



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

# Three refunds customers charged in excess of actual cost of PRS SMS

## Information Notice

**Reference:** ComReg 23/72

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**Commission for Communications Regulation**

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1. On 27 October 2022, ComReg notified Three Ireland (Hutchison) Limited (“Three”) of a finding of non-compliance with its obligations under the premium rate services (“PRS”) Code of Practice (“the Code of Practice”) and the conditions of its PRS licences.
2. The notification of a finding of non-compliance related to the provisions of Section 3.2 of the Code of Practice and was made pursuant to Section 9(1) of the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act, 2010. The notification pertained to an issue where Three charged customers €2.50 per PRS SMS when Three should have charged €2.00.
3. Section 3.2 of the Code of Practice states the following:

*PRS Providers must make all reasonable endeavours to ensure that PRS provided by them are of a sufficient technical quality so as not to cause end-user harm and to ensure compliance with the requirements of the Code.*
4. Three has confirmed to ComReg that it has applied credits to 25,500 customers who were charged in excess of the actual cost of the PRS SMS, with the total credits amounting to about €140,600. Three has also confirmed that it has implemented additional measures to remedy the non-compliance.
5. In consideration of the measures Three has taken to remedy the non-compliance, ComReg does not intend to take further action in respect of this matter.
6. ComReg will continue to monitor compliance by all undertakings with their obligations, including their obligations under the Code of Practice and, where necessary, will investigate any matters arising.