Chinneadh NGN ComReg 2018.⁸⁵

Déileálann Cinneadh NGN leis an mearbhall atá ar go leor daoine maidir leis an gcostas a bhaineann le glao ar NGN agus na difríochtaí atá idir raonta NGN. Is é an cuspóir uileghabhálach muinín agus iontaobh a chothú in NGNanna trí ardán NGN a fheabhsú do thomhaltóirí agus d'eagraíochtaí araon. D'éascaigh ComReg meitheal leis an tionscal, a bhuail lena chéile go rialta i rith 2021 agus ag tús 2022 chun cur chun feidhme praiticiúil Chinneadh NGN a phlé agus chun aon cheisteanna oibríochtúla a tháinig chun cinn a réiteach.

Sonraíodh dhá bheart i gCinneadh NGN, mar atá léirithe i bhFigiúr 13.

- (i) Cuireadh an beart praghsála 'geo-nasctha' chun feidhme ar an 1 Nollaig 2019. Cinntíodh gur cuireadh aon NGNanna 1850, 1890, 0818 nó 076 san áireamh i mbeartáin glao custaiméara a raibh glaonna ar uimhreacha líne thalún san áireamh iontu. Nuair nach raibh na huimhreacha san áireamh i mbeartán, níos chosain na glaonna seo níos mó ná an ráta a chosnódh sé glaoch ar líne thalún.
- (ii) Bhí beart 'comhdhlúthaithe' NGN mar bhonn leis an líon raonta NGN a laghdú ó chúig (1800, 1850, 1890, 0818 agus 076) go dtí dó (1800 agus 0818) ó thús 2022. Níl ach na raonta NGN Uimhir Shaorghlao 1800 agus Ráta Caighdeánach 0818 ag oibriú anois, agus tá an beart praghsála geo-nasctha i bhfeidhm fós i ndáil le glaonna 0818. Ní fócann an glaoiteoir ach glaonna chuig uimhreacha 1800.

Figiúr 13: Cur Chun Feidhme Chinneadh NG



Pragsáil gheonasctha:
Curtha chun feidhme an 1 Nollaig 2019

Comhdhlúthú NGN:
bhí mí Eanáir 2022 ann

⁸⁵ ComReg 18/106 and D15/18 www.comreg.ie/publication

D'fhoilligh tomhaltóirí agus eagraíochtaí a chur ar an eolas faoi gcéim comhdhlúthaithe deiridh de chur chun feidhme Chinneadh NGN, reáchtáil ComReg roinnt feachtas cumarsáide ar ardáin dhigiteacha agus meán sóisialta i rith 2021 agus ag tús 2022. Chomh maith leis sin, reáchtáladh feachtas fógraíochta ar an raidió agus sa phreas ag deireadh 2021. Tá roinnt grafaicí eolais agus bheochaint foilsithe ag ComReg ar líne agus tá leathanaigh ghréasáin speisialta bunaithe ar NGN bunaithe aige ⁸⁶ chun na hathruithe NGN a mhíniú do thomhaltóirí agus d'eagraíochtaí. Tá an t-aiseolas a fuarthas ó thomhaltóirí agus maidir leis an gclúdach sna meáin maidir le cur chun feidhme Chinneadh NGN dearfach, agus go ginearálta, bhí meas ag tráchtairí ar na buntáistí a chruthaigh a leithéid do thomhaltóirí agus d'eagraíochtaí a úsáideann NGNanna.

Príomhghné den teachtaireacht chumarsáide ba ea an coigilteas costas suntasach ar féidir le heagraíochtaí atá ag ascnamh chuig uimhreacha 0818 agus 1800 tairbhe a bhaint as, go háirithe ó bunaíodh córas mórdhíola nua le haghaidh glaonna NGN i mí Bealtaine 2020. Gné shuntasach den chóras mórdhíola nua ba ea an laghdú 92% ar tháillí bunúsacha fón póca le haghaidh glaonna fón póca chuig Uimhir Shaorghlao 1800. I dteannta a chéile, cinntíonn na feabhsuithe seo go bhfuil ardán NGN atá oiriúnach dá fheidhm agus éasca le tuiscint ag Éirinn, agus margadh iomaíoch chun seirbhísí NGN a sholáthar.

STRATEGY TO PROMOTE OVER-THE-AIR PROVISIONING AND ESIM

Ceanglaíonn an Cód um Chumarsáid Leictreonach Eorpach (EECC) ⁸⁷ ar Bhallstáit tacú le soláthar thar an líonra ('OTA') chun deis a thabhairt do thomhaltóirí fón póca a soláthraí a aistriú. Braitheann soláthar OTA ar theicneolaíocht 'leabaithe' SIM ('eSIM'). Choimisiúnaigh ComReg staidéar saineolach in 2021 chun tacú le straitéis a fhorbairt do chur chun cinn sholáthar OTA in Éirinn. I mí na Samhna 2021, d'fhoilsigh ComReg an staidéar seo, i dteannta le comhairliúchán ⁸⁸ on its proposed strategy. In June 2022, ComReg published its response to consultation and final strategy ⁸⁹, maidir lena straitéis mholta. I mí Meithimh 2022, d'fhoilsigh ComReg a fhreagairt don chomhairliúchán agus straitéis deiridh, ina sonraítear clár oibre d'oibritheoirí móibíleacha in Éirinn. Is é an plean atá ann go mbeidh custaiméirí in ann clárú agus aistriú idir oibritheoirí ar líne faoi dheireadh 2023, agus go mb'fhéidir go bhféadfadh custaiméirí aistriú idir oibritheoirí in imeacht 5 nóiméad nó níos lú.

Áirítear i measc na mbuntáistí eile atá luaite le OTA agus eSIM an cumas a bheith ag tomhaltóirí próifílí áitiúla sealadacha a íoslódáil nuair a bhíonn siad ag fánaíocht thar lear. Tá sé seo thar a bheith tábhachtach nuair a bhíonn custaiméirí ag fánaíocht lasmuigh den AE, áit nach bhfuil feidhm le hoibleagáidí Fánaíocht ar Tháillí Baile (RLAH), de bhrí go mbíonn ar thomhaltóirí billí móra a íoc nuair a fhilleann siad ar an mbaile. D'fhéadfadh a leithéid de phróifílí áitiúla sealadacha a chinntiú gur féidir le tomhaltóirí tairbhe a bhaint as taraifí níos réasúnaí atá infheidhme go háitiúil. Tá aird tarraingthe ar na buntáistí eile a bhaineann le eSIM i bhFigiúr 14.

⁸⁶ Féach www.comreg.ie/ngn

⁸⁷ Treoir (EU) 2018/1972 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2018 lena mbunaítear an Cód um Chumarsáid Leictreonach Eorpach.

⁸⁸ ComReg 21/114 www.comreg.ie/publication

⁸⁹ ComReg 22/48A www.comreg.ie/publication

Figiúr 14: Na buntáistí a bhaineann le soláthar eSIM agus OTA



7. Anailís Margaidh agus Praghsáil

In Éirinn, tá raon agus nádúr an rialacháin chumarsáide leictreonaí á gcinneadh bunaithe ar phróiseas anailíse margaidh atá sonraithe faoi chreat comhchoiteann Eorpach do líonraí agus seirbhísí cumarsáide leictreonaí. Faoin gcreat seo, ar dtús ní mór do ComReg sainmhíniú a dhéanamh ar na margaí a d'fhéadfaí a áireamh laistigh de raon an rialacháin ag féachaint do Mholadh 2020 an Choimisiúin Eorpaigh, ina sainaithnítear na margaí sin atá soghabhálach i leith rialacháin ex ante. I ndiaidh an margadh iomchuí a shainiú, ní mór do ComReg measúnú a dhéanamh ar cibé acu atá nó nach bhfuil Cumhacht Shuntasach sa Mhargadh (SMP) laistigh den mhargadh sin ag aon chuideachta, coincheap atá cosúil le ceannasacht faoi dhlí na hiomaíochta. Má chinntear go bhfuil SMP ag cuideachta, ní mór do ComReg réiteach (nó oibleagáid) amháin ar a laghad a fhorchur chun an éifeacht is dócha a bheidh ag fadhbanna iomaíochta aitheanta i ndáil leis an tionchar a bheidh acu ar iomaíocht agus tomhaltóirí a fheabhsú. Mar shampla, d'fhéadfadh ComReg a cheangal ar oibritheoir SMP rochtain ar a líonra a thabhairt d'iomaitheoirí ag an leibhéal mórdhíola, agus bheadh a leithéid de rochtain faoi réir rialuithe praghanna. Ceanglaítear ar ComReg, de réir dhlí na hEorpa, fógra a chuir chuig an gCoimisiún Eorpach maidir lena dhréachtchinní i ndáil lena anailís margaidh, agus tá an cumas ag an gCoimisiún Eorpach tuairimí maidir lena leithéid de dhréachtbhearta a roinnt, lena n-áirítear, i roinnt cásanna, an cumas bac a chur ar a gcur chun feidhme. Déantar athbhreithniú ar mhargaí rialaithe ó am go ham faoin bpróiseas anailís margaidh seo.

Is treoirphrionsabal den chreat comhchoiteann é go mbeidh oibleagáidí SMP á bhforchur ag an leibhéal mórdhíola, agus go bhforchuirtear oibleagáidí ag an leibhéal miondíola díreach sa chás nach leor na hoibleagáidí ag an leibhéal mórdhíola chun déileáil leis na fadhbanna iomaíochta a bhaineann le margaí miondíola. I ndiaidh cinneadh a rinneadh ar glacadh leis i mí Meithimh 2020, níl aon mhargáí miondíola in Éirinn níos mó atá faoi réir rialacháin.

I rith na bliana, chuir ComReg críoch lena anailís ar roinnt margaí mórdhíola, agus lean sé le/chuir sé tús le roinnt athbhreithnithe margaidh eile mar seo a leanas:

1. Baineann an margadh Rochtain Lárnach Mhórdhíola (WCA) le soláthar seirbhísí leathanbhanda miondíola (agus eile). In 2018, ghlac ComReg le cinneadh maidir leis na margaí WCA. Ag an am sin, dhíríáil sé an Margadh WCA Uirbeach ach lean sé ar aghaidh leis an Margadh WCA Réigiúnach a rialú. Ag an am sin freisin, chuir sé in iúl go ndéanadh sé measúnú lár téarma chun cuntas a dhéanamh ar aon athruithe breise sa Mhargadh WCA Réigiúnach. I mí na Samhna 2021, d'eisigh ComReg cinneadh a chiallaigh go raibh tuilleadh codanna den Mhargadh FACO Réigiúnach á ndírialú.⁹⁰

2. Is dhá mhargadh iad an Margadh Miondíola Seasta Rochtana Gutha (RFVA) agus Rochtain Sheasta Mhiondíola agus Bunús Glaonna (FACO) a bhaineann le soláthar seirbhísí teileafónaíochta seasta miondíola. I mí Meitheamh 2022, ghlac ComReg le cinneadh a bhain rialáil sa mhargadh RFVA agus sa mhargadh FACO.⁹¹

⁹⁰ Doiciméad ComReg 21/120 Cinneadh D10/21 www.comreg.ie/publications

⁹¹ Doiciméad ComReg 22/50 Cinneadh D05/22 www.comreg.ie/publications

Chun críche athbhreithnithe margaidh agus feidhmeanna rialála eile, lean ComReg le páirt a ghlacadh i mbailiú faisnéise ó sholáthraithe seirbhíse trí chumhachtaí reachtúla bailithe faisnéise a úsáid. Tá ComReg páirteach i dtionscadal claochlaitheach bailithe sonraí ilbhliantúil a bhfuil sé mar aidhm leis córais agus nósanna imeachta idir é féin agus a oibritheoirí chun bailiú faisnéise gráinní níos éifeachtaí agus níos éifeachtúla a chumasú. I rith na bliana, áiríodh anseo faisnéis a nuashonrú a bailíodh maidir leis seirbhísí teileafónaíochta guth sheasta, leathanbhanda agus línte léasaithe. Ainneoin go bhfuil neart dul chun cinn déanta, baineann deacracht fós le doimhneacht, cáilíocht agus iontaofacht na faisnéise curtha ar fáil ag roinnt oibritheoirí i ndáil le seirbhísí cumarsáide áirithe, lena n-áirítear i ndáil le soláthar faisnéise maidir le clúdach líonra agus soláthar seirbhíse ag leibhéal geografach oiriúnach.

I mí Dheireadh Fómhair 2021, i ndiaidh Comhairliúcháin a reáchtáil in 2020 Consultation⁹², chuir ComReg fógra chuig an gCoimisiún Eorpach (an 'CE') maidir lena Dhréacht-Chinneadh faoi phraghsáil rochtana ar dhuchtanna agus cuailí Eir nó bonneagar innealtóireachta sibhialta ('CEI').⁹³ Gné amháin den fhógra ba ea praghsanna ba cheart do National Broadband Ireland ('NBI') a íoc, ina cháil mar an t-oibritheoir a bhfuil conradh aige chun an Plean Náisiúnta Leathanbhanda ('NBP'), a sholáthar. Molann ComReg, mar gheall ar nádúr sonrach agus uathúil NBP agus an ról atá ag NBI ann, go mbeadh praghsanna difreálacha, agus níos ísle, dá bharr sin, luaite le rochtain NB ar dhuchtanna agus ar chuailí Eir i gcoibhneas le hoibritheoirí tráchtála eile. Chuir CE in iúl gur ábhar imní ba ea dréachtbhearta áirithe ComReg.⁹⁴ I ndiaidh dul i mbun comhairle le Comhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach ('BEREC') agus le CE maidir leis na hábhair imní seo, i mí na Nollag 2021, chinn ComReg a dhréachtbhearta fógartha maidir le praghsáil CEI Eir a aistarraingt.⁹⁵ Tá sé beartaithe ag ComReg aird a dhíriú ar rialú praghsanna arís i gcomhthéacs an Chomhairliúcháin maidir le hathbhreithniú margaidh ar Rochtain ar an mBonneagar Fisiciúil ('PIA') atá le déanamh gan mhoill, agus atá le foilsiú i Ráithe 4 2022. Idir an dá linn, tá feidhme le rialú praghsanna CEI atá sainordaithe i gCinneadh ComReg D10/18⁹⁶ fós.

D'fhoilsigh ComReg Cinneadh i mí Dheireadh Fómhair 2020⁹⁷ maidir le Meánchostas Ualaithe an Chaipitil ('WACC') sna hearnálacha móibíleacha, líne sheasta agus craolacháin atá le húsáid chun críche na n-oibleagáidí maidir le rialú praghsanna a forchuireadh ar oibritheoirí SMP. Mar atá leagtha amach i gCinneadh Dheireadh Fómhair 2020 ('Cinneadh WACC'), athríomhann ComReg an WACC do gach earnáil gach bliain agus, gach bliain ar nó roimh an 30 Meitheamh, foilsíonn sé, trí bhíthin Fógra Faisnéise, luachanna WACC nuashonraithe. Foilsíodh Fógra Faisnéise i mí Meithimh 2022 i dteannta le Nuashonrú Bliantúil WACC 2022⁹⁸ agus cuirfear na luachanna nuashonraithe i bhfeidhm in aon athbhreithniú praghsanna a dhéanfar amach anseo. Foilseofar Nuashonrú Bliantúil WACC 2023 i Ráithe 2 2023

⁹² ComReg 20/81 www.comreg.ie/publications

⁹³ ComReg 21/108 www.comreg.ie/publications

⁹⁴ ComReg 21/119 www.comreg.ie/publications

⁹⁵ ComReg 21/127 www.comreg.ie/publications

⁹⁶ ComReg 18/94 Cinneadh D10/18 www.comreg.ie/publications

⁹⁷ ComReg 20/96 Cinneadh D10/20 www.comreg.ie/publications

⁹⁸ ComReg 22/47 www.comreg.ie/publications

I ndiaidh Comhairliúchán a reáchtáladh in 2020 ('Comhairliúchán ANM')⁹⁹, d'fhoilsigh ComReg Cinneadh i mí na Nollag 2021¹⁰⁰ maidir le hathbhreithniú agus nuashonrú an mhúnla costais a úsáidtear chun cinneadh a dhéanamh maidir le praghsanna costasbhunaithe do sheirbhísí ar líonra rochtana Eir. An Múnla Rochtana Líonra ('ANM') a thugtar ar an múnla nuashonraithe agus cuimsítear sa Chinneadh ('Cinneadh ANM') praghsanna nuashonraithe bunaithe ar an ANM le haghaidh Díchuachadh na Lúibe Logánta, Díchuachadh Folúbtha, Scair Líne, Leathanbhanda Snáithín Dhorcha agus Neamhspleách na Glúine Reatha. Chomh maith leis sin, breithníodh sa Chinneadh seo na haighneachtaí a cuireadh ar fáil mar chuid de Chomhairliúchán ANM ar thionchar margaidh an naisc reatha Snáithín chuig an Teach ('FTTH') agus praghsanna ascanta agus rinneadh measúnú ar an leibhéal costas a bhaineann le naisc agus ascnaimh FTTH. Chomh maith leis sin, mar chuid de Chinneadh ANM rinneadh measúnú ar an tionchar a bheadh ag na hionchuir eistithe ón ANM a nuashonrú agus an ráta WACC is déanaí ar phraghsanna Cábla Snáthoptaice go Colbha ('FTTC') agus praghsanna CG Bitstream. Ar an 14 Eanáir 2022, d'achomharc Eir Cinneadh ANM chuig an Ard-Chúirt ('Achomharc ANM').¹⁰¹

Ina dhiaidh sin, chuir Eir iarratas faoi bhráid na Cúirte Tráchtála chun fanacht a chur ar oibriú Chinneadh ANM ar feitheamh thoradh Achomharc ANM. I ndiaidh éisteacht a reáchtáladh ar an 24 agus 25 Feabhra 2022, dhiúltaigh an Chúirt Tráchtála d'iarratas ar fhanacht Eir agus rinneadh tagairt don ghealltanas a thug Páirtithe an Fhógra, Vodafone agus Sky Ireland Limited don Chúirt.¹⁰² Ciallaíonn sé seo go raibh na praghsanna a bhí leagtha amach i gCinneadh ANM i bhfeidhm ón 1 Márta 2022.

I ndiaidh Achomharc ANM a éisteacht os comhair an Breitheamh Onórach Quinn i mí Iúil 2022, forchoimeádadh breithiúnas.

TÁIRGÍ MÓRDHÍOLA

Tá foireann na dTáirgí Miondíola freagrach as gnéithe Straitéise agus Oibríochtúla phlean oibre an Rannáin Mórdhíola agus as sonraíocht theicniúil na bhfeabhsuithe bunaithe ar an anailís a rinne foireann na hAnailíse Margaidh.

Déanann foireann na dTáirgí Mórdhíola faireachán gníomhach ar oibriú feabhsuithe i margaí rialaithe, lena n-áirítear na margaí seo a leanas – Bunús Glaonna Rochtain Sheasta (FACO), Rochtain Áitiúil Mhórdhíola (WLA), Rochtain Lárnach Mhórdhíola (WCA) agus Rochtain Ardcháilíochta Mhórdhíola (WHQA). Bunaithe ar a Chumhacht Mhargaidh Shuntasaigh sna margaí WLA, WCA agus WHQA, ceanglaítear ar Eircom rochtain a sholáthar de réir na bhfeabhsuithe atá forchurtha ag ComReg. Áirítear i measc ghníomhaíochtaí na bhfoirne faireachán a dhéanamh ar an bhforbairt leanúnach líonraí mórdhíola snáithín atá á déanamh ag Eircom, Siro agus NBI, ó tharla go n-úsáideann siad seo ar fad Bonneagar Innealtóireachta Sibhialta ('CEI') Táirgí Rochtana Rialaithe ('RAPanna') de chuid Eircom. Lena chois sin, úsáideann soláthraithe Seirbhísí Miondíola táirgí rialaithe Eircom chun a gcuid táirgí a chur ar fáil do chustaiméirí cónaitheacha agus gnó. In 2021-22, chiallaigh na Táirgí Mórdhíola go raibh béim ar leith á leagan sa chlár ar rolladh amach an Phlean Náisiúnta Leathanbhanda a áirítear ann an úsáid is fairsinge a bhaint as CEI Eircom sa Stát lasmuigh d'fhéinsoláthar Eircom.

⁹⁹ ComReg 20/101 www.comreg.ie/publications

¹⁰⁰ ComReg 21/130 Cinneadh D11/21 www.comreg.ie/publications

¹⁰¹ ComReg 22/03 www.comreg.ie/publications

¹⁰² ComReg 22/20 www.comreg.ie/publications

Tá idirghníomhaíocht idir Táirgí Mórdhíola agus páirtithe leasmhara tionscadail ar bhonn déthaobhach agus ag cruinnithe foirmiúla tionscail, lena n-áirítear rannpháirtíocht i gCeardlann Forbartha Táirgí mhíosúil atá á reáchtáil ag Eircom. Príomhthimpeallacht eile d'idirghníomhaíocht Tionscail ba ea an Fóram Rannpháirtíochta Tionscail ('IEF') a bhí á reáchtáil ag ComReg. Athsheoladh agus forbraíodh é in 2020 faoi threoir Cathaoirleach seachtrach – in 2021/22 lean sé ar aghaidh ag feidhmiú mar phríomhfhóram d'idirghníomhaíocht idir iarrthóirí rochtana agus Eircom maidir le Táirgí Rochtana Rialaithe gníomhacha agus a bhí á bhforbairt. Le cois imlonnú na líonraí snáithín thuasluaite a bhfuil RAPanna in úsáid acu – déanann na Táirgí Mórdhíola faireachán ar na RAPanna gníomhacha atá curtha ar fáil ar líonra Eircom. Anuas air sin, táthar ag leanúint ar aghaidh le faireachán a dhéanamh ar imlonnú leanúnach Eircom a thionscadal Nuachóirithe Líonra. Cumasóidh an tionscadal Eircom seo forbairt a chroílíonra oidhreachta, fad is a bheidh rochtain ar sheirbhísí PSTN agus ISDN fós á soláthar.

Bhí ról lárnach ag roinnt comhairliúchán leanúnach agus pleanáilte i gclár oibre 2021/22. I mí Aibreáin 2021, d'fhoilsigh ComReg comhairliúchán maidir le Príomhtháscairí Feidhmíochta ('PTFanna') do mhargaí rialaithe bunús glaonna leathanbhanda agus seasta. Tá sé beartaithe go mbeidh PTFanna in úsáid chun feidhmíocht Eircom a thomhas i ndáil lena oibleagáidí trédhearcachta agus neamh-idirdhealaithe agus an tslí a gcaitear le hOibritheoirí Údaraithe Eile ('OAOanna') i gcomparáid le hoibríochtaí iarteachtacha féin Eircom. In 2021/22, bhí Táirgí Mórdhíola páirteach in idirghníomhaíochtaí agus in anailís fhairsing ar fhreagairtí agus ar sheasamh an tionscail. Nuair a bhí an obair seo curtha i gcrích, foilsíodh Cinneadh PTF ComReg D04/22, a tháinig in ionad chinneadh D05/11 a rinneadh in 2011, agus cuireadh san áireamh ann teicneolaíocht agus forbairtí eile a rinneadh san idirthréimhse. Foilsíodh an Cinneadh seo ar an 29 Meitheamh 2022 agus ceadaíodh tréimhse 6 mhí chun na PTFanna sainordaithe a chur chun feidhme. Chomh maith leis sin, rinneadh obair ullmhúcháin don chomhairliúchán maidir le margadh féideartha Rochtain ar Bhonneagar Fisiciúil ('PIA'). Cuimsítear i mbonneagar fisiciúil Bonneagar Innealtóireachta Sibhialta (CEI) cosúil le cuailí agus duchtanna. Leanfaidh rochtain ar tháirgí CEI ag feidhmiú mar phríomhchumasóir d'iomaíocht mhórdhíola agus mhiondíola trí úsáid a bheith á baint ag iarrthóirí rochtana as CEI chun a gcuid líonraí féin a imlonnú.

I mí Márta 2021, d'fhoilsigh Eircom "Copper switch-off: Leaving a Legacy for the Future", páipéar inar shonraigh sé a aidhm seirbhísí coparbhunaithe a ascnamh chuig seirbhísí snáithínbhunaithe. D'fháiltigh ComReg roimh an bhforbairt seo agus roinn sé faisnéis maidir leis an bpróiseas comhairliúcháin a bhí le cur i gcrích ina dhiaidh. I ndiaidh na rannpháirtíochta leis an Tionscal, lena n-áirítear próiseas 'Gairm ar Ionchuir', foilsíodh doiciméad comhairliúcháin ComReg dar teideal "Creat d'Ascnamh ó Bhonneagar Oidhreachta go dtí Bonneagar Nua-Aimseartha" ar an 25 Márta 2022 agus bhí na freagairtí faighte faoin 11 Bealtaine 2022. I láthair na huaire, tá ComReg i mbun anailís ar na freagairtí agus tá scóipeáil á déanamh ar a chinneadh maidir le Creat don aistriú ó bhonneagar oidhreachta agus é mar aidhm é a fhoilsiú i Ráithe 1 2023.

COMHLÍONTACTH MHÓRDHÍOLA

Sa rannóg seo dírithe ar imscrúduithe ar sháruithe ar oibleagáidí rialála a bhfuil oibritheoirí teileachumarsáide freagrach astu, agus teagmhais a bhaineann le mí-úsáid uimhreacha Éireannacha. Nuair a bhítear ag déileáil le himscrúduithe a bhaineann le hoibleagáidí rialála a chomhlíonadh, d'fhéadfadh go mbeadh tátal an cháis mar bhonn le:

- tuairim fhoirmiúil maidir le neamhchomhlíonadh a bheith á heisiúint d'oibritheoir
- íocaíocht riaracháin a bheith á déanamh ag oibritheoir
- imeachtaí cúirte nó
- clabhsúr a chur le cás sa chás nach sainaithnítear aon deacracht nó i ndiaidh don oibritheoir clabhsúr a chur le cás i ndiaidh d'oibritheoir feabhsúchán a dhéanamh sa chás go mbreithníonn ComReg nach bhfuil gá le tuilleadh gníomhaíochta.

I rith na tréimhse, áiríodh i measc gníomhaíochtaí comhlíontachta ComReg:

Comhlíontacht rialála:

- 1 chás oscailte
- 2 chás dúnta
- 23 cás gníomhach

Mí-úsáid uimhreacha Éireannacha:

- 9 gcás oscailte
- 10 gcás dúnta

As measc an 23 cás comhlíontachta rialála a bhí gníomhach i rith na bliana (lena n-áirítear 2 chás dúnta i rith na bliana), rinne ComReg 19 n-imscrúdú comhlíontachta gníomhacha ar an oibritheoir reatha líne seasta agus 2 imscrúdú comhlíontachta gníomhach ar oibritheoirí móibíleacha.

I rith na tréimhse, d'eisigh ComReg na Fógra maidir le Neamhchomhlíontacht seo a leanas.

- Eisíodh fógra¹⁰³ ar an 13 Lúnasa 2021 maidir le hoibleagáidí forchurtha faoi Chinneadh ComReg D10/18¹⁰⁴ (Ionstraim Chinneadh WLA) i ndáil le diúltú Eir rochtain a thabhairt ar a Chuasáin Mhalartáin chun naisc snáithín rochtana logánta a sholáthar idir malartáin agus cuasáin líonra rochtana sheachtracha.
- Eisíodh fógra¹⁰⁵ ar an 18 Feabhra 2022 maidir le hoibleagáidí forchurtha faoi Ionstraim Chinneadh WLA i ndáil le Muirir Farasbairr tobhaigh Eir le haghaidh rochtain ar dhuchtanna Eir.

¹⁰³ ComReg 21/82 www.comreg.ie/publications

¹⁰⁴ ComReg 18/94 www.comreg.ie/publications

¹⁰⁵ ComReg 22/11 www.comreg.ie/publications

I rith na tréimhse, d'eisigh ComReg na Fógraí maidir le Neamhchomhlíontacht seo a leanas:

- Eisíodh tuairim maidir le¹⁰⁶ Neamhchomhlíonadh chuig Eir ar an 4 Márta 2022. Cuireadh fógra maidir le neamhchomhlíonadh chuig Eir¹⁰⁷ agus forchuireadh na hoibleagáidí faoi Chinneadh ComReg D10/18 ar an 8 Márta 2021. Bhain an fógra le soláthar rochtana ar Bhonneagar Innealtóireachta Sibhialta ('CEI'), go háirithe Taifid maidir le Rochtain Éighníomhach.

I rith na tréimhse, rinne ComReg cinneadh maidir leis an díospóid seo a leanas faoi Rialachán 31 de na Rialacháin Chreata:

Eisíodh cinneadh¹⁰⁸ ar an 27 Bealtaine 2022 maidir le díospóid idir BT Communications Ireland Limited agus Eir a bhain le Rochtain CEI agus oibleagáidí forchurtha faoi Chinneadh ComReg D10/18.

¹⁰⁶ 22/16 www.comreg.ie/publications

¹⁰⁷ ComReg 21/19 www.comreg.ie/publications

¹⁰⁸ ComReg 22/43 Cinneadh D03/22 www.comreg.ie/publications

RIALACHAS RIALÁLA

Tá maoirseacht á déanamh ag ComReg ar shocruithe rialachais rialála Eir ar dhá phríomhbhealach faoi láthair.

Ar an gcéad dul síos, ceanglaítear ar Eir, faoi Chinneadh WLA/WCA 2018 agus faoi Chinneadh WHQA 2020, Ráitis Chomhlíontachta ('SoC') a ullmhú agus a chur ar fáil do ComReg, ina sonraítear agus ina mínítear nósanna imeachta measúnaithe riosca agus rialaithe Eir. Is í an fheidhm atá le SoC a cheangal ar Eir a léiriú conas a áirithíonn sé go bhfuil oibleagáidí SMP á gcomhlíonadh, go háirithe trí thagairt a dhéanamh do na bearta agus socruithe rialachais rialála atá bunaithe chun rioscaí neamhchomhlíontachta a shainaithint agus a bhainistiú.

Ar an dara dul síos, ar an 10 Nollaig 2018, ghlac ComReg agus Eir páirt i socraíocht maidir le roinnt imeachtaí Ard-Chúirte ('Comhaontú Socraíochta'). Mar chuid den Chomhaontú Socraíochta seo, chomhaontaigh Eir le tacar gealltanais (lena n-áirítear measúnú Uile-Riosca), a raibh sé mar aidhm leis RGM feabhsaithe in Eir a bhunú agus a fheidhmiú. Áirítear i measc na ngealltanais seo, Comhlacht Maoirseachta Neamhspleách ('IOB') a bhunú. Tá an IOB freagrach as, i measc rudaí eile, maoirseacht agus measúnú a dhéanamh ar shocruithe rialachais rialála Eir agus as tuarascáil a fhoilsiú ar bhonn bliantúil mar aon le tuairim maidir le cur chun feidhme agus éifeachtacht RGM Eir.

Sa chomhthéacs seo, seo a leanas na príomhghníomhaíochtaí atá le cur i gcrích sa tréimhse atá á hathbhreithniú (Iúil 2021 - Meitheamh 2022):

CLOCH MHÍLE 4

Cloch Mhíle 4, measúnú Uile-Riosca a chur i gcrích, a mheas ComReg ar dtús i mí na Nollag 2020. Ina dhiaidh sin, ghlac na páirtithe páirt i dTríú Litir Choimhdeach agus chuir Eir freagairt nuashonraithe eile ar an gCloch Mhíle ar fáil i mí Márta 2021.

I ndiaidh aighneachtaí a fháil ó Eir i mí Márta 2021, bhí comhfhreagras idir ComReg agus Eir maidir le hiarratais soiléirithe ó ComReg agus freagairtí gaolmhara ó Eir. I ndiaidh do ComReg an cheist a bhreithniú, cinneadh nach raibh Cloch Mhíle 4 comhlíonta agus cuireadh fógra chuig Eir maidir leis seo i mí Meithimh 2021.

Mar a tugadh le fios sa tuarascáil bhliantúil deiridh, rinne Eir agóid in aghaidh chinneadh ComReg agus atreoraíodh an fhadhb chun críche Idirghabhála i mí Dheireadh Fómhair 2021. Níor éirigh leis seo agus níor éirigh leis an dá thaobh teacht ar shocraíocht shásúil.

I mí na Nollag 2021, thug Eir fógra do ComReg ag cur in iúl dó go raibh sé beartaithe aige cinneadh ComReg a thabhairt chun dlí.

IOB

Lean an IOB ar aghaidh ag bualadh lena chéile agus d'fhoilsigh sé a chéad tuarascáil i mí Dheireadh Fómhair 2021. Foilsíodh freagairt ComReg don tuarascáil i ndoiciméad ComReg 21/95.¹⁰⁹

Táthar ag súil leis an gcéad Tuarascáil IOB eile i Ráithe 4 2022.

Athraíodh roinnt Ball Boird IOB, d'éirigh ceapaí ComReg amháin agus beirt a ceapadh ag Eir as a gcúraimí.

8.

Straitéis agus Eacnamaíocht

SEIMINEÁR GRÉASÁIN COMREG 2021: ÁR DTOSAÍOCHTAÍ STRAITÉISEACHA

I mí Mheán Fómhair 2021, reáchtáil ComReg seimineár gréasáin chun cur síos a dhéanamh ar a thosaíochtaí straitéiseacha le haghaidh 2021-2023 agus a chlár oibre reatha. D'fhreastail ionadaithe ó chomhlachtaí poiblí, oibritheoirí, an tsochaí shibhialta agus grúpaí tomhaltóirí ar an seimineár gréasáin.

Bhí an t-imeacht dírithe ar scála chlaohlú na hearnála cumarsáide leictreonaí agus tionchar forbairtí domhanda. Pléadh na treochothaí agus na dúshláin a mbeidh tionchar acu ar an earnáil agus a bheidh mar bhonn le ról rialacháin amach anseo a mhúnlú. Seo a leanas an dá phríomhsheisiún a reáchtáladh:

- Forléargas ar an gcomhthéacs geilleagrach leis an Ollamh Kieran McQuinn, ESRI.
- Forléargas ar Straitéis ComReg agus a chlár oibre reatha.

RÓL MVNONNA I MARGAÍ MÓIBÍLEACHA ATÁ AG FORBAIRT

I mí Dheireadh Fómhair 2021, d'fhoilsigh ComReg staidéar maidir le ról MVNONna i Margadh Móibíleach na hÉireann a cuireadh i gcrích i dteannta le WIK Consult. Ba é cuspóir ardleibhéil an staidéir teacht ar thuiscint ar an staid faoi láthair agus ar an bhforbairt is dócha a thiocfaidh ar mhargadh móibíleach na hÉireann agus leagadh béim ar leith ar ról na MVNONna.

Cuimsíodh sa tionscadal seo tuarascáil scríofa, agallaimh le príomhpháirtithe leasmhara agus ceardlanna le páirtithe leasmhara inmheánacha. Le fáil sa tuarascáil seo freisin bhí athbhreithniú ar:

- samha gnó móibíleacha
- dinimic sa mhargadh
- forbairtí teicneolaíocha agus cás-staidéir idirnáisiúnta

Áiríodh i measc thátail agus mholtaí na tuarascála:

- Níl forbairt shuntasach tagtha ar MVNONna anseo agus cruthaíonn forbairtí teicneolaíocha dúshláin agus deiseanna dóibh.
- Tá neart fobhrandaí ag freastal ar an margadh.
- Níl aon ghá le hidirghabháil láithreach ach tá sé inmholta leanúint ar aghaidh le faireachán ar an margadh.

SEIMINEÁR GRÉASÁIN COMREG: I DTREO ÉICEACHÓRAS TEILEACHUMARSÁIDE NÍOS INBHUANAITHE

I mí Aibreáin 2022, reáchtáil ComReg seimineár gréasáin maidir le hinbhuanaitheacht chomhshaoil san earnáil teileachumarsáide. I measc na n-ábhar a pléadh bhí conas atá ComReg agus páirtithe leasmhara tionscail eile ag cabhrú chun an fhorbairt i dtreo earnáil dhigiteach níos glaise a threisiú, lena n-áirítear na léargais is déanaí ó thomhaltóirí Éireannacha maidir leis an tábhacht a bhaineann le hinbhuanaitheacht san earnáil teileachumarsáide.

Dhírigh na trí phríomhsheisiún ar:

- Gníomhaíochtaí inbhuanaitheachta ComReg, lena n-áirítear obair le BEREC.
- Tionchar comhshaoil ECS, staideár WIK/Ramboll curtha i láthair ag Ilsa Godlovitch.
- *Sustainability at Telia Company*, léargas ón tionscal curtha i láthair ag Olga Sihmane.

Deis ba ea an seimineár gréasáin chun breithniú agus plé a dhéanamh ar an méid is féidir le ComReg a dhéanamh agus conas is féidir a chinntiú go mbeidh ComReg ag feidhmiú mar eagraíocht a bhfuil meas aici ar inbhuanaitheacht chomhshaoil.

SUIRBHÉ AR EISPÉIREAS AN TOMHALTÓRA MHÓIBÍLIGH 2022

I Samhradh na bliana 2022, rinneadh obair allamuigh do Shuirbhé ar Eispéireas an Tomhaltóra Mhóibíligh ComReg. Soláthróidh an suirbhé léargas ar úsáid, tuiscintí agus eispéiris úsáideoirí fón póca, go háirithe chomh fada is a bhaineann le clúdach fón póca. Sa suirbhé tarraingíodh aird ar cheisteanna a bhain le heispéireas úsáideoirí fón póca lena n-áirítear:

- Úsáid agus Úinéireacht
- Úsáid fón póca
- Fadhbanna agus leibhéil sástachta leis an gclúdach
- Aistriú
- Glasáil sáis láimhe
- Toilteanas cabhrú (chun an clúdach fón póca a fheabhsú).

Páirteach sa suirbhé aghaidh ar aghaidh bhí 3,000 tomhaltóir as ar fud na tíre a bhí roinnt i gcúig chatagóir ar leith bunaithe ar bhearta dlús daonra atá sonraithe ag an bPríomh-Oifig Staidrimh.

Reáchtáladh an suirbhé seo mar chuid de chlár taighde timthriallach ComReg agus cuireadh leaganacha i gcrích roimhe sin in 2017 agus 2019. Dá réir sin, is féidir an suirbhé seo a chur i gcomparáid le leaganacha a rinneadh roimhe seo chun treochtaí a mheas le himeacht ama.

Chomh maith leis sin, úsáidfear na sonraí a bailíodh ón tionscadal suirbhé seo i dteannta le sonraí eile a bailíodh ó thionscadail taighde eile chun tuilleadh anailíse mionsonraithe a dhéanamh ar mhargadh Móibíleach na hÉireann. Chomh maith leis sin, reáchtálfar suirbhé leantach ar Nascacht Leathanbhanda.

9. Idirnáisiúnta

COMHLACHT NA RIALTÓIRÍ EORPACHA UM CHUMARSÁID LEICTREONACH (BEREC)

I rith na bliana seo, lean ComReg le páirt ghníomhach a bheith aige i gComhlacht na Rialtóirí Eorpacha um Chumarsáid Leictreonach (BEREC), a fheidhmíonn mar ardán tábhachtach chun cur chun feidhme comhsheasmhach a chinntiú sa chreat rialála don chumarsáid leictreonach san Aontas Eorpach agus ceadaíonn sé malartú rialála idir údaráis rialála náisiúnta (NRAnna). I measc bhaill BEREC tá gach NRA ón 27 Ballstát den Aontas Eorpach, ionadaithe ón gCoimisiún Eorpach, tíortha an Limistéir Eorpaigh Eacnamaíoch (EEA), mar aon leis na tíortha oifigiúla is iarrthóir agus na tíortha poitéinsiúla oifigiúla is iarrthóir den Aontas Eorpach.

I rith na tréimhse tuairiscithe seo, bhí Coimisinéir ComReg (agus Cathaoirleach anois), Robert Mourik ag feidhmiú mar ionadaí ComReg ar Bhord Rialtóirí (BoR) BEREC, in áit an Choimisinéara Jeremy Godfrey, a bhí ag obair mar Chathaoirleach BEREC i rith 2019. Bhí gníomhaíochtaí idirnáisiúnta ComReg dírithe ar chur le tionscadail agus aschuir BEREC atá leagtha amach i gClár Oibre 2021 agus 2022 BEREC. D'éiligh sé seo rannpháirtíocht ghníomhach shaineolaithe ComReg in 12 Mheitheal (WG) BEREC agus cuireadh Comhchathaoirleach ar fáil le haghaidh WG amháin (Éabhlóid Líonra Gan Sreang WG).

Áiríodh i measc thionscadail shuntasacha BEREC, a raibh baint ag ComReg leo, ionchur agus anailís a sholáthar do Choimisiún an AE ar mhaithe le cabhrú le hathbhreithnithe ar an Treoir Laghdaithe Costais Leathanbhanda¹¹⁰ agus ar an Rialachán Fánaíochta.¹¹¹ Anuas air sin, bhí ról ceannasaíochta ag ComReg in dhá cheardlann ar leith a eagrú, deis do shaineolaithe agus tráchtairí ón tionscal an méid seo a leanas a phlé, “Conas is fearr is féidir le BEREC tacú le teorainneacha nochta eolaíocht bhunaithe maidir le Minicíocht Leictreamaighnéadach (EMF) molta ag saineolaithe” agus “RAN Oscailte”. Chomh maith leis sin, lean BEREC ar aghaidh ag obair ar mhaithe le teacht ar thuiscint níos fearr ar na gnéithe timpeallachta dá líonraí agus seirbhísí cumarsáide leictreonaí.

Is ball gníomhach de mheitheal(WG) BEREC maidir le hInbhuanaitheacht é ComReg, meitheal a bunaíodh in 2020. I mí an Mheithimh 2022, d'fhoilsigh an WG Inbhuanaitheachta seo tuarascáil dar teideal ‘*Rannpháirtíocht BEREC i dtionchar na hearnála digití ar an timpeallacht a theorannú*’, a raibh cás-staidéar maidir le ComReg agus staidéar seachtrach ó WIK/Ramboll san áireamh inti (‘*Staidéar Inbhuanaitheachta Seachtraí ar thionchar Comhshaoil na cumarsáide leictreonaí*’.) Tharraing na mórphointí aird ar éifeachtaí cumasúcháin na hearnála digití agus ar lorg comhshaoil na hearnála, lena n-áirítear an sciar d’astaíochtaí domhanda Gás Ceaptha Teasa (GHG). Tarraingíodh aird chomh maith ar an bpointe nach ann do mhodheolaíocht roinnte chun measúnú a dhéanamh ar thionchar comhshaoil ECNanna/ECS, a bhí mar bhonn le tionscadal leantach a bhí dírithe ar mhodheolaíochtaí/ar tháscairí tomhais a bhféadfadh an earnáil iad a úsáid (2022-2023). D’fhéadfadh iomadú tomhas comhchuibhithe maidir le tionchar cumarsáid leictreonach ar an gcomhshaoil a bheith mar bhonn le trédhearcacht agus tuairisciú a fheabhsú san earnáil, inchomparáideacht a cheadú i measc oibritheoirí/soláthraithe agus d’fhéadfadh sé tomhaltóirí a chumasú freisin chun tairgí agus seirbhísí atá inbhuanaithe ó thaobh an chomhshaoil de a roghnú.

¹¹⁰ Treoir 2014/61/AE.

¹¹¹ Rialachán (AE) 2015/2120 lena leasaítear Rialachán (AE) Uimh. 531/2012.

Thiomsaigh ComReg agus baill eile de BEREC faisnéis faoi na tionscnaimh a chuir oibritheoirí teileachumarsáide Eorpacha i gcrích ar bhonn deonach chun cabhrú le dídeanaithe atá ag dul isteach san Aontas Eorpach ón Úcráin. Ainneoin go bhfuil tionscnaimh éagsúla bunaithe ag tíortha éagsúla agus ag oibritheoirí éagsúla, áirítear i measc liosta táscach de na tionscnaimh seo:

- Cártaí SIM a chur ar fáil do dhídeanaithe ón Úcráin nuair a shroicheann siad an tAontas Eorpach
- WiFi saor in aisce a chur ar fáil i gcampaí do dhídeanaithe ón Úcráin
- Glaonna idirnáisiúnta saor in aisce ón Úcráin a cheadú
- An Úcráin a áireamh sa chóras 'Fánaíocht ar Tháille Baile' san Aontas Eorpach
- Feidhm 'deonú SMS' a ghníomhachtú chun cabhrú le heagraíochtaí tacú le dídeanaithe
- Cainéil Úcránacha a áireamh i bpacáistí IPTV gan gá a bheith le táille bhreise a íoc.

Ina theannta sin, i mí Meithimh 2022, ghlac an Coimisiún Eorpach le Cinneadh chun NCEC a údarú, an t-údarás rialála Úcránach atá freagrach as cumarsáid leictreonach, chun páirt a ghlacadh (gan cearta vótála) in BEREC. Ciallaíonn sé seo gur féidir le NCEC páirt a ghlacadh in obair laethúil Bhord Rialtóirí BEREC, agus gur féidir leis an Úcráin saineolaithe a cheapadh chun páirt a ghlacadh i meithleacha BEREC.

GRÚPA NA RIALTÓIRÍ NEAMHSPLEÁCHA (IRG)

Lean ComReg le ról gníomhach a bheith aige i nGrúpa na Rialtóirí Neamhspleácha (IRG), a oibríonn i ndlúthchomhar le BEREC agus a bhunaigh grúpa NRAnna Eorpacha sa bhliain 1997. Cabhraíonn IRG le NRAnna le forbairt acmhainne, eispéiris a roinnt agus bailiú faisnéise maidir le ceisteanna tábhachtacha a bhaineann ní hamháin le rialú mhargadh teileachumarsáide na hEorpa ach a bhaineann le ceisteanna nua freisin, cosúil le rialú féideartha an ardáin dhigitigh. In 2021 agus 2022, d'fhreastail saineolaithe ComReg ar cheardlanna oiliúna IRG maidir le deighilt gheografach agus comhroinnt éighníomhach bonneagair, mar aon le seimineáir ghréasáin maidir le nascacht dhomhanda agus an reachtaíocht bheartaithe le haghaidh Acht Sonraí an Aontais Eorpaigh.

Chomh fada is a bhaineann le feidhm roinnt eispéireas IRG, lorg ComReg tuairimí Bhaill IRG maidir lena n-eispéiris a bhain le trí cheist ar leith a raibh staidéar á dhéanamh ag saineolaithe ComReg orthu i rith na tréimhse, eadhon: Ionstraimí Dí Digiteach - Inniúlachtaí NRA a mhapáil, cumarsáid núise agus córais cheadúnaithe satailíte. Chomh maith leis sin, d'fhreagair ComReg do bhreis is 38 ceistneoir aonair a dháil Baill IRG eile.

Is gníomhaíocht thábhachtach í rannpháirtíocht leanúnach ComReg in IRG, de bhrí go gcabhraíonn sé le roinnt faisnéise agus piarfhoghlaim idir NRAnna a chur chun cinn, atá mar bhonn leis na leibhéil chomhchuibhithe rialacháin ar fud na hEorpa a fheabhsú.

AN COISTE CUMARSÁIDE (COCOM)

Is coiste comhairleach ardleibhéil é an Coiste Cumarsáide (CoCom) atá freagrach don Choimisiún Eorpach a bunaíodh in 2022 faoin gCreat-Treoir (Treoir 2002/21/CE, arna leasú). Páirteach in CoCom tá ionadaithe Ballstáit agus is é an príomhról atá aige tuairimí a sholáthar maidir le dréachtbhearta a bhfuil sé beartaithe ag an gCoimisiún glacadh leo. Ghlac ComReg páirt bhall de thoscaireacht na hÉireann chuig CoCom, chun tacú le hionadaithe ón Roinn Comhshaoil, Aeráide agus Cumarsáide.

I measc na rialachán cur chun feidhme a pléadh ag CoCom i mbliana bhí na rialacháin inar sonraíodh saintréithe pointí rochtana gan sreang ceantair bhig (cealla beaga) chun imlonnú líonraí 5G a éascú chomh maith le hUimhir AE Chomhchuibhithe 116-016 d'íospartaigh foréigean inscnebhunaithe in aghaidh na mban (líne chabhrach GBV).

DUALGAIS CHLÁIR EILE CURTHA I GCRÍCH AG AN AONAD UM GHNÓTHAÍ IDIRNÁISIÚNTA

Chomh maith leis sin, lean an tAonad um Ghnóthaí Idirnáisiúnta le sruthanna oibre cláir ad-hoc agus seachtracha eile a raibh tionchar acu ar ComReg. Mar shampla, chomhordaigh sé freagairt ComReg d'Innéacs um an nGeilleagar Digiteach agus an tSochaí Dhigiteach (DESI) 2022 an Choimisiúin Eorpaigh¹¹², trí shonraí margaidh teileachumarsáide ábhartha a chomhdú leis an gCoimisiún.

Tá aonad um ghnóthaí idirnáisiúnta ComReg agus Ofcom (rialtóir cumarsáide na Ríochta Aontaithe) ag leanúint ar aghaidh le rannpháirtíocht dhéthaobhach maidir le hábhair a bhfuil leas coiteann iontu, i ndiaidh don Ríocht Aontaithe a bhallraíocht ón Aontas Eorpach a aistarraingt go foirmiúil agus fágáil BEREC ina dhiaidh sin ar an 31 Eanáir 2020.

AN EAGRAÍOCHT UM CHOMHAR AGUS FHORBAIRT EACNAMAÍOCHTA (OECD)

Is ball de Líonra na Rialtóirí Eacnamaíochta (NER) é ComReg, fochomhlacht de Choiste Beartais Rialála OECD. Chomh maith leis, is ball é ComReg den Mheitheal um Beartas Bonneagar agus Seirbhísí Cumarsáide (WPCISP) é ComReg, ar meitheal de chuid Choiste um Beartas Geilleagrach Digiteach (CDEP) OECD é.

AN TIONAD UM RIALÁIL SAN EORAIP (CERRE)

Is ball de CERRE é ComReg agus bhí sé páirteach sa choiste stiúrtha le haghaidh tionscadal éagsúil, lena n-áirítear 'Glasú TFC san Eoraip: Ionaid Sonraí agus an Ghreille', agus chomh maith leis sin, chabhraigh sé le roinnt tuarascálacha atá le foilsiú amach anseo.

¹¹² <https://digital-strategy.ec.europa.eu/en/policies/desi>

10. Seirbhísí Corparáideacha

RIALACHAS

Is é cuspóir ComReg a chinntiú go bhfuil dea-chleachtas á chomhlíonadh chomh fada is a bhaineann le Rialachas Corparáideach i gcónaí.

Is é beartas ComReg Cód Cleachtais chun Comhlachtaí Stáit a Rialú 2016 a chomhlíonadh agus thuairiscigh sé maidir le rannóga ábhartha den Chód seo a bheith á gcomhlíonadh aige sa Tuarascáil Bhliantúil seo nó ar leithligh de bhíthin litir a seoladh chuig an Aire Cumarsáide, Aeráide agus Comhshaoil.

Tá clár iniúchta fairsing bunaithe ag ComReg, a bhfuil maoirseacht á déanamh ag Coiste Iniúchta air, coiste a bhuail le chéile 4 huaire i rith na bliana. Tá an fheidhm iniúchta inmheánaigh seachfhoinsithe. Tá iontaobhaí neamhspleách ceaptha don scéim pinsean freisin, nós atá ag teacht le dea-chleachtas.

Mar chomhlacht poiblí atá ag feidhmiú i dtimpeallacht chasta, dúshlán leanúnach é breisluach a sholáthar fad is nach bhfuil ach acmhainní teoranta ar fáil. Déanaimid athbhreithniú agus leasú leanúnach ar bheartais agus ar nósanna imeachta a bhaineann le caiteachas, soláthar agus bainistíocht riosca. Tá ComReg cuntasach don Oireachtas trí Choiste Oireachtais.

Tá sé mar aidhm le cur chun feidhme leanúnach an phlean soláthair luach ar airgead a chinntiú, seirbhís ar ardchaighdeán a chur ar fáil don phobal agus soláthar a eagrú ar bhealach comhlíontach. I rith na bliana reatha, d'eagraíomar córas tairisceana iomaíoch dár seirbhísí seachfhoinsithe. Thugamar aird ar Threoracha Soláthair Eorpacha le haghaidh conarthaí móra. Bhaineamar úsáid as Creat-Chomhaontaithe Oifig um Sholáthar Rialtais nuair ab fhéidir.

Tá sé mar aidhm againn gach sonrasc bailí a íoc laistigh de 15 lá agus foilsímid líon agus luach na n-íocaíochtaí a dhéantar gach ráithe ar ár suíomh gréasáin. Táimid ag leanúint ar aghaidh le hamanna timthriallta próiseála oibre a fheabhsú, trí thairbhe a bhaint as comhoibriú gach ball foirne agus tionscnaimh theicneolaíocha nua forbartha go himmheánach chun próiseáil a fheabhsú. Sa bhliain go dtí an 30 Meitheamh 2022, bhí 95% de na híocaíochtaí déanta laistigh den am riachtanach.

CÚRSAÍ CUMARSÁIDE AGUS GNÓTHAÍ POIBLÍ

De réir ráiteas straitéise ComReg, príomhchuspóir de chuid ComReg é oibriú ar bhonn réamhghníomhach lenár bpáirtithe leasmhara éagsúla. Tá páirtithe leasmhara éagsúla ag ComReg idir tomhaltóirí agus a ngrúpaí ionadaíocha, oibritheoirí údaraithe, grúpaí ionadaíocha tionscail mar aon le comhlachtaí agus ranna rialtais intíre agus idirnáisiúnta, agus grúpaí eile nach iad. Úsáidimid cainéil éagsúla, lena n-áirítear suíomh gréasáin ComReg, na meáin agus na meáin shóisialta, chun ár dteachtaireacht a roinnt. Creidimid go gcabhraíonn rannpháirtíocht oscailte le gach páirtí leasmhar le ComReg chun a chuid oibre mar údarás rialála náisiúnta a chur i gcrích. I rith na tréimhse, d'fhoilsíomar 183 doiciméad ar shuíomh gréasáin ComReg.

Ar an 23 Feabhra 2022, tháinig ComReg os comhair an Chomhchoiste Oireachtais Iompair agus Líonraí Cumarsáide chun scéim ghinearálta an Bhille um Rialáil Cumarsáide a phlé.

RIALACHAS COMHSHAOIL AGUS SÓISIALTA

Mar ghníomhaireacht Stáit, tá ComReg airdeallach ar an tionchar atá ag a ghníomhaíochtaí ar inbhuanaitheacht agus ar an tsochaí. Tá iarracht á déanamh ag ComReg teacht ar thuiscint maidir le conas is féidir leis an earnáil chumarsáide leictreonaí a lorg carbóin féin a laghdú agus dul in oiriúint do thimpeallacht atá ag athrú. Idir teilea-oibriú agus físchomhdháil, astaíochtaí Gás Ceaptha Teasa (GHG) a bhaineann le hiompar a laghdú, gléasanna Idirlíon na nEarraí (IoT) chun éifeachtúlacht a fheabhsú in oibríochtaí talmhaíochta agus ídiú fuinnimh sa bhaile, is féidir leis an earnáil geilleagar ionchuimsitheach níos inbhuanaithe agus níos ciorclaí a chumasú.

Sonraítear i Ráiteas Straitéise ComReg maidir leis an gCumarsáid Leictreonach 2021-2023 go ndéanann ComReg iarracht i gcónaí feidhmiú mar eagraíocht a bhfuil meas aici ar inbhuanaitheacht chomhshaoil. Tá roinnt tionscnamh glas bunaithe ag ComReg le bliana beaga anuas a bhfuil sé mar aidhm leo a lorg carbóin eagraíochtúil a laghdú, de réir deachleachtais. Mar shampla, úsáideann ComReg 'cupáin in-athúsáidte' agus níl aon chupáin aon uaire in úsáid aige níos mó chun dramhaíl a laghdú.

Creideann ComReg go mbaineann tábhacht le timpeallacht ionchuimsitheach agus chothrom do gach duine atá ag obair do ComReg, agus nach mór a chinntiú go gcaitheann ComReg go measúil agus le dínit le daoine. Tá na luachanna seo a leanas - Ionracas, Neamhchlaontacht, Trédhearcacht, Barr Feabhais agus Éifeachtacht, agus an t-iompar a bhaineann leis na luachanna seo - fite fuaite sna hidirghníomhaíochtaí agus sna cinntí a bhfuil baint againn leo gach lá. Is cuid de Chairt Measa ComReg iad na luachanna sin freisin.

Caitheann ComReg le gach duine a mbíonn teagmháil aige leis i rith a chuid oibre a chur i gcrích, go cothrom agus go measúil. Tá oibleagáid ann a thuiscint go bhféadfadh ár gclaonadh neamh-chomhfhirosach tionchar a imirt ar na cinntí a dhéanaimid agus ar an mbealach a gcaithimid lena chéile. Tarraingimid aird gach ball foirne nua ar an gceist seo i rith na tréimhse ionductaithe.

Ó thaobh cúrsaí sochaíocha de, tá oibleagáid reachtúil ar ComReg tomhaltóirí a chosaint agus faisnéis a roinnt leo agus tá sé mar aidhm ag ComReg an cuspóir seo a chomhlíonadh trí fhaisnéis thráthúil, ábhartha, shoiléir agus inrochtana a fhoilsiú. Táimid airdeallach ar an ngá atá le faisnéis chuí a chur ar fáil do thomhaltóirí ionas gur féidir leo roghanna eolasacha a dhéanamh maidir le cumarsáid leictreonach, agus chun cabhrú leo déileáil le soláthraithe seirbhíse. Sa chomhthéacs sin, tá rannóg tomhaltóirí ár suímh gréasáin á nuashonrú go leanúnach againn, www.comreg.ie/consumer, le faisnéis agus nuacht ábhartha maidir le seirbhísí cumarsáide a roghnú agus a úsáid. Chomh maith leis sin, soláthraimid roinnt seirbhísí ar líne chun cabhrú le tomhaltóirí cinntí eolasacha a dhéanamh maidir le cumarsáid leictreonach. Áirítear ina measc seo léarscáil clúdaigh fón póca lasmuigh. Tá an léarscáil le fáil ag www.comreg.ie/coveragemap agus tugann sé deis do thomhaltóirí ríomh ComReg maidir le clúdach fón póca oibritheora agus leibhéil chomhartha a sheiceáil ag suíomhanna ar fud na tíre.

Chomh maith leis sin, soláthraíonn ComReg saoráid ar líne chun cabhrú le tomhaltóirí ar mian leo ceisteanna a chur maidir le táillí Seirbhísí Ardráta (PRS) atá curtha i bhfeidhm ar a mbille nó asbhainte óna gcreidmheas fóin. Tá an uirlis ar líne, Seiceálaí Seirbhíse, ar fáil ag <http://servicechecker.comreg.ie/>

TEICNEOLAÍOCHT FAISNÉISE

Lean ComReg ar aghaidh lena sheirbhísí Teicneolaíochta Faisnéise a fhorbairt agus a shlánú de réir an bheartais Ríomhsheirbhísí Rialtais reatha. D'fheabhsaigh ComReg a sheirbhísí do thomhaltóirí agus don tionscal go suntasach i rith na tréimhse agus cuireadh tuilleadh feabhsuithe i bhfeidhm sa réimse cibearshlándála agus i gceadúnú speictrim agus ar acmhainní ar líne do thomhaltóirí agus seirbhísí faisnéise ar líne ar féidir teacht orthu ag comreg.ie. Tá forbairtí suntasacha eile déanta i ndáil le córais agus próisis bailithe agus anailíse sonraí margaidh ComReg. Tá acmhainní agus aird na rannóige TF dírithe ar chur chun feidhme ardán comhoibritheach slán nua-aimseartha, tacú le feabhsuithe córais agus bagairtí cibearshlándála agus bainistíochta sonraí a rialú. Bhí ar chumas ComReg a thimpeallacht TF nua-aimseartha agus shlán a úsáid chun tacú leis an aistriú riachtanach chuig socruithe cianoibre i rith phaindéim Covid-19. Tá an eagraíocht ag baint tairbhe as stíl atá bunaithe ar obair chumaisc agus tá na hathruithe teicniúla riachtanacha déanta a éascóidh é seo ar an mbealach is éifeachtúla agus is táirgiúla agus is féidir.

ACMHAINNÍ DAONNA AGUS BARR FEABHAIS OIBRÍOCHTÚIL

Chuaigh ComReg in oiriúint don obair fhíorúil i rith na paindéime agus de réir mar a cuireadh deireadh leis na srianta, d'fhill daoine ar an oifig ar bhonn céimnithe. Tá ComReg anois ag baint tairbhe as samhail atá bunaithe ar obair chumaisc agus tá an modh oibre seo in úsáid go héifeachtach anois. Is é an bunriachtanas leanúint ar aghaidh lenár misean a sholáthar, is é sin tacú le forbairt earnáil cumarsáide iomaíoch in Éirinn a mheallann infheistíocht, a spreagann nuálaíocht, a chumhachtaíonn tomhaltóirí chun seirbhísí cumarsáide a roghnú agus a úsáid go muiníneach.

I rith na tréimhse cianoibre, trí shuirbhéanna a dhéanamh agus fócasghrúpaí a bhunú, lorgaíomar tuairim agus aiseolas phobal ComReg. Bunaithe ar an aiseolas seo, bhunaíomar cur chuige atá bunaithe ar obair chumaisc. Gheall muid triail a bhaint as tréimhse trialach 6 mhí de "thástáil" chun deis a thabhairt dúinn scrúdú a dhéanamh ar shocruithe éagsúla chun faisnéis a bhailiú don tsamhail oibre a bheadh in úsáid againn amach anseo.

Is é an aidhm atá againn teacht ar na bealaí oibre is fearr ionas go mbeimid in ann an méid seo a leanas a dhéanamh:

- ár misean agus cuspóirí a chomhlíonadh
- comhoibriú agus comhghleacaíocht a threisiú
- tacú le tosaitheoirí nua i dtimpeallacht ina mbeidh rochtain acu ar líonra inmheánach a éascóidh foghlaim, breathnóireacht, ceistiú agus idirghníomhaíocht,
- lántairbhe a bhaint as deiseanna chun domhainmhachnamh a dhéanamh agus díriú ar rudaí ar leith
- rudaí a dhéanamh

Ag deireadh na céime tástála, aontóidh ComReg ar Bheartas maidir le hObair Chumaisc – ní doiciméad statach a bheidh ann ach doiciméad a bheidh ag forbairt de réir mar a bheidh aiseolas agus forbairt ar bhealaí oibre á gcur san áireamh.

Bhí níos mó béime á leagan againn ar shláinte agus ar shábháilteacht i rith na paindéime agus, ainneoin nach bhfuil gá le go leor srianta níos mó, tá cuid de na bearta sláinteachais

fós i bhfeidhm againn agus tá grúpa de Gharchabhróirí nuacháilithe ar fáil má theastaíonn siad. Chomh maith leis sin, tá “cainteanna bosca uirlisí” bunaithe againn maidir le hábhair cosúil le “eirgeanamaíocht”, “sábháilteacht phearsanta”, “buneolas maidir le conas freagairt go praiticiúil do dhúshláin H&S” etc. Tá na cainteanna seo ag teacht leis na tionscnaimh eile atá bunaithe againn maidir le foghlaim agus forbairt agus folláine.

Táimid ag cur leis an líon ball foirne i gcónaí. I rith na tréimhse faoi athbhreithniú, bhí béim shuntasach á leagan againn ar dhaoine a mhealladh, a fhostú, a fhorbairt, deis rannpháirtíochta a thabhairt dóibh agus iad a choimeád san eagraíocht. Ionas gur féidir linn ár misean a chomhlíonadh, teastaíonn baill foirne gairmiúla díograiseacha atá ag obair i gcomhpháirt lena chéile a bhfuil rochtain acu ar na huirlisí agus ar na hacmhainní riachtanacha. Tuigimid nach mbeidh eagraíocht ar bith againn gan foireann agus i rith na bliana cúis áthais dúinn a fhógairt gur fháiltíomar roimh dhaoine cumasacha chuig an eagraíocht a chabhróidh linn ár mbonn eolais a fheabhsú, ár scileanna speisialaithe a mhéadú agus tacú le soláthar ár gcuspóirí.

Trí infheistíocht a dhéanamh chun daoine a fhorbairt, tá sé mar aidhm againn tacú le baill foirne a gcumas a fhorbairt agus barr a gcumais a bhaint amach. Táimid ag leanúint ar aghaidh le hurraíocht a dhéanamh ar chúrsaí oideachais agus molaimid go láidir do bhaill foirne cur leis an méid atá ar eolas acu agus lena gcáilíochtaí.

Táimid ag tacú leis an bhforbairt seo trí oiliúint ar an láthair oibre, cóitseáil, meantóireacht, cúrsaí saincheaptha agus oideachas foirmiúil. Thacaíomar le clár suntasach foghlama agus forbartha lena n-áirítear forbairt cheannaireachta, ghairmiúil, theicniúil agus cláir rialála agus le líonraí comhroinnte chun comhoibriú agus comhroinnt faisnéise a spreagadh. I mbliana bhí ár gclár meantóireachta dírithe orthu siúd a thosaigh ag obair san eagraíocht le dhá bhliain anuas. Tionscnamh nua ba ea an clár seo a bhí bunaithe ar ghrúpmheantóireacht. Tugann deis líonraithe do thosaitheoirí agus deis scrúdú a dhéanamh ar ábhair éagsúla i dtimpeallacht shábháilte faoi threoir meantóir le taithí. Táimid ag leanúint ar aghaidh leis an gclár seo a sholáthar, agus d'éirigh thar cionn linn go dtí seo.

Is trí chumarsáid scríofa a dhéanann ComReg formhór a idirghníomhaíocht. D'fhone cabhrú linn ár n-inniúlacht a bheachtú ar bhealach níos fearr, tionscnaíodh tionscadal bunaithe ar “Scribhneoireacht Éifeachtach”. Meitheal a bhí bunaithe laistigh de ComReg a bhunaigh an tionscadal seo, a shainaithin go raibh gá le roinnt modúl - agus bhí gach modúl ag teacht leis an modúl roimhe - ag tosú leis na bunsraitheanna agus leis an mbuneolas agus ag leanúint ar aghaidh go doiciméid phleanála agus eagarthóireachta. Bhaineamar tairbhe as seirbhísí speisialtóirí seachtracha chun cabhrú linn chun an clár a dhearadh agus a sholáthar. Tá an clár seo ag leanúint ar aghaidh, agus beidh an modúl buneolais san áireamh sa phríomhshraith foghlama do thosaitheoirí nua anois agus amach anseo.

Leanamar ar aghaidh lenár samhail feidhmíochta a fheabhsú, an Plé Feidhmíochta agus Forbartha (PDD), agus i mbliana, chuireamar feidhmiúlacht a bhaineann le breisoideachas agus promhadh leis. Cruthaíonn an próiseas PDD nasc idir ár gCreat Inniúlachta agus feidhmíocht agus cuirtear san áireamh freisin an méid atá comhlíonta agus an méid atá le comhlíonadh. Tá an bhéim á leagan ar chuspóirí a shonrú atá nasctha le straitéis agus pleananna gnó ina réachtáiltear comhráite míosúla idir an t-athbhreithneoir agus an t-athbhreithní.

Tá ComReg tiomanta do thacú le héagsúlacht, ionchuimsiú agus cothromaíocht inscne san áit oibre. Is mian linn a chinntiú go mbeidh taitneamh á bhaint ag daoine as an obair atá á déanamh acu, go mbeidh siad muiníneach go gcaithfear le meas leo san ionad oibre agus go dtuigfidh siad nach mór dóibh caitheamh le comhghleacaithe ar an mbealach céanna. Tá na luachanna seo a leanas - Ionracas, Neamhchlaontacht, Trédhearcacht, Barr Feabhais agus Éifeachtacht, agus an t-iompar a bhaineann leis na luachanna seo - fite fuaite sna hidirghníomhaíochtaí agus sna cinntí a bhfuil baint againn leo gach lá. Tá ról lárnach ag spás oibre ionchuimsitheach a chruthú in éiteas ComReg. Cúis bhróid dúinn é aitheantas a thabhairt d'éagsúlacht ár bhfoireann oibre trí mhí Bhród na nAerach a cheiliúradh agus trí aitheantas a thabhairt d'ócáidí tábhachtacha a bhaineann le cultúir éagsúla. Chomh maith leis sin, ceiliúraimid lá idirnáisiúnta na mban agus eagraímid plé téamúil leis an bhfoireann ar an lá.

Tá ComReg airdeallach ar an luach a bhaineann le difríochtaí grúpa/sóisialta (e.g., eitneacht, aicme shóisialta, inscne, gnéaschlaonadh, míchumas, etc.) chomh fada is a bhaineann leis an gcaighdeán oibre agus cinnteoireachta san eagraíocht a fheabhsú.

Amhail ag an 30 Meitheamh, mná ba ea 50% agus fir ba ea 50% de Choiste Iniúchta agus Riosca ComReg (ARC), agus bhí folúntas amháin ar an gcoiste. Tá comhdhéanamh bhaill ARC ailínithe le sprioc íosta an Rialtais de 40% ionadaíocht ar gach inscne a bheith le tabhairt faoi deara i mballraíocht na mBord Stáit.

Tá ár gCód Iompair agus Cairt Measa leabaithe tuilleadh againn inár bpróiseas ionductaithe, tuilleadh fianaise ar na caighdeáin idirghníomhaíochta agus iompair a bhfuil súil leo maidir lenár gcur chuige oibre. Tá sé mar aidhm againn go mbeadh léargas le fáil sa chód ar fhreagracht agus ar oibleagáidí a bhaineann lenár n-idirghníomhaíochtaí gnó. Chomh maith leis sin, leagtar béim ann ar an ngá atá le deireadh a chur le claonadh agus le dochar, agus ar chur chuige a thugann tús áite do dhaoine. Le bliain anuas, leanamar ar aghaidh lenár gClár um Dhínit agus Meas san Ionad Oibre a fhorbairt ar mhaithe lenár gcairt MEASA a leabú tuilleadh. Seoladh an chairt seo ag tús 2020 agus glactar leis mar phointe tosaigh do phlé a bhaineann leis an eagraíocht uile. Bhí na ceardlanna a reáchtáladh ina dhiaidh sin dírithe ar conas is féidir linn freagracht phearsanta a ghlacadh as an gCairt a thabhairt chun beochta trí machnamh a dhéanamh ar conas is féidir linn a bheith - Cineálta, Cróga, Cothrom agus Tiomanta – i rith ár ngníomhaíochtaí laethúla.

Tá ComReg tiomanta do thacaíocht ábhartha a thabhairt do dhaoine ag príomhchéimeanna dá saol - oideachas, tuismitheoireacht, tinneas agus méala, i measc rudaí eile. Déanaimid iarracht cultúr tacúil a chruthú agus a chothabháil, trí bheartais, cairteacha agus clár Folláine láidir. Áirítear sa Chlár seo an tábhacht a bhaineann le haire a thabhairt do mheabhairshláinte, sláinte fhisiciúil agus sláinte spioradálta. Baineann buntáistí suntasacha iomlánaíocha le cur chuige sláinte agus dea-shainithe maidir le folláine. Cruthaíonn ComReg timpeallacht thacúil ar bhonn réamhghníomhach inar féidir le daoine tairbhe a bhaint as deiseanna chun straitéisí a fhoghlaim chun a sláinte a fheabhsú agus a chothabháil. Rinneadh tuilleadh sainithe ar ár gclár folláine i mbliana agus scaipeadh clár ráithiúil beartaithe. Mar thoradh ar ár ndúshlán céimeanna bhí aon cheathrú den fhoireann ag gluaiseacht amuigh faoi aer agus roinn siad grianghraif d'éirí na gréine nó de luí na gréine a glacadh nuair daoine amuigh ag siúl luath ar maidin nó déanach sa tráthnóna. Chabhraigh ár ranganna ióga/Pilates leis na hailt a choimeád solúbtha i ndiaidh laethanta fada a chaitheamh inár suí ag cruinnithe.

I mbliana freisin, mar chuid dár gclár folláine tarraingíodh aird ar an meanapás agus scrúdaíodh conas is féidir linn díriú ar an gceist seo agus roghanna a roinnt le daoine atá ag déileáil leis an meanapás. Seo leanas ár gcuipóirí:

- tacaíocht a thairiscint do mhná a bhfuil siomptóim orthu
- aird gach inscne a tharraingt ar an ábhar seo
- cur leis an tuiscint atá ag gach fostaí ar an meanapás
- a chinntiú nach mbíonn drogall ar dhaoine labhairt faoin meanapás

Ceanglaítear ar ComReg alt 25, 26, 27 agus 28 d'Acht um Míchumas, 2005 a chomhlíonadh. Faoin Acht, cinntíonn ComReg go bhfuil limistéir phoiblí a fhoirgnimh inrochtana do dhaoine atá faoi mhíchumas agus go bhfuil ár seirbhísí poiblí inrochtana do dhaoine atá faoi mhíchumas.

Tá éachtaí ComReg bunaithe ar chaighdeáin ghairmiúla na ndaoine atá ag obair don eagraíocht. Tá ComReg buíoch dá fhoireann oibre atá díograiseach agus inniúil

RÁITIS AIRGEADAIS

AN CHOIMISIÚIN UM RIALÁIL CUMARSÁIDE
DON BHLIAIN DAR CRÍOCH AN 30 MEITHEAMH 2022



Clár na Nábhar

Leathanach

1	Baill an choimisiúin agus faisnéis eile	82
2	Ráiteas rialachais agus tuarascáil bhaill an choimisiúin	83
3	Ráiteas faoi rialú inmheánach	90
4	Tuarascáil an ard-reachtaire cuntas agus ciste	94
5	Ráiteas an chuntais ioncaim agus caiteachais agus leithreasaithe	96
6	Ráiteas faoi ioncam cuimsitheach	98
7	Ráiteas faoin staid airgeadais	99
8	Ráiteas faoi shreafaí airgid	100
9	Nótaí a ghabhann leis na ráitis airgeadais	101

1.

An Coimisiún um Rialáil Cumarsáide

An Coimisiún

Amhail ar an 30 Meitheamh 2022 bhí 2 Choimisinéir ag obair don Choimisiún:

Robert Mourik – Cathaoirleach
Garrett Blaney – Coimisinéir

Oifigí

1 Cheantar na nDugaí Láir
Sráid na nGildeanna
Baile Átha Cliath 1

Iniúcháirí

An tArd-Reachtair Cuntas & Ciste
3A Sráid an Mhéara Uachtarach
Baile Átha Cliath 1

Baincéirí

Banc na hÉireann
6 – 7 Sráid Uí Chonaill Íochtarach
Baile Átha Cliath 1

2.

Ráiteas Rialachais agus Tuarascáil Bhail an Choimisiúin

Rialachas

Bunaíodh an Coimisiún um Rialáil Cumarsáide (ComReg) ar an 1 Nollaig 2002. Tá feidhmeanna an Choimisiúin sonraithe in Acht um Rialáil Cumarsáide, 2002, agus in Acht um Rialáil Cumarsáide (Leasú), 2007. Baineann na feidhmeanna seo le rialáil agus le ceadúnú an tionscail cumarsáide leictreonaí (lena n-áirítear tarchur raidió agus craolta), rialáil seirbhísí poist, rialáil seirbhísí ardráta agus rialáil an ainm fearainn .ie. Tá an Coimisiún á mhaoiniú go hiomlán ag ioncam a fhaightear ón gcumarsáid leictreonach, tionscail seirbhísí poist agus ardráta.

Luaitear in Alt 11 d'Acht 2002, go mbeidh a fheidhmeanna á bhfeidhmiú go neamhspleách ag an gCoimisiún, faoi réir Acht 2002. Luaitear in Alt 14 den Acht seo go mbeidh Coimisinéir amháin ar a laghad agus nach mó ná triúr Coimisinéirí ag obair don Choimisiún agus faoi réir an Achta seo, féadfaidh an Coimisiún a nós imeachta féin a rialáil. Tá an Coimisiún freagrach as dea-rialachas a chinntiú agus cuireann sé an tasc seo i gcrích trí chuspóirí agus spriocanna straitéiseacha a shonrú agus cinntí straitéiseacha a dhéanamh maidir le gach príomhcheist gnó. Is é an Coimisiún agus an Fhoireann Cheannaireachta atá freagrach as bainistíocht, rialú agus treo rialta laethúil ComReg. Ní mór don Fhoireann Cheannaireachta an treo straitéiseach ginearálta atá sonraithe ag an gCoimisiún a leanúint, agus a chinntiú go bhfuil tuiscint mhaith ag gach BALL den Choimisiún ar na príomhghníomhaíochtaí agus ar na príomhchinntí a bhaineann leis an eintiteas, agus ar aon rioscaí suntasacha a d'fhéadfadh a bheith i gceist.

Freagrachtaí an Choimisiúin

Bhí obair agus freagrachtaí an Choimisiúin leagtha amach in Acht 2002 ar dtús. Tá ár gcuspoirí leagtha amach de réir na reachtaíochta príomha agus tánaistí, agus tá an creat reachtaíochta seo fós ag forbairt ó ritheadh Acht 2002 agus Acht Cumarsáide (Rialáil) 2007. In 2007, bhí Acht um Rialáil Cumarsáide (Leasú), 2007, mar bhonn le freagrachtaí agus cumhachtaí ComReg a mhéadú.

Foráiltear le hAlt 21 d'Acht 2002 'gur féidir le haon bhall foirne nó oifigeach údaraithe de chuid an Choimisiúin feidhmeanna an Choimisiúin a fheidhmiú nó gur féidir feidhmeanna an Choimisiúin a fheidhmiú trí na daoine sin cibé slí is cóir dar leis an gCoimisiún'. Tá feidhmeanna áirithe tarmligthe ag an gCoimisiún ach tá nithe eile fós forchoimeáda go sonrach chun críche cinneadh ón gCoimisiún. I measc na nithe a bhreithníonn an Coimisiún tá:

- tuarascálacha ón gCoiste Iniúchta & Riosca / grúpaí oibre
- tuarascálacha airgeadais / cuntais bhainistíochta
- tuarascálacha feidhmíochta, agus
- nithe forchoimeáda.

Freagrachtaí an Choimisiúin (ar lean)

Ceanglaíonn Alt 32 d'Acht um Rialáil Cumarsáide, 2002, ar an gCoimisiún, i gcibé foirm a bheidh faofa ag an Aire Comhshaoil, Aeráide agus Cumarsáide, le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe, na cuntais go léir is cuí agus is gnách ar an airgead go léir atá faighte agus caite aige a choimeád, lena n-áirítear cuntas ioncaim agus caiteachais agus clár comhardaithe, agus idirdhealú a dhéanamh idir:

- (a) a fheidhmeanna a bhaineann le cumarsáid leictreonach,
- (b) a fheidhmeanna a bhaineann le nithe poist agus
- (c) a fheidhmeanna a bhaineann le seirbhísí ardráta.

Nuair a bhíonn na ráitis airgeadais seo á n-ullmhú, ceanglaítear ar an gCoimisiún:

- beartais chuntasaíochta chuí a roghnú agus iad a chur i bhfeidhm go comhsheasmhach;
- ba cheart breithiúnais agus meastacháin atá réasúnta agus stuama a dhéanamh;
- na ráitis airgeadais a ullmhú ar bhonn an ghnóthais leantaigh mura bhfuil sé oiriúnach glacadh leis go leanfaidh an Coimisiún de bheith i mbun oibríochtaí.
- a shonrú cibé acu ar leanadh nó nár leanadh le caighdeáin chuntasaíochta cuí, faoi réir aon imeachtaí ábhartha arna nochtadh agus arna míniú sna ráitis airgeadais;

Tá an Coimisiún freagrach as taifid chuntasaíochta oiriúnacha a choimeád a nochtann, go réasúnta cruinn ag tráth ar bith, staid airgeadais an Choimisiúin agus a chuireann ar chumas an Choimisiúin a chinntiú go gcomhlíonann na ráitis airgeadais de réir cheanglais an Alt 32 den Acht um Rialáil Cumarsáide. Tá an Coimisiún freagrach as cothabháil agus sláine na faisnéise corparáidí agus airgeadais ar shuíomh gréasáin an Choimisiúin.

Tá an Coimisiún freagrach as an bplean gníomhaíochta agus buiséad bliantúil a fhaomhadh. Rinneadh meastóireacht ar fheidhmíocht an Choimisiúin trí thagairt a dhéanamh don phlean agus buiséad bliantúil i mí Meithimh 2022.

Tá an Coimisiún freagrach as a shócmhainní a chosaint agus, dá réir sin, bearta réasúnacha a dhéanamh chun calaois agus mírialtachtaí eile a chosc agus a bhrath.

Measann an Coimisiún go dtugann a ráitis airgeadais léargas fíorcheart ar fheidhmíocht airgeadais agus ar staid airgeadais an Choimisiúin ag an 30 Meitheamh 2022.

Struchtúr an Choimisiúin

Luaitear in Alt 14 d'Acht um Rialáil Cumarsáide, 2002, go mbeidh Coimisinéir amháin ar a laghad agus nach mó ná triúr Coimisinéirí ag obair don Choimisiún. Luaitear in Alt 15 den Acht go mbeidh Coimisinéir ceaptha ar bhonn lánaimseartha le haghaidh tréimhse nach lú ná trí bliana agus nach mó ná cúig bliana. Chomh maith leis sin, foráiltear leis an Acht sa chas go bhfuil níos mó ná Coimisinéir amháin ann, go gceapfaidh an tAire duine díobh chun feidhmiú mar chathaoirleach ar an gCoimisiún.

Faoi Alt 17 d'Acht um Rialáil Cumarsáide, 2002, déanfaidh an Coimisiún BALL dá fhoireann a ainmniú mar bhall ionaid den Choimisiún ("coimisinéir ionaid"), sa chás nach bhfuil níos mó ná Coimisinéir amháin ceaptha faoi Alt 15, agus déanfaidh sé nó sí, le húdarás ón gCoimisiún, feidhmeanna uile an Choimisiúin a ghabháil chuige féin nó chuici féin agus a chur i gcrích mura bhfuil an Coimisinéir i láthair.

Amhail ar an 30 Meitheamh 2022, bhí beirt Choimisinéirí ag obair don Choimisinéir a bhí ceaptha ag an Aire Comhshaoil, Aeráide agus Cumarsáide. Tá eolas le fáil sa tábla thíos maidir le BAILL an Choimisiúin agus sonraí a gceapacháin nó dáta athcheapacháin (ní féidir le baill an Choimisiúin níos mó ná dhá théarma oifige a chaitheamh ag feidhmiú mar Choimisinéir). Buaileann baill an Choimisiúin le chéile go rialta chun ceisteanna rialála agus oibriúcháin a phlé.

Ball den Choiste	Dáta an Cheapacháin
Robert Mourik* Cathaoirleach Garrett Blaney** Jeremy Godfrey	7 Eanáir 2019 7 Eanáir 2019 2 Meán Fómhair 2013 (d'éirigh sé as ar an 31 Nollaig 2021)

*Cathaoirleach ón 7 Eanáir 2022

**Cathaoirleach go dtí an 6 Eanáir 2022

An Coiste Iniúchta agus Riosca

Tá Coiste Iniúchta agus Riosca (ARC) bunaithe ag an gCoimisiún. Tá BAILL ARC ceaptha ag an gCoimisiún agus áirítear ina measc nach mó ná cúigear:

- beirt Choimisinéirí (Tabhair faoi deara: Is é an Cathaoirleach an tOifigeach Cuntasaíochta agus dá réir sin níl sé/sí ceaptha ar an gCoiste Iniúchta agus Riosca);
- triúr bhall seachtrach neamhspleách.

Tá an ARC faoi chathaoirleacht duine de na baill sheachtracha.

Is é an ról atá ag an ARC tacú leis an gCoimisiún lena fhreagrachtaí as nithe a bhaineann le riosca, rialú agus rialachas, agus dearbhú gaolmhar. Tá ARC ag feidhmiú neamhspleách ó fhoireann bhainistíochta airgeadais na heagraíochta. Áirithíonn an ARC, go háirithe, go ndéantar monatóireacht ghníomhach agus neamhspleách ar na córais rialaithe inmheánacha, lena n-áirítear na gníomhaíochtaí iniúchta. Tuairiscíonn an ARC don Choimisiún i scríbhinn gach bliain.

Ba bhaill de ARC iad na Coimisinéirí Jeremy Godfrey, Garrett Blaney agus Robert Mourik sa bhliain dar críoch an 30 Meitheamh 2022. Seo a leanas baill sheachtracha an Choimisiúin Iniúchta agus Riosca ag an 30 Meitheamh 2022: Patricia Byron (Cathaoirleach), Marie Collins agus Michael Tutty (ceaptha ar an 11 Aibreán 2022). D'éirigh Jimmy Murphy as a chúraimí mar bhall de ARC ar an 22 Meitheamh 2022. D'éirigh Robert Mourik as a chúraimí mar bhall de ARC nuair a ceapadh mar Chathaoirleach ar ComReg é agus ceapadh Garrett Blaney ina áit. Reáchtáil ARC ceithre chruinniú sa bhliain dar críoch an 30 Meitheamh 2022.

Sceideal Tinrimh, Táillí agus Costais

Tá sceideal tinrimh chruinnithe an Choiste Iniúchta & Riosca don bhliain 2022 le fáil thíos, mar aon leis na táillí a fuair gach ball. Níor íocadh aon speansais in 2022.

Baill an Choiste Iniúchta agus Riosca

Ainm	Ról	Líon Cruinnithe ar Freastalaíodh orthu	Táillí 2022 €
Patricia Byron - Cathaoirleach	Ball Seachtrach	4	8,000
Marie Collins	Ball Seachtrach	4	4,800
Jimmy Murphy (d'éirigh sé as a chúraimí ar an 22 Meitheamh 2022)	Ball Seachtrach	3	3,600
Michael Tutty (ceaptha ar an 11 Aibreán 2022)	Ball Seachtrach	1	1,200
Jeremy Godfrey (d'éirigh sé as a chúraimí ar an 31 Nollaig 2021)	Coimisinéir	2	N/a
Garrett Blaney (ceaptha ar an 7 Eanáir 2022)	Coimisinéir	2	N/a
Robert Mourik (d'éirigh sé as a chúraimí ar an 7 Eanáir 2022)	Coimisinéir	2	N/a

Athruithe ar Phríomhphearsanra

D'éirigh an Coimisinéir Jeremy Godfrey as a chúraimí ar an 31 Nollaig 2021. De réir Acht um Rialáil Cumarsáide, 2002, cheap an tAire Robert Mourik mar Chathaoirleach ón 7 Eanáir 2022.

Nochtuithe arna gceangal de réir an Chóid Cleachtais chun Comhlachtaí Stáit a Rialú (2016)

Tá an Coimisiún freagrach as a chinntiú go bhfuil ceanglais an Chóid Cleachtais chun Comhlachtaí Stáit a Rialú ("an Cód"), mar a d'fhoilsigh an Roinn Caiteachais Phoiblí agus Athchóirithe iad i mí Lúnasa 2016, á gcomhlíonadh ag an gCoimisiún. Ceanglaítear na nochtuithe seo a leanas de réir an Chóid.

Miondealú ar Shochair Ghearrthéarmacha Fostaí

Tá sochair gearrthéarmacha fostaí sa bhreis ar €60,000 á gcatagóiriú sna bandaí seo a leanas:

Raon (€'000)	30 Meitheamh 2022 <i>Líon</i>	30 Meitheamh 2021 <i>Líon</i>
60 - 70	13	15
70 - 80	16	17
80 - 90	16	19
90 - 100	15	12
100 - 110	8	7
110 - 120	5	7
120 - 130	11	9
130 - 140	7	7
140 - 150	3	3
150 - 160	2	0
160 - 170	1	1
170 - 180	0	0
180 - 190	1	1
190 - 200	0	0
200 - 210	0	0
210 - 220	0	2
220 - 230	2	0
230 +	2	2

Tabhair faoi deara:

Chun críche an nochtait seo, áirítear i sochair gearrthéarmacha fostaí a bhaineann le seirbhísí curtha ar fáil i rith na tréimhse tuairiscithe íocaíochtaí tuarastail, pá i gcoibhneas le feidhmíocht agus íocaíochtaí sochair chomhchineáil i ndáil leis na híocaíochtaí árachais leighis atá déanta thar ceann an fhostaí ach nach bhfuil ÁSPC fostóra san áireamh iontu.

Costais Comhairle Theicniúil

Áirítear i gcostais Comhairle Theicniúil an costas a bhaineann le comhairle sheachtrach a chur ar fáil don fhoireann bhainistíochta agus ní áirítear iontu feidhmeanna seachfhoinsithe 'gnó mar is gnách'. Tá costais Comhairle Dlí luach €1.4m (2021: €2.0m) léirithe ina n-aonar mar chuid de na Costais Dlí thíos.

	2022 €'000	2021 €'000
Comhairle Ghairmiúil & Theicniúil	7,727	7,500
Bainistíocht Teagmhálaithe	913	912
Taighde Margaidh	562	300
Monatóireacht ar Cháilíocht na Seirbhíse	576	552
	9,778	9,264

Costais Dlí

Tá eolas le fáil thíos maidir leis na méideanna atá aitheanta mar chaiteachas sa tréimhse tuairiscithe i ndáil le costais dlí.

	2022 €'000	2021 €'000
Comhairle Dlí	1,380	2,038
Costais Dlí a bhaineann le hlmeachtaí Dlí	1,862	1,157
	3,242	3,195

Tá costais dlí sonraithe gan costais aisghafa ó thríú páirtithe a áireamh. Ní dhearnadh aon íocaíochtaí idir-réitigh agus eadrána ná aon íocaíochtaí socraíochta i rith na bliana.

Caiteachas Taistil agus Cothaithe

Tá an caiteachas taistil agus cothaithe á chatagóiriú mar seo a leanas:

	2022 €'000	2021 €'000
Taisteal Intíre	23	-
Taisteal Idirnáisiúnta	64	-
	87	-

Caiteachas Fáilteachais

Áirítear sa Chuntas Ioncaim agus Caiteachais an caiteachas fáilteachais seo a leanas:

	2022 €'000	2021 €'000
Costais Fáilteachais Foirne	28	13
Ranníocaíocht don Chlub Spórt agus Sóisialta	8	3
	36	16

Níl aon bhaint ag ComReg le Fáilteachas Client. Ní áirítear sna méideanna thuasluaite caiteachas ar shólaistí/fáilteachas a bhaineann le hoibríochtaí gnó cosúil le comhdhálacha, imeachtaí agus cruinnithe a reáchtáil.

Ráiteas Comhlíontachta

Tá an Coimisiún tiomanta do na caighdeáin is airde de rialachas corparáideach. Tá beartais rialachais corparáidigh an Choimisiúin bunaithe ar an gCód Cleachtais chun Comhlachtaí Stáit a Rialú atá foilsithe ag an Roinn Caiteachais Phoiblí agus Athchóirithe.

Ceanglaíonn Alt 33 d'Acht um Rialáil Cumarsáide, 2002, ar an gCoimisiún glacadh le, arna fhaomhadh ag an Aire Comhshaoil, Aeráide agus Cumarsáide agus ag an Aire Caiteachais Phoiblí agus Athchóirithe, cód dá bhainistíocht airgeadais agus socruithe a dhéanamh an cód a fhoilsiú i ndiaidh é a fhaomhadh. Lena chois sin, ceanglaítear ar an gCoimisiún, athbhreithniú tréimhsiúil a dhéanamh ar a chód bainistíochta airgeadais agus an cód a athbhreithniú agus a athfhoilsiú de réir mar is cuí. Chomh maith leis sin, tá ceanglas ar an gCoimisiún, tagairt a dhéanamh sa tuarascáil bhliantúil don mhéid a bhfuiltear ag cloí leis an gcód.

Tá ár gcód bainistíochta airgeadais (atá bunaithe ar an gCód Cleachtais chun Comhlachtaí Stáit a Rialú (2016), foilsithe ag an Roinn Caiteachais Phoiblí agus Athchóirithe) faofa ag an Aire Comhshaoil, Aeráide agus Cumarsáide agus ag an Aire Caiteachais Phoiblí agus Athchóirithe. Tá an cód foilsithe ar ár suíomh gréasáin. Is é beartas an Choimisiúin a chinntiú go bhfuil an Cód á chomhlíonadh.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach

Dáta: An 31 Eanáir 2023

3.

Ráiteas Faoi Rialú Inmheánach

Freagracht as Rialú Inmheánach

Thar ceann ComReg admhaím an fhreagracht atá ar an gCoimisiún a chinntiú go bhfuil córas éifeachtach de rialú inmheánach á chothabháil agus á fheidhmiú. Áirítear sa fhreagracht seo ceanglais an Chóid Cleachtais chun Comhlachtaí Stáit a Rialú (2016).

Aidhm an Chórais Rialaithe Inmheánach

Is é an aidhm atá leis an gcóras rialaithe inmheánach riosca a bhainistiú ag leibhéal measartha seachas deireadh a chur le riosca ar fad. Dá réir sin, ní féidir leis an gcóras ach dearbhú réasúnta seachas dearbhú absalóideach a sholáthar go bhfuil sócmhainní á gcosaint, go bhfuil idirbhearta á n-údarú agus á dtaifeadadh i gceart, agus go bhfuil earráidí nó mírialtachtaí ábhartha á gcosc nó á mbrath ar bhealach tráthúil.

Tá an córas rialaithe inmheánach, atá ag teacht le treoir arna heisiúint ag an Roinn Caiteachais Phoiblí agus Athchóirithe, bunaithe in ComReg don bhliain dar críoch an 31 Meitheamh 2022 agus suas go dtí dáta faofa na ráiteas airgeadais.

Acmhainn Déileáil le Riosca

Tá Coiste Iniúchta agus Riosca (ARC) bunaithe ag ComReg a bhfuil uasmhéid de bheirt bhall den Choimisiún agus uasmhéid de cheathrar ball den Choimisiún páirteach ann, baill a bhfuil saineolas airgeadais agus iniúchta acu, agus tá ball amháin ag feidhmiú mar Chathaoirleach. Bhuaill baill an ARC le chéile ceithre huair sa bhliain dar críoch an 30 Meitheamh 2022.

Chomh maith leis sin, tá feidhm iniúchta inmheánaigh seachfhoinsithe bunaithe ag ComReg, a bhfuil dóthain acmhainní ar fáil lena haghaidh agus a reáchtálann clár oibre atá comhaontaithe leis an ARC.

Tá beartas bainistíochta riosca forbartha ag an gCoimisiún ina sonraítear a inghlacthacht riosca, na próisis bhainistíochta riosca atá i bhfeidhm agus mionsonraí maidir le ról agus freagrachtaí na mball foirne i ndáil le riosca. Tá an beartas curtha ar fáil do na baill foirne ar fad a bhfuiltear ag súil a bheidh ag obair de réir bheartais bhainistíochta riosca ComReg, chun aird na foirne bainistíochta a tharraingt ar rioscaí agus ar laigí rialaithe atá ag teacht chun cinn agus chun freagracht a ghlacadh as rioscaí agus as rialuithe a bhaineann lena réimse oibre féin.

Creat Riosca agus Rialaithe

Tá córas bainistíochta riosca curtha chun feidhme ag ComReg a shainaithníonn agus a thuairiscíonn príomhrioscaí agus na gníomhartha bainistíochta atá á ndéanamh chun déileáil leis na rioscaí sin, agus chomh fada agus is féidir, iad a mhaolú.

Tá clár rioscaí bunaithe ina sainaithnítear na príomhrioscaí a d'fhéadfadh a bheith ar ComReg déileáil leo agus tá na rioscaí seo sainaithianta, measúnaithe agus grádaithe bunaithe ar a shuntasáil is atá siad. Déanann an Coimisiún an clár a athbhreithniú agus a nuashonrú gach ráithe. Úsáidtear toradh na measúnuithe seo chun acmhainní a phleanáil agus a leithdháileadh lena chinntiú go bhfuil rioscaí á mbainistiú ag leibhéal inghlactha.

Tá mionsonraí le fáil sa chlár rioscaí faoi na rialuithe agus na gníomhartha a theastaíonn chun rioscaí a mhaolú agus tá freagracht i ndáil le feidhmiú rialuithe sannta do bhaill foirne ar leith. Deimhním go bhfuil timpeallacht rialaithe i bhfeidhm a áirítear ann na gnéithe seo a leanas:

- tá nósanna imeachta le haghaidh gach príomhphróiseas gnó doiciméadaithe,
- tá freagrachtaí airgeadais sannta ag leibhéal bainistíochta mar aon le cuntasacht chomhfhreagrach,
- tá córas buiséadaithe cuí i bhfeidhm le buiséad bliantúil a bhfuil an fhoireann bhainistíochta shinsearach i mbun athbhreithniú a dhéanamh air go leanúnach,
- tá córais bunaithe a bhfuil sé mar aidhm leo sláine na gcóras teicneolaíochta faisnéise agus cumarsáide a chinntiú, agus
- tá córais bunaithe chun na sócmhainní a chosaint.

Monatóireacht agus Athbhreithniú Leanúnach

Tá nósanna imeachta foirmiúla bunaithe chun monatóireacht a dhéanamh ar phróisis rialaithe agus cuirtear easnaimh rialaithe in iúl dóibh siúd atá freagrach as gníomh ceartaitheach a dhéanamh agus don fhoireann bhainistíochta agus don Choimisiún, áit ar cuí, ar bhealach tráthúil. Deimhním go bhfuil na córais mhonatóireachta leanúnacha seo a leanas bunaithe:

- tá príomhrioscaí agus rialuithe gaolmhara sainaithianta agus tá próisis curtha i bhfeidhm chun monatóireacht a dhéanamh ar oibriú na bpríomhrialuithe seo agus aon easnaimh aitheanta a thuairisciú,
- tá socruithe tuairiscithe bunaithe ag gach leibhéal ina bhfuil freagracht as bainistíocht airgeadais sannta, agus
- tá athbhreithnithe rialta á ndéanamh ag an bhfoireann bhainistíochta shinsearach ar fheidhmíocht thréimhsiúil agus bhliantúil agus ar thuarascálacha airgeadais ina dtugtar léargas ar fheidhmíocht i gcomparáid le buiséid/réamhaisnéisí.

Soláthar

Tá Plean Corparáideach Soláthair forbartha ag ComReg atá faofa ag an gCoimisiún. Ina theannta sin, tá nósanna imeachta agus beartais bunaithe d'fhonn a chinntiú go bhfuil na rialacha agus treoirlínte soláthair reatha á gcomhlíonadh. Ciallaíonn an cineál gníomhaíochtaí atá ar bun ag ComReg, i líon beag cásanna, go mb'fhéidir nach mbeidh sé indéanta nó oiriúnach na rialacha agus treoirlínte oiriúnacha soláthair a chomhlíonadh. Tá beartas rialachais oiriúnach bunaithe ag an gCoimisiún atá le leanúint ina leithéid d'imthosca.

I rith 2022, tabhaíodh caiteachas iomlán de €44,000 (2021: €8,000) i ndáil le trí chonradh (leis an soláthraí seirbhíse céanna) le haghaidh seirbhísí slándála TF agus mar gheall ar ghné rúnda na hoibre, conraitheoir speisialtóra sonrach a rinne an obair ar fad.

Lena chois sin, ní raibh costais chúiréara (a bhí níos airde ná mar a bhíothas ag súil leis) luach €8,000 agus costas de €2,000 a bhain le cruinniú, reáchtáilte lasmuigh den láthair, faoi réir próiseas tairisceana. Bhí luach iomlán an tsoláthair neamh-chomhlíontaigh cothrom le €54,000 (2021: €8,000).

Athbhreithniú ar Éifeachtacht

Deimhním go bhfuil nósanna imeachta bunaithe ag ComReg chun monatóireacht a dhéanamh ar éifeachtacht a nósanna imeachta bainistíochta riosca agus rialaithe. Tá an mhonatóireacht agus an t-athbhreithniú atá á ndéanamh ag ComReg ar an gcóras de rialú inmheánach airgeadais bunaithe ar an obair atá á déanamh ag na hiniúcháirí inmheánacha agus seachtracha, an Coiste Iniúchta agus Riosca a dhéanann maoirseacht ar a gcuid oibre, agus an fhoireann bhainistíochta shinsearach in ComReg atá freagrach as forbairt agus cothabháil an chreata rialaithe inmheánaigh airgeadais.

Deimhním go ndearna an Coimisiún athbhreithniú bliantúil ar éifeachtacht na rialuithe inmheánacha don bhliain dar críoch an 30 Meitheamh 2022 a cuireadh i gcrích ar an 7 Meitheamh 2022.

Ceisteanna a bhaineann le Rialú Inmheánach

Níor tarraingíodh aird ar aon laigí sa rialú inmheánach in 2022 a cheanglaíonn go nochtfar iad sna ráitis airgeadais.

Covid 19

Chruthaigh paindéim Covid-19 dúshlán suntasach don eagraíocht agus do na tionscail atá á rialú aici. Ó mhí Mhárta 2020, de réir threoirilíní an Rialtais, bhí formhór na mball foirne ag obair ó chian. Bunaíodh bearta oiriúnacha maidir le scaradh sóisialta agus bearta sábháilteachta eile inár n-oifigí nuair ba ghá freastal ar an láthair oibre (líon beag ball foirne) d'fhonn a chinntiú go raibh seirbhísí riachtanacha á gcur ar fáil do na heagraíochtaí atá á rialáil againn.

Bhí an t-ádh ar ComReg go raibh an córas teicniúil chun cur ar chumas na heagraíochta tacú le cianobair curtha san áireamh sa Phlean Leanúnachais Gnó agus sa bhonneagar. Chuir ár gcomhghleacaithe TF an tacaíocht riachtanach ar fáil do bhaill foirne ionas go raibh ar a gcumas a gcuid oibre a dhéanamh ó chian agus cuireadh áiseanna ar fáil chun comhdhálacha fíorúla a reáchtáil etc.

In 2022, thosaigh na baill foirne ag filleadh ar an oifig de réir a chéile (de réir threoirilíní an Rialtais). Is é an aidhm atá leis an gcinneadh deis a thabhairt do bhaill foirne filleadh ar an oifig de réir a chéile, cinneadh a dhéanamh maidir leis na socruithe oibre cumaisc is oiriúnaí don eagraíocht.

Lean an Coimisiún ar aghaidh le hathbhreithniú agus le freagairt ghníomhach do na rioscaí agus do na héiginnteachtaí atá ag eascairt as timpeallacht atá ag athrú go tapa. Tá bearta coisctheacha curtha chun feidhme agus tá athmheasúnú rialta á dhéanamh orthu chun sábháilteacht fhostaithe agus pháirtithe leasmhara na heagraíochta a chinntiú.

Tá an Coimisiún ag leanúint ar aghaidh le monatóireacht a dhéanamh ar thionchar Covid-19 ar an timpeallacht rialála, lena n-áirítear an tionchar ar oibríochtaí laethúla airgeadais. Bunaíodh nósanna imeachta oiriúnacha ó 2020 chun tacú leis an timpeallacht cianoibre d'fhonn a chinntiú go rabhthas ag leanúint ar aghaidh le dualgais agus le gach rialú airgeadais a roinnt. Níor tugadh aon íslíú caighdeáin faoi deara sa timpeallacht rialála mar thoradh ar Covid-19. Dheimhníomar sa ráiteas seo nár sainaithníodh aon laigí sa rialú inmheánach a cheanglaíonn go mbeidh siad á nochtadh sna ráitis airgeadais. I rith na tréimhse seo, dheimhníomar don Choiste Iniúchta agus Riosca go raibh ár dtimpeallacht rialaithe reatha á cothabháil againn agus nach raibh aon íslíú caighdeáin le tabhairt faoi deara sa timpeallacht rialála.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: An 31 Eanáir 2023

4.

Tuarascáil an Ard-Reachtair Cuntas agus Ciste le Tíolacadh do Thithe an Oireachais



Ard Reachtair Cuntas agus Ciste Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Commission for Communications Regulation

Opinion on the financial statements

I have audited the financial statements of the Commission for Communications Regulation for the year ended 30 June 2022 as required under the provisions of section 32 of the Communications Regulation Act 2002. The financial statements comprise

- the statement of income and expenditure and appropriation account
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Commission at 30 June 2022 and of its income and expenditure for the year then ended in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Commission and I have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Commission has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Commission members' report, and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

Andrew Harkness
For and on behalf of the
Comptroller and Auditor General
31 January 2023

Appendix to the report

Responsibilities of the Commission

As detailed in the governance statement and Commission members' report, the Commission is responsible for

- the preparation of annual financial statements in the form prescribed under section 32 of the Communications Regulation Act 2002
- ensuring that the financial statements give a true and fair view in accordance with FRS102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 32 of the Communications Regulation Act 2002 to audit the financial statements of the Commission and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

5.

Ráiteas an Chuntais Ioncaim agus Caiteachais agus Cuntas Leithreasa

Bliain go dtí an 30 Meitheamh 2022							Bliain go dtí an 30 Meitheamh 2021
	Nótaí	Cumarsáid Leictreonach		Post	Seirbhísí Ardráta	Iomlán	Iomlán
		Tobhach €'000	Eile €'000	Tobhach €'000	Tobhach €'000	€'000	€'000
Ioncam							
Tobhach		7,370		1,961	342	9,673	9,366
Táillí Ceadúnaithe	2		44,119			44,119	44,072
Ioncam Speictrim	2		9,100			9,100	7,600
Ioncam Eile	2		2,976			2,976	1,163
Ioncam Iomlán		7,370	56,195	1,961	342	65,868	62,201
Caiteachas							
Costais Foirne	3	9,339	4,955	579	287	15,160	14,809
Costais Sochair Scoir	16(b)	1,965	1,043	122	60	3,190	2,779
Comhairle Theicniúil	4	5,038	3,610	877	253	9,778	9,264
Costais Dí	5	1,974	1,062	117	89	3,242	3,195
Fógraíocht		26	349	1	1	377	97
Costais Riaracháin	6	2,150	1,416	132	119	3,817	3,104
Luach Saothair na nIníochóirí		15	9	1	1	26	28
Áitreabh agus Costais Ghaolmhara		1,366	936	82	82	2,466	2,398
Dímheas	7	1,264	777	76	76	2,193	2,285
Caillteanas (Brabús) ar Dhiúscairt Sócmhainní			(17)			(17)	5
Síntiúis íoctha le hEagraíochtaí Idirnáisiúnta	14	718				718	722
Caiteachas Iomlán		23,855	14,140	1,987	968	40,950	38,686
Barrachas / (Easnamh) roimh Leithreasuithe		(16,485)	42,055	(26)	(626)	24,918	23,515
Lúide: Leithreasuithe Aistriú ó Chúlchiste Caipitil	11					1,055	330
Iníoctha leis an Lárchiste	12					(25,766)	(23,712)
Coigeartú an Chúlchiste Pinsean	12					(207)	(133)
Barrachas i ndiaidh Leithreasuithe						0	0

Is cuid de na ráitis airgeadais seo an Ráiteas ar Shreafaí Airgid agus Nótaí 1 go 23.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: An 31 Eanáir 2023

6.

Ráiteas Faoi Ioncam Cuimsitheach

		Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Nótaí	Iomlán €'000	Iomlán €'000
Barrachas i ndiaidh Leithreasuithe			
Scéim Sochair Shainithe ComReg			
Toradh iarbhair lúide toradh ionchais ar shócmhainní scéime (Caillteanais) / gnóthachain ó thaithí ar oibleagáidí sochair scoir	16 (f)	(7,824)	8,284
Athruithe ar fhoshuíomhanna atá mar bhonn le luach láithreach Oibleagáidí sochair scoir	16 (f)	(2,688)	(14)
Aistrithe le haghaidh seirbhís roimhe seo	16 (g)	19,760	(7,698)
		-	-
(Caillteanas) / gnóthachan achtúireach sa bhliain		9,248	572
An Scéim Pinsean Seirbhíse Poiblí Aonair			
(Caillteanais) ó thaithí ar oibleagáidí sochair scoir		311	(72)
Athruithe ar fhoshuíomhanna atá mar bhonn le luach láithreach Oibleagáidí sochair scoir		2,105	(698)
Coigeartú ar Mhaoiniú larchurtha		(2,416)	770
(Caillteanas) / gnóthachan achtúireach sa bhliain		-	-
Gnóthachan / (caillteanas) achtúireach iomlán sa bhliain		9,248	572
Gluaiseacht sa Chúlchiste Sochair Scoir			
Iarmhéid ar an 1 Iúil		(8,336)	(9,041)
Gnóthachain Iomlána Aitheantas sa bhliain	12	9,248	572
Coigeartú an Chúlchiste Pinsean		207	133
Iarmhéid ar an 30 Meitheamh		1,119	(8,336)

Is éard atá i gCúlchiste Pinsean an tSochair Scoir an difríocht idir costas carnach na sochar scoir lúide méideanna atá íoctha go dáta.

Is cuid de na ráitis airgeadais seo an Ráiteas ar Shreafaí Airgid agus Nótaí 1 go 23.

Thar ceann an Choimisiúin



Robert Mourik

Cathaoirleach

Dáta: An 31 Eanáir 2023

7.

Ráiteas Faoin Staid Airgeadais

		Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Nótaí	€'000	€'000
Sócmhainní Seasta Réadmhaoin, Gléasra & Trealamh	7	4,834	5,889
Sócmhainní Reatha Infháltais Infheistíochtaí Gearrthéarmacha Airgead Tirim agus Coibhéisí Airgid Thirim	8 9	2,731 216,375 2,405	4,124 40,000 13,617
		221,511	57,741
Dliteanais Reatha (Méideanna dlite laistigh de bhliain amháin) Míreanna Iníoctha	10	(221,511)	(57,741)
Glansócmhainní Reatha		0	0
Sócmhainní Iomlána Lúide Dliteanais Reatha		4,834	5,889
Glansócmhainní Iomlána seachas Sochair Scoir (Dliteanas) Sochair Scoir		4,834	5,889
Sócmhainn Maoinithe larchurtha do Phinsin SPSPS An Scéim Pinsean Seirbhíse Poiblí Aonair (Dliteanas) Sócmhainn Scéim ComReg / (Dliteanas)	16c(i) 16c(iv) 16c(i)	4,537 (4,537) 1,119	5,304 (5,304) (8,336)
Glansócmhainní Iomlána / (Dliteanais) lena n-áirítear Sócmhainn Sochair Scoir / (Dliteanas)		5,953	(2,447)
Ag déanamh ionadaíochta ar Cúlchistí Caipitil Cúlchiste Sochair Scoir	11	4,834 1,119	5,889 (8,336)
		5,953	(2,447)

Is cuid de na ráitis airgeadais seo an Ráiteas ar Shreafaí Airgid agus Nótaí 1 go 23.
Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: An 31 Eanáir 2023

8.

Ráiteas ar Shreafaí Airgid

		Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Nótaí	€'000	€'000
Glansreafaí Airgid ó Ghníomhaíochtaí Oibriúcháin			
Barrachas loncaim thar Caiteachas (roimh Leithreasuithe)		25,973	23,845
An difríocht idir an muirear pinsin agus ranníocaíochtaí		(207)	(133)
Dímheas	7	2,193	2,285
(Brabús) / Caillteanas ar Dhiúscairt Sócmhainne		(17)	5
Aistriú an chúlchiste caipitil	11	(1,055)	(330)
Laghdú / (Méadú) ar Infháiltais		1,393	1,003
Méadú / (Laghdú) ar Mhíreanna Iníoctha (seachas an Lárchiste)		161,396	689
Glan-insreabhadh Airgid ó Ghníomhaíochtaí Oibriúcháin		189,676	27,364
Sreafaí Airgid ó Ghníomhaíochtaí Infheistíochta			
Íocaíochtaí chun Réadmhaoin, Gléasra agus Trealamh a fháil	7	(1,171)	(1,991)
Sreafaí Airgid ó Ghníomhaíochtaí Maoinithe			
Admháil ó dhíol Sócmhainne		50	31
Íocaíocht leis an Lárchiste		(23,392)	(54,134)
Glanmhéadú / (Laghdú) Airgead Tirim agus Coibhéisí Airgid Thirim		165,163	(28,730)
Airgead Tirim agus Coibhéisí Airgid Thirim Oscailte		53,617	82,347
Airgead Tirim agus Coibhéisí Airgid Thirim Dúnta		218,780	53,617

9.

Nótaí a Ghabhann leis na Ráitis Airgeadais

1. Beartais Chuntasaíochta

Tá an bonn cuntasaíochta agus na beartais chuntasaíochta shuntasacha arna nglacadh ag an gCoimisiún sonraithe thíos. Tá siad curtha i bhfeidhm go comhsheasmhach i rith na bliana agus i rith na bliana roimhe.

a) Faisnéis Ghinearálta

Bunaíodh an Coimisiún faoi Acht um Rialáil Cumarsáide, 2002, agus tá oifigí an Choimisiúin i gCeantar na nDugaí Láir, Sráid na nGildeanna, Baile Átha Cliath 1.

Tá feidhmeanna an Choimisiúin sonraithe in Acht um Rialáil Cumarsáide, 2002, agus in Acht um Rialáil Cumarsáide (Leasú), 2007. Baineann na feidhmeanna seo le rialáil agus le ceadúnú an tionscail cumarsáide leictreonáí (lena n-áirítear tarchur raidió agus craolta), rialáil seirbhísí poist, rialáil seirbhísí ardráta agus rialáil an ainm fearainn .ie.

Is Eintiteas Leasa Phoiblí (PBE) é an Coimisiún.

b) Ráiteas Comhlíontachta

Ullmhaíodh ráitis airgeadais an Choimisiúin don bhliain dar críoch an 30 Meitheamh 2022 de réir na reachtaíochta infheidhme, agus FRS 102 An Caighdeán Tuairiscithe Airgeadais atá infheidhme sa Ríocht Aontaithe agus i bPoblacht na hÉireann, arna eisiúint ag an gComhairle Tuairiscithe Airgeadais sa Ríocht Aontaithe.

Bhí an Cód Cleachtais chun Comhlachtaí Stáit a Rialú (2016) éifeachtach i ndáil leis na tréimhsí tuairiscithe airgeadais dar tú nó i ndiaidh an 1 Mheán Fómhair 2016 agus cuireadh an Cód san áireamh nuair a bhí na Ráitis Airgeadais seo á n-ullmhú.

c) An Bonn Ullmhúcháin

Tá na ráitis airgeadais ullmhaithe de réir choinbhinsiún an chostais stairiúil, ach amháin i gcás sócmhainní agus dliteanas áirithe a thomhaistear ag cóirluachanna mar a mhínítear sna beartais chuntasaíochta thíos. Tá na ráitis airgeadais san fhoirm atá faofa ag an Aire Comhshaoil, Aeráide agus Cumarsáide, le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe faoi Acht um Rialáil Cumarsáide, 2002. Tá na beartais chuntasaíochta seo a leanas curtha i bhfeidhm go comhsheasmhach nuair a bhítear ag déileáil le míreanna a mheastar atá ábhartha i ndáil le ráitis airgeadais an Choimisiúin.

1.1 Aithint Ioncam

Faigheann an Coimisiún ioncam ó roinnt foinsí éagsúla

- Tá tobhaigh le híoc ag soláthraithe áirithe chun na costais rialála a mhaoiniú. Seo a leanas na tobhaigh ábhartha:

1. Beartais Chuntasaíochta (ar lean)

I. An Tobhach Cumarsáide Leictreonaí - Forchuirtear an Tobhach seo ar sholáthraithe seirbhísí cumarsáide leictreonaí. Ríomhtar an íocaíocht tobhaigh atá dlite ó sholáthraí seirbhíse aonair le haghaidh aon bhliain ar leith bunaithe ar a láimhdeachas bliantúil i rith na bliana airgeadais dar críoch na bliana tobhaigh agus tá an íocaíocht tobhaigh iníoctha i gceithre thráthchuid. Déantar ioncam a aithint ar bhonn infhála.

II. Post-Tobhach - Forchuirtear an Tobhach seo ar sholáthraithe seirbhísí poist laistigh de raon na seirbhíse poist uilíoch. Déantar ioncam a aithint ar bhonn infhála.

III. Is éard atá i gceist le Seirbhísí Ardráta (PRS) earraí agus seirbhísí ar féidir leat iad a cheannach trí úsáid a bhaint as do líne thalún, fón póca, an tIdirlíon, teilifís dhigiteach idirghníomhach nó facs. Íocann soláthraithe seirbhíse PRS agus oibritheoirí líonra an Tobhach PRS go cothrom. Seoltar sonrasc míosúil i riaráiste don tobhach agus déantar ioncam a aithint ar bhonn infhála.

- **Táillí Ceadúnaithe** - Is é ceadúnú Chumarsáid Raidió an príomhréimse a chlúdaítear anseo.
- **Ioncam Speictrim** - Is éard atá san ioncam seo táille ioncaim atá íoctha leis an gCoimisiún i ndáil leis an gceart chun an speictream raidió a úsáid. Áirítear an t-ioncam seo sa chuntas i rith na tréimhse ina mbíonn sé dlite. In imthosca ina gcuirtear moill ar thús a chur leis na ceadúnais ghaolmhara, déanann ComReg foráil don mhéid a d'fhéadfadh a bheith aisíoctha bunaithe ar mheastachán maidir le fad na moille. Ní aithnítear é seo mar ioncam agus áirítear é mar chreidiúnaí (Féach Nóta 10). Déantar méid na forála a athmheas ag deireadh gach tréimhse chuntasaíochta.
- **Ioncam eile** - Áirítear in ioncam eile ús bainc agus NTMA ar thaisc agus méideanna iníoctha leis an gCoimisiún de bhua gníomhaíochtaí comhlíonta agus forfheidhmiúcháin.

1.2 Leithreasú an Bharrachais Oibriúcháin

Tá an barrachas ginte sa bhliain gan coigeartú an chúlchiste pinsean a áireamh iníoctha leis an Státhchiste. Íoctar méideanna leis an Lárchiste bunaithe ar threoir an Aire Comhshaoil, Aeráide agus Cumarsáide (Féach ar Nóta 12).

1.3 Sócmhainní Seasta agus Dímheas

Sonraítear réadmhaoín gléasra agus trealamh ag costas lúide dímheas carntha, coigeartaithe le haghaidh aon foráil do bhearnúchán. Déantar foráil le haghaidh dímheasa ar gach réadmhaoín, gléasra agus trealamh ag rátaí a mheastar a dhíscríobhann an costas lúide luach iarmharach measta gach sócmhainne de réir méid cothrom thar a saolré úsáideach measta, mar seo a leanas:

Trealamh teicniúil	-15% sa bhliain
Trealamh agus bogearraí ríomhaireachta	-33 1/3% sa bhliain
Daingneáin & feistis	- 9% sa bhliain
Troscán Oifige & trealamh oifige	-15% sa bhliain
Mótarfheithiclí	-20% sa bhliain

1. Beartais Chuntasaíochta (ar lean)

Is éard atá i gceist le luach iarmharach an méid measta a bheadh á fháil faoi láthair dá ndéanfaí sócmhainn a dhiúscairt, i ndiaidh chostais mheasta na diúscairthe a asbhaint, dá mbeadh an tsócmhainn ag aois agus sa riocht a mbeifí ag súil leis ag deireadh a saolré úsáideach. Glacann an Coimisiún le tairseach íosta chaipitlithe de €1,000.

Má tá fianaise oibiachtúil ann maidir le bearnúchán luach sócmhainne, aithnítear caillteanas bearnúcháin sa Ráiteas ar Ioncam agus Caiteachas don bhliain.

1.4 Infháiltais

Aithnítear infháiltais ag cóirluach, lúide foráil le haghaidh fiacha amhrasacha. Is foráil shonrach í an fhoráil le haghaidh fiacha amhrasacha, agus bunaítear í nuair atá fianaise oibiachtúil ann nach mbeidh an Coimisiún in ann na méideanna ar fad atá dlite dó a bhailiú. Aithnítear gach gluaiseacht san fhoráil le haghaidh fiacha amhrasacha sa Ráiteas Ioncaim agus Caiteachais.

1.5 Cúlchiste Caipitil

Léirítear sa Cúlchiste Caipitil an méid ioncaim gan amúchadh a úsáideadh chun sócmhainní seasta a cheannach.

1.6 Airgeadra Eachtrach

Tá idirbhearta atá ainmnithe in airgeadra eachtrach a bhaineann le hioncaim agus costais aistrithe go Euro ag na rátaí malairte atá i bhfeidhm ar na dátaí a rinneadh na hidirbhearta.

Aistrítear sócmhainní agus dliteanais airgeadaíochta atá ainmnithe in airgeadra eachtrach go Euro ag na rátaí malairte atá i bhfeidhm ar dháta an Ráitis ar Staid an Airgeadais.

1.7 Sochair Ghearrthéarmacha

Aithnítear sochair gearrthéarmacha cosúil le pá saoire mar chostas sa bhliain, agus áirítear sochair atá fabhraithe ag deireadh na bliana i bhfigiúr na Míreanna Iníoctha sa Ráiteas ar Staid an Airgeadais.

1.8 Sochair Scoir

(a) An Phríomhscéim

Tá Coimisinéirí agus fostaithe a earcaítear go díreach mar fhoireann ag an gCoimisiún. Tá scéim pinsin sochair shainithe bunaithe do Choimisinéirí agus d'fhostaithe an Choimisiúin. Tá an scéim dírithe ar dhaoine a ceapadh roimh an 1 Eanáir 2013 nó do dhaoine a ceapadh i ndiaidh an dáta sin a bhfuil seirbhís leanúnach cháilitheach tugtha acu roimh an 1 Eanáir 2013 i gcomhlacht seirbhíse poiblí eile. Tá an scéim á maoiniú ag ranníocaíochtaí ó Choimisinéirí, fostaithe agus ón gCoimisiún, ranníocaíochtaí a aistrítear chuig ciste ar leith atá á riar ag iontaobhaithe.

Ghlac an Coimisiún le FRS 102, cinneadh a raibh tionchar aige ar ríomh na Sochar Scoir. Déantar sócmhainní na scéime pinsin a thomhas ag cóirluach. Déantar dliteanais na scéime pinsin a thomhas ar bhonn achtúireach trí úsáid a bhaint as modh na n-aonad réamh-mheasta. Léirítear farasbarr dliteanas scéime i gcomparáid le sócmhainní scéime mar dhliteanas ar an Ráiteas ar Staid Airgeadais.

1. Beartais Chuntasaíochta (ar lean)

Cuimsítear sa mhuirear pinsin sa Ráiteas Ioncaim agus Caiteachais an costas seirbhíse reatha móide an difríocht idir an toradh ionchais ar shócmhainní scéime sochair shainithe agus costas úis dhliteanais na scéime.

(b) An Scéim Pinsean Seirbhíse Poiblí Aonair

Chomh maith leis sin, tá Scéim Pinsean Seirbhíse Poiblí Aonair, (“Scéim Aonair”) bunaithe ag an gCoimisiún, scéim sochair shainithe do sheirbhísigh poiblí inphinsin a ceapadh ar nó i ndiaidh an 1 Eanáir 2013. Íoctar ranníocaíochtaí bhaill na Scéime Aonair leis an Roinn Caiteachais Phoiblí agus Athchóirithe (RCPA). Lena chois sin, tá an Coimisiún faoi dhliteanas ranníocaíocht fostóra a íoc le DPER de réir Chiorclán 28/2016 DPER.

A mhéid is a bhíonn dliteanas ábhartha i gceist, tá an dliteanas atá luaite le baill na Scéime Aonair á mheaitseáil ag sócmhainn maoinithe iarchurtha atá bunaithe ar fhorálacha Alt 44 d’Acht Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha Eile), 2012.

Cuimsítear sa mhuirear pinsin sa Ráiteas Ioncaim agus Caiteachais ranníocaíocht an fhostóra. Tá an costas seirbhíse reatha móide úis ar dhliteanas SPSPS fritháirithe ag méid comhionann de mhaoiniú iarchurtha. Ríomhtar an dliteanas SPSPS ar an mbonn céanna leis an bpríomhscéim atá sonraithe thuas.

Aithnítear gnóthachain agus cailteanais achtúireacha a eascraíonn ó athruithe i dtuairimíocht achtúireacha agus ó bharrachas agus easnamh sa Ráiteas faoi Ioncam Cuimsitheach don bhliain ina dtarlaíonn siad.

Léirítear sna ráitis airgeadais, ag cóirluach, na sócmhainní agus dliteanais a eascraíonn ó oibleagáidí pinsin sochair shainithe agus ó aon mhaoiniú gaolmhar de chuid an Choimisiúin, agus aithnítear ann an costas a bhaineann le sochair phinsin a sholáthar sa tréimhse chuntasaíochta ina dtuillteann fostaithe iad. Déantar dliteanais scéime sochair shainithe scoir a thomhas ar bhonn achtúireach trí úsáid a bhaint as modh na n-aonad réamh-mheasta creidmheasa.

1.9 Cánachas

Níl an Coimisiún faoi dhliteanas i leith Cáin Chorparáide. Níl ioncam cruinnithe ag an gCoimisiún faoi réir CBL. Déantar foráil le haghaidh cánachais ar ús faighte ar thaiscí.

1.10 Leithdháileadh Costas

Ceanglaítear ar an gCoimisiún, faoi Alt 32 d’Acht um Rialáil Cumarsáide, 2002, idirdhealú a dhéanamh idir a fheidhmeanna a bhaineann le cumarsáid leictreonach, a fheidhmeanna a bhaineann le cúrsaí poist agus a fheidhmeanna a bhaineann le seirbhísí ardráta. Sainaithnítear ioncaim agus speansais a bhaineann go díreach le gach feidhm ar leithligh sna cuntais. Leithdháiltear forchostais ar gach feidhmeanna i gcomhréir le líon na mball foirne atá ag obair i ngach feidhm.

1.11 Breithiúnais agus Meastacháin Chuntasaíochta Chriticiúla

Ceanglaíonn ullmhú na ráiteas airgeadais ar an bhfoireann bhainistíochta breithiúnais, meastacháin agus foshuíomhanna a dhéanamh a bhfuil tionchar acu ar na méideanna tuairiscithe le haghaidh sócmhainní agus dliteanas amhail ar dháta an Ráitis ar Staid an Airgeadais agus na méideanna tuairiscithe le haghaidh ioncam agus costas i rith na bliana. Ciallaíonn nádúr an mheastacháin, áfach, nach gá go mbeadh na torthaí iarbhair díreach

cosúil leis na meastacháin agus go mb'fhéidir gur torthaí ábhartha a bheadh iontu. Ba ag na breithiúnais seo a leanas a bhí an éifeacht is suntasaí ar na méideanna aitheanta sna ráitis airgeadais.

a) Dímheas agus Luachanna Iarmharacha

Tá athbhreithniú déanta ag an gCoimisiún ar shaolré sócmhainní agus luachanna iarmharacha gaolmhara gach aicme sócmhainní seasta agus go háirithe, saolré gheilleagrach úsáideach agus luachanna iarmharacha daingneán agus feisteas, agus cinneadh go bhfuil saolré sócmhainní agus luachanna iarmharacha oiriúnach.

b) Oibleagáid Sochair Scoir

Déantar na foshuíomhanna atá mar bhonn leis na luachálacha achtúireacha lena n-aithnítear na méideanna sna ráitis airgeadais a chinneadh (lena n-áirítear rátaí lascaine, rátaí méadaithe ar leibhéil chúitimh amach anseo agus rátaí básmhaireachta), a nuashonrú gach bliain bunaithe ar choinníollacha geilleagracha reatha, agus ar aon athruithe ábhartha ar théarmaí agus ar choinníollacha an tsocair scoir agus na bpleananna iar-scoir.

D'fhéadfadh go mbeadh tionchar ag na nithe seo a leanas ar na foshuíomhanna:

- (i) an ráta lascaine, athruithe sa ráta sochair ar bhannaí corparáideacha ar ardchaighdeán.
- (ii) leibhéil chúitimh todhchaí, coinníollacha mhargadh an tsaothair amach anseo.

2. Ioncam Neamhthobhaigh

	Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Iomlán €'000	Iomlán €'000
Táille Cheadúnaithe na Cumarsáide Leictreonaí		
Táillí Cheadúnaithe Raidió 3G	7,508	7,936
Táillí Cheadúnaithe Úsáid Liobrálaithe 4G	22,964	22,633
Táillí Cheadúnaithe Raidió Eile	13,647	13,503
	44,119	44,072
Ioncam Speictrim na Cumarsáide Leictreonaí		
Ioncam Speictrim 3G	9,100	7,600

Tuilladh Ioncam Speictrim 3G de €9.1m (2021: €7.6m) in 2022 i ndáil le ceadúnas 3G a eisíodh in 2007.

	Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Iomlán €'000	Iomlán €'000
Ioncam Eile		
Ioncam Ilearraí	2,976	1,163

Áirítear in Ioncam Ilghnéitheach in 2022 €2.8m faighte ó Virgin Media Ireland Limited (“Virgin”) i ndiaidh teacht ar chomhaontú socraíochta i ndiaidh do ComReg imscrúdú a dhéanamh ar cheisteanna áirithe a bhain le comhlíonadh. Áirítear i bhfigiúr Ioncam Ilghnéitheach 2021 íocaíocht déanta ag Eircom Limited (“Eircom”), luach €1m, i ndáil le dlíthíocht chomhlíonta a bhí tugtha os comhair na hArd-Chúirte. Comhaontaíodh go n-íocfadh Eircom €3 milliún le ComReg don dlíthíocht chomhlíonta agus do chás comhlíonta áirithe a bhí fós oscailte. As an €3m, íocadh €2m sa bhliain go dtí an 30 Meitheamh 2020 agus rinneadh an íocaíocht deiridh de €1m i mí Iúil 2020.

Chomh maith leis sin, áirítear in Ioncam Ilghnéitheach méideanna éagsúla atá iníoctha don Choimisiún de bhua gníomhaíochtaí comhlíonta agus forfheidhmiúcháin. Sa chás go cuireadh a leithéid de ghníomhaíochtaí i gcrích trí shocrú dlí, d’fhéadfaidís a bheith faoi réir clásal rúndachta. Cuirtear úis bainc a thuilltear san áireamh anseo freisin.

3. Costais Foirne

	Cumarsáid Leictreonach		Post	PRS	Bliain go dtí an 30 Meitheamh 2022	Bliain go dtí an 30 Meitheamh 2021
	Tobhach €'000	Eile €'000	Tobhach €'000	Tobhach €'000	Iomlán €'000	Iomlán €'000
Sochair Ghearrthéarmacha Fostaí Ranníocaíocht fostóra do Leas Sóisialta	8,520 819	4,520 435	528 51	262 25	13,830 1,330	13,510 1,299
	9,339	4,955	579	287	15,160	14,809
Bhí an meánlíon ball foirne fostaithe ag an gCoimisiún i rith na bliana, anailísithe de réir na catagóire, mar seo a leanas:	83	51	5	5	144	142
Sochair Ghearrthéarmacha Fostaí Bunphá Pá i gCoibhneas le Feidhmíocht# Liúntais					12,746 1,067 17	12,442 1,051 17
					13,830	13,510

Tá scéim luacha saothair i gcoibhneas le feidhmíocht bunaithe ag an gCoimisiún (a bhunaigh Oifig an Stiúrthóra Rialála Teileachumarsáide ar dtús). Tá an scéim seo bunaithe ar fheidhmíocht aonair agus faomhann an Coimisiún gach íocaíocht a dhéantar faoin scéim. As measc chostais iomlána na sochar Gearrthéarmach Fostaí, is éard atá i gceist le €1,067,000 (nó 8%) na híocaíochtaí a rinneadh le baill foirne de réir fhorálacha na scéime luacha saothair i gcoibhneas le feidhmíocht agus téarmaí a gconarthaí fostaíochta (2021: €1,051,000 (8%).

Príomhphearsana Bainistíochta

Páirteach i bPríomhphearsana Bainistíochta ComReg tá baill an Choimisiúin. Tá eolas maidir le luach saothair bhaill an Choimisiúin (seachas luach na sochar scoir tuillte i rith na tréimhse) le fáil thíos. Is baill iad den Scéim Pinsean Seirbhíse Poiblí Aonair nó den scéim pinsean seirbhíse poiblí eiseamláireach agus ní théann a dteidlíochtaí sa chomhthéacs sin thar théarmaí na scéime pinsean seirbhíse poiblí eiseamláirí.

	Total Remuneration €'000
Robert Mourik – Cathaoirleach*	178
Garrett Blaney – Coimisinéir **	178
Jeremy Godfrey – Coimisinéir***	112

* Cathaoirleach ón 7 Eanáir 2022

**Cathaoirleach go dtí an 6 Eanáir 2022

***D'éirigh as a chúraimí mar Choimisinéir ar an 31 Nollaig 2021

4. Comhairle Theicniúil

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Comhairle Ghairmiúil/Theicniúil	9,778	9,264

5. Costais Dlí

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Tá costais dlí sonraithe gan costais aisghafa ó thríú páirtithe a áireamh.	3,242	3,195

6. Costais Riaracháin

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Trealamh agus Cothabháil TF	2,272	1,687
Síntiúis le haghaidh Bunachar Sonraí/Tuarascálacha Taighde	262	425
Taisteal agus Cothú	87	-
Comhdhálacha/Cruinnithe	85	44
Post agus Teileachumarsáid	168	119
Stáiseanóireacht	15	15
Foilsíú agus Poiblíocht	-	102
Earcaíocht	120	43
Solas, Teas agus Glantachán	127	10
Árachas	52	52
Oiliúint agus Forbairt Ghairmiúil Foirne	497	419
Costais Riaracháin Eile	132	188
	3,817	3,104

7. Réadmhaoin, Gléasra agus Trealamh

	Trealamh Teicniúil	Ríomhaireachta & Bogearraí	Feistis, Daingneáin & Trealamh	Mótarfheithiclí	Iomlán
	€'000	€'000	€'000	€'000	€'000
Costas					
Ag an 30 Meitheamh 2021	3,084	12,691	4,521	318	20,614
Breiseanna	135	970	66	-	1,171
Diúscairtí	-	-	-	(204)	(204)
Ag an 30 Meitheamh 2022	3,219	13,661	4,587	114	21,581
Dímheas Carntha					
Ag an 30 Meitheamh 2021	2,566	10,067	1,918	174	14,725
Diúscairtí	-	-	-	(171)	(171)
Muirear don tréimhse	240	1,464	449	40	2,193
Ag an 30 Meitheamh 2022	2,806	11,531	2,367	43	16,747
Glanluach de réir na Leabhar					
An 30 Meitheamh 2022	413	2,130	2,220	71	4,834
An 30 Meitheamh 2021	518	2,624	2,603	144	5,889

San áireamh i mBreiseanna Trealamh Ríomhaireachta in 2022 tá €0.6m de Chostais Forbartha TF (2021):

8. Infháltais

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
<i>Dlite laistigh de bhliain amháin:</i>		
Tobhach riaracháin na Cumarsáide Leictreonaí	59	267
Ioncam Ceadúnas Raidió	1,211	2,476
Ioncam Fabhráithe	410	746
Réamhíocaíochtaí & Speansais In-aisghabhála	1,051	635
	2,731	4,124

9. Infheistíochtaí Gearrthéarmacha

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Infheistíochtaí Gearrthéarmacha	216,375	40,000

Cuimsítear in Infheistíochtaí Gearrthéarmacha Nótaí Státhchiste ceannaithe ó Ghníomhaireacht Bainistíochta an Chisteáin Náisiúnta. Coimeádann an Coimisiún sealúchais bharrachais airgid thirim in infheistíochtaí gearrthéarmacha. Is éard atá sna sealúchais airgid thirim seo go príomha barrachais ginte ag an gCoimisiún atá iníoctha leis an Státhchiste (arna nochtadh i Nóta 11), airgead a shealbhaítear ar iontaobhas i ndáil leis na gealltanais tugtha ag tríú páirtithe don Choimisiún, aisíocaíochtaí féideartha i ndáil le moill a bheith ar thús a chur le ceadúnais áirithe (arna nochtadh i Nóta 10 freisin) agus taiscí faighte i ndáil le Dámhachtain Speictream Ilbhanda (arna nochtadh i Nóta 10 freisin).

10. Míreanna Iníoctha

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Míreanna Iníoctha		
<i>Méideanna dlite laistigh de bhliain amháin</i>		
Creidiúnaithe Trádála	1,874	1,902
Creidiúnaithe Eile	166,508	6,123
Cáin bhreisluacha	246	95
Fabhruithe	1,780	1,215
Ioncam iarchurtha (féach ar an anailís thíos)	25,069	24,796
Párolla	1,428	1,378
Iníoctha leis an Lárchiste (féach ar Nóta 12)	24,606	22,232
	221,511	57,741

Áirítear i gCreidiúnaithe eile aisíocaíochtaí féideartha de €6.0m (2021: €6.1m) i ndáil le moill a bheith curtha le ceadúnais Úsáid Liobrálaithe Bhandra 3.6GHz. Áirítear ann freisin luach €160.4 milliún de thaiscí a fuarthas mar chuid den phróiseas ceantála a bhaineann le próiseas Dámhachtana an Speictrim Ilbhanda. Beidh na taiscí luach €160.4 milliún á gcoimeád ag ComReg go dtí go mbeidh an próiseas curtha i gcrích agus féadfar iad a aisíoc in imthosca sonracha. Tá an dá mhéid chomhfhreagracha san áireamh in iarmhéid Infheistíochtaí Gearrthéarmacha deireadh bliana an Choimisiúin.

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Anailís ar Ioncam Iarchurtha		
Ioncam Ceadúnas Raidió	25,069	24,655
Eile	-	141
	25,069	24,796

Sa chás go ndéantar ceadúnais a athnuachan le haghaidh tréimhse a théann thar dheireadh na bliana airgeadais, iarchuirtear céatadán den ioncam sin chun déileáil leis an gcaiteachas an bhliain dar gcionn.

11. Cúlchistí Caipitil

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Iarmhéid Tosaigh	5,889	6,219
<i>Aistriú (chuig) / ón gCuntas loncaim agus Caiteachais:</i>		
Breiseanna le sócmhainní seasta	1,171	1,991
Amúchadh de réir dímheas sócmhainní seasta	(2,193)	(2,321)
Méid scaoilte ar dhiúscairt Sócmhainní Seasta	(33)	(36)
Glanmhéid (chuig) / ón gCuntas loncaim agus Caiteachais	(1,055)	(330)
Iarmhéid Deiridh	4,834	5,889

12. Leithreasú Barrachais

Foráiltear le hAlt 30 d'Acht um Rialáil Cumarsáide, 2002, gur féidir leis an Aire, le toiliú ón Aire Caiteachais Phoiblí agus Athchóirithe, treorú don Choimisiún suimeanna a íoc leis an Stáitchiste. Déanann an tAire cinneadh maidir leis an méid atá le híoc i ndiaidh dul i gcomhairle leis an gCoimisiún. Tá an Coimisiún ag feitheamh ar threoir ón Roinn i ndáil leis an gcinneadh críochnaitheach maidir leis an méid atá iníoctha leis an Lárchiste don bhliain dar críoch an 30 Meitheamh 2022.

Déantar cinneadh maidir leis an méid atá dlite don Stáitchiste trí thagairt don bharrachas a thaifead an Coimisiún i rith na tréimhse, coigeartaithe le haghaidh roinnt míreanna atá sonraithe thíos.

	Ollmhéid Dlite	Pinsean Coigeartú (b)	Glanmhéid Dlite
	€'000	€'000	€'000
Iarmhéid dlite don Stáitchiste ag an 30 Meitheamh 2021	23,712	(1,480)	22,232
Barrachas le haghaidh 2022 lena n-áirítear Aistriú ó Chúlchiste Caipitil	25,973		25,973
Íoctha in 2022	(23,392)		(23,392)
Coigeartú an chúlchiste pinsean (a)	(207)		(207)
Aisghlámadh íocaíocht an chiste pinsean (b)	(320)	320	-
Iarmhéid ag an 30 Meitheamh 2022	25,766	(1,160)	24,606

Taispeántar na figiúirí comparáideacha i ndáil leis an méid dlite don Stáitchiste amhail ag an 30 Meitheamh 2021.

12. Leithreasú Barrachais (ar lean)

	Ollmhéid Dlite	Pinsean Coigeartú(b)	Glanmhéid Dlite
	€'000	€'000	€'000
larmhéid dlite don Stáitchiste ag an 30 Meitheamh 2020	54,454	(1,800)	52,654
Barrachas le haghaidh 2021 lena n-áirítear Aistriú ó Chúlchiste Caipitil	23,845		23,845
Íoctha in 2021	(54,134)		(54,134)
Coigeartú an chúlchiste pinsean (a)	(133)		(133)
Aisghlámadh íocaíocht an chiste pinsean (b)	(320)	320	-
larmhéid ag an 30 Meitheamh 2021	23,712	(1,480)	22,232

(a) Is éard atá i gceist i gcoigeartú an chúlchiste pinsean an difríocht idir méid an phinsin muirearaithe chuig an gCuntas Ioncaim agus Caiteachais in 2022, luach €3,190,000 (2021: €2,779,000) agus ranníocaíochtaí fostóra sa tréimhse atá cothrom le €3,397,000 (2021: €2,912,000).

(b) Chuir an Coimisiún ranníocaíocht iomlán de €5m ar fáil dá chiste pinsean (€2.5m in 2008 agus €2.5m in 2009, €5m ar fad). Taispeántar an méid atá dlite don Stáitchiste gan an ranníocaíocht seo a áireamh, ranníocaíocht atá á aisghnóthú ag ráta €320,000 sa bhliain fad is atá íocaíochtaí á ndéanamh don Stáitchiste. In 2022, rinneadh bliain amháin íocaíochtaí ba chúis le €320,000 (2021: €320,000) a bheith á aisghlámadh.

13. Áitreabh Agus Cóiríocht

Bhog foireann an Choimisiúin chuig áitreabh léasaithe nua ag 1 Cheantar na nDugaí Láir, Sráid na nGildeanna, Baile Átha Cliath 1 ar an 6 Meitheamh 2017. Tá cíós luach €1.6m (gan CBL) á íoc don áitreabh sa bhliain.

Tá eolas le fáil thíos maidir le luach iomlán na n-íocaíochtaí léasa oibriúcháin íosta todhchaíocha (gan CBL) faoi léasanna oibriúcháin neamhchealaithe i ndáil leis an áitreabh atá sealbhaithe ag an gCoimisiún:

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
Míreanna Iníoctha:		
Laistigh de bhliain amháin	1,637	1,679
Idir bliain amháin agus cúig bliana	5,071	6,500
Níos mó ná cúig bliana	-	150
	6,708	8,329

14. Ballraíocht In Eagraíochtaí Teileachumarsáide Idirnáisiúnta

Tá íocaíochtaí áirithe a dhéanamh le hEagraíochtaí Teileachumarsáide Áirithe á n-íoc ag an Roinn Comhshaoil, Aeráide agus Cumarsáide (DECC) as fáltas ó Thobhach Riaracháin na Cumarsáide Leictreonaí. Áirítear sa mhuirear don Chuntas Ioncaim agus Caiteachais €718,000 (2021: €722,000) chun na críche sin. Seoltar a leithéid sin de mhuirir ar shonrasc chuig DECC, agus cúitíonn ComReg DECC ina dhiaidh sin.

15. Coimisinéirí, Baill Foirne Agus Comhairleoirí/Comhairligh – Nochtadh Leasa

Chomhlíon na Coimisinéirí agus baill foirne ceanglais Alt 25 (Nochtadh Leasa) Acht um Rialáil Cumarsáide, 2002. Ní dhearnadh aon idirbhearta i rith na bliana a bhaineann le gníomhaíochtaí an Choimisiúin a raibh leas ag na Coimisinéirí ná aon chomhairleoir ná comhairleach iontu.

16. Sochair Scoir

a) Cur Síos ar an Scéim

Is údarás rialála náisiúnta é an Coimisiún a bunaíodh faoi Acht um Rialáil Cumarsáide, 2002. Foráiltear le hAlt 26 agus 27 den Acht go ndéanfaidh an Coimisiún scéimeanna chun sochair aoisliúntais a cheadú do agus i ndáil le Coimisinéirí agus baill foirne, faoi réir fhaomhadh ón Aire.

Tá scéim maoinithe sochair shainithe bunaithe d'fhostaithe an Choimisiúin. Tá na sochair sainithe trí thagairt a dhéanamh de 'eiseamláir' reatha scéim na hearnála poiblí. Socraítear rátaí ranníocaíochta fostóra ag féachaint do chomhairle achtúireach agus d'athbhreithniú tréimhsiúil ar an ráta maoinithe a theastaíonn don scéim. Soláthraíonn an scéim sochar scoir (ochtódú don bhliain seirbhíse), aisce nó cnapshuim (trí ochtódú don bhliain seirbhíse) agus sochair scoir do chéilí agus leanaí. Is í an ghnáthaois scoir an lá a cheiliúránn ball a 65ú breithlámh. Go hiondúil ardaíonn sochair scoir atá á n-íoc (agus iarchurtha) de réir bhoilsciú ginearálta tuarastail na hearnála poiblí.

Chomh maith leis sin, tá Scéim Pinsean Seirbhíse Poiblí Aonair ("Scéim Aonair") bunaithe ag an gCoimisiún, do bhaill foirne a ghlac páirt sa Scéim Aonair i ndiaidh an 1 Eanáir 2013. Íoctar ranníocaíochtaí bhaill na Scéime Aonair leis an Roinn Caiteachais Phoiblí agus Athchóirithe (RCPA). Lena chois sin, tá an Coimisiún faoi dhliteanas ranníocaíocht fostóra a íoc le DPER de réir Chiorclán 28/2020 DPER. Tá cuntas déanta ag an gCoimisiún ar a chostais agus dliteanas faoin scéim pinsean seirbhíse poiblí aonair (ón 1 Iúil 2017) ar bhonn tabhaithe.

Chun críocha tuairiscithe de réir Chaighdeán Tuairiscithe Airgeadais 102 – (FRS 102), cuireadh nuashonrú ar an athbhreithniú achtúireach (i ndáil leis an scéim maoinithe sochair shainithe) i gcrích amhail ag an 31 Nollaig 2020.

16. Sochair Scoir (Ar Lean)

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
b) Costais Sochair Scoir		
Déanta de:		
<i>Scéim Sochair Shainithe</i>		
Costas seirbhíse reatha	2,627	2,302
Costas úis	1,356	1,207
Toradh ionchais ar Shócmhainní Scéime	(1,236)	(1,067)
Lúide: Ranníocaíochtaí Fostaithe	(416)	(393)
	2,331	2,049
<i>An Scéim Pinsean Seirbhíse Poiblí Aonair (SPSPS)</i>		
Ranníocaíocht Fostóra	859	730
Costas Seirbhíse Reatha*	1,556	1,157
Costas Úis	93	60
Coigeartú ar mhaoiniú iarchurtha Pinsean Stáitchiste	(1,649)	(1,217)
	859	730
Costais Iomlána Sochair Scoir	3,190	2,779
*Tá ranníocaíochtaí fostaí de €286,000 (2021: €242,000) íoctha le DPER, curtha san áireamh i ríomh an chostais seirbhíse reatha.		
c) Glandliteanas Sochair Scoir (Scéim Sochair Shainithe)		
(i) Déanta de:		
Cóirluach Sócmhainní Scéime	64,905	69,724
Luach Láithreach oibleagáidí sochair scoir	(63,786)	(78,060)
Glan sócmhainní / (Dliteanas)	1,119	(8,336)

Tabhair faoi deara: Cuimsítear i nDliteanas an Chláir Comhardaithe i ndáil le Sochair Scoir na Scéime Aonair in 2022 Sócmhainn Maoinithe Iarchurtha de €4.537m (2021: €5.304m) chun Dliteanas na Scéime Aonair de €4.537m (2021: €5.304m) a mheaitseáil rud is cúis le Dliteanas Glan nialasach.

16. Sochair Scoir (Ar Lean)

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
(ii) Luach Láithreach Oibleagáidí Sochair Scoir ag tús na bliana (Scéim Sochair Shainithe)	78,060	67,235
Costas Seirbhíse Reatha	2,627	2,302
Costas Úis	1,356	1,207
Gnóthachan / (Caillteanas) Achtúireach	(17,072)	7,712
Sochair Íoctha	(1,114)	(329)
Préimheanna Íoctha	(71)	(67)
Luach Láithreach na nOibleagáidí Sochair Scoir ag deireadh na bliana (Scéim Sochair Shainithe)	63,786	78,060
(iii) Athrú ar Shócmhainní Scéime (Scéim Sochair Shainithe) Cóirluach Sócmhainní Scéime ag tús na bliana	69,724	58,194
Toradh ionchais ar Shócmhainní Scéime	1,236	1,067
(Caillteanas) / Gnóthachan Achtúireach	(7,824)	8,284
Ranníocaíochtaí Fostóra	2,538	2,182
Ranníocaíochtaí Ball	416	393
Sochair Íoctha	(1,114)	(329)
Préimheanna Íoctha	(71)	(67)
Cóirluach Sócmhainní Scéime ag deireadh na bliana	64,905	69,724
Cuirtear an cleachtas reatha atá ann sochair scoir a ardú de réir bhoilsciú thuarastal na hearnála poiblí san áireamh nuair a bhíonn an oibleagáid scoir sochair shainithe á tomhas.		
(iv) Dliteanas Sochar Scoir (SPSPS) Luach Láithreach amhail ag an 1 Iúil 2021	5,304	3,317
Costas Seirbhíse Reatha	1,556	1,157
Costas Úis	93	60
Gnóthachan / (Caillteanas) Achtúireach	(2,416)	770
Sochair Íoctha	-	-
Luach Láithreach amhail ag an 30 Meitheamh 2022	4,537	5,304

16. Sochair Scoir (Ar Lean)

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	€'000	€'000
(d) Comhdhéanamh na Sócmhainne Scéime (Scéim Sochair Shainithe)		
Ag deireadh na bliana, bhí sócmhainní na scéime comhdhéanta de:		
Gnáthscaireanna	26,159	31,310
Bannaí	25,469	26,466
Maoín	660	615
Sócmhainní Airgid Thirim agus Sócmhainní Leachtacha eile	12,617	11,333
	64,905	69,724
Sócmhainní na scéime ag deireadh na bliana léirithe i dtéarmaí %	%	%
Gnáthscaireanna	40.3%	44.9%
Bannaí	39.2%	38.0%
Maoín	1.0%	0.9%
Sócmhainní Airgid Thirim agus Sócmhainní Eile*	19.5%	16.2%
	100.0%	100.0%
*cuimsítear ann straitéisí malartacha agus cistí torthaí feabhsaithe		
Meántoimhdí ualaithe úsáidte chun cinneadh a dhéanamh maidir le hoibleagáidí sochair (Scéim Sochair Shainithe)	%	%
Ráta Lascaine	3.60%	1.75%
Ráta an mhéadaithe cúitimh	3.90%	3.20%
Meántoimhdí ualaithe úsáidte chun cinneadh a dhéanamh maidir le costais pinsin (Scéim Sochair Shainithe)		
Ráta Lascaine	1.75%	1.80%
Toradh ionchais fadtéarmach ar shócmhainní scéime	3.60%	1.75%

16. Sochair Scoir (Ar Lean)

	An 30 Meitheamh 2022	An 30 Meitheamh 2021
	%	%
(e) Príomhthoimhdí Achtúireacha, Airgeadais & Déimeagrafacha (Scéim Sochair Shainithe)		
<i>Seo a leanas na toimhdí airgeadais a úsáideadh:</i>		
Ráta lascaine	3.60%	1.75%
Méaduithe tuarastail	3.90%	3.20%
Méaduithe pinsin	3.40%	2.70%
Méaduithe boilscithe	2.40%	1.70%

Seo a leanas na toimhdí Déimeagrafacha a úsáideadh:

	2022	2021
Básmhaireacht Réamhscoir & Iar-scoir	S3PNA le feabhsuithe CMI 2019 (1.5%) do gach ball (-1 bhliain d'aois fritháirithe)	S3PNA le feabhsuithe CMI 2019 (1.5%) do gach ball (-1 bhliain d'aois fritháirithe)
Scor	Glactar leis go rachaidh gach ball a ghlac páirt sa scéim roimh an 1 Aibreán 2004 ar scor nuair a bheidh siad 60 bliain d'aois agus go rachaidh gach ball eile ar scor nuair a bheidh siad 65 bliain d'aois.	Glactar leis go rachaidh gach ball a ghlac páirt sa scéim roimh an 1 Aibreán 2004 ar scor nuair a bheidh siad 60 bliain d'aois agus go rachaidh gach ball eile ar scor nuair a bheidh siad 65 bliain d'aois.
Scor de dheasca Eas-sláinte	Níl aon liúntas	Níl aon liúntas
Luathscor	Níl aon liúntas	Níl aon liúntas
Aistarraingtí	Níl aon liúntas	Níl aon liúntas
Céatadán pósta	Glactar leis go bhfuil 90% de na baill pósta.	Glactar leis go bhfuil 90% de na baill pósta.
Difríocht Aoise idir céilí	Glactar leis go bhfuil fear 3 bliana níos sine ná a chéile	Glactar leis go bhfuil fear 3 bliana níos sine ná a chéile

* Tá na toimhdí básmhaireachta roghnaithe bunaithe ar tháblaí caighdeánacha ina léirítear gnáthbhásmhaireacht pinsinéara agus cuireann siad ionchas saoil atá ag dul in airde le himeacht ama san áireamh.

16. Sochair Scoir (Ar Lean)

Déantar na foshuíomhanna atá mar bhonn leis na luachálacha achtúireacha lena n-aithnítear na méideanna sna ráitis airgeadais a chinneadh (lena n-áirítear rátaí lascaire, rátaí méadaithe ar leibhéil chúitimh amach anseo agus rátaí básmhaiseachta), a nuashonrú gach bliain bunaithe ar choinníollacha geilleagracha reatha, agus ar aon athruithe ábhartha ar théarmaí agus ar choinníollacha an tsochair scoir agus na bpleananna iar-scoir. D'fhéadfadh go mbeadh tionchar ag na nithe seo a leanas ar na foshuíomhanna:

- (a) an ráta lascaire, athruithe sa ráta sochair ar bhannaí corparáideacha ar ardchaighdeán
- (b) leibhéil chúitimh amach anseo, coinníollacha mhargadh an tsaothair amach anseo

	an 30 Meitheamh 2022 €'000	an 30 Meitheamh 2021 €'000	an 30 Meitheamh 2020 €'000	an 30 Meitheamh 2019 €'000	an 30 Meitheamh 2018 €'000
(f) Stair na n-oibleagáidí sochair shainithe, sócmhainní agus gnóthachain agus caillteanais ó thaithí					
Oibleagáidí sochair shainithe	63,786	78,060	67,235	71,386	59,000
Cóirluach Sócmhainní Scéime	(64,905)	(69,724)	(58,194)	(55,359)	(51,695)
(Barrachas) / Easnamh don Scéim maoinithe	(1,119)	8,336	9,041	16,027	7,305
Coigeartú ó Thaithí ar Shócmhainní Scéime	(7,824)	8,284	(378)	747	2,311
Céatadán de shócmhainní na scéime	12.1%	11.9%	0.6%	1.3%	4.5%
(Caillteanais) / gnóthachain ó thaithí ar Dhliteanais Scéime ComReg					
Méid	(2,688)	(14)	(17)	904	533
Céatadán de Dhliteanais na Scéime	4.2%	0%	0%	1.3%	0.9%
Gnóthachain / (caillteanais) ó thaithí ar Dhliteanais na Scéime Pinsean Seirbhíse Poiblí Aonair					
Méid	311	(72)	299	(28)	10
Céatadán de Dhliteanais na Scéime	6.9%	1.4%	9.0%	1.1%	0.6%

16. Sochair Scoir (Ar Lean)

(g) Réamhsheirbhís Inphinsin

Baineann dliteanais na scéime pinsean le sochair scoir as eascraíonn ó sheirbhís leis an gCoimisiún agus seirbhís le comhlachtaí poiblí eile sular tosaíodh ag obair don Choimisiún sa chás go bhfuil an Coimisiún ar an eolas faoina leithéid de sheirbhís. Tá an Coimisiún i dteideal iarracht a dhéanamh costas maoinithe na réamhsheirbhíse le comhlachtaí poiblí eile a aisghnóthú faoi théarmaí a bhallaíochta le Lónra Aistrithe na Seirbhíse Poiblí.

Maidir le seirbhís aistrithe chuig bhaill roimh an 30 Meitheamh 2021, bhí luach iomlán a leithéid d'íocaíochtaí faighte sa bhliain go dtí an 30 Meitheamh cothrom le Nialasach (2021: Nialasach).

Taispeántar íocaíochtaí a bhaineann le haistriú i seirbhís (nuair a fhaightear iad) mar mhír ar leith sa Ráiteas ar Ioncam Cuimsitheach.

(h) Maoiniú sochar scoir

Rinneadh luacháil achtúireach thríbhliantúil ar an scéim amhail ag an 1 Eanáir 2022 agus thángthas ar chomhaontú maidir leis an ráta ranníocaíochta molta ina dhiaidh sin. Tá sé beartaithe an chéad luacháil achtúireach thríbhliantúil eile a dhéanamh ar an 1 Eanáir 2025.

(i) Sócmhainn Maoinithe Iarchurtha do Phinsin (An Scéim Pinsean Seirbhíse Poiblí Aonair)

D'fhonn Acht um Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha Eile), 2012, a chomhlíonadh, ríomh an Coimisiún mar an "Údarás Iomchuí" an sochar scoir atá infheidhme i ndáil leis an Scéim Pinsean Seirbhíse Poiblí Aonair ag an 30 Meitheamh 2022. Baineann an tsócmhainn maoinithe iarchurtha do phinsin le sócmhainn a chruthú atá cothrom le dliteanas sochair shainithe na scéime seo. Tá an dliteanas atá luaite le baill na Scéime Aonair á mheaitseáil ag sócmhainn maoinithe iarchurtha atá bunaithe ar fhorálacha Alt 44 d'Acht Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha Eile), 2012.

17. Dlíteanais Theagmhasacha

Tá foráil iomlán déanta le haghaidh costais dlí tabhaithe go dtí seo sna ráitis airgeadais seo. Tá an Coimisiún páirteach i roinnt cásanna dlí, áfach, agus ní fios cén toradh a bheidh ar na cásanna sin. Níl foráil déanta le haghaidh costas a d'fhéadfadh a bheith luaite leis na cásanna seo amach anseo mar gheall ar éiginnteacht i ndáil leis na toradh agus na costais a d'fhéadfaí a thabhtú.

18. Idirbhearta Páirtithe Gaolmhara

Mar ghnáthchuid den ghnó, chuir an Coimisiún idirbhearta i gcrích le ranna rialtais eile agus le comhlachtaí stáit eile. Tá eolas maidir le Luach Saothair na Príomhbhaill den Fhoireann Bhainistíochta le fáil i Nóta 3.

19. Ranníocaíocht Aoisliúntais Bhreise

Asbhaineadh €537,000 (2021: €508,000) ó thuarastail i ndáil leis an Ranníocaíocht Aoisliúntais Bhreise a íocadh leis an Roinn Comhshaoil, Aeráide agus Cumarsáide sa bhliain dar críoch an 30 Meitheamh 2022.

20. Teagmhais Iar-Chlár Comhardaithe

Níor tharla aon teagmhais idir an dáta tuairiscithe agus dáta faofa na ráiteas airgeadais seo atá le heisiúint a cheanglaíonn coigeartú a dhéanamh ar na ráitis airgeadais.

21. Gnóthas Leantach

Breithníonn an Coimisiún, de bhrí go bhfuil admhálacha tobhach agus táillí dá bhforáiltear dóibh sna hlonstraimí Reachtúla á mbailí de réir na réamh-mheastachán, gur cuí na ráitis airgeadais seo a ullmhú ar bhonn gnóthais leantaigh.

22. Comparadóirí

Tá faisnéis chomparáideach áirithe athrangaithe chun comhsheasmhacht le nochtuithe na bliana reatha a chinntiú.

23. Faomhadh Na Ráiteas Airgeadais

D'fhaomh Robert Mourik, Cathaoirleach, na ráitis airgeadais seo don Choimisiún ar an 31 Eanáir 2023.