
COMREG ANNUAL REPORT 2022-2023



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Commission for Communications Regulation
Annual Report for 2022 - 2023.

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
1 Lárcheantar na nDugaí, Sráid na nGildeanna, BÁC 1, Éire, D01 E4X0.
One Dockland Central, Guild Street, Dublin 1, Ireland, D01 E4X0.
Teil | Tel +353 1 804 9600 | Web www.comreg.ie



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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 & Commissioner



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: Robert Mourik (Chairperson) and Garrett Blaney.

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 has continued to evolve since the Communications (Regulation) Act of 2002. 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 and these powers were further amended in 2023 to provide for significant enhancements to the enforcement powers, in particular the introduction of an administrative financial sanctions regime. 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. The Consumer Rights Act 2022 updated existing consumer law and continued ComReg's responsibility for enforcement of the provisions relating to electronic communications services and to uphold rights and remedies in consumers contracts for the supply of non-digital services and in respect of the EU Directives on the sale of goods and on the better enforcement and modernisation of European Union consumer protection rules.

The European Electronic Communications Code Directive revised the entire EU regulatory framework for the telecommunications sector and ComReg's functions and objectives were consequently expanded by the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 and the European Union (European Electronic Communications Code) Regulations 2022. In June 2023 both new pieces of transposing Irish legislation were commenced updating in particular the following areas:

- The end-user rights enjoyed by consumers of electronic communications services in the European Union
- The Universal Services regime applicable to electronic communications
- The rules governing the assignment and use of radio spectrum
- The regime governing access to infrastructure obligations on operators deemed to have Significant Market Power
- Expansion of scope of the regulatory framework to include new market players
- The power to impose administrative financial sanctions and updated investigation powers and adjudication as a mechanism for determining breaches and imposing remedies such as consumer refunds, compensation, requirement to cease and/or remedy a breach
- Compliance and enforcement powers in respect of the implementation of Electronic Communications Security Measures

Under the Communications Regulation Acts 2002 to 2023, 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 citizens within the European Community
- Promoting the widespread access to, and take-up of very high capacity networks, both fixed and wireless
- 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 2022 to 30 June 2023.

2. Chair's Review

During the year in review, ComReg continued to work in many ways to ensure that communications markets continue to operate in the interest of consumers and society. We believe that consumers and businesses in the country should have access to widespread, affordable & high-quality electronic communications services.

Connectivity is at the centre of the electronic communications and postal sectors. Indeed, telecommunications is now undoubtedly the fourth utility. It is an essential part of our work, social, business and educational lives. It is as important as having water, gas and electricity. So it is imperative that our telecoms networks are fit for purpose, secure and resilient for current and future generations of Irish people. ComReg has set out its strategic vision for the sector in our Electronic Communications Strategy Statement for 2023 to 2025 which was published in April 2023.

During the year ComReg welcomed commencement of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 and the transposition of the EU (Electronic Communications Code) Regulations 2022. The passing of this legislation marked an important milestone in the development of electronic communications regulation in Ireland. This package of legislation ensured that the telecoms regulatory framework in Ireland is strengthened and keeps pace with developments in the electronic communications sector.

The legislation gives ComReg more effective regulatory tools to carry out its mandate in line with fellow EU regulators. ComReg welcomed the introduction of a substantial number of new consumer protection measures in the legislation.

Telecommunications is a key element of the wider digital connectivity sector. It is a sector characterised by perpetual changes which may impact the future regulation of the sector. It is imperative that regulation keeps pace with emerging technological and market developments. During the year ComReg has continued to liaise with Government Departments on the development of appropriate regulation. Over the coming period there will be a number of additional legislative changes which will impact ComReg's role and mandate in relation to cybersecurity, resilience and protection of critical infrastructure among others.

BROADBAND



In the last number of years there has been significant, ongoing investment by the State and private companies in Fibre To The Premises (FTTP) network roll-out. According to our Connectivity Survey, broadband is seen as essential service by 78% of respondents and 85% of households have a fixed line broadband connection.

At the end of this reporting period in June 2023, there were just over 2 million broadband subscriptions, up 2.7% on the previous year. FTTP subscriptions increased by 33.7% over the year to 576,856. FTTP is now the most commonly purchased broadband technology in Ireland and it accounted for 35.6% of all broadband subscriptions at the end of this reporting period. Ireland has a 94% penetration rate for broadband compared to an average of 93% in EU.

Data consumption continued to increase over the year. Average fixed broadband subscriber used 372 GB of data per month, up from 328 GB in June 2022. In terms of subscriber line download speeds, at the end of June 2023 37% of all broadband lines had services at sold speeds equal to or greater than 500Mbps, with 9.5% having speeds equal to or greater than 1Gbps.

MOBILE



Mobile devices continue to play how huge role in how we all communicate. At the end of the reporting period total mobile subscriptions (including mobile broadband and machine-to-machine (M2M)) increased to 9.2 million in Q2 2023 - driven by a rise in post pay subscriptions which now represent 74% of all mobile subscriptions. 5G subscribers increased to 1.28 million at the end of June 2023, an increase of 80% on the previous year.

It is notable that while voice minutes are decreasing, subscribers are using more data. Average monthly voice call minutes per mobile subscriber in Ireland decreased to 145 minutes per month in June 2023, down from 192 in June 2022. Average monthly traffic per mobile subscriber using voice and data services rose to 13.6GB in June 2023 compared to 12.6GB in June 2022.

RADIO SPECTRUM



During the period under review ComReg completed its Multi-Band Spectrum Award for the award for an additional 46% of harmonised radio spectrum ideally suited for the provision of mobile and fixed wireless broadband services. Such spectrum awards are very significant and can have wider economic effects. It will support the delivery 5G (i.e. through dedicated coverage targets) services, as well advances other services, such as 4G and Fixed Wireless Access (FWA) services.

CONSUMER



With a constant wave of advances in technology, consumers are more empowered than ever before with an array of devices and services that are available. It is imperative that consumers are protected and informed when using communications devices. During the year in review, ComReg's Retail Compliance Unit carried out a number of investigations leading to enforcement actions. These actions included findings of non-compliance, criminal prosecutions and civil actions. The enforcement actions related to among other issues; overbilling, issues related to contract change notifications, contract details, charges applied for premium rate services, roaming usage alerts and matters related to disincentives to switching, delay in porting and customer bills. On foot of these actions, in many cases, as well as remedying the issue, service providers also refunded affected customers.

During the year, our Consumer Care Team received approximately 40,000 contacts from consumers. 96% of all calls to ComReg's Consumer Care Team were answered within 20 seconds and 100% of written contacts were to the team were responded to within 24 hours. The majority of ECS issues raised in ComReg's remit were in relation to billing, service issues, contractual matters, and switching/number portability. ComReg's consumer care team assists consumers with their queries and facilitates a resolution of complaints with the service provider. Between July 2022 and June 2023 ComReg facilitated the resolution of 1,857 complaints for consumers.

NUISANCE COMMUNICATIONS



ComReg has taken a number of actions and has proposed other measures to tackle the issue of nuisance communications or scam calls. ComReg established the Nuisance Communications Industry Taskforce (NCIT), an industry wide taskforce, with the primary focus of restoring trust in the telecommunications network by putting in place network-based interventions to combat the damaging effects of scam calls and texts on Irish consumers and society.

The taskforce (NCIT) has developed several technical interventions which have now started to come on-line. The first of these interventions is called Do Not Originate. A Do Not Originate (DNO) list refers to phone numbers which are never used to make outgoing calls. ComReg encourages all businesses and organisations to participate in this free anti-scam measure to help protect their customers.

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 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 from the official candidate countries and the potential candidate countries of the European Union, including Ukraine and countries from the Western Balkans.

During this reporting period, I had the opportunity to participate as ComReg's representative to the BEREC Board of Regulators (BoR) and was elected as BEREC Vice Chair of BEREC for 2023. ComReg participated in 12 BEREC Working Groups.

SUSTAINABILITY



ComReg places a strong emphasis on the issue of sustainability and we have developed our own Climate Action Roadmap. This plan focuses on reducing total energy related emissions and fossil fuel related emissions from our activities. During the last year ComReg set up a Green Team to advise the organisation on sustainability initiatives. ComReg also continues to undertake market research regarding consumers' views on the importance of environmental sustainability in their choice of electronic communications provider. In a survey in 2022, over 3 in 5 (63%) of respondents in Ireland stated that environmental sustainability is an important factor when choosing a mobile phone provider.

CONCLUSION

ComReg continues to grow its workforce and we aim to attract, develop and nurture people. We believe that our people and their knowledge are a critical asset for ComReg and its work. 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.

I would like to thank all of my ComReg colleagues for their commitment and effort in delivering on ComReg's mandate to continuously develop a competitive communications sector that attracts investment, encourages innovation and allows consumers to use electronic communications & postal services with confidence.

A handwritten signature in blue ink, appearing to read 'R. Mourik'.

Robert Mourik
ComReg Chairperson

3. Communications Overview (Q2 2023)

FIXED LINE MARKET SHARE

Based on operator data submitted via the Quarterly Report questionnaire, Eircom Limited (trading as Eir) accounted for 40.2% of the total fixed line market in terms of overall (retail and wholesale) revenue by June 2023, down from 41.4% in June 2022. Other Authorised Operators (OAOs) accounted for the remaining share of the market.

BROADBAND MARKET

By the end of June 2023, there were just over 2 million broadband subscriber lines. This was an increase of 2.7% on Q2 2022. Fibre To The Premises (FTTP) subscriptions increased to 576,856 in Q2 2023 an increase of 33.7% since Q2 2022.

Figure 1: Broadband Subscriptions by Subscription Type

Line Type	Q2 2023	Quarterly Growth Q1'23 – Q2'23	Annual Growth Q2'23 – Q2'23
Cable Broadband	359,669	-1.6%	-3.4%
DSL Broadband	100,683	-8.0%	-24.0%
VDSL Broadband	493,492	-4.0%	-13.6%
FTTP Broadband	576,856	7.4%	33.7%
Satellite Broadband	5,295	13.9%	60.6%
FWA Broadband	86,170	-0.9%	2.2%
Total Fixed Broadband	1,622,165	0.3%	1.7%
Mobile Broadband	382,797	-0.3%	0.7%
Total Broadband	2,004,962	2.4%	2.7%

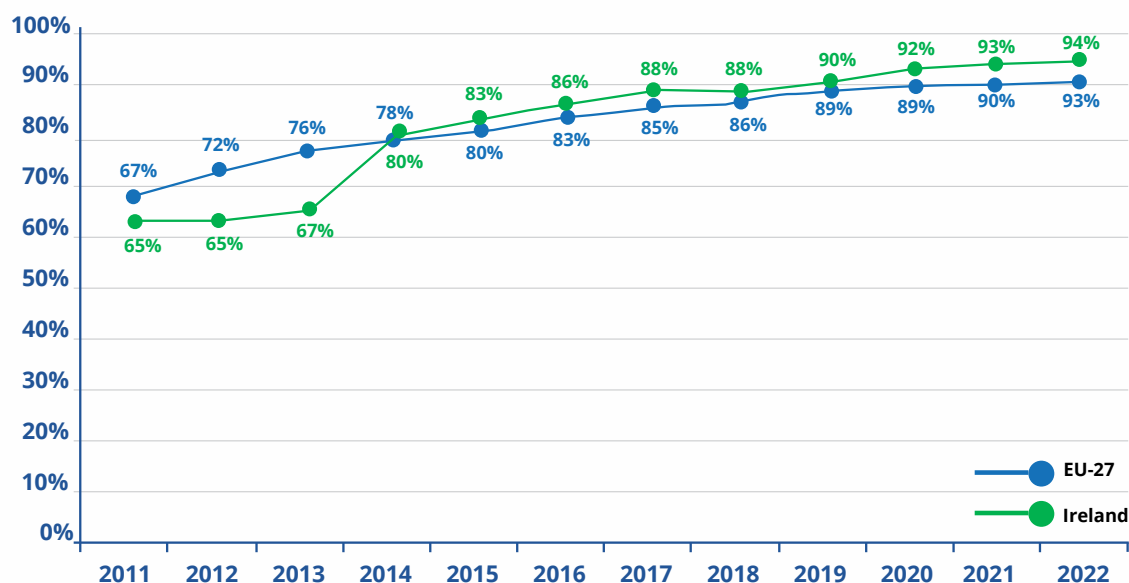
In Q2 2023, Eir had 27.7% of total retail fixed broadband subscriber lines, followed by Virgin Media who had 23.2% of lines. Vodafone had 20.2% (excluding mobile broadband), Sky Ireland 14.7%, Imagine 3% and Pure Telecom 2.3%. All other OAOs combined accounted for the remaining 8.9% share of retail fixed broadband subscriber lines.

In Q2 2023 an average fixed broadband subscriber used 372 GB of data per month, up from 328 GB in Q2 2022. In terms of subscriber line download speeds, at the end of Q2 2023, 37% of all broadband lines had services at sold speeds equal to or greater than 500Mbps, with 9.5% having speeds equal to or greater than 1Gbps.

BROADBAND PENETRATION

Figure 2 illustrates Ireland's position compared to the EU average in terms of fixed and mobile broadband household penetration. Ireland (94%) was above the EU average (93%) for household broadband (fixed and mobile) penetration in 2022.

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



Source: Eurostat

FIXED VOICE TELEPHONY

There were 1.23 million fixed voice subscriber lines in the Irish market as of June 2023, a decline of 2.3% since June 2022. At the end of June 2023, Eir accounted for 40.2% of the fixed voice telephony market followed by Virgin Media at 19.4%. Voice traffic originating on fixed networks decreased in Q2 2023 to 321 million minutes with the average residential subscriber having originated 59 minutes of fixed voice calls and the average business subscriber originated 209 minutes of fixed voice calls in Q2 2023.

MOBILE COMMUNICATIONS SERVICES

At the end of June 2023 there were 9.29 million subscriptions to mobile communications services including mobile broadband and Machine to Machine (M2M) subscriptions in Ireland. In Q2 2023 total M2M subscriptions stood at 3.25 million representing a 30.4% annual growth. Three Ireland (Hutchison) Limited and Three Ireland Services (Hutchison) Limited (collectively referred to as Three) had the largest share of mobile subscriptions (including mobile broadband and M2M) at 44.65% followed by Vodafone Ireland Limited (Vodafone) at 32.32% and Eir Mobile at 14.71%.

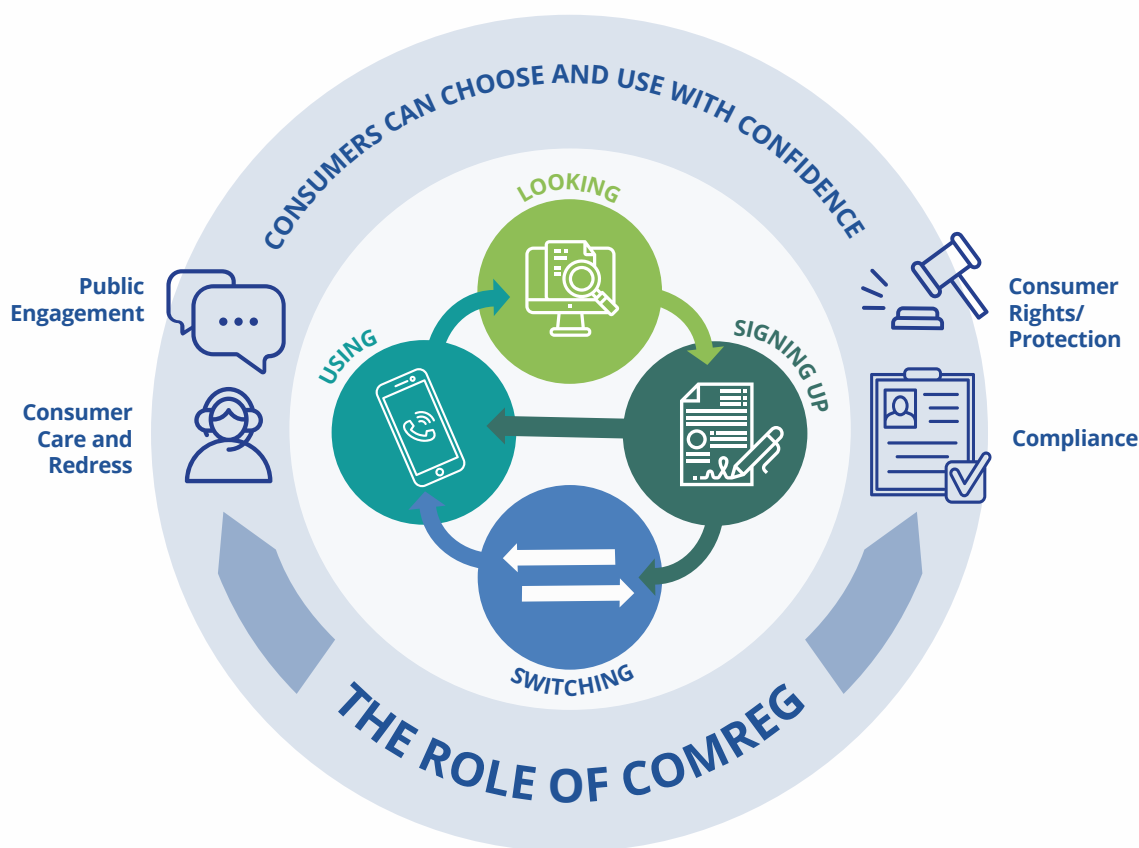
Average monthly voice call minutes per mobile subscriber in Ireland decreased to 145 minutes per month in June 2023, down from 198 in June 2022. Average monthly traffic per mobile subscriber using voice and data services was 13.6GB in June 2023 compared to 12.6 GB in June 2022.

3. 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, the Communications and Engagement programme, the Consumer Advisory Panel, the Equivalence of Access & Choice Forum, consumer research and other consumer stakeholder organisations.

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 the consumer section of www.comreg.ie with relevant information about choosing and using communications services. During the period the consumer section of the website was updated to take account of new consumer rights and legislation.

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, consumer relevant consultations 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 (MNOs) 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 2022, Q4 2022, and Q1 2023. 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), 4G (Data and Voice) and now includes 5G (Data) technology. An application (App) is also available for mobile phone users, with new functionality added.

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

² www.comreg.ie/comreg-consumer-news-q2-2023/?type=consumer-news
www.comreg.ie/comreg-consumer-news-q1-2023/?type=consumer-news
www.comreg.ie/comreg-consumer-news-q4-2022/?type=consumer-news

In addition to the outdoor coverage map, ComReg also works with industry to ensure that relevant, accurate information regarding current market offers is available to consumers on its value comparison tool, www.comreg.ie/compare, to assist consumers 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 events, and digital and traditional marketing campaigns to inform consumers.³

ComReg engaged with a range of stakeholders on consumer issues including the Government's Mobile and Broadband Task Force, Age Friendly Ireland, Consumer Advisory Forum and Equivalence of Access and Choice Forum.⁴

³ www.comreg.ie/engagement/public-stakeholder-engagement/campaigns/

⁴ www.comreg.ie/engagement/panels-forums/

Figure 4: Example of Leaflet Circulated at Events to Consumers



Figure 5: ComReg Stand at an Outreach Event



CONSUMER CARE AND REDRESS

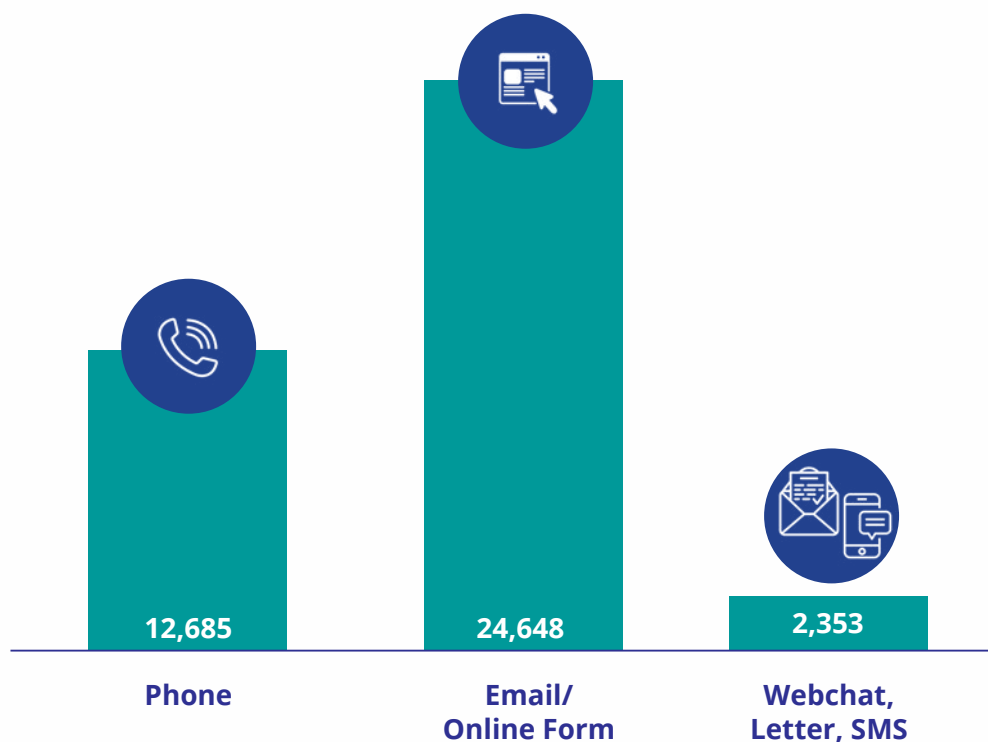
COMPLAINT HANDLING

ComReg continues to provide a quality complaint handling service to consumers. During the year, ComReg's Consumer Line Team received approximately 40,000 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 100% of written contacts were answered within 24 hours.

Figure 6: Number of Consumer Contacts by Communication Channel

1 JULY 2022 - 30 JUNE 2023



ComReg continues to publish quarterly statistics of issues raised by consumers who contacted our Consumer Line Team. During the period 1 July 2022 to 30 June 2023 there were approximately 17,000 issues about which consumers contacted us. Approximately 73% of the total issues raised were in relation to electronic communications, with approximately a further 3% relating to premium rate services and the balance were mainly issues which fell outside of ComReg's remit or were unknown.⁶

⁵ www.comreg.ie/advice-information/consumer-care/contact-our-consumer-care-team/

⁶ www.comreg.ie/advice-information/consumer-care/consumer-statistics/

Of all issues raised with ComReg during the period, 10% were complaints which were escalated on behalf of the consumers to the relevant Service Providers for both Electronic Communications Services (ECS) and Premium Rate Services (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.

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, billing media⁷ and selective call barring.

ComReg's goal is to ensure consumer rights and protections, including those for vulnerable and disabled consumers, are adequate to mitigate consumer harms. ComReg monitored and considered whether it was appropriate to implement, enhance or evolve measures to mitigate ECS and PRS consumer harms.

ROAMING REGULATION

Since 15 June 2017, customers are charged the domestic retail price for using their mobile phone when travelling in any EU country and the EEA (Iceland, Liechtenstein and Norway) – this is referred to as Roam Like At Home (RLAH).⁸ As from 1 July 2022, RLAH has been extended by Regulation (EU) 2022/612⁹ (the new rules) until 30 June 2032. ComReg published an Information Notice¹⁰ which highlights for consumers that as part of the new rules mobile phone users across the EU benefit from free Roam Like At Home roaming for another ten years (2022-2032). It is also highlighted that additional measures are introduced with a view to increasing transparency for roaming customers and, helping to avoid roaming customers incurring unexpected charges (bill shock).

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 The first EU Roaming Regulation was introduced in August 2007 to cap the cost of mobile phone roaming in the EU and a number of Regulations have been published since 2007 that dealt specifically with mobile roaming. Regulation 2015/2120 of the European Parliament and of the Council of 25 November 2015 introduced Roam Like At Home (RLAH), effective from 15 June 2017.

⁹ Regulation (EU) 2022/612: EUR-Lex - 32022R0612 - EN - EUR-Lex (europa.eu).

¹⁰ ComReg 22/68 www.comreg.ie/publications

These measures will provide additional benefits for an improved roaming experience, including:

- Information and choices – you should be informed of charges, any fair use data limit that may apply and how to access the 112 emergency number free of charge.
- Increased transparency Value Added Services – you should be informed about types of services that can bring additional costs that can be free of charge or cost less when phoning from home, such as customer service numbers or helpdesks.
- Alerts and avoiding additional charges – you should be notified when you reach a fair use limit.
- Non-terrestrial networks – you should be informed about additional charges for using roaming services on so-called non terrestrial networks such as a satellite network provided on board an aircraft or boat.
- Contacting emergency services abroad – by June 2023 you should receive a message to remind you of the 112 emergency facility and available alternatives.
- Quality of service at home and abroad – you should be able to use mobile services in the same way as at home, where technically possible.

During the period, ComReg also continued to work with its colleagues at BEREC (Body of European Regulators for Electronic Communications) 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 2022 Transparency and Comparability Report.

In addition, since 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 has been capped.¹¹ 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. 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 in this period.

OPEN INTERNET RULES

Under the EU Open Internet Rules, in Regulation (EU) 2015/2120,¹² 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 developments regarding the existence of zero-rated services. Zero-rating is when an ISP applies a price of zero to the data traffic associated with a particular application or class of applications.

¹¹ This is in accordance with Regulation (EU) 2018/1971.

¹² 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.

Other work included:

- The ongoing monitoring of the Internet Access Services (IAS)¹³ market and initiation of a mystery shopping initiative.
- The publication of the ComReg annual report on the implementation of EU Open Internet Access Regulations in Ireland.¹⁴

PROVISIONS FOR PEOPLE WITH DISABILITIES

ComReg published a consumer news item including statistics as to the take up and usage of Irish Text Relay Service (ITRS) in this period on ComReg.ie.¹⁵

During the period, we continued to engage on a regular basis with stakeholders 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. ComReg held meetings of its Forum on Electronic Communications Services for People with Disabilities in 2022¹⁶ to explore specific accessibility topics and issues. ComReg also attended 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.

Access to ECS should be the same for people with disabilities as it is for people who don't have disabilities. Everyone should have easy and equivalent access to ECS services and related information. Specific measures to meet the needs of consumers with disabilities to choose and use ECS with confidence were put in place by ComReg in 2014 and 2015. In summary, these measures¹⁷ consist of specific services and information available to people with disabilities:

- Accessible complaints procedure
- Accessible directory enquiries
- Accessible top-up facility for pre-paid mobile telephone users
- Accessible billing
- Accessible facility to test compatibility of terminal equipment or appropriate returns policy
- Facility for disabled subscribers to register requirements
- Provision of text relay service (TRS)
- Accessible information
- Requirement for an accessibility statement

ComReg's review of these measures is ongoing. This is with a view to check if these measures meet the needs of people with disabilities and assess whether people with disabilities are adequately protected.

¹³ Providers of internet access services.

¹⁴ ComReg 23/58 www.comreg.ie/publications

¹⁵ ComReg 23/16R, ComReg 23/66 www.comreg.ie/publications

¹⁶ The Equivalence of Access and Choice Forum is facilitated by ComReg to discuss and progress ECS issues relevant stakeholders (representative groups of people with disabilities, industry, and other specialist experts).

¹⁷ www.comreg.ie/advice-information/accessibility-requirements/

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. As required by ComReg's PRS Code of Practice,¹⁸ consumers must be presented with the appropriate information about the subscription service, including pricing, prior to confirming their subscription and throughout their use of PRS. The EECC Regulations require that itemised bills include mention of the identity of the supplier and of the duration of the services charged by any premium numbers (unless the consumer has requested that information not to be mentioned). Further, the EECC Regulations provide that a consumer may bar outgoing calls or premium SMS or MMS or other kinds of similar applications free of charge. ComReg has already introduced a measure to allow consumers prevent access to premium rate SMS or MMS and to reduce the possibility of bill shock. ComReg may review if further protections related to third party billing are appropriate, pursuant to the requirements of the national legislation.

REGULATORY GUIDANCE ON END-USER RIGHTS OF THE EUROPEAN ELECTRONIC COMMUNICATIONS CODE (EECC)

The European Electronic Communications Code (EECC) represents a revision of the entire EU regulatory framework for the telecommunications sector. The EECC introduced new end-user rights including related to the right to receive certain minimum pre-contractual information and the new Contract Summary¹⁹ prior to entering into contracts, internet access switching and bundled offers. 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.

To assist service providers understanding of the range of end-user rights, 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. This Guidance is now further updated following the commencement on 9 June 2023 of the EECC Regulations and the 2023 Act.²⁰

The possibility of switching between providers is a key driver of effective competition. The availability of transparent, accurate and timely information on switching should increase end-user confidence in switching and make them more willing to engage actively in the competitive process. In pursuit of these objectives, in October 2021, ComReg provided regulatory guidance to Internet Access Services (IAS) providers on principles to facilitate end-user rights to switch IAS to ensure that the switching process is efficient and simple for end-users (the IAS Guidance).²¹ This Guidance set out for providers of IAS to the Irish market ComReg's views on the meaning and effect of the provisions of the Code as they relate to end-user IAS switching under Article 106 (1) and, where they pertain to switching between providers of, provisions of 106 (5), 106 (6) and 107 of the Code. In addition, following a request by industry, ComReg established in July 2022 the Internet

¹⁸ ComReg Decision D03/18, ComReg 18/09 www.comreg.ie/publications

¹⁹ (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.

²⁰ The Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023.

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

Access Service Switching Forum.²² This was to facilitate providers of IAS in respect of the definition and documentation of required inter-operator processes for IAS switching. The Forum terminated on transposition of the Code into Irish law and commencement of the EECC Regulations on 9 June 2023. ComReg views the broad principles it has identified as consistent with the obligation for a simple and efficient switching process to ensure end-users are protected and their rights upheld.

A CUSTOMER CHARTER

In general, there is a lack of transparency around the quality of customer service. This can make it difficult for customers to know what level of customer service they can expect from their own provider or, to compare the customer service offer made across service providers, for example when considering switching to a different provider. New legislation introduced by the Government, the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023, among other things, provides for ComReg to seek to introduce new regulatory requirements to address issues arising, so that end-users are protected. Measures to assist consumers and other end-users (including microenterprises, small enterprises and not-for-profit organisations) under the Act include minimum quality of service standards to be met by providers of internet and phone services²³ when providing such services to end-users, as ComReg may specify (Minimum Quality of Service Standards) and a Customer Charter.

ComReg gave consideration to the introduction of a Customer Charter in this period. A Customer Charter will be a one-stop-shop of information for consumers on the level of customer service that their provider offers. A Charter can address consumer harm through two key objectives: to create transparency around the levels of customer service providers offer; and driving improvements in overall customer service levels. In March 2023, ComReg issued a public consultation addressing the proposed specification of requirements for providers of internet and phone services to prepare, publish and keep updated a Customer Charter.²⁴

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 2023, ComReg determined, following the review of the costs incurred by the ECAS provider to set the maximum CHF of €3.78 per call from 12 February 2023. In the previous year, from 12 February 2022 to 11 February 2023, the maximum CHF had been determined by ComReg to be €2.98.

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.

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

²³ Providers of internet access services (IAS) or publicly available interpersonal communications services (ICS).

²⁴ ComReg 23/14 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

The USO designation on Eir for access at a fixed location expired on 30 June 2023. There currently is no designation in place in respect of fixed voice communications services.

ComReg has issued the following public consultation documents:

- Universal Service Requirements: Provision of voice only connections and voice communications services at a fixed location (VFL USO).²⁵
- Universal Service Provision of voice only connections and voice communications services at a fixed location – Response to Consultation, Further Consultation, and Draft Decision.²⁶

UNIVERSAL SERVICE QUALITY OF SERVICE (QoS)

ComReg considers QoS to be an important aspect of access at a fixed location. Accordingly, ComReg is of the view it is important that the QoS performance is monitored. ComReg will monitor QoS performance on an ongoing basis and may intervene, where there are:

- Changes in market conditions
- Changes in technological developments
- 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 2022 – Q2 2023 and the annual performance.

²⁵ ComReg 23/02 www.comreg.ie/publications

²⁶ ComReg 23/55 www.comreg.ie/publications

COST OF THE USO – USO FUNDING APPLICATIONS 2010-2015

In 2011, ComReg issued a Decision²⁷ (ComReg 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 2017.²⁸

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

- 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.²⁹
- 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.³⁰
- 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.³¹
- 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.³²
- 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.³³

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. Following a hearing in the Commercial Division of the High Court on 6 November 2020, the Court decided to refer a question concerning the unfair burden assessment to the Court of Justice of the European Union (CJEU) for a preliminary ruling pursuant to Article 267 of the Treaty on the Functioning of the European Union. ComReg engaged fully in the process before the CJEU.

²⁷ ComReg 12/57 D04/11 www.comreg.ie/publications

²⁸ ComReg 16/68 www.comreg.ie/publications

²⁹ ComReg 19/36 D05/19 www.comreg.ie/publications

³⁰ ComReg D06/19 www.comreg.ie/publications

³¹ ComReg D07/19 www.comreg.ie/publications

³² ComReg D08/19 www.comreg.ie/publications

³³ ComReg D09/19 www.comreg.ie/publications

On 10 November 2022 the CJEU delivered its judgment. This judgment can be found at the footnoted link.³⁴

On 10 July 2023, the High Court made orders which, among other things:

- (i) Set aside the following determinations relating to ComReg's unfair burden assessments:
 - (a) section 1.3 of the determination in ComReg Decision D05/19
 - (b) the final paragraph of section 1.2 of the determination in ComReg Decision D06/19 (beginning "Pursuant to the calculation of the positive net cost...")
 - (c) section 1.3 of the determination in ComReg Decision D07/19
 - (d) section 1.3 of the determination in ComReg Decision D08/19
 - (e) section 1.3 of the determination in ComReg Decision D09/19; and
- (ii) ordered that those aspects of the Decisions identified above be remitted to ComReg for review in accordance with the judgment of the CJEU delivered on 10 November 2022.

ComReg has commenced its review, in accordance with the aforementioned order, of the unfair burden assessments on the basis of the associated net cost determined by the Decisions.

ComReg will initially review the unfair burden assessment of ComReg Decision D05/19 (i.e., relating to 2010-2011). ComReg will then consult on its preliminary views, following which, ComReg will make a decision regarding the unfair burden assessment for 2010-2011. ComReg currently anticipates that it will conduct this consultation in Q4 2023 and make the decision in Q1 2024. ComReg's Annual Action Plan will be amended to reflect this estimated timeline at the next update. ComReg intends to then review each subsequent year for which a net cost has been determined.

EIR'S FUNDING APPLICATIONS

ComReg has issued a determination on net cost element of 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, among 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.

³⁴ EUR-Lex - 62021CJ0494 - EN - EUR-Lex (europa.eu)

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.

ComReg has received no application for USO funding for the financial period 2021-2022.

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 Regulations³⁵ and associated ComReg Decisions. The Universal Service Regulations were replaced by certain provisions of the Code Regulations³⁶ within the period. ComReg also monitors compliance with the Roaming Regulations,³⁷ which were also updated within the period,³⁸ and with consumer rights legislation for oversight of which ComReg has a co-operation agreement with the Competition and Consumer Protection Commission (CCPC). Consumer Rights legislation was substantially overhauled within the period principally through the introduction of the Consumer Rights Act.³⁹

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.⁴⁰

³⁵ European Communities (Electronic Communications Networks and Services) Universal Service and User Rights' Regulations 2011

³⁶ S.I. No. 444/2022 European Union (Electronic Communications Code) Regulations 2022

³⁷ 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.

³⁸ S.I. No. 315/2022 European Communities (Mobile Telephone Roaming) Regulations, 2022

³⁹ S.I. No. 37/2022 Consumer Rights Act 2022

⁴⁰ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015

CONSUMER COMPLIANCE CASES & FINDINGS

In July 2022, ComReg reported that it had notified Virgin Media that it had formed the opinion that Virgin had not complied with its obligations under Regulation 25(6)(b) of the Universal Service Regulations. ComReg also said that unless Virgin's non-compliance was remedied within a period of 3 weeks, ComReg may proceed to bring an application to the High Court seeking orders to ensure Virgin's compliance with its obligations and further orders as appropriate pursuant to Regulation 31 of the Universal Service Regulations.

Also in July 2022, ComReg reported that it had notified Eir of a finding of non-compliance with Eir's obligations under Regulation 14(4) of the Universal Service Regulations. The non-compliance concerned Eir not notifying, in accordance with Regulation 14 (4) of the Universal Service Regulations, some of its customers of a proposed price increase to their contracts at least one month prior to the changes taking effect and by not affording those customers the right to withdraw without penalty from the contract if they do not accept the modification. ComReg noted that Eir had since notified these customers of the modification to their contract and afforded them the right to withdraw, in accordance with Regulation 14(4) of the Universal Service Regulations. Eir had also refunded those customers that were charged the price increase prior to receiving the notification of the proposed modification. Eir's response, received on 22 August 2022, confirmed that immediately upon identifying the issue, it issued credits or refunds to all affected customers and ensured that a correct notification, including the right to withdraw, was provided and the notice period complied with. Eir said it had introduced multi-layered protections and that it had contacted and refunded all of the affected customers. Having considered Eir's response and the proposed remedies and commitments made, ComReg nonetheless formed the Opinion that Eir had been non-compliant with its obligations under Regulation 14(4) of the Universal Service Regulations. However, having taken account of Eir's response and its remedial actions to address the issues raised in the notification, ComReg decided not to take further action in respect of this matter.

On 25 August 2022, ComReg notified Three Ireland of a finding of non-compliance with respect to obligations under Universal Service Regulations. The notification related to a failure by Three Ireland to comply with Regulations 14(1) and 14(2)(d) of the Universal Service Regulations as the contract provided to its customers did not specify in an easily accessible form the details of prices and tariffs appropriate to their plan.

On 27 October 2022, ComReg notified Three Ireland of a finding of non-compliance with its obligations under the PRS Code of Practice⁴¹ and the conditions of its PRS licences. The notification related to the provisions of Section 3.2 of the Code of Practice and was made pursuant to Section 9(1) of the PRS Act.⁴² ComReg said that Three Ireland had refunded €26,000 to 7,000 customers who were charged in excess of the actual cost of the PRS SMS.

On 12 January 2023, the Dublin District Court heard cases in respect of eight summonses that ComReg issued against Three Ireland. Three was charged on eight counts of having failed to meet requirements set out in Article 15 of the Roaming Regulation.⁴³ This requires that service providers implement a default financial limit at €50 (excluding VAT) of charges for data roaming in a single billing period and that service providers send notifications

⁴¹ ComReg D03/14 www.comreg.ie/publications

⁴² Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act, 2010

⁴³ Regulation (EU) No 531/2012 of the European Parliament and of the Council

as customers reach 80% and 100% of that limit. Following a review of relevant customer complaints, ComReg commenced an investigation that culminated in ComReg commencing District Court prosecutions as Three failed to meet the requirements of Article 15 in that customers' data use was not stopped at the €50 financial limit and that customers did not receive the required notifications. These issues mostly impacted customers as they used data in countries outside of the European Union. Three identified 1,640 customers who were affected by at least one of the issues. The total value of the improper charges to these customers was approximately €632,000. Three stated that following the ComReg investigation it has credited or refunded the identified customers. Three pleaded guilty to one count on each of the eight summonses before the court. Judge Halpin imposed criminal convictions for each of the counts and ordered Three to pay a total of €2,400 in fines. Three also contributed to ComReg's costs, as agreed between the parties.

On 13 February 2023, the Dublin District Court heard a case taken by ComReg against Kaleyra UK Ltd (Kaleyra) in relation to 22 counts of charging customers for premium rate services in circumstances where they were not requested by the customer contrary to Section 13 of the PRS Act. In January 2022, a serious incident relating to Kaleyra's 57710 and 57127 premium rate short code numbers came to ComReg's attention where, during the period between August 2021 and January 2022, Kaleyra imposed charges on a significant number of customers of Three for the supply of a PRS in circumstances where these customers had not requested that PRS. ComReg's investigation established that in each case the signalling messages were spoofed to effectively make the text messages look somewhat like a valid subscription request message sent by the customer. Kaleyra pleaded guilty to 22 counts brought against it. The Court applied the Probation of Offenders Act 1907 and required Kaleyra to make charitable donations in the total amount of €5,000. Kaleyra contributed to ComReg's costs, as agreed between parties.

On 28 April 2023, the Dublin District Court heard a case in respect of four summonses that ComReg issued against Sky Ireland Limited (Sky). Sky was charged with twelve counts of having failed to meet requirements set out in Regulation 25(4) of the Universal Service Regulations. Regulation 25(4) pertains to porting, which is the process of moving a customer's phone number from one service provider to another and places certain obligations on the service provider to which a customer is transferring. Throughout 2021 and 2022, ComReg received a number of contacts from customers who stated that they had experienced considerable delays, sometimes lasting a number of weeks, in getting their phone number activated when they transferred to Sky. ComReg became concerned that these customers were experiencing delays because Sky failed to port the phone numbers in the time periods required under Regulation 25(4). Sky pleaded guilty to four counts: one count on each of the four summonses before the court. Judge Halpin of the Dublin District Court applied the Probation of Offenders Act 1907 and required Sky to make a charitable donation in the total amount of €5,000. Sky also contributed to ComReg's costs, as agreed between the parties.

On 26 April 2018, ComReg notified Meteor of a Finding of Non-compliance with its obligations under Regulation 14(2)(d) of the Universal Service Regulations. Following ComReg's assessment of representations made by Meteor, ComReg found that Meteor's non-compliance had been ongoing and had not been satisfactorily remedied whether following receipt of the Notification or otherwise. Subsequently, ComReg formed an Opinion that in 2016 and 2017 Meteor had not complied with its obligations under Regulation 14(2)(d) which required Meteor to supply customers with contracts that

specified, in a clear, comprehensive and easily accessible manner, details of prices and tariffs as they relate to data overage and applicable charges. In May 2023, ComReg reported that Meteor had taken certain remedial steps with regard to the relevant matters and had entered into a settlement agreement with ComReg. As part of this settlement agreement, Meteor agreed to refund certain out-of-bundle data charges that were incurred by approximately 55,000 customers during that period to the value of not less than €722,760.

On 15 November 2022, ComReg applied to the High Court for a restraining order under Section 46(4) of the Communications Regulation Act, 2002 against Eir, requiring Eir to cease contravening Section 45 of the Act and requiring Eir not to repeat the contravention of Sections 45(1)(a) and 45(1)(b) of the Act, which are offences related to the overcharging of customers. These proceedings were issued following a series of enforcement actions taken by ComReg against Eir under Section 45 of the Act, which have resulted in Eir being convicted in 2015, 2017 and 2018 of offences totalling 26 breaches of Section 45 of the Act (in circumstances in which it overcharged customers for electronic communications services). On hearing such an application, the High Court may, among other orders: *"...make a restraining order requiring the undertaking to cease contravening section 45 and not to repeat the contravention..."* The application also included a request for the Court to issue an order directing Eir to pay to ComReg a financial penalty pursuant to Section 46(5) of the Act, and request for the Court to issue an order directing Eir to refund customers who had been overcharged by Eir between October 2015 and October 2021, where the customers had not yet been refunded by Eir. These proceedings were fixed for hearing on 25 April 2023 in the Commercial List of the High Court. On 17 May 2023, ComReg reported that the parties had settled the proceedings. Among other things, Eir committed to (i) pay a Financial Penalty in the sum of €2,450,000; (ii) implement a series of measures to identify customers who had been overcharged historically and to refund these customers appropriately. There were an estimated 76,000 customers with an associated revenue value of approximately €6,700,000 in scope for these measures. Eir also committed to implementing processes and procedures which will include system upgrades, including the completion of a new billing system and will also include Eir proactively reviewing credits and disputes that could identify potential billing issues not already addressed.

In June 2023 ComReg reported that Sky Ireland had paid €54,000 pursuant to Section 44(1) of the Communications Regulation Act in lieu of prosecution. This came following a ComReg investigation that found Sky failed to put consumer references on customers' bills contrary to Regulation 8 of the Authorisation Regulations. Consumer references are numbers required to switch service provider and must be on all customer bills according to Section 18.6.1 of ComReg Decision 03/81R6. Failure to comply with the decision is an offence. Following an investigation, ComReg found that Sky had failed to include consumer references on customers' bills in respect of the customers' online bills and some customers' paper bills. Sky confirmed that the issue with online bills was resolved in April 2021 and the issue with paper bills was resolved in December 2022. ComReg issued 36 notices according to Section 44(1) of the Act (totalling €54,000), and Sky paid the notices on 2 June 2023.

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 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.

UNIVERSAL POSTAL SERVICE PROVIDER (USP) DESIGNATION AFTER 1 AUGUST 2023

The statutory designation of An Post as USP is due to end on 1 August 2023. ComReg has a statutory responsibility to review the USP designation and decide whether a designation is required. ComReg is also statutorily required to ensure that this review is done in accordance with procedures established and maintained by ComReg. ComReg established those procedures in 2019.

Therefore, during the year, and well in advance of the statutory designation ending, ComReg conducted its required review of the USP designation. This involved two public consultations.

The first consultation was whether there should be a designated USP. Following that public consultation and consideration of other factors ComReg decided that there was a continued need for a designated USP.

Consequently, ComReg invited potential providers to submit their interest in being designated as USP, with submission requirements already established in the procedures. An Post was the only respondent, offering to provide the entire universal postal service for the entire State.

Therefore, ComReg conducted a second public consultation on whether An Post should be designated as USP and for how long. An Post was the only respondent and agreed to be designated as USP. Following that public consultation and having considered a number of factors, ComReg decided to designate An Post as USP to provide the entire universal postal service for the entire State for 6 years (2 August 2023 – 1 August 2029), unless otherwise amended by ComReg.

REGULATION OF USP'S QUALITY FOR UNIVERSAL POSTAL SERVICES

ComReg 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 2022 calendar year, An Post as the USP delivered 85% 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 1% increase on the 2020 result. However, performance is 9% below the 94% regulatory standard.

PARCEL DATA

ComReg published the aggregate parcel data it collects under the European Cross Border Parcel Regulation.

Key highlights included:

- Total parcel revenue is just under €1 billion, with a 26% revenue growth from 2020 to 2021.
- Total parcel volume is 162 million, with 4% growth in parcel volumes from 2020 to 2021.

6. Market Framework

MANAGEMENT OF THE RADIO SPECTRUM RESOURCE

The radio spectrum resource, or spectrum, refers to a range of frequencies of electromagnetic energy that is used to communicate information. Applications important for society, such as radio and television broadcasting, civil aviation, earth-exploration, climate change monitoring, defence, and emergency services, depend on specific allocations of radio frequency. It is a valuable national resource as it underpins all of the wireless communications services in the State. In addition, many communications 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. the monitoring of water levels at dams and reservoirs.

ComReg is the statutory body responsible for the regulation and management of the radio spectrum resource in Ireland. In exercising this function ComReg's spectrum management objective is to ensure the efficient management and use of the radio spectrum, including having regard to relevant government policy statements and international developments. 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. At the end of 2021 ComReg conservatively estimated that the use of radio spectrum directly accounts for €4.2 billion of Gross Value Added and contributes circa €7.2 billion of Ireland's National Income. The radio spectrum resource is also an important contributor to employment in Ireland and directly supports at least 19,000 jobs.⁴⁴

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 demands 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 managing the radio spectrum. During this period of reporting, ComReg continued to progress work items as detailed in its Radio Spectrum Management Strategy for the period 2022 to 2024. This strategy outlines ComReg's work plan and priorities for the period given its role as Ireland's spectrum manager while complementing ComReg's Electronic Communications Strategy Statement.⁴⁵

The management of the radio spectrum resource includes:

- The allocation of spectrum bands, where among other things ComReg is obliged to publish and regularly revise its Radio Frequency Plan (Plan) for Ireland.⁴⁶
- The assignment of radio spectrum frequencies which refers to ComReg's activities that issues, and authorises the use of, rights of use of radio

⁴⁴ ComReg 21/136 www.comreg.ie/publications

⁴⁵ ComReg 23/34 www.comreg.ie/publications

⁴⁶ ComReg 20/58R4 www.comreg.ie/publications

frequencies. In Ireland, the possession and use of radio equipment requires authorisation from ComReg and this authorisation may take the form of a licence or a licence-exemption under the Wireless Telegraphy Act of 1926, as amended.

- Day-to-day licensing – issuing approximately 3,500 new Wireless Telegraphy licences every year to a miscellany of operators, public bodies, private companies and individuals.
- Maintaining the integrity of Ireland's radio spectrum by monitoring, compliance and enforcement activities.
- The promotion of Ireland as an ideal location for spectrum development using Test and Trial Ireland.⁴⁷

LICENSING OPERATIONS

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

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

As of 30 June 2023, the total number of live radio licences was 22,290 representing an increase of circa 10% over the previous reporting period.

Figure 7: Live Radio Licences at 30 June: 2016 – 2023

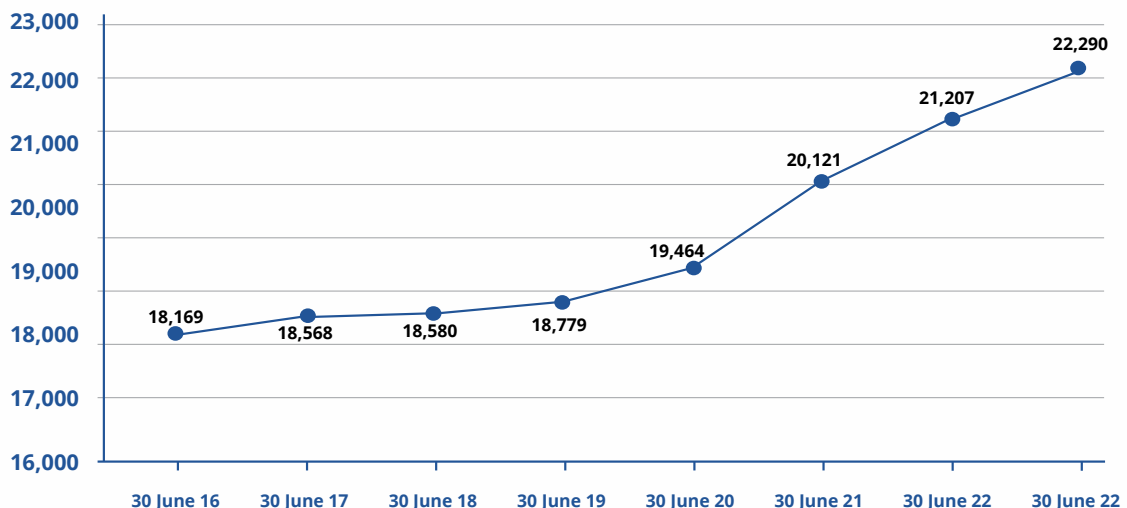


Figure 7 shows the total number of live radio licences at 30 June 2023 for the period 2016 to 2023.

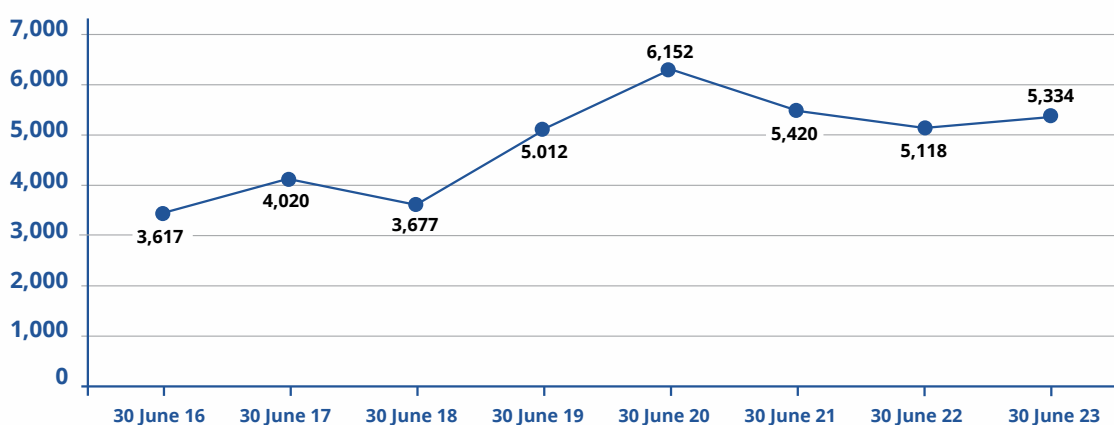
⁴⁷ www.testandtrial.ie/

The total number of new licences issued in this reporting period was 5,334, an increase of 4.2% on the previous year. This increase, in the main, arose due to:

- A 4.5% increase in the number of Fixed Radio Link (Point-to-Point) licences granted
- An increase of 15.2% of Amateur Station licences
- An increase of 22% of Third-party business radio licences

Figure 8 shows the total number of new radio licences issued by ComReg from 2016 to 2023.

Figure 8: New Radio Licences Issued: 2016 – 2023



MARKET SURVEILLANCE OF PRODUCTS

PRODUCT SAFETY UNIT

ComReg is the designated Market Surveillance Authority in respect of two EU Directives, the Radio Equipment Directive (RED)⁴⁸ and the Electromagnetic Compatibility Directive (EMC).⁴⁹

Market Surveillance of products is a requirement of the EU Single Market. It refers to the activities carried out and measures taken by public authorities to ensure that products comply with the requirements set out in the relevant Community harmonisation legislation and so not endanger health, safety or any other aspects of public interest protection.

The purpose of market surveillance is to prevent non-compliant products from entering the market anywhere in the EU, and to seek out and remove non-compliant products which have entered the market. Market surveillance can include actions such as product withdrawals, recalls and the application of sanctions to stop the circulation of non-compliant products and/or bringing any such products into compliance.

⁴⁸ 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)

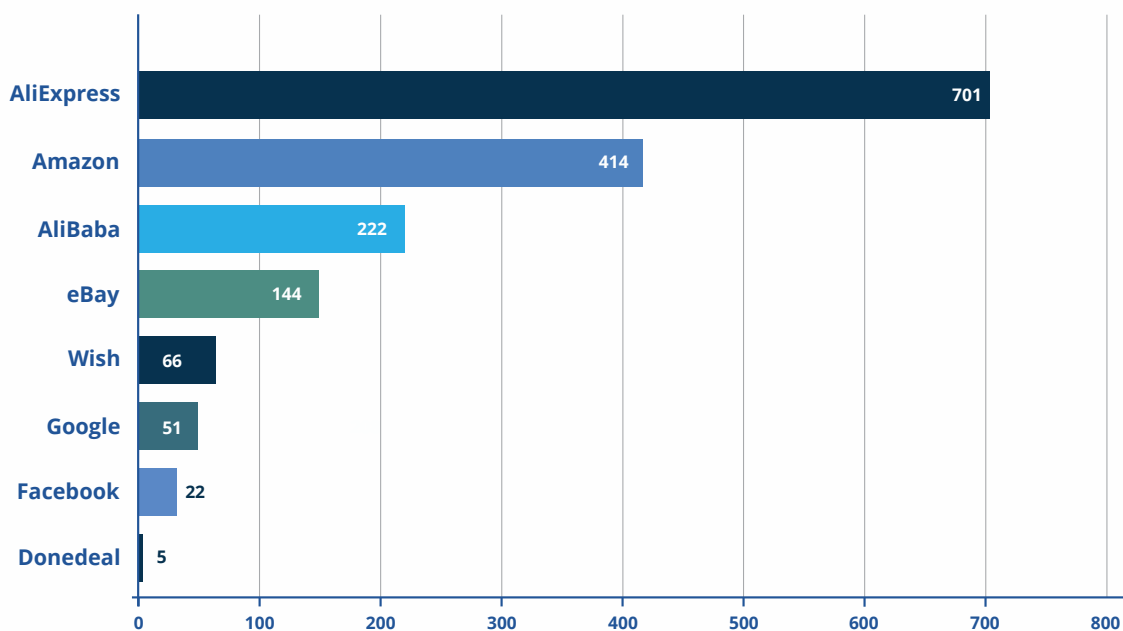
⁴⁹ The Electromagnetic Compatibility Directive 2014/30/EU is transposed into Irish law by way of the European Union (Electromagnetic Compatibility) Regulations 2017 (S.I. No. 69/2017)

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 2022 – 2023 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 1,625 non-compliant products removed from online platforms. The majority of these products were from AliExpress, Amazon, Alibaba and eBay. ComReg values this collaboration and will continue to work with all online platforms to prevent non-compliant devices entering the Irish marketplace. Figure 9 provides details of the number of non-compliant products removed from each online platform over the last 12 months.

Figure 9: Non-Compliant Devices Taken Down in the 2022-2023 Operating Year
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 at both 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 ⁵⁰ in Baldonnell, Co. Dublin.

⁵⁰ COLL-8 Logistics is an independent multi-carrier distribution network.

ComReg detained a total of 1,024 non-compliant products with assistance of Customs officials in the period 1 July 2022 to 30 June 2023, up from 265 products in the previous year. This increase was as a result of the specific product profiles that were activated with Customs in 2022 to identify and detain those products being imported into the state that are most likely to be non-compliant.

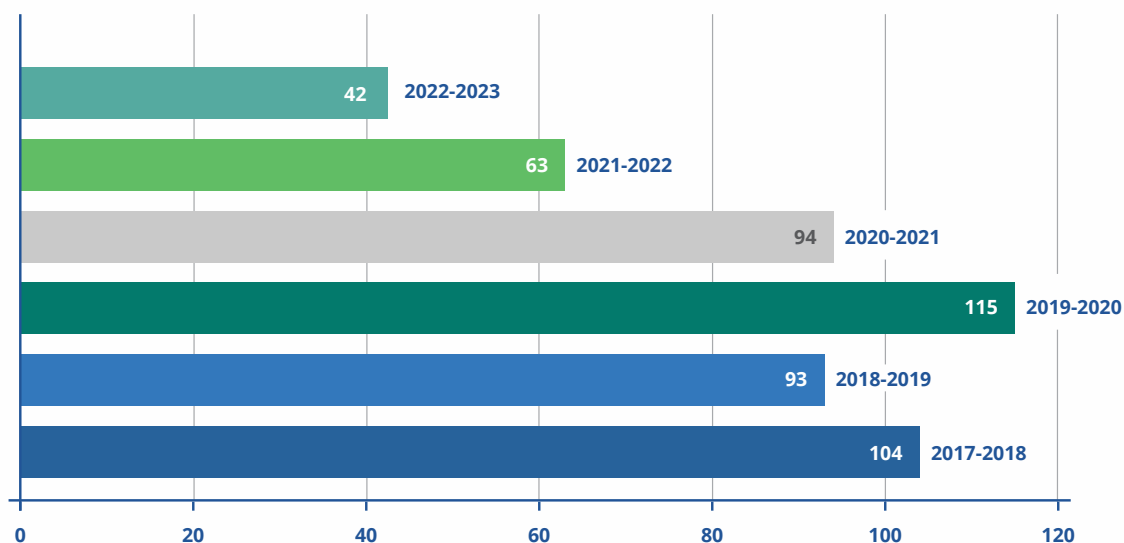
RADIO FREQUENCY INTERFERENCE (RFI) INVESTIGATIONS

ComReg's Spectrum Intelligence and Investigations Unit investigates instances of harmful radio frequency interference (RFI). RFI can affect any radio service, including but not limited to, emergency services, air traffic control, mobile phone services, business radio, microwave links and broadcast services.

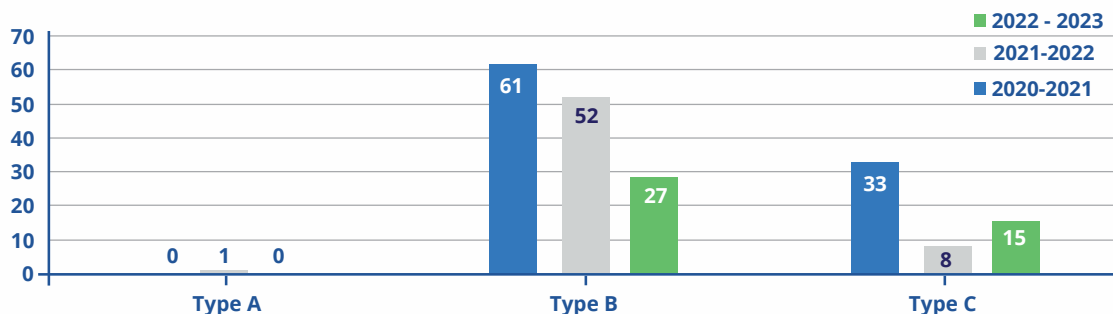
All RFI complaints are triaged and classified into three categories – Type A, Type B and Type C – dependent on the impact of interference.

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.	-

ComReg observes that, during the 2022 – 2023 reporting period, it received 42 RFI complaints.

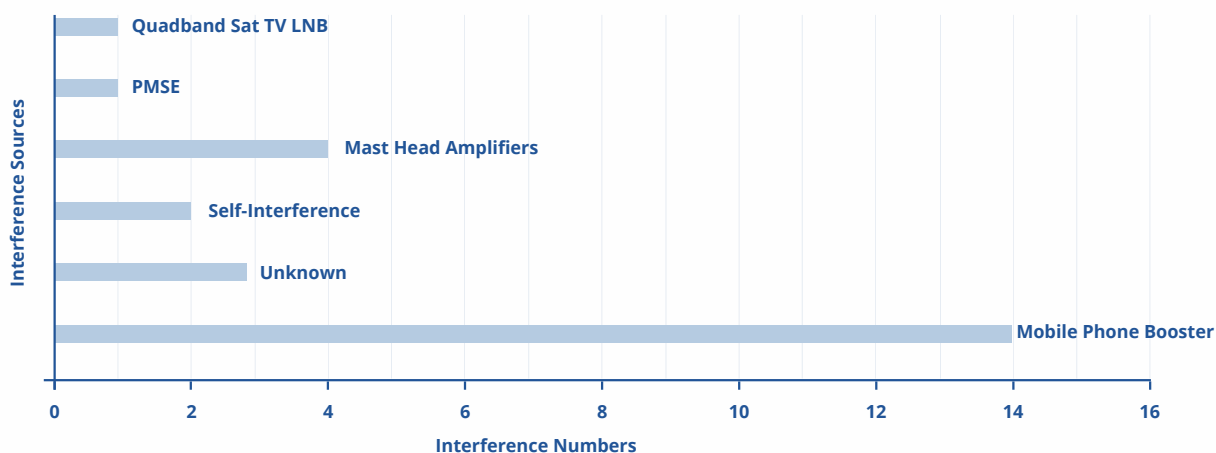
Figure 10: : Number of Reported Interference Complaints Received Each Year

There were 27 instances of Type B RFI complaints received last year.

Figure 11: Comparison of Cases Received by Type

Furthermore, consideration 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.

As noted in Figure 12 below, Mobile Phone Boosters remain the primary source of harmful interference for complaints investigated by ComReg, followed by Mast Head Amplifiers.

Figure 12: 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 FM22,⁵¹ which is responsible for monitoring and enforcement activities, publishes its Annual Interference Statistics Questionnaire for Reported Cases.

This report shows that in 2022, mobile networks still 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 Authorisation⁵² 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),⁵³ 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 across the country. ComReg also publishes reports on the NIR site surveys.⁵⁴

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.

⁵¹ 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/

⁵² ComReg 03/81R6 www.comreg.ie/publications

⁵³ www.icnirp.org

⁵⁴ www.comreg.ie/industry/radio-spectrum/site-viewer/non-ionising-radiation-information/

The methodology employed by ComReg to conduct its NIR surveys is published in ComReg Document 08/51R4.⁵⁵ ComReg makes all NIR measurement reports available online at: www.comreg.ie/nir-reports-2/. Furthermore, 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.⁵⁶

COVID-19: TEMPORARY SPECTRUM LICENSING

Given the temporary and extraordinary situation presented by COVID-19 and the increased traffic demands placed on wireless networks arising from the Government measures to address same, ComReg consulted on, and subsequently put in place with the consent of the Minister, a number of COVID-19 temporary spectrum licensing frameworks, each for a duration of 6 months.

These licensing frameworks provided for the temporary assignment of spectrum rights of use in the 700 MHz and 2.1 GHz bands for a nominal fee and each of the MNOs (Meteor, Three and Vodafone) subsequently applied for and were issued with COVID-19 temporary spectrum licences.

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).

Noting that Government measures to address COVID-19 were removed in March 2022, ComReg, in July 2022,⁵⁷ considered that there was no basis for allowing for any further COVID-19 temporary licensing frameworks beyond 1 October 2022, and it encouraged the MNOs to prepare for same.

The COVID-19 temporary licensing framework and COVID-19 temporary spectrum licences ended on 1 October 2022.

SHORT-TERM RIGHTS OF USE IN THE 700 MHZ AND 2.1 GHZ BANDS

On 22 July 2022, ComReg published an information notice on the potential issue of short-term rights in the 2.1 GHz band and possibly in other spectrum bands included in the Multi Band Spectrum Award (MBSA2).⁵⁸

The purpose of the potential issue of such short-term rights was to mitigate any consumer disruption that might arise with the expiry of existing licences, noting among other things that the High Court stay order of 22 July 2022 prevented ComReg from commencing the main stage auction of the MBSA2, thereby likely preventing the issue of long-term rights of use in advance of the expiry of existing licences in October 2022. Following the receipt of the requested information from interested parties, on 23 August 2022, ComReg set out its consultation proposals to put in place a short-term (up to 6 months) licensing framework for the issue of spectrum rights of use in the 700 MHz and 2.1 GHz bands from 2 October 2022.

⁵⁷ ComReg 22/58 www.comreg.ie/publications

⁵⁸ ComReg 22/63 www.comreg.ie/publications

Following the receipt of the requested information from interested parties, on 23 August 2022, ComReg set out its consultation proposals to put in place a short-term (up to 6 months) licensing framework for the issue of spectrum rights of use in the 700 MHz and 2.1 GHz bands from 2 October 2022.⁵⁹

In setting out its proposals ComReg noted that the proposed framework should not delay or disincentivise the issue of long-term rights of use and ComReg's proposals included that the spectrum fees would be set at an approximation of the market value for the band and adjusted for the short-term duration.

On 21 September 2022, ComReg published its response to consultation and decision to put in place a short-term (up to 6 months) licensing framework for spectrum rights of use in the 700 MHz and 2.1 GHz bands from 2 October 2022.⁶⁰ ComReg remained of the view that setting fees to reflect market value was appropriate and it did not accept the MNO's views that short-term licences have a nominal or low value.

On 27 September 2022, the Wireless Telegraphy (Short-Term Electronic Communications Services Licences) Regulations 2022 (S.I. No. 484 of 2022) were made by the Commission for Communications Regulation with the consent of the Minister for the Environment, Climate and Communications, Eamon Ryan.

Following the submission of complete applications, a Short-Term Electronic Communications Services Licence and a Renewal Licence were subsequently issued to each of the three MNOs. These licences were for the period 2 October 2022 to 1 January 2023, and 2 January 2023 to 1 April 2023 respectively.

MULTI-BAND SPECTRUM AWARD FOR WIRELESS BROADBAND

During the period of this review ComReg completed the Multi Band Spectrum Award process and issued long-term licences for spectrum rights of use in four important spectrum bands, the 700 MHz, 2.1 GHz, 2.3 GHz and 2.6 GHz bands to the four Winning Bidders (or MBSA2 Licensees):

- Imagine Communications Ltd. (Imagine)
- Meteor Mobile Communications Ltd. (Eir)
- Three Ireland Hutchison Ltd. (Three)
- Vodafone Ireland Ltd. (Vodafone)

Over the duration of these licences, the four Winning Bidders will pay circa €448 million to the State.

The completion of the MBSA2 award is a significant milestone as it assigns an additional 46% of harmonised radio spectrum to the market, all of which is ideally suited to the provision of new 5G services as well as other mobile and fixed wireless broadband (WBB) services, such as 4G (LTE) and Fixed Wireless Access (FWA) services. Investments by the MBSA2 Licensees to deliver these services is supported by the issue of long-term licences with an expiry date in 2042. The MBSA2 licences also include rollout and coverage obligations to deploy base stations and expand mobile coverage over periods of four to seven years, and there are also licence conditions to improve indoor voice and text coverage and quality of service.

⁵⁹ ComReg 22/72 www.comreg.ie/publications

⁶⁰ ComReg 22/78 www.comreg.ie/publications

The completion of the MBSA2 award culminates a multi-year process which started in 2018 when ComReg published its initial consultation,⁶¹ and where in 2020 and 2021, various aspects of ComReg's MBSA2 decision⁶² and the running of the MBSA2 auction itself, were the subject of separate Court appeals which ultimately were resolved in ComReg's favour in November and December 2022.

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 10 Test licences and 21 Trial licences which facilitated, for example, tests of next generation (such as 5G) communication networks in Trinity College Dublin,⁶³ innovative trials for rural broadband services and trials of new satellite broadband services. Further details are set out at Test & Trial Ireland www.testandtrial.ie which includes a short video promoting this initiative.⁶⁴

NETWORK SECURITY

SECURITY OF ELECTRONIC COMMUNICATIONS NETWORKS

Since the adoption of the European Union Commission Recommendation on Cybersecurity of 5G networks (2019) 2335 final (Rec. 2335),⁶⁵ 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.

Measure 7 of the National Cyber Security Strategy (2019 to 2024), which sets out how government will introduce a new and specific set of security requirements for the telecommunications sector, is also relevant in this regard.

ComReg provided some assistance to NCSC and has also 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.

These activities and others have culminated in the publication of the report on the EU coordinated risk assessment on cybersecurity in Fifth Generation (5G) networks⁶⁶ and the European Toolbox on the security of 5G networks⁶⁷ (the Toolbox) on 29 January 2020.

⁶¹ ComReg 18/60R www.comreg.ie/publications

⁶² ComReg 20/122 www.comreg.ie/publications

⁶³ www.comreg.ie/comreg-awards-test-licence-suitable-for-5g-to-tcd-telecoms-researchers/

⁶⁴ See ComReg video, *Test and Trial Ireland*, available at www.youtube.com/

⁶⁵ ec.europa.eu/digital-single-market/en/news/cybersecurity-5g-networks

⁶⁶ ec.europa.eu/commission/presscorner/detail/en/ip_19_6049

⁶⁷ ec.europa.eu/commission/presscorner/detail/en/qanda_20_127

ELECTRONIC COMMUNICATIONS SECURITY MEASURES (ECSMS)

The Electronic Communications Security Measures (ECSMs) are Ireland's mechanism for the implementation of the 5G Toolbox. ComReg has assisted the NCSC in the development of the ECSMs, including the running of several workshops with industry stakeholders.

DECC published a technical stakeholder consultation⁶⁸ in November 2021 to gather the views of interested parties, in particular parties who are directly affected, such as providers of public electronic communications networks and services. In March 2023, DECC published an overview of the received responses⁶⁹ and its reply to the issues raised in the consultation.

The Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 gives ComReg the statutory obligations and powers to be the competent authority for the assessment, supervision, monitoring and enforcement of security measures for ECN/ECS. These security measures are expected to be the ECSMs, with regulations to be published through statutory instrument by DECC. ComReg will assess, supervise and monitor the implementation of ECSMs by ECN/ECS Providers in an objective, transparent, non-discriminatory, and proportionate manner. There is therefore significant work programme for ComReg which will establish and develop a framework by which to assess, supervise, monitor and if required take enforcement action on ECN/ECS provider who are in scope of the ECSMs.

NETWORK OPERATIONS

NETWORK INCIDENTS 2022 AND ENISA REPORT 2022

There were twelve incidents reported to ComReg during 2022, compared to twenty-four received in 2021. The overall number of User Hours lost due to incidents reported also reduced to circa 13k hours, notably less than the 2021 total of circa 50k User Hours lost.⁷⁰

Of the twelve incidents reported, four exceeded the ENISA Threshold (in terms of User Hours lost), compared to twenty-one in 2021.⁷¹

Notably however, there were no storms of any significance during the period, unlike the 2019 – 2021 period, and this generally explains the decrease in reported incidents, illustrated in Figure 13 below.

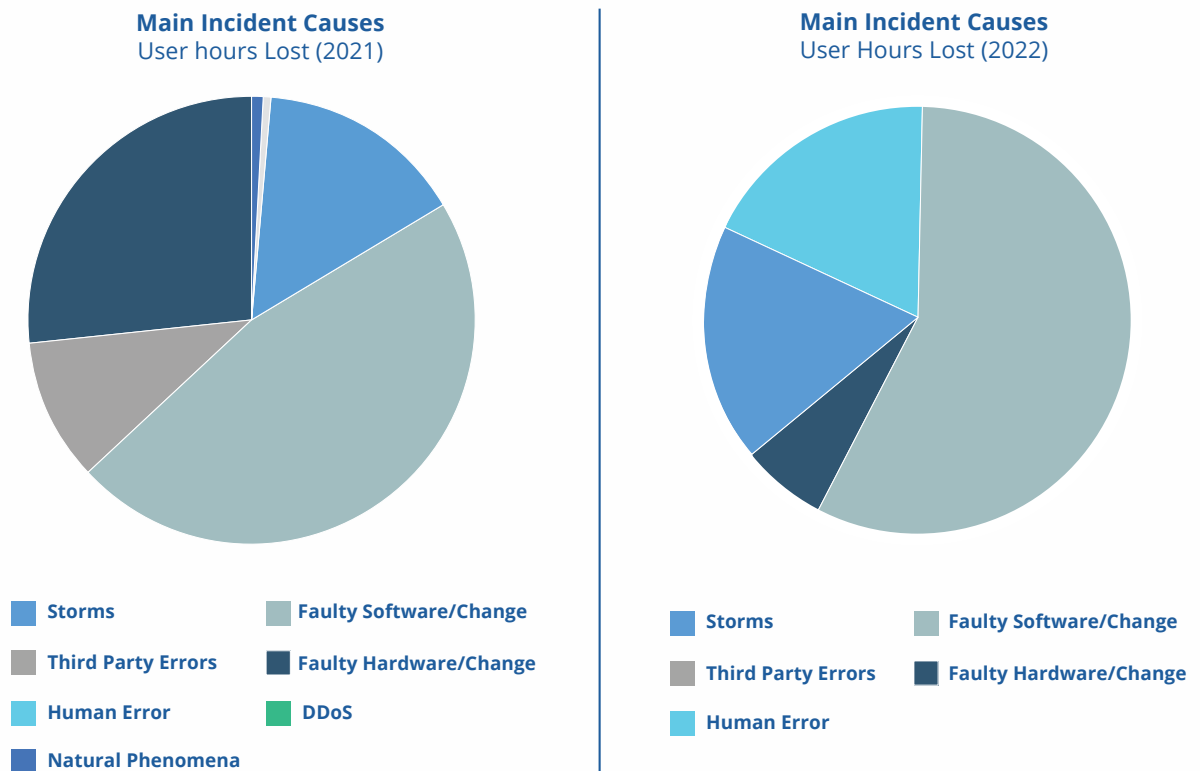
⁶⁸ www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/

⁶⁹ www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/

⁷⁰ The overall number of User Hours lost was 13,218,472, which is markedly less than the 2021 total of 50,609,004 User Hours lost./

⁷¹ resilience.enisa.europa.eu/article-13/guideline-for-incident-reporting

Figure 13: Comparison of User Hours Lost 2021 to 2022



Major causes of incidents in 2022 included faulty hardware, faulty software, or third-party failures, where providers of other or ancillary services have caused or contributed to the outage. ComReg advocates that software replacement or upgrades, where feasible, should be thoroughly tested before being introduced into a production setting. Furthermore, ComReg also urges that upgrades take place out of hours (overnight) and that a clear testing and roll-back procedure is established in advance.

More generally, ComReg notes that mobile, radio and overhead copper networks tend to be more prone to the effects of adverse weather, (wind damage, ice, and heavy rain) while fixed underground plant tends generally to be more vulnerable to flooding, caused by storm surges and heavy rain.

ECONOMIC AND SOCIETAL IMPACT OF INCIDENTS

ComReg is cognisant that network incidents have both an economic cost, in terms of the loss of services, impacting productivity and commerce; as well as a societal cost, limiting availability of communication services for the public in general. With the increase in remote working, following the COVID-19 pandemic, the impact of network incidents continues to be a matter of growing significance.

ComReg commissioned the consultants DotEcon and Analysys Mason to undertake a foundational study in this area and this has been published as ComReg Document 23/59a.⁷²

⁷² ComReg 23/59a www.comreg.ie/publications

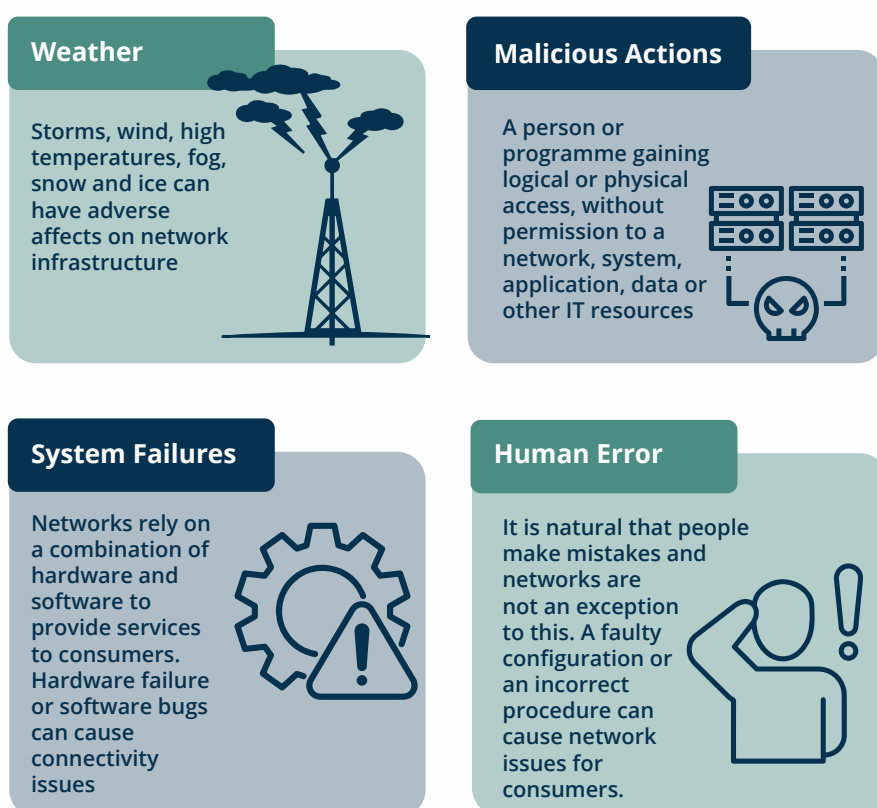
The DotEcon and Analysys Mason study has seven key findings:

- Network incidents can happen for a variety of reasons.
- There are no typical outages and outages vary across the population.
- While network incidents are rare, some consumers are impacted more than others.
- Additional investment could be justified but would be difficult to target.
- Using a back-up service may fail to alleviate network incidents when they arise.
- Operators are limited in the extent to which they can repair large scale incidents.

Most consumers consider price, speed and coverage to be more important than reliability when choosing a provider. Users reasonably expect to be able to access services with minimal disruption. However, network incidents that impact the experience of the end user can occur for a variety of reasons and include:

- Weather and natural phenomena: storms, wind, high temperatures, fog, snow and ice, and solar storms.
- Third party damage: including damage to physical infrastructure, vehicular impact, fibre cuts and cable damage.
- Malicious acts: Telephony Denial of Service (TDoS) attacks, Distributed Denial of Service (DDoS) attacks, cable theft, vandalism, and sabotage.
- Power outages due to weather, insufficient protection of mains supply, no or insufficient back-up power and poor maintenance of back-up power.
- System failures including but not limited to hardware and software failure.
- Insufficient redundancy; inadequate procedures and deficient supervision of both own and outsourced staff.

Figure 14: How Network Incidents Can Happen



While all consumers experience some form of network outage, large network incidents which can cause significant consumer disruption are happily relatively rare. However, there are asymmetric impacts and network incidents impact some consumers much more than others. The reasons for this are multifaceted but primarily relate to:

- Where consumers are located (urban/rural)
- How they use connectivity (e.g. homeworking/heavy usage)
- What type of infrastructure is used (e.g. copper, fibre, cable satellite)

ComReg will continue to monitor network incidents in line with its statutory functions, obligations and duties. ComReg may also revisit this study, once some of the ongoing investments discussed above can be realised. In this way, the study provides an important foundation for the future, providing as it does an initial baseline against which any future research could be assessed.

CLIMATE CHANGE AND ADAPTATION OF TELECOMMUNICATIONS NETWORKS

ComReg commissioned Frontier Economics in late 2021 to conduct a study to consider how communications networks are vulnerable to weather events that may increase in frequency and severity resulting from climate change. The report published in December 2022 as ComReg Document No. 22/100a⁷³ presented findings on:

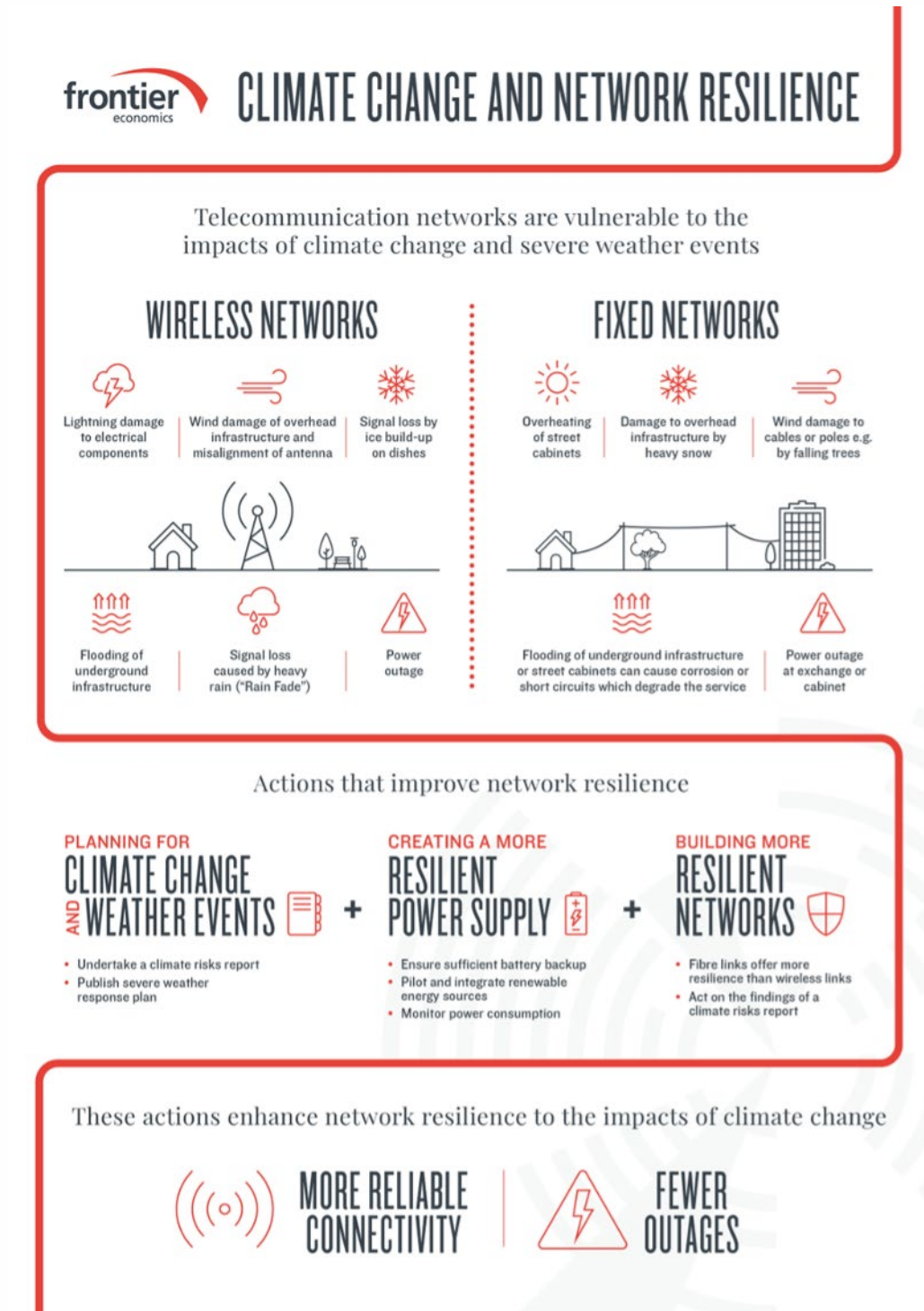
- Communications networks' vulnerabilities to climate change
- Climate change preparation and adaptation measures implemented across networks
- Potential steps to further adapt to climate change

The findings of the report were based on detailed information, including discussions undertaken with communications network operators in Ireland as well as climate and weather experts in Ireland (Climate Ireland and Met Éireann).

The infographic set out in Figure 15 outlines the vulnerabilities of fixed and wireless communication networks to particular weather events and it highlights the three main areas of focus for further improving the resilience of communication networks in light of climate change.

⁷³ ComReg 22/100a www.comreg.ie/publications

Figure 15: Climate Change and Network Resilience



NUISANCE COMMUNICATIONS

ComReg is actively working with the telecoms industry to mitigate the scourge of scam texts and calls in Ireland. Since early 2022, ComReg and the telecoms industry have been working together in an attempt to restore trust in our telecommunications.

Several initiatives have resulted thus far and the following Information Notices (IN) have been published:

- IN 22/77 Nuisance Communications – Update on the Nuisance Communications Industry Taskforce. Published 30/09/2022⁷⁴
- IN 22/86a Do Not Originate List – Guidance Note for organisations and Application Form. Published 24/10/2022⁷⁵
- IN 22/86 Nuisance Communications – Launch of ‘Do Not Originate’ Protocol. Published 24/10/2022⁷⁶
- IN 22/114 Nuisance Communications: Fixed CLI Blocking Intervention Arrangements for International Operations. Published 20/12/2022⁷⁷
- IN 23/01 Nuisance Communications: Scam Calls & Texts – Best Practice Guide for Businesses and Organisations. Published 13/01/2023⁷⁸
- IN 23/12 NCIT New Terms of Reference. Published 10/02/2023⁷⁹
- IN 23/28R Nuisance Communications: Do Not Originate Service Update. Published 27/03/2023⁸⁰
- IN 23/47 Nuisance Communications: CLI Call Blocking Update. Published 24/05/2023⁸¹

More recently, on 16 June 2023, ComReg published its consultation on combatting scam calls and texts. Research commissioned by ComReg – summarised in an infographic at Figure 16 – shows that in 2022 alone in Ireland there were:

- Approximately 365,000 cases of fraud as result of scam calls and texts, (or 1,000 cases a day).
- Up to 89 million annoying/irritating communications and 31 million distressing communications.
- Over 5,000 businesses that were the victim of fraud after receiving scam calls and texts.
- Overall, the total quantifiable harm to society arising is conservatively estimated at circa €309 million per annum.

⁷⁴ ComReg 22/77 www.comreg.ie/publications

⁷⁵ ComReg 22/86a www.comreg.ie/publications

⁷⁶ ComReg 22/86 www.comreg.ie/publications

⁷⁷ ComReg 22/114 www.comreg.ie/publications

⁷⁸ ComReg 23/01 www.comreg.ie/publications

⁷⁹ ComReg 23/12 www.comreg.ie/publications

⁸⁰ ComReg 23/28R www.comreg.ie/publications

⁸¹ ComReg 23/47 www.comreg.ie/publications

Figure 16: Combatting Nuisance Communications



ComReg is proposing that telecommunications operators implement a series of technical interventions to combat scam calls and texts all of which are detailed in ComReg Document 23/52 – Combatting scam calls and texts, a consultation on network-based interventions to reduce the harm from Nuisance Communications – which is available at www.comreg.ie.

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 Notice⁸² in December 2021 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 terms of reference for the NCIT were updated and published in early 2023.⁸³

The NCIT has met and continues to meet monthly since February 2022 and is chaired by an independent chairperson and secretariat.

NETWORK MONITORING

Two drive tests were conducted by AWTG on behalf of ComReg during 2022. The summer drive test report was published as ComReg 22/82⁸⁴ and the winter 2022 drive test was published as ComReg 23/45.⁸⁵

MOBILE USER EXPERIENCE – OUTDOOR MOBILE COVERAGE MAPPING

Following a consultation process ComReg published a response to consultation regarding 5G Outdoor Mobile Coverage Thresholds.⁸⁶ This paved the way for ComReg to map 5G as part of its Outdoor Mobile Coverage Map tool from its December 2022 revision onwards.

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 Wave (CW) measurements and targeted drive tests, at several locations throughout Ireland. Following calibration, the outdoor coverage map predictions are released via the ComReg website.⁸⁷ In addition to this, the analysis of the outdoor coverage predictions helps inform ComReg's current and future management of the radio spectrum.

ComReg remains one of the very first National Regulatory Authorities (NRA) to make 5G coverage information available via its consumer facing mapping tools.

⁸² ComReg 21/129 www.comreg.ie/publications

⁸³ ComReg 23/12 www.comreg.ie/publications

⁸⁴ ComReg 22/82 www.comreg.ie/publications

⁸⁵ ComReg 23/45 www.comreg.ie/publications

⁸⁶ ComReg 22/28 www.comreg.ie/publications

⁸⁷ coveragemap.comreg.ie/map

MANAGING THE NATIONAL TELEPHONE NUMBERING SCHEME

ComReg manages the National Telephone 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.

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. To that end, ComReg has proposed KYC best practice guidance as part of its consultation on combatting scam calls and texts, published on 16 June 2023 (ComReg 23/52). This proposed guidance sets out the minimum KYC checks that ComReg proposes operators should carry out when providing numbers to customers. In addition to checks prior to providing numbers, ComReg proposes that operators have processes to monitor compliance, assess number misuse and respond to such misuse. Although such proposed guidelines are not mandatory, operators are being encouraged to implement the suggested processes to reduce the risk of scammers being provided with numbers. Following consultation, ComReg proposes to publish these KYC guidelines as a standalone reference document that can be updated as best practice KYC evolves.

UPDATING NUMBERING CONDITIONS OF USE

ComReg's Numbering Conditions of Use⁸⁸ 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 commenced in June 2023, as part of ComReg's consultation on Nuisance Communications (Document 23/52). That consultation proposed network-based interventions to reduce the harm from Nuisance Communications. Scam calls often misuse or 'spoof' Calling Line Identification (CLI), so that a review and update of the Numbering Conditions of Use in respect of CLI was required. In addition, and in response to the upsurge in SMS based scams that use fake SMS Sender IDs,⁸⁹ ComReg proposed to include SMS Sender IDs as part of the National Numbering Plan and to introduce and operate an SMS Sender ID Protection Registry as an intervention to combat scam SMS traffic. This review and update will ensure that the Numbering Conditions of Use align with the proposed interventions.

⁸⁸ ComReg 15/136R3 www.comreg.ie/publications

⁸⁹ A Sender ID is an alphanumeric string that can be used as the 'from' address for SMS text messages. In other words, it is the text display name that you see at the top of your phone's screen used to identify who sent the message.

Future updates of the Numbering Conditions of Use are planned and will focus on further improving how operators use Calling Line Identification (CLI), together with supporting any mandated interventions to tackle nuisance communications.

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.

Public consultations in 2017 and 2018 highlighted the widespread confusion about the cost of calling NGNs and the differences between the NGN ranges. ComReg's 2018 NGN Decision⁹⁰ had the overarching purpose of restoring trust and confidence in NGNs by improving the NGN platform for consumers and organisations alike. ComReg set out two measures, illustrated in Figure 17 below. NGN consolidation reduced the number of NGN ranges from five (1800, 1850, 1890, 0818 and 076) to two (1800 and 0818). In early 2022, ComReg, together with the NGN Industry working group, completed the implementation of the 2018 NGN Decision by closing the 1850, 1890 and 076 number ranges.

Figure 17: Implementation of the NGN Decision



Geo-linked Pricing:
Implemented 1 December 2019

NGN Consolidation
since January 2022

⁹⁰ ComReg 18/106 and D15/18 www.comreg.ie/publications

The deadline for consolidation of the NGN ranges was 31 December 2021. However, a small amount of 1850 and 1890 NGNs were permitted to remain in operation, exceptionally, due to the nature of the numbers as emergency contact numbers and/or their prevalence on physical assets around the country (e.g., on wooden poles and utility meters). These extended NGNs include six numbers in use by utility services in Ireland, namely ESB Networks (ESBN), Gas Networks Ireland (GNI) and Irish Water (IW).

Following further public consultation,⁹¹ ComReg decided in July 2021 that these utility NGNs could remain in operation until 30 November 2023. Furthermore, requests were received for extended use of certain other NGNs in use by the Health Service Executive (HSE), Irish Rail and Tunstall Emergency Response and these were also permitted to remain in operation until 30 November 2023.

ComReg also indicated that it would conduct a review to determine if any further extension, beyond 30 November 2023, might be needed for any of the six utility NGNs. To that end, in March 2023 ComReg carried out a consultation⁹² and, based on its assessment⁹³ ComReg decided that it is appropriate to switch off the legacy utility NGNs at the end of November 2023 as originally set out. However, ComReg also considered it is prudent to avoid ceasing either the legacy utility NGNs or the other extended NGNs during the winter months, when the rate of emergencies/incidents being reported are typically higher across all the relevant services. Accordingly, ComReg has decided to provide a short further extension to the operation of these NGNs beyond 30 November 2023, until midnight on Tuesday 9 April 2024.

PROTECTED NUMBERS AND DO NOT ORIGINATE (DNO) LISTS

In mid-2022, the Nuisance Communications Industry Taskforce (NCIT) agreed specifications for initial interventions to address scam calls that use spoofed CLIs.

One of the interventions is the implementation by operators of a Do Not Originate (DNO) list. Fraudsters often spoof the number of a legitimate business, for example trusted Irish companies such as banks and state agencies, when calling potential victims. The DNO list refers to telephone numbers assigned to organisations which are never used for outgoing calls. Consequently, any outgoing calls on these numbers are spoofed and therefore should be blocked.

ComReg promotes the DNO list on its website⁹⁴ and manages applications from organisations to be added to the list and the monthly distribution of the DNO list to operators. ComReg also manages the collation of DNO call blocking metrics from operators on a monthly basis.

A second intervention agreed by NCIT is the Protected Numbers (PN) list. Protected Numbers are numbers that are not assigned by ComReg and are not expected to be assigned in the near future. Therefore, calls purporting to come from these numbers may be considered as scam calls and so are blocked under the PN intervention.

⁹¹ ComReg 21/75 www.comreg.ie/publications

⁹² ComReg 23/27 www.comreg.ie/publications

⁹³ ComReg 23/68 www.comreg.ie/publications

⁹⁴ ComReg 22/86 www.comreg.ie/publications

ComReg's Numbering team manages the development and distribution of the PN list to operators. ComReg also manages the collation of PN call blocking metrics from operators on a monthly basis.

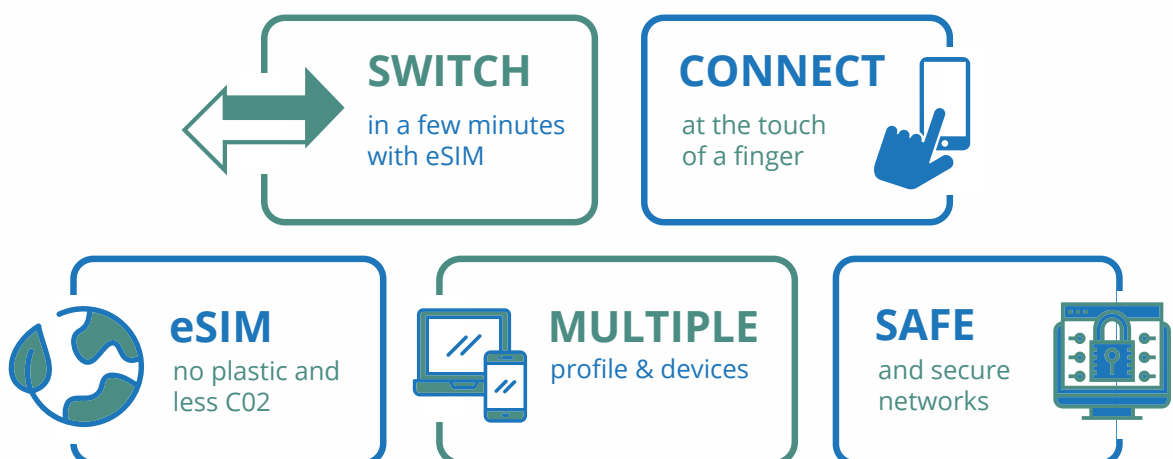
Following a successful trial in August 2022, the DNO and PN lists have been implemented by most operators in the NCIT and these interventions continue to protect consumers that may be targeted by these particular scams.

STRATEGY TO PROMOTE OVER-THE-AIR PROVISIONING AND ESIM

The European Electronic Communications Code (EECC)⁹⁵ 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.

Once available, fully digital customer sign-up and switching between operators will enable consumers to switch between operators in minutes. 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 18.

Figure 18: The Benefits of eSIM and OTA Provisioning



⁹⁵ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code.

In early 2021, ComReg commissioned an expert study 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 consultation⁹⁶ on its proposed strategy. In June 2022, ComReg published its response to consultation and final strategy,⁹⁷ which sets out a work programme for mobile operators in Ireland.

ComReg is working with MNOs and other industry stakeholders to implement the actions outlined in the strategy. ComReg has commissioned Analysys Mason to oversee the implementation of this strategy. This work is ongoing and ComReg expects to publish Analysys Mason's report in Q1 2024 alongside an accompanying Information Notice.

⁹⁶ ComReg 21/114 www.comreg.ie/publications

⁹⁷ ComReg 22/48A www.comreg.ie/publications

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. 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 or commencing a number of other market reviews as follows:

1. The Fixed Voice Call Termination (FVCT) and Mobile Voice Call Termination (MVCT) markets relate to the completion of an inbound voice call on the network of the called party – to a fixed line network in the case of FVCT and to a mobile network in the case of MVCT. The called party's network operator levies a termination charge on the calling party's network operator for this service. In April 2023 ComReg adopted a decision which resulted in the deregulation of the FVCT and MVCT markets, largely because recently adopted separate regulation, at an EU level, setting maximum wholesale termination charges, reduces incentives for anti-competitive behaviour to occur.⁹⁸
2. The Wholesale Local Access (WLA) and Wholesale Central Access (WCA) markets are two wholesale markets which ultimately support the provision of retail broadband (and other) services. In January 2023 ComReg published a consultation in which it proposed to regulate the WLA market and impose remedies including price controls and de-regulate the WCA market.⁹⁹ The consideration of responses to this consultation is ongoing with ComReg expecting to adopt its final decision in Q1 2024.

⁹⁸ ComReg 23/33 Decision D01/23, www.comreg.ie/publications

⁹⁹ ComReg 23/03, www.comreg.ie/publications

3. The wholesale Physical Infrastructure Access (PIA) market concerns access to duct and pole infrastructure to support the roll-out of fibre networks, ultimately facilitating the provision of a range of downstream wholesale and retail services, including high speed broadband. In January 2023, ComReg published a consultation in which it proposed to regulate the PIA market and impose remedies including price controls.¹⁰⁰ The consideration of responses to this consultation is ongoing, with ComReg expecting to adopt its final decision in Q1 2024.

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's multi-annual data gathering transformation project has led to further improvements in 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 and broadband services, as well as revenues. While much progress has been made and there is positive engagement by operators, the depth, quality and reliability of information provided by some operators with respect to certain communications services remains an issue, often with frequent revisions to their data. The provision of accurate and reliable information in a timely manner is of critical importance, not just in the context of supporting ComReg in discharging its statutory duties, but also given it feeds into published market level information, which is relied upon and closely monitored by industry players, as well as national and EU institutions.

ComReg published a Decision in October 2020¹⁰¹ 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 2023 with the 2023 WACC Annual Update¹⁰² and the updated values will be applied in any forthcoming price reviews. The 2024 WACC Annual Update will be published in Q2 2024.

Following on from a 2020 Consultation (the ANM Consultation)¹⁰³, ComReg published a Decision in December 2021¹⁰⁴ concerning inter alia the review and update of the Access Network Model (ANM) cost model used to determine cost-oriented Fibre to the Cabinet (FTTC) prices. In January 2022, Eir appealed the ANM Decision to the High Court (the ANM Appeal).¹⁰⁵ In February 2022, the Commercial Court refused a stay application Eir had made taking account of an undertaking given to the Court by the Notice Parties Vodafone and Sky Ireland Limited.¹⁰⁶ 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.

¹⁰⁰ ComReg 23/04, www.comreg.ie/publications

¹⁰¹ ComReg 20/96 Decision D10/20, www.comreg.ie/publications

¹⁰² ComReg 23/56 www.comreg.ie/publications

¹⁰³ ComReg 20/101 www.comreg.ie/publications

¹⁰⁴ ComReg 21/130 Decision D11/21 www.comreg.ie/publications

¹⁰⁵ ComReg 22/03 www.comreg.ie/publications

¹⁰⁶ ComReg 22/20 www.comreg.ie/publications

WHOLESALE PRODUCTS

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

The team actively monitor the operation of remedies in regulated markets – across Wholesale Local Access (WLA), Wholesale Central Access (WCA) and Wholesale High Quality Access (WHQA) markets. In 2022-23, the Wholesale Products team has given particular focus to the use of Civil Engineering Infrastructure (CEI) for fibre rollout programs and the technical elements of the market review process for the WLA and WCA Markets, the PIA Market and Copper Switch Off. Given its Significant Market Power in the WLA, WCA and WHQA markets, Eir are required to provide access in line with remedies drafted by the Wholesale Products team and imposed by ComReg. The team's activities include the monitoring of the ongoing build out of wholesale fibre networks by Eir, Siro, Virgin Media and NBI, given that all of these utilise CEI Regulated Access Products (RAPs) from Eir. Additionally, Retail Service providers utilise Eir-regulated products to deliver their products to residential and business customers. Additionally, the Wholesale Products team oversees Wholesale market interaction – including porting, switching and inter-connection.

The Wholesale Products team maintain interactions with industry stakeholders both bi-laterally and at formal industry meetings, including participating in the Eir-hosted monthly Product Development Workshop. Another key environment for Industry interaction had been the ComReg hosted Industry Engagement Forum (IEF), with an external Chairperson. In 2022/23 it continued to provide a key platform for interaction between access seekers and Eir on launched, in-development Regulated Access Products (RAPs) and requests for new RAPs.

In addition to the deployment of the above referenced fibre networks utilising RAPs, the Wholesale Products team monitor the launched RAPs provided on Eir's network. Furthermore, in 2023 ComReg initiated and chaired a weekly Industry Forum to facilitate Industry in defining an Internet Access Service switching process in line with the obligations of the European Electronic Communications Code (EECC) (the Code). As required by the Code, the resultant processes are to facilitate end users in switching their broadband service without the need to contact the losing provider and with minimal downtime.

Recognising the importance of an efficient, regulated CEI access product suite to a competitive telecommunications market, in October 2021 ComReg issued Direction 21/60R requiring Eir as SMP operator in the WLA market to provide a Sub-Duct Self Install product to Access Seekers. This would facilitate access seekers in self-deploying sub-duct in Eir ducts, thus providing Access Seekers with greater control over network their rollouts. Eir appealed this Decision to the High Court, with the case being heard in July 2023. ComReg awaits judgement on the matter.

A number of ongoing and planned consultations were core to the 2022/23 work program. In January 2023, ComReg published consultations on the WLA/WCA Markets and on the proposed new PIA Market. Based on market analysis, regulatory experiences in other jurisdictions and technology evolution trends, Wholesale Products defined the proposed market remedies for these consultations. In May 2023, ComReg issued a consultation on PIA KPIs which are intended to measure the performance of Eir's PIA infrastructure throughout its lifecycle, in respect of its transparency and non-discrimination obligations and the treatment of the Other Authorised Operators (OAOs) versus Eir's own downstream operations.

In March 2021, Eir published a white paper entitled Copper switch-off: Leaving a Legacy for the Future. In this paper Eir set out 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, ComReg's consultation document entitled Framework for the Migration from Legacy Infrastructure to Modern Infrastructure was published on 25 March 2022. Awaiting the commencement of the Code which would provide the legislative and regulatory context for the transition framework, in 2022/23 ComReg continued its scoping of the draft decision in light of the responses to consultation. The Code commenced in June 2023 facilitating entering into the finalisation of the Decision process with a view to publication in Q1 2024.

WHOLESALE COMPLIANCE

ComReg's Wholesale compliance team investigates 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
- 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 Wholesale compliance activities included:

Regulatory compliance:

- 4 cases opened
- 0 cases closed
- 20 active cases

Misuse of Irish numbers:

- 16 cases opened
- 16 cases closed

Of the 20 wholesale compliance cases that were active during the year, ComReg carried out 20 active compliance investigations into the incumbent fixed line operator and no active compliance investigation into mobile operators.

REGULATORY GOVERNANCE

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

1. 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.
2. 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.

IOB

The IOB has continued to meet and published its most recent report in summer 2023. The next IOB report is expected in Q1 2024.

8. Strategy and Economics

COMREG STAKEHOLDER BREAKFAST

In September 2022, ComReg held a Stakeholder Breakfast seeking to address the major issues facing the sector over the next five years, including the migration to fibre services, the withdrawal of legacy telecoms networks, cybersecurity, customer service and nuisance/scam calls.

The two main sessions were:

- An opening address from Minister of State Ossian Smyth TD
- A moderated discussion with key stakeholders in the sector

The breakfast was attended by representatives from public bodies, operators, civil society, and consumer groups.

ECS STRATEGY STATEMENT 2023-2025

In April 2023, ComReg published its Electronic Communications Sector Strategy Statement 2023-2025. The Statement acts as a mid-term review of our 5-year Strategy (2021-2026). It sets out our high-level strategic intents for the ECS sector and the various projects and programmes of work that ComReg will undertake to implement the final two years of our 5-year Strategy. The document reaffirms the vision, mission, and values that were set out in that Five-Year Strategy. The key updates in the Statement were on:

- New divisional projects
- Updates on ongoing project developments
- Updates on trends and industry metrics
- Updates on the legal context

The Statement has an emphasis on the importance of connectivity, network security and the need for continued high-quality investment.

COMREG CONFERENCE 2023

In March 2023, ComReg hosted a conference in The Mansion House, Dublin entitled Telecoms: A Changing Landscape. It revolved around two sessions:

The evolving internet value chain including themes of:

- The future of the internet
- The interaction of Big Tech and ISPs
- Evolving business models

Essential Infrastructure – Ensuring Continuity of Supply including themes of:

- Telecoms networks as an essential infrastructure
- Investor attitudes to Telecoms Infrastructure
- Risks to supply – from Climate to Malicious Actors

The panels for the two sessions included a range of Irish and International speakers and offered insights into the future of the internet and the challenges that lie ahead for the sector as the enabling backbone of the digital economy. In addition to the guest panellists and ComReg Commissioners, the CEO of IBEC Danny McCoy gave insights into the changing landscape.

THE 2023 BROADBAND CONNECTIVITY SURVEY

Between November 2022 and March 2023, fieldwork took place for the 2023 Broadband Connectivity Survey. The project aims to enhance ComReg's current body of knowledge by providing robust statistical insights into broadband connectivity, consumer experience and quality of services issues, including information on:

- Broadband speeds across user groups and regions
- Use of multiple devices to access broadband in the home
- Current and likely future use of telecoms networks and applications
- Views on choosing and switching broadband providers
- Satisfaction with broadband services and problems encountered by users

Some of the main findings were that:

- 44% of respondents work from home online at least one day a week and a third of respondents at least three days a week.
- Broadband is seen as essential service by 78% of respondents and 85% of households have a fixed line broadband connection. Households in rural areas or with older residents are slightly less likely to have a connection.

The survey provides a useful picture of how residential broadband use in Ireland is developing as coverage of high-speed broadband networks continues to expand across the country and remote working has become more common. The data gathered as part of this project will feed into numerous work streams across the organization over the next two years.

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 from the official candidate countries and the potential candidate countries of the European Union, including Ukraine and countries from the Western Balkans.

During this reporting period, ComReg Chairperson, Mr. Robert Mourik served as ComReg's representative on BEREC's Board of Regulators (BoR) and was elected as BEREC Vice Chair of BEREC for 2023. Most of ComReg's international activities focused on contributing to achieving the deliverables set out in the BEREC Work Programme 2022 and 2023. 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 which ComReg contributed to included, among others, two Opinions on (i) the Review of the Access Recommendation, and (ii) Access to Emergency Services, a workshop on Article 22 of the EECR (on broadband mapping), a report on Satellite Connectivity for Universal Service, and the development of a database for Value-added Services Number Ranges. In addition to this, ComReg, as an active member of the BEREC WG on Sustainability, contributed to developing strategic insights on harmonised environmental sustainability indicators for measuring the environmental impact of electronic communications.

The BEREC Sustainability WG's ongoing workstream relates to the empowerment of end-users through environmental transparency on digital products and services. This is comprised of surveys sent to NRAs on consumer initiatives in this space, workshops with the European Commission, BEUC (The European Consumer Organisation) and the EEB (European Environmental Bureau), and an upcoming draft report.

ComReg also participates in BEREC's 5G cybersecurity and NIS 2 Working Groups; and ENISA, the European Union Agency for Cybersecurity and the European Competent Authorities for Secure Electronic Communications (ECASEC) group and its Working Groups.

ComReg and the other members of BEREC continued to monitor and collate information about the initiatives voluntarily taken by European telecom operators to assist refugees entering the EU from Ukraine.

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 telecommunications markets but also to new issues on Data, Artificial Intelligence and Digital Platform regulation. In October 2022, ComReg experts attended an IRG training workshop on 'Understanding the economics of platforms to better enforce the upcoming digital regulation'.

ComReg also leveraged the IRG information sharing function to seek the views of IRG Members on their experiences on nuisance communications scams calls & texts / fraud. ComReg experts also considered and responded to 59 requests for information on other topics as circulated by other IRG Members, such as on symmetric regulation, connected cars, premium-rate services, fixed wireless access terminal equipment, among others.

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.

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) 2022,¹⁰⁷ by filing relevant telecoms market data with the European Commission.

ComReg and Ofcom (the UK's communications regulator) international affairs units continued 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.

¹⁰⁷ digital-strategy.ec.europa.eu/en/policies/desi

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 project steering committees. These included: Interoperability and Digital Markets (March 2022), Open Interfaces and Innovation in Telecommunications (September 2022) and Digital Identity Services in the Platform Economy (October 2022).

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 revised and updated 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 four 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 and 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 2023 97% 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 179 documents on ComReg's website.

SUSTAINABILITY

As part of the Public Service Climate Action Plan 2023, we have developed a ComReg Climate Action Roadmap. This Roadmap is focused on ComReg's plans for reducing total energy related emissions and fossil fuel related emissions from our operations. It sets out ComReg's plans for implementing the Public Sector Climate Action Mandate as set out in CAP22 and CAP23, by taking and reporting on, the actions of the Mandate. We will also weave climate action and sustainability training into learning and development strategies.

ComReg is committed to playing its part by taking the necessary climate action to reduce Ireland's GHG emissions by 51% by 2030. Engaging the people who work at ComReg is key to our success in achieving our climate action targets. During the past 12 months, we have been setting up internal infrastructure on how we manage our sustainable initiatives. We have set up a Green Team, reporting to the ComReg Leadership Team, to become an integrated driver of sustainability in ComReg. Their primary purpose is a focus energy management and to drive efficiency around our energy usage. Their secondary purpose is to drive awareness through sustainability initiatives in the organisation.

Sustainability initiatives launched in the period July 2022 to June 2023 include:

- Permanent reductions in office cooling and heating times were implemented in line with the 'Reduce Your Use' campaign launched in Autumn 2022.
- The heaters in the shower area have been replaced with more energy efficient heaters that can be time controlled on a 7-day hourly basis. The combination of reduced heating times and more energy efficient heaters have resulted in a substantial reduction in carbon emissions.

ComReg will also use the Green Public Procurement (GPP) process to source goods, services or works with a reduced environmental impact. The GPP guidance and ten accompanying criteria sets published by the EPA will be used to support our procurement procedures and to support climate action ambitions including improved energy efficiency. The Corporate Procurement Plan (CPP) 2022-2023 included introduction details to GPP and the Annual Public Procurement Training in February 2023 included a Module on GPP. Green procurement is also covered in the annual procurement training from external legal advisors.

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 www.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 cybersecurity and data management threats. ComReg has been able to leverage its modern and secure IT environment to support the

necessary move to staff working remotely for a number of days per week. The organisation has moved to a blended working style with the necessary technical changes that facilitate this transition in the most efficient and productive manner possible.

HUMAN RESOURCES AND OPERATIONAL EXCELLENCE

During 2023, following the completion of a period of experimentation, ComReg introduced a blended working policy. The policy was drafted based on feedback from all who work at ComReg whose views were sought via survey's and focus groups.

We are committed to finding optimum ways of working to enable ComReg 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

The policy sets out our ways of working which, we hope, gives us the best of both worlds by capturing the benefits of working together in person and the positives of working from home. These positives have an impact not only on the people who work at ComReg but on the environment and the local community. At the core of our policy is two-way flexibility. For our policy to work in spirit as well as in practice, we need everyone to be flexible regarding their approach to blended working.

A strong focus for the period under review has been attracting, hiring, developing, engaging, and retaining people. A workforce planning exercise was undertaken during the year, resulting in ComReg seeking permission from our Department to expand by 55 new roles. As our remit continues to grow, there is a realisation that we must find individuals with specialist and niche skills to enable us to deliver to current expectations and be equipped for future responsibilities. In addition, we are conducting a future-focused review which is likely to result in a definition of further new roles. We continue to grow our workforce and recruited 26 people over the course of the year. Our careers team are committed to supporting the organisation to recruit people with the right skills, experience and attributes who will make a valuable contribution to the deliverables of the organisation. 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.

We continue to place a strong emphasis on building talent and capability thus strengthening our talent pipeline for the future. Our 2021 Graduate Programme finished in 2023 and we are currently on-boarding Graduates on the 2023 – 2025 programme. Under our enhanced 2-year programme, we welcome graduates with backgrounds in Economics, Geography and Data from a range of third level institutions. On this programme, the graduates will also attend the IMI Graduate programme where they will build their holistic skillsets and interact with graduates in other organisations across the country.

As we grow in numbers, we strive to ensure that the environment is safe and structured in a way to enable the organisation to function effectively and for people to do their best work. We have started a space utilisation project to maximise our available space and set-up for additional people who will join us in the future.

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. We concluded our group mentoring programme earlier this year and launched a one-to-one mentoring programme.

We are a collaborative organisation who seek feedback to inform decisions. We are working on the design of a survey to measure engagement survey and thus enable ComReg to ask people for their experience under specific categories. We look forward to analysing results, conducting action planning based on feedback and making meaningful changes in response. In this way, we hope to build on our previous Engagement survey and the work done as a result under four pillars: Flexibility, Respect, Leadership and Communication.

As part of our continuous improvement focus, ComReg continues to research opportunities to streamline HR systems and processes. A need for improvement has recently been identified in our candidate management process. Following a scoping of requirements, we have recently signed a contract for a candidate management system. This will enable us to streamline processes, enhance the candidate experience and produce metrics in the area of talent acquisition and on-boarding. We have also enhanced the accessibility of our e-learning initiatives through a learning management system (LMS).

To improve our internal communication, the HR intranet site was overhauled, and the updated version is better laid-out, more accessible and visual. We are finalising a project of updating our HR policies.

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. To reflect and commit to our intention to support wellbeing into the future, ComReg has written a pledge to this effect. We have a long history of investing in social, mental and physical aspects of wellbeing and in an effort to consolidate and communicate this, the Pledge was conceived. It is a short document outlining our approach, ethos and commitment to all who work at ComReg and is aligned to our values and our Respect Charter.

PROMOTING DIVERSITY AND INCLUSION

The organisation also strives to promote 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 celebrated International Women's Day and marked the occasion by holding a themed all-staff discussion.

As of 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.

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.

FINANCIAL STATEMENTS

OF THE COMMISSION FOR COMMUNICATIONS REGULATION
FOR THE YEAR ENDED 30 JUNE 2023



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

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1. Commission Members And Other Information

Commission	As at 30 June 2023 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 NDP Delivery 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 2023.

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 2023.

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 2023 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). Helen Dixon was appointed a Commissioner by the Minister on 20 February 2024. The Commission meets regularly to discuss regulatory and operational issues.

Commission Member	Date Appointed
Robert Mourik Chairperson Garrett Blaney	7 January 2019 7 January 2019

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.

Commissioner Garrett Blaney was a member of the ARC in the year ended 30 June 2023. The external members of the Audit and Risk Committee at 30 June 2023 were: Michael Tutty (Chairperson from 1 January 2023), Marie Collins and Dr Celine McInerney. Patricia Byron's term as Chairperson of the ARC ended on 31 December 2022. There were four meetings of the ARC in the year ended 30 June 2023.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Audit & Risk Committee meetings for 2023 is set out below including the fees and expenses received by each member.

Audit and Risk Committee Members

Name	Role	No. of Meetings Attended	Fees 2023 €	Expenses 2023 €
Patricia Byron (Chairperson until 31 December 2022)	External Member	2	4,000	Nil
Michael Tutty - Chairperson (Chairperson from 1 January 2023)	External Member	4	6,400	Nil
Marie Collins	External Member	4	4,800	Nil
Dr Celine McInerney (Appointed 1 May 2023)	External Member	1	1,200	83
Garrett Blaney	Commissioner	4	N/a	Nil

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 NDP Delivery 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 2023 Number	30 June 2022 Number
60 - 70	17	13
70 - 80	13	16
80 - 90	19	16
90 - 100	18	15
100 - 110	12	8
110 - 120	8	5
120 - 130	3	11
130 - 140	10	7
140 - 150	6	3
150 - 160	3	2
160 - 170	1	1
170 - 180	2	0
180 - 190	0	1
190 - 200	0	0
200 - 210	1	0
210 - 220	0	0
220 - 230	0	2
230 +	4	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 (2022: €1.4m) are shown separately as part of Legal Costs below.

	2023 €'000	2022 €'000
Professional & Technical Advice	9,023	7,727
Contact Management	741	913
Market Research	628	562
Quality of Service Monitoring	614	576
	11,006	9,778

Legal Costs

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

	2023 €'000	2022 €'000
Legal Advice	1,418	1,380
Legal Costs relating to Legal Proceedings	3,422	1,862
	4,840	3,242

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:

	2023 €'000	2022 €'000
Domestic Travel	20	23
International Travel	181	64
	201	87

Hospitality Expenditure

The Income and Expenditure Account includes the following hospitality expenditure:

	2023 €'000	2022 €'000
Staff Hospitality Costs	21	28
Contribution to Sports and Social Club	5	8
	26	36

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 NDP Delivery 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 NDP Delivery 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 NDP Delivery and Reform) has been approved by the Minister for the Environment, Climate and Communications and the Minister for Public Expenditure NDP Delivery 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: 22 March 2024

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 NDP Delivery and Reform has been in place in ComReg for the year ended 30 June 2023 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 2023.

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 2023 expenditure of €101,000 was incurred in respect of one contract for electricity supply which was not subject to a tender process. The contract was tendered for after year-end and a new contract was put in place in November 2023. The total value of non-compliant procurement was €101,000 (2022: €54,000).

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 2023 which was completed on 13 June 2023.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2023 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 was to determine what mix of blended working is appropriate for the organisation. In early 2023 blended working became the norm for the organisation but it is the case that not all roles or activities can be performed remotely. Some roles continue to be office based in whole or in part. The mix of blended working is an issue that will be kept under ongoing review.

The Commission continued 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: 22 March 2024

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 2023 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 2023 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.

Seamus McCarthy
Comptroller and Auditor General

28 March 2024

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 2023				Year to 30 June 2022	
		Electronic Communications		Post	Premium Rate Services	Total	Total
		Levy €'000	Other €'000	Levy €'000	Levy €'000	€'000	€'000
Income							
Levy		6,757		1,821	550	9,128	9,673
Licensing Fees	2		52,381			52,381	44,119
Spectrum Income	2		163,054			163,054	9,100
Other Income	2		1,154			1,154	2,976
Total Income		6,757	216,589	1,821	550	225,717	65,868
Expenditure							
Staff Costs	3	9,822	5,557	637	254	16,270	15,160
Retirement Benefit Costs	16(b)	1,785	1,010	116	45	2,956	3,190
Technical Advice	4	5,345	4,345	1,087	229	11,006	9,778
Legal Expenses	5	3,095	1,491	172	82	4,840	3,242
Advertising		211	3	1	1	216	377
Administrative Expenses	6	2,093	1,558	124	69	3,844	3,817
Auditors' Remuneration		18	11	1	-	30	26
Premises and Related Expenses		1,460	957	84	51	2,552	2,466
Depreciation	7	1,233	766	71	43	2,113	2,193
(Profit) on Disposal of Assets		-	-	-	-	-	(17)
Subscriptions to International Organisations	14	760				760	718
Total Expenditure		25,822	15,698	2,293	774	44,587	40,950
Surplus / (Deficit) before Appropriations		(19,065)	200,891	(472)	(224)	181,130	24,918
Less: Appropriations							
Transfer from Capital Reserve	11					490	1,055
Payable to Central Fund	12					(180,174)	(25,766)
Pension Reserve adjustment	12					(1,446)	(207)
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: 22 March 2024

6. Statement of Comprehensive Income

		Year to 30 June 2023	Year to 30 June 2022
	Notes	Total €'000	Total €'000
Surplus after Appropriations			
ComReg Defined Benefit Scheme			
Actual return less expected return on scheme assets	16 (f)	745	(7,824)
Experience (losses) on retirement benefit obligations	16 (f)	(2,131)	(2,688)
Changes in assumptions underlying the present value of Retirement benefit obligations		3,576	19,760
Transfers in for prior service	16 (g)	-	-
Actuarial gain in the year		2,190	9,248
Single Public Sector Pension Scheme			
Experience (losses) / gains on retirement benefit obligations		(2)	311
Changes in assumptions underlying the present value of Retirement benefit obligations		349	2,105
Adjustment to Deferred Funding		(347)	(2,416)
Actuarial (loss) / gain in the year		-	-
Total Actuarial gain in the year		2,190	9,248
Movement in Retirement Benefit Reserve			
Balance at 1 July		1,119	(8,336)
Total Recognised Gains in the year		2,190	9,248
Pension Reserve adjustment	12	1,446	207
Balance at 30 June		4,755	1,119

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: 22 March 2024

7. Statement of Financial Position

		30 June 2023	30 June 2022
	Notes	€'000	€'000
Fixed Assets			
Property, Plant & Equipment	7	4,344	4,834
Current Assets			
Receivables	8	3,630	2,731
Short-Term Investments	9	79,536	216,375
Cash and Cash Equivalents		4,956	2,405
		88,122	221,511
Current Liabilities (Amounts falling due within one year)			
Payables	10	(88,122)	(221,511)
Net Current Assets		0	0
Total Assets less Current Liabilities		4,344	4,834
Total Net Assets excluding Retirement Benefits Asset		4,344	4,834
Retirement Benefits			
Deferred Funding Asset for SPSPS Pensions	16c(i)	5,583	4,537
Single Public Sector Pension Scheme (Liability)	16c(iv)	(5,583)	(4,537)
ComReg Scheme Asset	16c(i)	4,755	1,119
Total Net Assets / (Liabilities) including Retirement Benefits Asset / (Liability)		9,099	5,953
Representing			
Capital Reserves	11	4,344	4,834
Retirement Benefit Reserve		4,755	1,119
		9,099	5,953

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: 22 March 2024

8. Statement of Cash Flows

		Year to 30 June 2023	Year to 30 June 2022
	Notes	€'000	€'000
Net Cash Flows from Operating Activities			
Excess Income over Expenditure (before Appropriations)		181,620	25,973
Difference between pension charge and contributions		(1,446)	(207)
Depreciation	7	2,113	2,193
(Profit) on Disposal of Asset		-	(17)
Bank Interest	2	(1,100)	-
Capital reserve transfer	11	(490)	(1,055)
(Increase) / Decrease in Receivables		(899)	1,393
(Decrease) / Increase in Payables (excluding Central Fund)		(148,117)	161,396
Net Cash Inflow from Operating Activities		31,681	189,676
Return on Investments			
Bank Interest		1,100	-
Cash Flows from Investing Activities			
Payments to acquire Property, Plant & Equipment	7	(1,623)	(1,171)
Cash Flows from Financing Activities			
Receipt from sale of Asset		-	50
Payment to Central Fund		(165,446)	(23,392)
Net (Decrease) / Increase Cash and Cash Equivalents		(134,288)	165,163
Opening Cash and Cash Equivalents		218,780	53,617
Closing Cash and Cash Equivalents		84,492	218,780

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 2023 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 NDP Delivery 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.

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. Accounting Policies (cont'd)

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 NDP Delivery and Reform (DPENDR). In addition, the Commission is liable to pay an employer contribution to DPENDR in accordance with DPENDR 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.

1. Accounting Policies (cont'd)

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 2023	Year to 30 June 2022
	Total €'000	Total €'000
Electronic Communications Licensing Fee		
3G Radio Licensing Fees	5,074	7,508
4G Liberalised Use Licensing Fees	24,580	22,964
Other Radio Licensing Fees	22,727	13,647
	52,381	44,119
Electronic Communications Spectrum Income		
Spectrum Income	163,054	9,100

On 19 January 2023, following the submission of complete applications, MBSA2 Liberalised Use Licences were issued with a commencement date of 20 January 2023. These licences generated Spectrum Income of €163.1m (2022: Nil).

3G Spectrum Income of €9.1m was earned in 2022 in respect of a 3G licence issued in 2007.

	Year to 30 June 2023	Year to 30 June 2022
	Total €'000	Total €'000
Other Income		
Bank Interest	1,100	
Sundry Income	54	2,976
	1,154	2,976

In 2022, Sundry Income included €2.8m received from Virgin Media Ireland Limited following a settlement agreement reached following ComReg's investigation of certain compliance matters.

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.

3. Staff Costs

	Electronic Communications		Post	PRS	Year to 30 June 2023	Year to 30 June 2022
	Levy €'000	Other €'000	Levy €'000	Levy €'000	Total €'000	Total €'000
Employee Short-term benefits	8,960	5,069	581	232	14,842	13,830
Employer's contribution to social welfare	862	488	56	22	1,428	1,330
	9,822	5,557	637	254	16,270	15,160
The average number of staff employed by the Commission during the year, analysed by category, was as follows:	87	54	5	3	149	144
Employee Short-term benefits						
Basic Pay					13,709	12,746
Performance related pay					1,115	1,067
Chairperson Allowance					18	17
					14,842	13,830

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, €1,115,000 (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 (2022: €1,067,000 (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	199
Garrett Blaney – Commissioner	181

4. Technical Advice

	30 June 2023	30 June 2022
	€'000	€'000
Professional/Technical Advice	11,006	9,778

5. Legal Advice

	30 June 2023	30 June 2022
	€'000	€'000
Legal expenses are stated net of costs recovered from third parties.	4,840	3,242

6. Administrative Expenses

	30 June 2023	30 June 2022
	€'000	€'000
Equipment and IT Maintenance	2,085	2,272
Subscriptions to Databases/Research Reports	324	262
Travel and Subsistence	201	87
Conferences/Meetings	205	85
Postal and Telecommunications	120	121
Stationery	14	15
Publishing	23	47
Recruitment	103	120
Light, Heat and Cleaning	169	127
Insurance	70	52
Staff Training and Professional Development	382	497
Other Administrative Costs	148	132
	3,844	3,817

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 2022	3,219	13,661	4,587	114	21,581
Additions	676	934	13	-	1,623
Disposals	(87)	-	-	-	(87)
At 30 June 2023	3,808	14,595	4,600	114	23,117
Accumulated Depreciation					
At 30 June 2022	2,806	11,531	2,367	43	16,747
Disposals	(87)	-	-	-	(87)
Charge for period	178	1,457	450	28	2,113
At 30 June 2023	2,897	12,988	2,817	71	18,773
Net Book Value					
30 June 2023	911	1,607	1,783	43	4,344
30 June 2022	413	2,130	2,220	71	4,834

Computer Equipment Additions in 2023 includes €0.6m of IT Development Costs (2022: €0.6m).

8. Receivables

	30 June 2023	30 June 2022
	€'000	€'000
<i>Due within one year:</i>		
Electronic Communications administration levy	129	59
Radio Licence Income	2,021	1,211
Accrued Income	366	410
Pre-payments & Recoverable expenses	1,114	1,051
	3,630	2,731

9. Short Term Investments

	30 June 2023	30 June 2022
	€'000	€'000
Short Term Investments	79,536	216,375

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 2023	30 June 2022
	€'000	€'000
Payables		
<i>Amounts falling due within one year</i>		
Trade Creditors	2,455	1,874
Other Creditors	5,902	166,508
Value-added tax	412	246
Accruals	1,103	1,780
Deferred income (see analysis below)	37,304	25,069
Payroll	1,612	1,428
Payable to Central Fund (see Note 12)	39,334	24,606
	88,122	221,511

Other Creditors includes potential refunds of €5.5m (2022: €6.0m) in respect of delayed commencement of 3.6GHz Band Liberalised Use licences.

In 2022, Other Creditors included €160.4m deposits as part of the Multi Band Spectrum Award process, now concluded.

	30 June 2023	30 June 2022
	€'000	€'000
Analysis of Deferred Income		
Radio Licence Income	37,164	25,069
Other	140	-
	37,304	25,069

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 2023	30 June 2022
	€'000	€'000
Opening Balance	4,834	5,889
<i>Transfer (to) / from Income and Expenditure Account:</i>		
Additions to fixed assets	1,623	1,171
Amortisation in line with fixed asset depreciation	(2,113)	(2,193)
Amount released on disposal of Fixed Assets	-	(33)
Net Amount (to) Income and Expenditure Account	(490)	(1,055)
Closing Balance	4,344	4,834

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 NDP Delivery 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 2023.

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 2022	25,766	(1,160)	24,606
Surplus for 2023 including Transfer from Capital Reserve	181,620		181,620
Paid in 2023	(165,446)		(165,446)
Pension reserve adjustment (a)	(1,446)		(1,446)
Pension fund payment clawback (b)	(320)	320	-
Balance at 30 June 2023	40,174	(840)	39,334

The comparative figures in respect of the amount owed to the Exchequer as at 30 June 2022 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 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

(a) The pension reserve adjustment represents the difference between the pension amount charged to the Income and Expenditure Account in 2023 of €2,956,000 (2022: €3,190,000) and the employer contributions in the period of €4,402,000 (2022: €3,397,000).

(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 2023 one year of payments was made resulting in a clawback of €320,000 (2022: €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 €2.0m (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 2023	30 June 2022
	€'000	€'000
Payable:		
Within one year	1,640	1,637
Between one and five years	3,439	5,071
More than five years	-	-
	5,079	6,708

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 €760,000 (2022: €718,000) 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 NDP Delivery and Reform (DPENDR). In addition, the Commission is liable to pay an employer contribution to DPENDR in accordance with DPENDR 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 2023.

16. Retirement Benefits (continued)

	30 June 2023	30 June 2022
	€'000	€'000
b) Retirement Benefit Costs		
Made up of:		
<i>Defined Benefit Scheme</i>		
Current service cost	2,516	2,627
Interest cost	2,282	1,356
Expected return on Scheme Assets	(2,390)	(1,236)
Less: Employees' Contributions	(445)	(416)
	1,963	2,331
<i>Single Public Service Pension Scheme (SPSPS)</i>		
Employer Contribution	993	859
Current Service Cost*	1,062	1,556
Interest Cost	163	93
Adjustment to deferred Exchequer Pension funding	(1,225)	(1,649)
	993	859
Total Retirement Benefit Costs	2,956	3,190
*Employee contributions of €331,000 (2022: €286,000) remitted to DPENDR, 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	71,012	64,905
Present Value of Retirement benefit obligations	(66,257)	(63,786)
Net Asset	4,755	1,119

Note: The Balance Sheet Liability in respect of Single Scheme Retirement Benefits in 2023 comprises a Deferred Funding Asset of €5.583m (2022: €4.537m) to match the Single Scheme Liability of €5.583m (2022: €4.537m) giving a nil Net Liability.

16. Retirement Benefits (continued)

	30 June 2023	30 June 2022
	€'000	€'000
(ii) Present Value of Retirement Benefit Obligations at beginning of year (Defined Benefit Scheme)	63,786	78,060
Current Service Cost	2,516	2,627
Interest Cost	2,282	1,356
Actuarial (Gain)	(1,445)	(17,072)
Benefits Paid	(779)	(1,114)
Premiums Paid	(103)	(71)
Present Value of Retirement Benefit Obligations at end of year (Defined Benefit Scheme)	66,257	63,786
(iii) Change in Scheme Assets (Defined Benefit Scheme)		
Fair Value of Scheme Assets at beginning of year	64,905	69,724
Expected return on Scheme Assets	2,390	1,236
Actuarial Gain / (Loss)	745	(7,824)
Employer Contributions	3,409	2,538
Members' Contributions	445	416
Benefits Paid	(779)	(1,114)
Premiums Paid	(103)	(71)
Fair Value of Scheme Assets at end of year	71,102	64,905
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 2022	4,537	5,304
Current Service Cost	1,230	1,556
Interest Cost	163	93
Actuarial (Gain)	(347)	(2,416)
Benefits Paid	-	-
Present Value as at 30 June 2023	5,583	4,537

16. Retirement Benefits (continued)

	30 June 2023	30 June 2022
	€'000	€'000
(d) Scheme Asset Composition (Defined Benefit Scheme)		
The scheme assets at the year end were composed of:		
Equities	29,259	26,159
Bonds	33,859	25,469
Property	645	660
Cash and Other liquid assets	7,249	12,617
	71,012	64,905
The scheme assets at the year end expressed in % terms comprised:	%	%
Equities	41.2%	40.3%
Bonds	47.7%	39.2%
Property	0.9%	1.0%
Cash and Other assets*	10.2%	19.5%
	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	4.10%	3.60%
Rate of compensation increase	4.20%	3.90%
Weighted average assumptions used to determine pension expense (Defined Benefit Scheme)		
Discount Rate	3.60%	1.75%
Expected long-term return on scheme assets	4.10%	3.60%

16. Retirement Benefits (continued)

	30 June 2023	30 June 2022
	%	%
(e) Principal Actuarial, Financial & Demographic Assumptions (Defined Benefit Scheme)		
<i>The financial assumptions used were as follows:</i>		
Discount rate	4.10%	3.60%
Salary increases	4.20%	3.90%
Pension increases	3.70%	3.40%
Inflation increases	2.70%	2.40%

The Demographic assumptions used were as follows:

	2023	2022
Mortality Pre-Retirement & Post-Retirement	S3PNA with CMI 2019 (1.5%) improvements for all members. (-1year age offset)	S3PNA with CMI 2019 (1.5%) improvements for all members. (-1 year 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 2023 €'000	30 June 2022 €'000	30 June 2021 €'000	30 June 2020 €'000	30 June 2019 €'000
(f) History of defined benefit obligations, assets and experience gains and losses					
Defined benefit obligations	66,257	63,786	78,060	67,235	71,386
Fair value of Scheme Assets	(71,012)	(64,905)	(69,724)	(58,194)	(55,359)
(Surplus) / Deficit for funded Scheme	(4,755)	(1,119)	8,336	9,041	16,027
Experience Adjustment on Scheme Assets	745	(7,824)	8,284	(378)	747
- Percentage of scheme assets	1.0%	12.1%	11.9%	0.6%	1.3%
Experience (losses) / gains on ComReg Scheme Liabilities					
- Amount	(2,131)	(2,688)	(14)	(17)	904
- Percentage of Scheme Liabilities	3.2%	4.2%	0%	0%	1.3%
Experience gains / (losses) on Single Public Sector Pension Scheme Liabilities					
- Amount	(2)	311	(72)	299	(28)
- Percentage of Scheme Liabilities	0%	6.9%	1.4%	9.0%	1.1%

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 2023, the total value of such payments received in the year to 30 June 2023 was Nil (2022: 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 2023.

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 €604,742 (2022: €537,000) 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 2023.

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 22nd March 2024.

TUARASCÁIL BHLIANTÚIL 2022-2023



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Tuarascáil Bhliantúil
2022-2023.

Curtha faoi bhráid an Aire Comhshaoil, Aeráide agus
Cumarsáide de réir Alt 32 den Acht um Rialáil Cumarsáide, 2002.

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation
1 Lárcheantar na nDugaí, Sráid na nGildeanna, BÁC 1, Éire, D01 E4X0.
One Dockland Central, Guild Street, Dublin 1, Ireland, D01 E4X0.
Teil | Tel +353 1 804 9600 | Web www.comreg.ie



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

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1. Maidir le ComReg

Is é an Coimisiún um Rialáil Cumarsáide (ComReg) an comhlacht reachtúil atá freagrach as seirbhísí cumarsáide leictreonaí (teileachumarsáid, cumarsáid raidió agus líonraí craolacháin), seirbhísí poist agus ardráta a rialú. Is é ComReg an t-údarás rialála náisiúnta le haghaidh na n-earnálacha seo, de réir Dhlí an AE agus na hÉireann. Lena chois sin, déanaimid bainistiú ar an speictream minicíochta raidió agus an acmhainn uimhrithe náisiúnta, i measc freagrachtaí eile.

COIMISINÉIRÍ



ROBERT MOURIK
Cathaoirleach & Coimisinéir



GARRETT BLANEY
Coimisinéir

STRUCHTÚR NA HEAGRAÍOCHTA

Bunaíodh an Coimisiún um Rialáil Cumarsáide (ComReg) an 1 Nollaig 2002 ag an Acht um Rialáil Cumarsáide 2002 agus tá Coimisiún ina bhfuil suas le triúr Coimisinéirí i gceannas air. Ag deireadh na tréimhse tuairiscithe sin bhí beirt Choimisinéirí ag an gCoimisiún: Robert Mourik (Cathaoirleach) agus Garrett Blaney.

Tá an Coimisiún, maraon leis an bhFoireann Ceannaireachta, freagrach as bainistiú straitéiseach agus oibríochtúil na heagraíochta. Bíonn ComReg ag brath ar iarrachtaí ár bhfoirne go léir (lena n-áirítear dlíodóirí, eacnamaithe, innealtóirí, cuntasóirí, anailísithe gnó agus speisialtóirí riaracháin) chun ár misean a chur i bhfeidhm agus ár gcuspóirí rialála a chomhlíonadh.

Tá ceithre Rannán i ComReg, le tacaíocht ó Abhcóide Ginearálta agus Stiúrthóir Straitéise agus Eacnamaíochta. Tá an struchtúr bunaithe ar fhoirne trasfheidhmiúla atá ag feidhmiú i dtimpeallacht ildisciplíneach.

FOIREANN CEANNAIREACHTA



JOHN EVANS
Stiúrthóir Straitéise
agus Eacnamaíochta



CAROLINE DEE-BROWN
Abhcóide Ginearálta



JOE HEAVEY
Stiúrthóir na Rannóige Seirbhísí
Corparáideacha



DONAL LEAVY
Stiúrthóir na
Rannóige Mórdhíola



BARBARA DELANEY
Stiúrthóir na Rannóige Miondíola
agus Seirbhísí Tomhaltóirí



GEORGE MERRIGAN
Stiúrthóir na
Creat-Rannóige Margaídh

FEIDHMEANNA

Tá ComReg freagrach as iomaíocht a chur chun cinn, tomhaltóirí a chosaint agus nuálaíocht a spreagadh. Bímid ag déileáil le saincheistean casta dlí, eacnamaíochta, cuntasaíochta, rialála agus teicneolaíochta.

Tá ár gcuspóirí leagtha amach de réir na reachtaíochta príomhúla agus tánaistí araon, agus tá an creat reachtach seo ag forbairt i gcónaí ó bhí an tAcht Cumarsáide (Rialáil) 2002 ann. In 2007, chuir an tAcht um Rialáil Cumarsáide (Leasú) 2007 le freagrachtaí agus cumhachtaí ComReg, maraon le bearta forfheidhmiúcháin atá ar fáil. Deonaíodh cumhachtaí don Acht Iomaíochta do ComReg maidir le cumarsáid agus seirbhísí leictreonacha agus rinneadh tuilleadh leasaithe ar na cumhachtaí sin in 2023 chun foráil a dhéanamh d'fheabhsuithe suntasacha ar na cumhachtaí forfheidhmithe, go háirithe córas smachtbhannaí airgeadais riaracháin a thabhairt isteach. Leis an Acht um Rialáil Cumarsáide (Seirbhísí Ardráta & Bonneagar Cumarsáide Leictreonaí), 2010 is amhlaidh gur aistríodh freagracht as rialáil seirbhísí ardráta chuig ComReg agus thosaigh ComReg ag rialáil an réimse seo i mí Iúil 2010. Leagtar amach san Acht Poist 2011 freagrachtaí rialála ComReg maidir le cúrsaí poist. Leis an Acht um Chearta Tomhaltóirí 2022 rinneadh nuashonrú ar an dlí tomhaltóirí atá ann cheana agus leanadh den fhreagracht atá ar ComReg na forálacha a bhaineann le seirbhísí cumarsáide leictreonaí a fhorfheidhmiú agus seasamh le cearta agus leigheasanna i gconarthaí tomhaltóirí chun seirbhísí neamh-dhigiteacha a sholáthar agus i ndáil le Treoracha an AE maidir le hearraí a dhíol agus maidir le forfheidhmiú agus nuachóiriú níos fearr rialacha an Aontais Eorpaigh maidir le cosaint tomhaltóirí.

Sa Treoir maidir leis an gCód um Chumarsáid Leictreonach Eorpach rinneadh athbhreithniú ar chreat rialála iomlán an Aontais don earnáil teileachumarsáide agus dá bhrí sin leathnaíodh feidhmeanna agus cuspóirí ComReg leis an Acht um Rialáil Cumarsáide agus leis an nGníomhaireacht Forbartha don Mhol Digiteach (Leasú), 2023 agus le Rialacháin an Aontais Eorpaigh (Cód um Chumarsáid Leictreonach Eorpach) 2022. I mí an Mheithimh 2023, cuireadh tús leis an dá phíos nua chun reachtaíocht na hÉireann a thrasú a thabhairt cothrom le dáta go háirithe na réimsí seo a leanas:

- Na cearta úsáideora deiridh atá ag tomhaltóirí seirbhísí cumarsáide leictreonaí san Aontas Eorpach
- Córas na Seirbhísí Uilíocha is infheidhme maidir le cumarsáid leictreonach
- Na rialacha lena rialaítear sannadh agus úsáid speictrim raidió
- An córas lena rialaítear rochtain ar oibleagáidí bonneagair ar oibreoirí a meastar go bhfuil Cumhacht Shuntasach sa Mhargadh acu
- Raon feidhme an chreata rialála a leathnú chun margaí nua a chur san áireamh Imreoirí

- An chumhacht smachtbhannaí airgeadais riaracháin agus cumhachtaíms crúdaithe nuashonraithe agus breithniú a fhorchur mar mheicníocht chun sárúithe a chinneadh agus leigheasanna a fhorchur amhail aisíocaíochtaí tomhaltóirí, cúiteamh, ceanglas deireadh a chur le sárú agus/nó sárú a leigheas
- Cumhachtaí comhlíonta agus forfheidhmithe maidir le cur chun feidhme' Bearta Slándála Cumarsáide Leictreonaí

Faoi na hAchtanna um Rialáil Cumarsáide 2002 go 2023, tá raon feidhmeanna agus cuspóirí ag ComReg maidir le soláthar líonraí cumarsáide leictreonaí, seirbhísí cumarsáide leictreonaí, agus post.

Ina measc tá:

- A chinntiú go gcomhlíonann oibreoirí oibleagáidí
- Iomaíocht a chur chun cinn
- Rannchuidiú le forbairt an mhargaidh inmheánaigh
- Leasanna na saoránach sa Chomhphobal Eorpach a chur chun cinn
- Rochtain fhorleathan ar líonraí fíor-ardacmhainne agus glacadh líonraí fíor-ardacmhainne a chur chun cinn, idir líonraí fosaithe agus líonraí gan sreang
- Bainistíocht agus úsáid éifeachtúil an speictrim radaimhnicíochta agus na n-uimhreacha ón scéim uimhrithe náisiúnta a chinntiú
- Forbairt na hearnála poist a chur chun cinn agus seirbhís uilíoch a bheith ar fáil
- Leasanna úsáideoirí deiridh seirbhísí ardráta a chosaint

Sa Tuarascáil Bhliantúil seo clúdaítear ár bpríomhghníomhaíochtaí ón 1 Iúil 2022 go dtí an 30 Meitheamh 2023.

2. Athbhreithniú an Chathaoirligh

Le linn na bliana faoi athbhreithniú, lean ComReg ar aghaidh ag obair ar go leor bealaí chun a chinntiú go leanann margaí cumarsáide de bheith ag feidhmiú ar mhaithe le tomhaltóirí agus leis an tsochaí. Creidimid gur cheart go mbeadh rochtain ag tomhaltóirí agus gnólachtaí sa tír ar sheirbhísí cumarsáide leictreonaí atá forleathan, inacmhainne agus ar ardchaighdeán.

Tá nascacht i gcroílár na n-earnálacha cumarsáide leictreonaí agus poist. Go deimhin, níl aon amhras ach gurb í an teileachumarsáid an ceathrú fónais. Is cuid riachtanach dár saol oibre, sóisialta, gnó agus oideachais é. Is tábhachtaí í le huisce, gás agus leictreachas. Mar sin, tá sé ríthábhachtach go mbeadh ár líonraí teileachumarsáide oiriúnach don fheidhm, slán agus athléimneach do na glúnta reatha agus do na glúnta Éireannacha atá le teacht. Tá a fhís straitéiseach don earnáil leagtha amach ag ComReg inár Ráiteas Straitéise um Chumarsáid Leictreonach do 2023 go 2025 a foilsíodh in Aibreán 2023.

I rith na bliana, chuir ComReg fáilte roimh thosach feidhme an Achta fán nGníomhaireacht um Rialáil Cumarsáide agus um Fhorbairt an Mhoil Dhigitigh (Leasú), 2023 agus roimh thrasuí Rialacháin an AE (Cód um Chumarsáid Leictreonach), 2022. Ba chloch mhíle thábhachtach i bhforbairt na rialála cumarsáide leictreonaí in Éirinn é an reachtaíocht seo a rith. Chinntigh an pacáiste reachtaíochta seo go neartaítear an creat rialála teileachumarsáide in Éirinn agus go gcoinníonn sé suas le forbairtí in earnáil na cumarsáide leictreonaí.

Tugann an reachtaíocht uirlisí rialála níos éifeachtaí do ComReg chun a shainordú a chur i gcrích i gcomhréir le rialtóirí eile de chuid an Aontais. Ba dhíol sásaimh do ComReg gur tugadh isteach líon suntasach beart nua cosanta tomhaltóirí sa reachtaíocht.

Is príomhghné í an teileachumarsáid d'earnáil na nascachta digití i gcoitinne. Is earnáil í a bhfuil síorathruithe mar shaintréith aici a d'fhéadfadh tionchar a imirt ar rialáil na hearnála amach anseo. Tá sé ríthábhachtach go leanfaidh an rialachán de réir na bhforbairtí teicneolaíocha agus margaidh atá ag teacht chun cinn. I rith na bliana, lean ComReg ar aghaidh ag idirchaidreamh le Ranna Rialtais maidir le rialáil chuí a fhorbairt. Sa tréimhse amach romhainn, beidh roinnt athruithe reachtacha breise ann a mbeidh tionchar acu ar ról agus ar shainordú ComReg maidir le cibearshlándáil, athléimneacht agus cosaint an bhonneagair chriticiúil i measc nithe eile.

LEATHANBHANDA



Le roinnt blianta anuas tá infheistíocht shuntasach leanúnach déanta ag an Stát agus ag cuideachtaí príobháideacha i gcur i bhfeidhm an líonra Fíbre To The Premises (FTTP). De réir ár Suirbhé Nascachta, measann 78% de na freagróirí gur seirbhís riachtanach é leathanbhanda agus tá ceangal leathanbhanda líne sheasta ag 85% de theaghlaigh.

Ag deireadh na tréimhse tuairiscithe seo i Mí an Mheithimh 2023, bhí beagán os cionn 2 mhilliún síntiús leathanbhanda ann, méadú 2.7% ar an mbliain roimhe sin. Tháinig méadú 33.7% ar shíntiúis FTTP i gcaitheamh na bliana go 576,856. Is é FTTP an teicneolaíocht leathanbhanda is coitianta a ceannaíodh in Éirinn anois agus b'ionann é agus 35.6% de na síntiúis leathanbhanda go léir ag deireadh na tréimhse tuairiscithe seo. Tá ráta treá 94% ag Éirinn don leathanbhanda i gcomparáid le 93% ar an meán san Aontas Eorpach.

Lean tomhaltas sonraí ag méadú i rith na bliana. D'úsáid an meán-shíntiúsóir leathanbhanda seasta 372 GB sonraí in aghaidh na míosa, suas ó 328 GB i mí an Mheithimh 2022. Maidir le luasanna íoslódála líne rannpháirtí, ag deireadh mhí an Mheithimh 2023 bhí seirbhísí ag 37% de na línte leathanbhanda go léir ag luasanna díolta cothrom le nó níos mó ná 500Mbps, agus bhí luasanna cothrom le nó níos mó ná 1Gbps ag 9.5%.

FÓN PÓCA



Leanann gléasanna móibíleacha ar aghaidh ag imirt ról chomh mór sin sa chaoi a ndéanaimid go léir cumarsáid. Ag deireadh na tréimhse tuairiscithe mhéadaigh iomlán na síntiús soghluaiste (lena n-áirítear leathanbhanda soghluaiste agus meaisín le meaisín (M2M)) go 9.2 milliún i R2 2023 - arna dtiomáint ag ardú ar shíntiúis iarphá arb ionann iad anois agus 74% de na síntiúis mhóibíleacha go léir. Méadaigh síntiúsóirí 5G go 1.28 milliún ag deireadh mhí an Mheithimh 2023, méadú 80% ar an mbliain roimhe sin.

Tá sé suntasach cé go bhfuil nóiméid ghutha ag laghdú, go bhfuil síntiúsóirí ag baint úsáide as níos mó sonraí. Laghdaigh meán-mhiontuairiscí glao gutha míosúla in aghaidh an tsíntiúiseora fóin shoghluaiste in Éirinn go 145 nóiméad in aghaidh na míosa i Meitheamh 2023, síos ó 192 i Meitheamh 2022. 'ardaigh an meán-thrácht míosúil in aghaidh an rannpháirtí soghluaiste ag baint úsáide as seirbhísí gutha agus sonraí go 13.6GB i mí an Mheithimh 2023 i gcomparáid le 12.6GB i mí an Mheithimh 2022.

SPEICTREAM RAIDIÓ



Le linn na tréimhse atá faoi athbhreithniú, chríochnaigh ComReg a Dhámhachtain Speictrim Ilbhanda don dámhachtain le haghaidh 46% breise de speictream raidió comhchuibhithe a oireann go hidéalach do sholáthar seirbhísí leathanbhanda soghluaiste agus seasta gan sreang. Tá dámhachtainí speictrim den sórt sin suntasach agus d'fhéadfadh éifeachtaí eacnamaíocha níos leithne a bheith acu. Tacóidh sé le seirbhísí seachadta 5G (i.e. trí spriocanna clúdaigh tiomnaithe), chomh maith le seirbhísí eile a chur chun cinn, amhail seirbhísí 4G agus Rochtain Gan Sreang Seasta (FWA).

TOMHALTÓIRÍ



Le rabharta leanúnach dul chun cinn sa teicneolaíocht, tá níos mó cumhachta ag tomhaltóirí ná riamh le raon feistí agus seirbhísí atá ar fáil. Tá sé ríthábhachtach go ndéanfar tomhaltóirí a chosaint agus a chur ar an eolas agus gléasanna cumarsáide á n-úsáid acu. Le linn na bliana faoi athbhreithniú, rinne Aonad Comhlíonta Miondíola ComReg roinnt imscrúduithe as ar eascair gníomhartha forfheidhmithe. Áiríodh leis na gníomhartha sin torthaí neamhchomhlíonta, ionchúisimh choiriúla agus caingne sibhialta. Bhain na gníomhaíochtaí forfheidhmiúcháin le saincheistanna eile; róbhilleáil, saincheistanna a bhaineann le fógraí maidir le hathrú conartha, sonraí conartha, muirir a ghearrtar ar sheirbhísí ardráta, foláirimh úsáide fánaíochta agus nithe a bhaineann le dídhreasachtaí chun athrú, moill ar aistriú agus billí custaiméirí. De bhun na ngníomhaíochtaí sin, in go leor cásanna, chomh maith leis an tsaincheist a leigheas, d'aisíoc soláthraithe seirbhíse custaiméirí a ndearnadh difear dóibh freisin.

I rith na bliana, fuair ár bhFoireann Cúraim Tomhaltóirí thart ar 40,000 teagmháil ó thomhaltóirí. Freagraíodh 96% de na glaonna go léir ar Fhoireann Cúraim Tomhaltóirí ComReg laistigh de 20 soicind agus freagraíodh 100% de theagmhálacha scríofa don fhoireann laistigh de 24 uair an chloig. Bhain formhór na saincheistanna ECS a ardaíodh faoi shainchúram ComReg le billeáil, saincheistanna seirbhíse, cúrsaí conarthacha, agus inaistritheacht/inaistritheacht uimhreacha. Cuidíonn foireann cúraim tomhaltóirí ComReg le tomhaltóirí lena gcuid fiosruithe agus éascaíonn sí réiteach gearán leis an soláthraí seirbhíse. Idir Iúil 2022 agus Meitheamh 2023, d'éascaigh ComReg réiteach 1,857 gearán do thomhaltóirí.

CUMARSÁID NÚISE



Tá roinnt gníomhartha déanta ag ComReg agus tá bearta eile molta aige chun dul ingléic le ceist na cumarsáide núise nó na nglaonna camscéimeanna. Bhunaigh ComReg Tascfhórsa Thionscal Cumarsáide Ollscoil na hÉireann (NCIT), tascfhórsa ar fud an tionscail, agus é mar phríomhfhócas aige muinín sa líonra teileachumarsáide a athbhunú trí idirghabhálacha líonrabhunaithe a chur i bhfeidhm chun dul i ngleic leis na héifeachtaí díobhálacha a bhíonn ag glaonna camscéimeanna agus téacsanna ar thomhaltóirí agus ar shochaí na hÉireann.

D'fhorbair an tascfhórsa (NCIT) roinnt idirghabhálacha teicniúla atá tosaithe anois ar líne. Tugtar Do Not Originated ar an gcéad cheann de na hidirghabhálacha seo. Tagraíonn liosta Do Not Originate (DNO) d'uimhreacha gutháin nach n-úsáidtear riamh chun glaonna amach a dhéanamh. Molann ComReg do gach gnólacht agus eagraíocht páirt a ghlacadh sa bheart frith-camscéime saor in aisce seo chun cabhrú lena gcustaiméirí a chosaint.

IDIRNÁISIÚNTA



Le linn na bliana seo, lean ComReg de bheith rannpháirteach go gníomhach i gComhlacht na Rialálaithe Eorpacha um Chumarsáid Leictreonach (BEREC), afheidhmíonn mar ardán tábhachtach chun cur chun feidhme comhsheasmhach anchreata rialála don chumarsáid leictreonach san Aontas Eorpach a áirithiú agus lena gceadaítear malartú rialála idir údaráis rialála náisiúnta (ÚNRanna). Áirítear ar bhallraíocht BEREC gach ceann de na ÚNRanna ó 27 mBallstát an Aontais Eorpaigh, ionadaithe ón gCoimisiún Eorpach, ó thíortha an Limistéir Eorpaigh Eacnamaíoch (LEE), agus ó na tíortha oifigiúla is iarrthóirí agus ó thíortha is iarrthóirí ionchasacha an Aontais Eorpaigh, lena n-áirítear an Úcráin agus tíortha ó na Balcáin Thiar.

Le linn na tréimhse tuairiscithe sin, bhí deis agam páirt a ghlacadh mar ionadaí ComReg, Bord Rialálaithe BEREC (BoR) agus toghadh mé mar Leas-Chathaoirleach BEREC ar BEREC do 2023. Ghlac ComReg páirt i 12 Ghrúpa Oibre BEREC.

INBHUANAITHEACHT



Leagann ComReg béim láidir ar cheist na hinbhuanaitheachta agus tá ár dTreochlár féinim Ghníomhú ar son na hAeráide forbartha againn. Díríonn an plean seo ar astaíochtaí iomlána a bhaineann le fuinneamh agus astaíochtaí a bhaineann le breosla iontaise ónár ngníomhaíochtaí a laghdú. Le linn na bliana seo caite bhunaigh ComReg Foireann Ghlas chun comhairle a chur ar an eagraíocht maidir le tionscnaimh inbhuanaitheachta. Leanann ComReg de thaighde margaidh a dhéanamh freisin maidir le tuairimí tomhaltóirí maidir leis an tábhacht a bhaineann le hinbhuanaitheacht chomhshaoil inarogha soláthraí cumarsáide leictreon a í. I suirbhé in 2022, dúirt os cionn 3 as 5 (63%) d'fhreagróirí in Éirinn gur toisc thábhachtach í inbhuanaitheacht chomhshaoil agus soláthraí fón póca á roghnú.

CONCLÚID

Leanann ComReg ar aghaidh ag fás a lucht saothair agus tá sé mar aidhm againn daoine a mhealladh, a fhorbairt agus a chothú. Creidimid gur sócmhainn ríthábhachtach iad ár ndaoine agus a gcuid eolais do ComReg agus dá chuid oibre. Trí infheistíocht a dhéanamh i bhforbairt daoine, déanaimid ár ndícheall tacú leis an bhfoireann a gcumas a mhéadú agus a n-acmhainneacht a bhaint amach.

Leanaimid orainn ag déanamh urraíochta ar an oideachas agus molaimid go láidir don fhoireann cur leis an eolas agus na cáilíochtaí atá acu cheana féin. Cuirtear an tacaíocht seo ar fáil d'fhorbairt trí oiliúint ar an láthair oibre, cóitseáil, meantóireacht, cúrsaí saincheaptha, agus oideachas foirmiúil.

Ba mhaith liom buíochas a ghabháil le mo chomhghleacaithe ComReg go léir as a dtiomantas agus a n-iarracht sainordú ComReg a chur i gcrích chun earnáil cumarsáide iomaíoch a fhorbairt go leanúnach a mheallann infheistíocht, a spreagann nuálaíocht agus a ligeann do thomhaltóirí cumarsáid leictreonach agus seirbhísí poist a úsáid go muiníneach.

Robert Mourik
Cathaoirleach ComReg

3. Forbhreathnú ar Chumarsáid (2023)

SCIAR DEN MHARGADH LÍNE SHEASNA

Bunaithe ar shonraí oibreora a cuireadh isteach trí cheistneoir na Tuarascála Ráithiúla, b'ionann Eircom Limited (ag trádáil mar Eir) agus 40.2% den mhargadh líne seasta iomlán i dtéarmaí ioncam foriomlán (miondíola agus mórdhíola) faoi mhí an Mheithimh 2023, laghdú ó 41.4% i Meitheamh 2022. B'ionann Oibreoirí Údaraithe Eile (OAOanna) agus an sciar eile den mhargadh.

MARGADH LEATHANBHANDA

Faoi dheireadh mhí an Mheithimh 2023, bhí beagán os cionn 2 mhilliún líne síntiús leathanbhanda ann. Ba mhéadú 2.7% é seo ar R2 2022. Mhéadaigh síntiús Fibre To The Premises (FTTP) go 576,856 in R2 2023, méadú 33.7% ó R2 2022.

Fíor 1 : Síntiús Leathanbhanda de réir Cineál Síntiús

Cineál Líne	Ráithe 2 2023	Fás Ráithiúil R1'23 – R2'23	Fás Bliantúil R2'23 – R2'23
Leathanbhanda Cábla	359,669	-1.6%	-3.4%
Leathanbhanda DSL	100,683	-8.0%	-24.0%
Leathanbhanda VDSL	493,492	-4.0%	-13.6%
Leathanbhanda FTTP	576,856	7.4%	33.7%
Leathanbhanda Satailíte	5,295	13.9%	60.6%
Leathanbhanda FWA	86,170	-0.9%	2.2%
Leathanbhanda Seasta Iomlán	1,622,165	0.3%	1.7%
Leathanbhanda Soghluaiste	382,797	-0.3%	0.7%
Leathanbhanda Iomlán	2,004,962	2.4%	2.7%

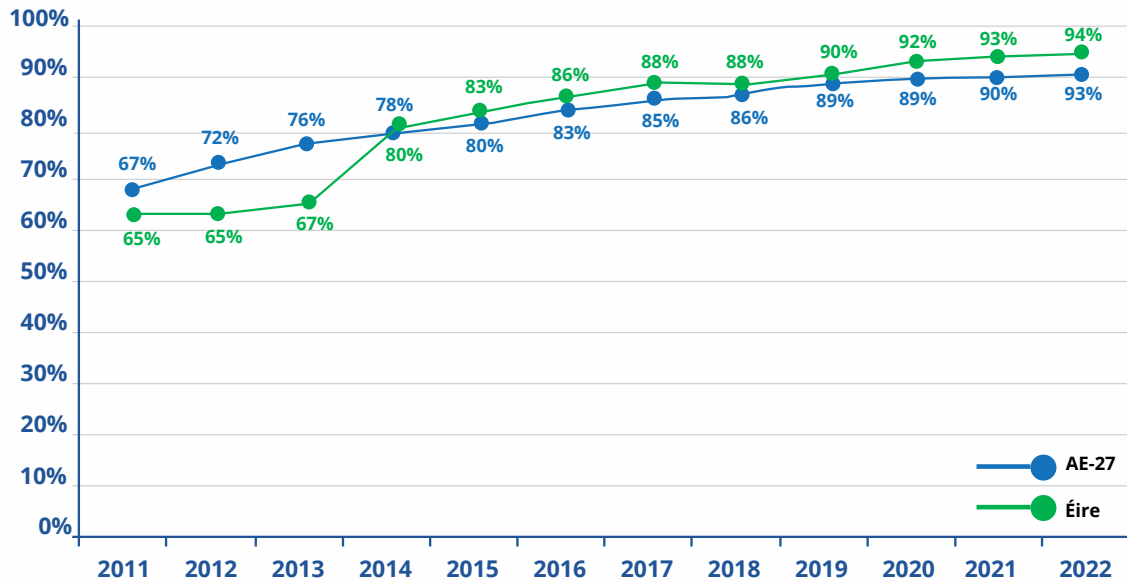
I R2 2023, bhí 27.7% de na línte síntiús leathanbhanda seasta miondíola ag Eir, agus Virgin Media ina dhiaidh sin a raibh 23.2% de línte aici. Bhí 20.2% ag Vodafone (gan leathanbhanda soghluaiste san áireamh), Sky Ireland 14.7%, Imagine 3% agus Pure Telecom 2.3%. B'ionann gach OAOanna eile le chéile agus an sciar 8.9% eile de línte síntiús leathanbhanda seasta miondíola.

I R2 2023 d'úsáid meán-shíntiúsóir leathanbhanda seasta 372 GB sonraí in aghaidh na míosa, suas ó 328 GB i R2 2022. Maidir le luasanna íoslódála líne rannpháirtí, ag deireadh Ráithe 2 2023, bhí seirbhísí ag 37% de na línte leathanbhanda go léir ag luasanna díolta cothrom le nó níos mó ná 500Mbps, le 9.5% ag luasanna cothrom le nó níos mó ná 1Gbps.

TREÁ LEATHANBHANDA

Léirítear i bhFíor 2 seasamh na hÉireann i gcomparáid le meán an AE ó thaobh líon tí leathanbhanda fosaithe agus soghluaiste a bheith ag dul i bhfód. Bhí Éire (94%) os cionn mheán an AE (93%) i gcás leathanbhanda teaghlaigh (seasta agus soghluaiste) in 2022.

Fíor 2: Rátaí Treá Leathanbhanda Teaghlaigh, AE-27 agus Éire



Foinse: Eurostat

TEILEAFÓNAÍOCHT GUTH SEASTA

Bhí 1.23 milliún líne síntiúis ghutha seasta i margadh na hÉireann ó Mheitheamh 2023, laghdú 2.3% ó Mheitheamh 2022. Ag deireadh mhí an Mheithimh 2023, b'ionann Eir agus 40.2% den mhargadh teileafónaíochta guth seasta agus Virgin Media ina dhiaidh sin ag 19.4%. Tháinig laghdú ar thrácht gutha a tháinig as líonraí seasta i R2 2023 go 321 milliún nóiméad agus tháinig an meán-shíntiúsóir cónaithe 59 nóiméad de ghlaonna gutha seasta agus tháinig an meán-shíntiúsóir gnó 209 nóiméad de ghlaonna gutha seasta i R2 2023.

SEIRBHÍSÍ CUMARSÁIDE SOGHLUAISTE

Ag deireadh mhí an Mheithimh 2023, bhí 9.29 milliún síntiús le seirbhísí cumarsáide soghluaiste lena n-áirítear leathanbhanda soghluaiste agus síntiús Meaisín go Meaisín (M2M) in Éirinn. I R2 2023 bhí síntiús iomlána M2M ag 3.25 milliún arb ionann iad agus fás bliantúil 30.4%. Bhí an sciar is mó de shíntiús mhóibíleacha (lena n-áirítear leathanbhanda soghluaiste agus M2M) ag Three Ireland Services (Hutchison) Limited agus Three Ireland Services (Hutchison) Limited (dá ngairtear Three le chéile) ag 44.65% agus ina dhiaidh sin Vodafone Ireland Limited (Vodafone) ag 32.32% agus Eir Mobile ag 14.71%.

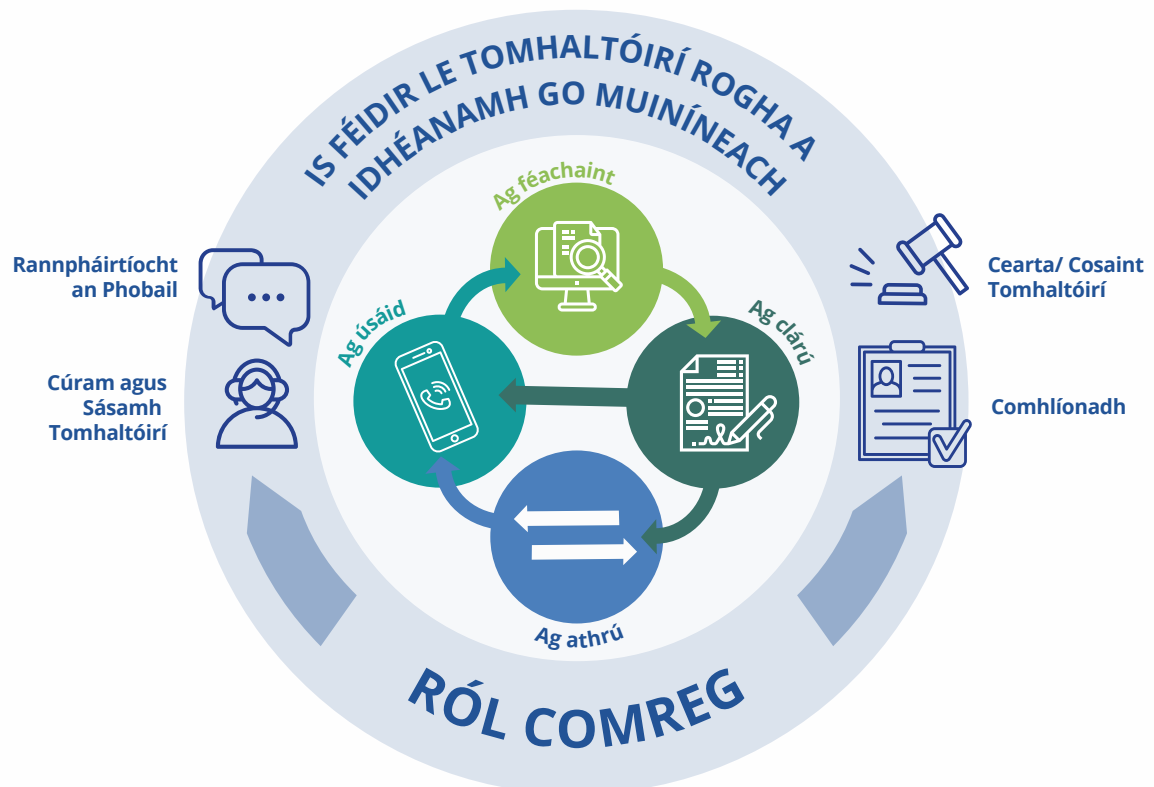
Laghdaigh meán-mhiontuairiscí glao gutha míosúla in aghaidh an rannpháirtí soghluaiste in Éirinn go 145 nóiméad in aghaidh na míosa i Meitheamh 2023, síos ó 198 i Meitheamh 2022. Ba é 13.6GB an meán-thrácht míosúil in aghaidh an rannpháirtí soghluaiste ag baint úsáide as seirbhísí gutha agus sonraí i mí an Mheithimh 2023 i gcomparáid le 12.6 GB i mí an Mheithimh 2022.

4. Tomhaltóirí

Is é an cur chuige straitéiseach foriomlán atá ag ComReg i leith tomhaltóirí ná iad a chosaint agus a chur ar an eolas ionas gur féidir leo seirbhísí cumarsáide a roghnú agus a úsáid go muiníneach.

Le linn na tréimhse, rinne ComReg roinnt gníomhaíochtaí chun a spriocanna tomhaltóirí gaolmhara a sheachadadh le linn chéimeanna an turais tomhaltóra: Breathnú, Síniú Suas, Athrú agus Úsáid. Bhí gníomhartha ComReg mar a léirítear thíos sna réimsí a bhaineann le Rannpháirtíocht an Phobail, Cúram agus Sásamh Tomhaltóirí, Cearta/Cosaint Tomhaltóirí agus Comhlíonadh.

Fíor 3: Ról ComReg agus Turas Tomhaltóirí



RANNPHÁIRTÍOCHT AN PHOBAIL

Féachann ComReg le tomhaltóirí a chumhachtú trína áirithiú go mbeidh faisnéis agus uirlisí iomchuí agus trédhearcacha ar fáil agus próiseas éifeachtach láimhseála gearán á thairiscint ag an am céanna. Féachann ComReg le tuiscint a fháil ar riachtanais tomhaltóirí atá ag athrú trí idirchaidreamh a dhéanamh le páirtithe leasmhara éagsúla trí úsáid a bhaint as bealaí éagsúla amhail trínár bhFoireann Cúraim Tomhaltóirí, tríd an gclár Cumarsáide agus Rannpháirtíochta, tríd an bPainéal Comhairleach do Thomhaltóirí, tríd an bhFóram Coibhéise Rochtana agus Rogha, trí thaighde tomhaltóirí agus trí eagraíochtaí geallsealbhóirí tomhaltóirí eile.

FAISNÉIS FAOI CHEARTA TOMHALTÓIRÍ

Cuirtear tomhaltóirí ar an eolas trí fhaisnéis thráthúil, ábhartha, shoiléir agus inrochtana. Aithníonn ComReg gur gá tomhaltóirí, lena n-áirítear úsáideoirí deiridh leochaileacha agus úsáideoirí deiridh faoi mhíchumas, a chur ar an eolas go hiomchuí chun roghanna a dhéanamh maidir le cumarsáid leictreonach, agus chun cabhrú leo agus iad ag déileáil lena soláthraí seirbhíse, níos mó fós ionas go dtreiseoidh an iomaíocht. I ndáil leis sin, lean ComReg den rannán tomhaltóirí den www.comreg.ie a nuashonrú le faisnéis ábhartha maidir le seirbhísí cumarsáide a roghnú agus a úsáid. Le linn na tréimhse tugadh an chuid tomhaltóirí den láithreán gréasáin cothrom le dáta chun cearta agus reachtaíocht nua tomhaltóirí a chur san áireamh.

D'fhoilsíomar míreanna rialta nuachta do thomhaltóirí ¹ a chlúdaíonn raon topaicí lena n-áirítear glaonna camscéim, saincheisteanna agus comhairle tomhaltóirí, gníomhartha comhlíonta, uirlisí agus seirbhísí tomhaltóirí ComReg, comhairliúcháin agus tuarascálacha a bhaineann le tomhaltóirí. D'fhoilsíomar achoimrí ráithiúla nuachta do thomhaltóirí freisin.²

UIRLISÍ TOMHALTÓIRÍ - LÉARSCÁIL CLÚDAIGH SOGHLUAISTE, SEICEÁLAÍ COMREG UM CHOMPARÁID AGUS SEIRBHÍS

Soláthraíonn ComReg léarscáil clúdaigh fón póca lasmuigh, ag www.comreg.ie/coveragemap, a ligeann do thomhaltóirí ríomh ComReg ar chlúdach fón póca oibreora agus leibhéil comharthaí a sheiceáil ag láithreacha ar fud na tíre. Ligeann an léarscáil d'úsáideoirí fón póca leibhéal an chumhdaigh mhóibíligh ina n-oibríonn siad nó ina gcónaíonn siad a fheiceáil agus cabhraíonn sé le tomhaltóirí agus roghanna á ndéanamh acu idir oibreoirí bunaithe ar infhaighteacht tuartha clúdaigh ina gceantar nó ina suíomh roghnaithe. Gineadh é trí úsáid a bhaint as sonraí arna soláthar ag na príomhoibreoirí líonraí móibíleacha (MNOanna) agus áirítear leis sonraí d'oibreoirí líonraí fíorúla soghluaiste (soláthraithe seirbhíse a bhfuil a gcuid seirbhísí á n-óstáil ag na príomhoibreoirí líonra soghluaiste). Nuashonraíodh sonraí na léarscáile i Ráithe 3 2022, R4 2022, agus R1 2023. Tá an léarscáil leagtha amach i bhformáid dathchódaithe – taispeánann an dath donn dorchá clúdach an-mhaith go dtí dath an bháis a thaispeánann clúdach imeallach. Taispeánann an léarscáil neart comhartha ó an-mhaith, maith, cothrom, ar an imeall agus gan aon chlúdach do 2G (Guth), 3G (Sonraí agus Guth), 4G (Sonraí agus Guth) agus anois cuimsíonn sé teicneolaíocht 5G (Sonraí).

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

² www.comreg.ie/comreg-consumer-news-q2-2023/?type=consumer-news
www.comreg.ie/comreg-consumer-news-q1-2023/?type=consumer-news
www.comreg.ie/comreg-consumer-news-q4-2022/?type=consumer-news

Ta feidhmchlár (Aip) ar fáil freisin d'úsáideoirí fón póca, agus cuireadh feidhmiúlacht nua leis.

Chomh maith leis an léarscáil clúdaigh lasmuigh, oibríonn ComReg leis an tionscal freisin chun a chinntiú go bhfuil faisnéis ábhartha, chruinn maidir le tairiscintí margaidh reatha ar fáil do thomhaltóirí ar a uirlis comparáide luacha, www.comreg.ie/compare, chun cabhrú le tomhaltóirí a gcinntí ceannaigh a dhéanamh. Ar an áireamhán seo, is féidir le tomhaltóirí tairiscintí margaidh soláthraithe seirbhíse cumarsáide a chur i gcomparáid le sás láimhe, meánchostas míosúil, costas iomlán lena n-áirítear costais sás láimhe, liúntais agus luas, bunaithe ar an bhfaisnéis úsáide a iontráladh. Chun cabhrú le tomhaltóirí a bhfuil ceisteanna acu faoi tháillí Seirbhísí Ardráta (PRS) a cuireadh i bhfeidhm ar a mbille nó a asbhaineadh óna gcreidmheas teileafóin, cuireann ComReg áis ar líne ar fáil freisin, Seiceálaí Seirbhíse, ag www.comreg.ie/servicechecker áit ar féidir leat na sonraí teagmhála agus sonraí eile a sheiceáil le haghaidh gach seirbhís ardráta. Is féidir le tomhaltóirí ainm na seirbhíse nó uimhir cúig dhigit na seirbhíse ar gearradh táille orthu a ionchur agus tugtar sonraí dóibh maidir le huimhir líne chabhrach agus ríomhphost na seirbhíse do chustaiméirí.

FAISNÉIS – CLÁR RANPHÁIRTÍOCHTA TOMHALTÓIRÍ

Lean ComReg lena chumarsáid agus lena rannpháirtíocht tomhaltóirí le linn na tréimhse le feachtais spriocdhírithe chun tomhaltóirí a chur ar an eolas faoina gcearta agus faoin bhfaisnéis a chuireann ComReg ar fáil. Áirítear ar thionscnaimh den sórt sin láithreán gréasáin ComReg a nuashonrú le faisnéis agus feidhmiúlacht nua do thomhaltóirí, imeachtaí for-rochtana, agus feachtais mhargaíochta dhigiteacha agus thraidisiúnta chun tomhaltóirí a chur ar an eolas.³

Chuaigh ComReg i dteagmháil le raon páirtithe leasmhara maidir le saincheisteanna tomhaltóirí lena n-áirítear Tascfhórsa Soghluaiste agus Leathanbhanda an Rialtais, Éire Aoisbháúil, Fóram Comhairleach do Thomhaltóirí agus Fóram Coibhéise Rochtana agus Rogha.⁴

³ www.comreg.ie/engagement/public-stakeholder-engagement/campaigns/

⁴ www.comreg.ie/engagement/panels-forums/

Fíor 4: Sampla den bhileog a scaiptear ag imeachtaí do thomhaltóirí



Fíor 5: Seastán ComReg ag Imeacht For-rochtana



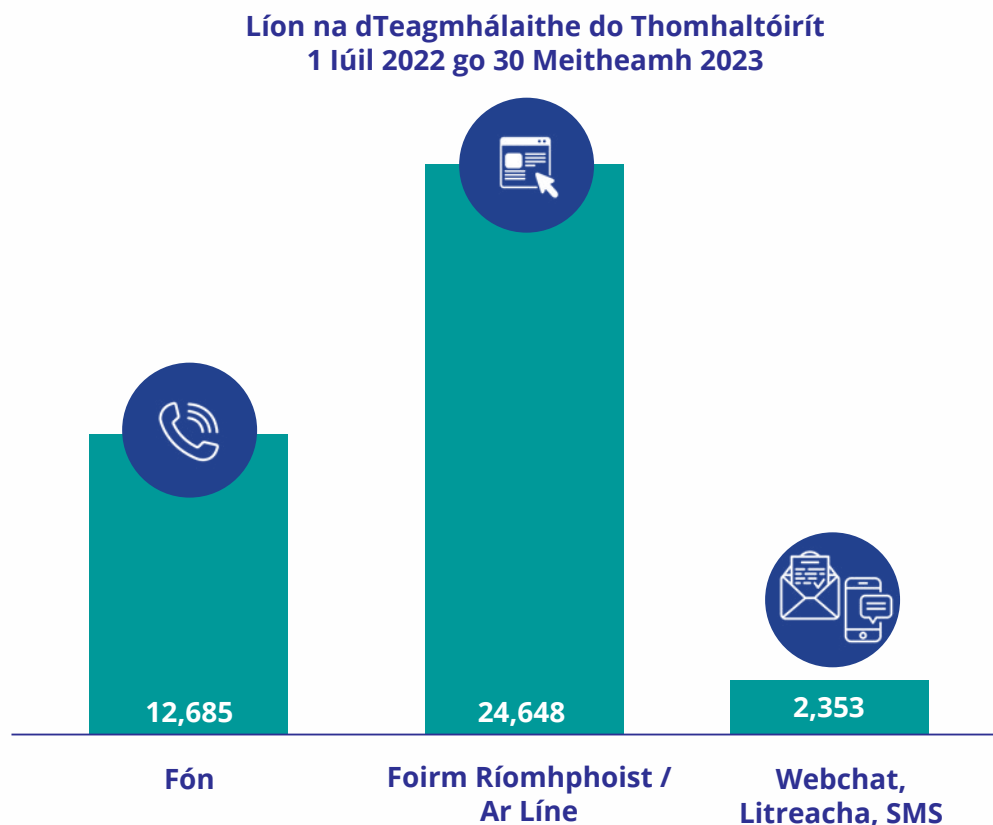
CÚRAM AGUS SÁSAMH TOMHALTÓIRÍ

LÁIMHSEÁIL GEARÁN

Leanann ComReg de sheirbhís ardchaighdeán láimhseála gearán a sholáthar do thomhaltóirí. I rith na bliana, fuair Foireann Líne Tomhaltóirí ComReg thart ar 40,000 teagmháil ó thomhaltóirí. Is féidir le tomhaltóirí teagmháil a dhéanamh le Foireann Líne Tomhaltóirí ComReg trí na bealaí seo a leanas – teileafón, ríomhphost, foirm ghearáin ar líne, litir, comhrá gréasáin, SMS agus Teanga Chomharthaíochta na hÉireann.⁵

Freagraíodh 96% de na glaonna go léir ar Fhoireann Cúraim Tomhaltóirí ComReg laistigh de 20 soicind agus freagraíodh 100% de theagmhálaithe scríofa laistigh de 24 uair an chloig.

Fíor 6: Líon na dTeagmhálacha Tomhaltóirí de réir Cainéal Cumarsáide



Leanann ComReg ag foilsiú staitisticí ráithiúla ar shaincheisteanna a d'ardaigh tomhaltóirí a rinne teagmháil lenár bhFoireann Líne Tomhaltóirí. Le linn na tréimhse 1 Iúil 2022 go 30 Meitheamh 2023, bhí thart ar 17,000 saincheist ann faoina ndearna tomhaltóirí teagmháil linn. Bhain thart ar 73% de na saincheisteanna iomlána a ardaíodh le cumarsáid leictreonach, agus bhain thart ar 3% eile le seirbhísí ardráta agus ba shaincheisteanna iad an t-iarmhéid den chuid is mó a thit lasmuigh de shainchúram ComReg nó nach raibh a fhios.⁶

⁵ www.comreg.ie/advice-information/consumer-care/contact-our-consumer-care-team/

⁶ www.comreg.ie/advice-information/consumer-care/consumer-statistics/

As na saincheisteanna go léir a ardaíodh le ComReg le linn na tréimhse, ba ghearáin iad 10% a ndearnadh méadú orthu thar ceann na dtomhaltóirí chuig na Soláthraithe Seirbhíse ábhartha do sheirbhísí Seirbhísí Cumarsáide Leictreonaí (ECS) agus Seirbhísí Ardráta (PRS).

Bhain formhór na saincheisteanna ECS a ardaíodh faoi shainchúram ComReg le billeáil, saincheisteanna seirbhíse, cúrsaí conarthacha, agus inaistritheacht/inaistritheacht uimhreacha. Baineann formhór na saincheisteanna PRS a ardaíodh le cásanna ina séanann tomhaltóirí go ndeachaigh siad i dteagmháil leis an PRS nó ina ndéanann an tomhaltóir an muirear PRS atá i gceist a dhíospóid.

RÉITEACH DÍOSPÓIDE

Chomh maith le seirbhís láimhseála gearán ComReg (Líne Tomhaltóirí ComReg), tá nósanna imeachta foirmiúla um réiteach díospóidí tugtha isteach ag ComReg le haghaidh gearáin fón póca, fón baile agus leathanbhanda atá gan réiteach ar feadh 40 lá oibre nó níos mó tar éis gearán a thaisceadh leis an soláthraí seirbhíse.

BEARTA COSANTA TOMHALTÓIRÍ

Tá roinnt cosaintí tomhaltóirí i bhfeidhm cheana féin lena n-áirítear bearta tacaíochta breise d'úsáideoirí deiridh faoi mhíchumas, bearta maidir le praghsáil uimhreacha neamhgheografacha, bearta le haghaidh caiteachais agus rialú costais, billeáil mhiondealaithe, meáin bhilleála 7 agus urchosc roghnach glaonna.

Is é sprioc ComReg a áirithiú go bhfuil cearta agus cosaintí tomhaltóirí, lena n-áirítear iad siúd do thomhaltóirí leochaileacha agus do thomhaltóirí faoi mhíchumas, leordhóthanach chun dochar do thomhaltóirí a mhaolú. Rinne ComReg faireachán agus breithniú ar cibé an raibh sé iomchuí bearta a chur chun feidhme, a fheabhsú nó a fhorbairt chun dochar do thomhaltóirí ECS agus PRS a mhaolú.

RIALACHÁN FÁNAÍOCHTA

Ón 15 Meitheamh 2017 i leith, gearrtar an praghas miondíola baile ar chustaiméirí as a bhfón póca a úsáid agus iad ag taisteal in aon tír san AE agus sa LEE (an Íoslainn, Lichtinstéin agus an Iorua) – tugtar Roam Like At Home (RLAH) air seo. 8 Amhail ón 1 Iúil 2022, cuireadh síneadh le RLAH le Rialachán (AE) 2022/612 ⁹ (na rialacha nua) go dtí an 30 Meitheamh 2032. D'fhoilsigh ComReg Fógra Faisnéise ina ¹⁰ leagtar béim ar thomhaltóirí go mbaineann úsáideoirí fón póca ar fud an Aontais, mar chuid de na rialacha nua, tairbhe as fánaíocht Roam Like At Home saor in aisce ar feadh deich mbliana eile (2022-2032). Tugtar chun suntais freisin go dtugtar bearta breise isteach d'fhonn trédhearcacht a mhéadú do chustaiméirí seirbhísí fánaíochta agus, chun cabhrú le custaiméirí seirbhísí fánaíochta a thabhaíonn muirir gan choinne (geit maidir le bille) a sheachaint.

⁷ Cinneadh ComReg D08/13 www.comreg.ie/publications. Shainigh an cinneadh seo na bealaí ina gcaithfidh gach soláthraí atá údaraithe chun líonraí agus seirbhísí cumarsáide leictreonaí a sholáthar billí a eisiúint do thomhaltóirí. Rinne na bearta caighdeánú ar na rialacha a bhaineann le billeáil is infheidhme maidir le soláthraithe chun a chinntiú go raibh siad comhsheasmhach agus trédhearcach ar fud an tionscail.

⁸ Tugadh an chéad Rialachán Fánaíochta ae isteach i mí Lúnasa 2007 chun teorainn a chur leis an gcostas a bhaineann le fánaíocht fón póca san AE agus foilsíodh roinnt Rialachán ó 2007 a phléigh go sonrach le fánaíocht mhóibíleach. Le Rialachán 2015/2120 ó Pharlaimint na hEorpa agus ón gComhairle an 25 Samhain 2015, tugadh isteach Roam Like At Home (RLAH), a bhí i bhfeidhm ón 15 Meitheamh 2017.

⁹ Rialachán (AE) 2022/612: EUR-Lex - 32022R0612 - GA - EUR-Lex (europa.eu)

¹⁰ ComReg 22/68 www.comreg.ie/publications

Cuirfidh na bearta sin tairbhí breise ar fáil d'eispéireas fánaíochta feabhsaithe, lena n-áirítear:

- Faisnéis agus roghanna – ba cheart tú a chur ar an eolas faoi tháillí, aon teorainnsonraí úsáide córa a d'fhéadfadh a bheith i bhfeidhm agus conas rochtain a fháil ar an uimhir éigeandála 112 saor in aisce.
- Trédhearcacht mhéadaithe Seirbhísí Breisluacha – ba cheart tú a chur ar an eolas faoi chineálacha seirbhísí a d'fhéadfadh costais bhreise a thabhairt a d'fhéadfadh a bheith saor in aisce nó costas níos lú nuair a ghlaonn tú ón mbaile, amhailuimhreacha seirbhíse do chustaiméirí nó deasc chabhrach.
- Foláirimh agus muirir bhreise a sheachaint – ba cheart fógra a thabhairt duit nuair a shroicheann tú teorainn úsáide chóir.
- Líonraí neamh-trastíre – ba cheart tú a chur ar an eolas faoi mhuirir bhreise as seirbhísí fánaíochta a úsáid ar líonraí neamh-trastíre mar a thugtar orthu amhail líonra satailíte a chuirtear ar fáil ar bord aerárthaigh nó báid.
- Teagmháil a dhéanamh le seirbhísí éigeandála thar lear – faoi mhí an Mheithimh 2023, ba cheart duit teachtaireacht a fháil chun an 112 áis éigeandála agus na roghanna eile atá ar fáil a chur i gcuimhne duit.
- Caighdeán na seirbhíse sa bhaile agus thar lear – ba cheart go mbeifeá in ann seirbhísí soghluaiste a úsáid ar an mbealach céanna agus atá tú sa bhaile, nuair is féidir go teicniúil.

Le linn na tréimhse, lean ComReg ar aghaidh ag obair lena chomhghleacaithe in BEREC (Comhlacht na Rialálaithe Eorpacha um Chumarsáid Leictreonach) i ndáil lena bhailiú sonraí maidir le fánaíocht idirnáisiúnta chun críocha tuairisciú a dhéanamh ar éabhlóid na bpatrún praghsála agus tomhaltais sna Ballstáit le haghaidh seirbhísí baile agus seirbhísí fánaíochta agus tiomsú Thuarascáil Trédhearcachta agus Inchomparáideachta 2022.

Ina theannta sin, ón 15 Bealtaine 2019 i leith, tá uasteorainn curtha leis an gcostas atá ar thomhaltóirí Éireannacha glaonna a dhéanamh nó teachtaireachtaí téacs SMS a sheoladh ó Éirinn chuig uimhir sheasta nó mhóibíleach i mBallstát eile den AE.¹¹ Ní ghearrfar níos mó ná €0.19 (+CBL) in aghaidh an nóiméid ar thomhaltóirí an AE agus na hÉireann as glaonna a dhéantar (lena n-áirítear aon mhuirear ceangail) agus €0.06 (+CBL) as gach SMS a sheoltar ó Éirinn chuig aon uimhir sheasta nó mhóibíleach i mBallstát den AE, ar cheart dó eispéireas an tomhaltóra a fheabhsú. D'oibrigh ComReg le BEREC chun faireachán a dhéanamh ar fhorbairtí margaidh agus praghsanna le haghaidh cumarsáid rialáilte laistigh den AE agus chun tuairisciú do Choimisiún an AE sa tréimhse sin.

RIALACHA OSCAILTE IDIRLÍN

Faoi Rialacha Idirlín Oscailte an Aontais Eorpaigh, i Rialachán (AE) 2015/2120,¹² tá tomhaltóirí i dteideal faisnéis agus inneachar a dháileadh agus rochtain a bheith acu uirthi, feidhmchláir agus seirbhísí a úsáid agus a sholáthar, agus trealamh teirminéil dá rogha féin a úsáid, beag beann ar shuíomh an úsáideora deiridh nó an tsoláthraí deiridh nó ar shuíomh na faisnéise, an ábhair, an fheidhmchláir nó na seirbhíse.

¹¹ Tá sé sin i gcomhréir le Rialachán (AE) 2018/1971.

¹² Trasuite i ndlí na hÉireann ag Rialachán an Aontais Eorpaigh (Rochtain Oscailte ar an Idirlíon), 2019 (I.R. Uimh. 343 de 2019) (na Rialacháin um Rochtain ar an Idirlíon Oscailte 2019) – lena gcuirtear chun feidhme gnéithe áirithe den Rialachán maidir le Rochtain ar an Idirlíon Oscailte AE/2015/2120 a bhaineann le cumhachtaí agus pionóis ComReg.

Cosnaíonn an Rialachán cearta tomhaltóirí agus cuirtear idirlíon oscailte agus nuálach chun cinn. Lean ComReg ar aghaidh ag déanamh monatóireachta ar oscailteacht an idirlín le héabhlóid seirbhísí agus teicneolaíochtaí, lena n-áirítear forbairtí maidir le seirbhísí nialas-rátaithe a bheith ann. Is éard atá i gceist le rátáil nialasach ná nuair a chuireann ISP praghas nialas i bhfeidhm ar an trácht sonraí a bhaineann le feidhmchlár nó aicme áirithe feidhmchlár.

I measc na hoibre eile bhí:

- Monatóireacht leanúnach ar mhargadh na Seirbhísí Rochtana Idirlín (IAS) ¹³ agustionscnamh rúnsiopadóireachta a thionscnamh.
- Foilsiú thuarascáil bhliantúil ComReg ar chur i bhfeidhm Rialacháin an AE maidir le Rochtain Idirlín Oscailte in Éirinn. ¹⁴

FORÁLACHA DO DHAOINE FAOI MHÍCHUMAS

D'fhoilsigh ComReg mír nuachta do thomhaltóirí lena n-áirítear staitisticí maidir le glacadh agus úsáid Sheirbhísí Athsheachadáin Téacs na hÉireann (ITRS) sa tréimhse seo ar ComReg.ie. ¹⁵

Le linn na tréimhse, leanamar orainn ag plé go rialta le páirtithe leasmhara chomh maith le grúpaí ionadaíocha eile amhail an tÚdarás Náisiúnta Míchumais maidir leis na riachtanais d'úsáideoirí deiridh faoi mhíchumas maidir le hinrochtaineacht agus coibhéis rochtana agus rogha. Thionóil ComReg cruinnithe dá Fhóram um Sheirbhísí Cumarsáide Leictreonaí do Dhaoine faoi Míchumas in 2022 ¹⁶ chun topaicí agus saincheistanna inrochtaineachta ar leith a fhiosrú. D'fhreastail ComReg freisin ar chruinnithe Choiste Comhairleach na Roinne a réachtáil an Roinn Comhshaoil, Aeráide agus Cumarsáide (DECC) maidir le hábhair a bhaineann le hinrochtaineacht táirgí agus seirbhísí d'úsáideoirí deiridh faoi mhíchumas.

Ba cheart go mbeadh rochtain ar ECS mar an gcéanna do dhaoine faoi mhíchumas agus atá sé do dhaoine nach bhfuil faoi mhíchumas. Ba cheart rochtain éasca choibhéiseach a bheith ag gach duine ar sheirbhísí ECS agus ar fhaisnéis ghaolmhar. Chuir ComReg bearta sonracha i bhfeidhm in 2014 agus in 2015 chun freastal ar riachtanais tomhaltóirí faoi mhíchumas chun ECS a roghnú agus a úsáid go muiníneach. Go hachomair, cuimsíonn na bearta seo ¹⁷ seirbhísí sonracha agus faisnéis shonrach atá ar fáil do dhaoine faoi mhíchumas:

- Nós imeachta um ghearáin inrochtana
- Fiosruithe eolaire inrochtana
- Áis bhreistithe inrochtana d'úsáideoirí fón póca réamhíochta
- Billeáil inrochtana
- Saoráid inrochtana chun comhoiriúnacht trealaimh teirminéil nó beartas cuí um fhilleadh a thástáil
- Áis do shíntiúsóirí faoi mhíchumas chun riachtanais a chlárú

¹³ Soláthraithe seirbhísí rochtana idirlín

¹⁴ ComReg 23/58 www.comreg.ie/publications

¹⁵ ComReg 23/16R, ComReg 23/66 www.comreg.ie/publications

¹⁶ Éascaíonn ComReg an Fóram Coibhéise Rochtana agus Rogha chun saincheistanna ECS a phlé agus a chur chun cinn (grúpaí ionadaíocha daoine faoi mhíchumas, tionscal, agus saineolaithe speisialaithe eile).

¹⁷ www.comreg.ie/advice-information/accessibility-requirements/

- Seirbhís athsheachadáin téacs a sholáthar (TRS)
- Faisnéis inrochtana
- Ceanglas maidir le ráiteas inrochtaineachta

Tá athbhreithniú ComReg ar na bearta seo ar siúl faoi láthair. Tá sé seo d'fhonn a sheiceáil an gcomhlíonann na bearta seo riachtanais daoine faoi mhíchumas agus measúnú a dhéanamh ar cé acu atá cosaint leordhóthanach ag daoine faoi mhíchumas.

SEIRBHÍSÍ ARDRÁTA

Le linn na tréimhse sin, lean ComReg ar aghaidh ag déanamh monatóireachta ar fhorbairtí i margaí Seirbhísí Ardráta (PRS), lena n-áirítear seirbhísí nua billeála iompróra dhírih (DCB), chun a chinntiú nach suibscríobhtar tomhaltóirí mar thoradh ar a gcéad rannpháirtíocht leis an PRS. De réir mar a éilíonn Cód Cleachtais PRS ComReg,¹⁸ ní mór an fhaisnéis chuí faoin tseirbhís síntiúis, lena n-áirítear praghsáil, a chur i láthair do thomhaltóirí sula ndeimhnítear a síntiús agus le linn a n-úsáide PRS. Ceanglaítear le Rialacháin CEEC go n-áireofaí i mbillí mionsonraithe céannacht an tsoláthra agus fad na seirbhísí a ghearrtar le haon uimhreacha préimhe (mura rud é gur iarr an tomhaltóir nach luafaí an fhaisnéis sin). Thairis sin, foráiltear le Rialacháin EECC go bhféadfaidh tomhaltóir cosc a chur ar ghlaonna amach nó ar SMS préimhe nó MMS nó ar chineálacha eile feidhmchlár den chineál céanna saor in aisce. Tá beart tugtha isteach ag ComReg cheana féin chun ligean do thomhaltóirí rochtain ar SMS nó MMS ardráta a chosc agus chun an fhéidearthacht go dtarlódh suaitheadh bille a laghdú. Féadfaidh ComReg athbhreithniú a dhéanamh an bhfuil cosaintí breise a bhaineann le billeáil tríú páirtí iomchuí, de bhun cheanglais na reachtaíochta náisiúnta.

TREOIR RIALÁLA MAIDIR LE CEARTA ÚSÁIDEOIRÍ DEIRIDH AN CHÓID UM CHUMARSÁID LEICTREONACH EORPACH (EECC)

Is ionann an Cód um Chumarsáid Leictreonach Eorpach (EECC) agus athbhreithniú ar chreat rialála iomlán an Aontais don earnáil teileachumarsáide. Thug an CEEC cearta nua d'úsáideoirí deiridh isteach lena n-áirítear a bhaineann leis an gceart chun faisnéis réamhchonarthach íosta áirithe a fháil agus leis an Achoimre conartha nua¹⁹ sula ndéantar conarthaí, malartú rochtana idirlín agus tairiscintí cuachta. Meastar gur píosa lárnach reachtaíochta é chun sochaí Ghigighiotáin na hEorpa a bhaint amach agus chun rannpháirtíocht iomlán shaoránaigh uile an Aontais sa gheilleagar digiteach agus sa tsochaí dhigiteach a áirithiú.

Chun cabhrú le soláthraithe seirbhíse tuiscint a fháil ar raon na gcearta úsáideoirí deiridh, d'fhoilsigh ComReg Treoir Rialála den chéad uair maidir le cearta áirithe úsáideoirí deiridh ar bhonn CEEC an 10 Samhain 2020 agus foilsíodh an chéad nuashonrú an 23 Nollaig 2020. Déantar an Treoir seo a nuashonrú tuilleadh anois tar éis thosach feidhme Rialacháin EECC agus Acht 2023 an 9 Meitheamh 2023.²⁰

Tá an fhéidearthacht malartú idir soláthraithe ina phríomhspreagadh d'iomaíocht éifeachtach. Trí fhaisnéis thrédhearcach, chruinn agus thráthúil a bheith ar fáil maidir le hathrú, ba cheart muinín an úsáideora deiridh a mhéadú maidir le malartú agus iad a dhéanamh níos toilteanaí páirt ghníomhach a ghlacadh sa phróiseas iomaíoch. Agus na

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

¹⁹ (AE) 2019/2243. Tá ceanglais shonracha cheangailteacha eisithe ag an gCoimisiún Eorpach maidir le hAchoimre an Chonartha sa Rialachán Cur Chun Feidhme ón gCoimisiún lena mbunaítear Teimpléad d'Achoimre an Chonartha.

²⁰ An tAcht um Rialáil Cumarsáide agus Gníomhaireacht Forbartha an Mhoil Dhigitiigh (Leasú), 2023.

cuspoirí sin á saothrú aige, i mí Dheireadh Fómhair 2021, chuir ComReg treoir rialála ar fáil do sholáthraithe Seirbhísí Rochtana Idirlín (IAS) maidir le prionsabail chun cearta úsáideoirí deiridh a éascú chun IAS a athrú chun a chinntiú go bhfuil an próiseas malartaithe éifeachtúil agus simplí d'úsáideoirí deiridh (Treoir IAS). ²¹ Leagtar amach sa Treoir seo do sholáthraithe IAS do mhargadh na hÉireann tuairimí ComReg maidir le brí agus éifeacht fhorálacha an Chóid mar a bhaineann siad le malartú IAS úsáideora deiridh faoi Airteagal 106 (1) agus, i gcás ina mbaineann siad le malartú idir soláthraithe, forálacha 106 (5), 106 (6) agus 107 den Chód. Ina theannta sin, ar iarratas ón tionscal, bhunaigh ComReg an Fóram um Athrú Seirbhíse Rochtana Idirlín i mí Iúil 2022. ²² Bhí sé seo chun soláthraithe IAS a éascú maidir le sainmhíniú agus doiciméadú na bpróiseas idir-oibritheora is gá le haghaidh malartú IAS. Cuireadh deireadh leis an bhFóram ar thrasuí an Chóid i ndlí na hÉireann agus ar thosach feidhme Rialacháin EECC an 9 Meitheamh 2023. Measann ComReg go bhfuil na prionsabail leathana a d'aithin sé ag teacht leis an oibleagáid próiseas malartaithe simplí agus éifeachtúil a chur i bhfeidhm chun a chinntiú go gcosnaítear úsáideoirí deiridh agus go seasfar lena gcearta.

CAIRT DO CHUSTAIMÉIRÍ

Go ginearálta, tá easpa trédhearcachta ann maidir le caighdeán na seirbhíse do chustaiméirí. D'fhéadfadh sé seo a bheith deacair do chustaiméirí a fháil amach cén leibhéal seirbhíse do chustaiméirí ar féidir leo a bheith ag súil leis óna soláthraí féin nó, chun comparáid a dhéanamh idir an tairiscint seirbhíse do chustaiméirí a dhéantar ar fud soláthraithe seirbhíse, mar shampla nuair atáthar ag smaoineamh ar aistriú chuig soláthraí eile. Foráiltear le reachtaíocht nua a thug an Rialtas, an tAcht um Rialáil Cumarsáide agus Gníomhaireacht Forbartha an Mhoil Dhigitigh (Leasú), 2023, i measc nithe eile, do ComReg féachaint le ceanglais rialála nua a thabhairt isteach chun aghaidh a thabhairt ar shaincheisteanna a thagann chun cinn, ionas go gcosnófar úsáideoirí deiridh. I measc na mbeart chun cabhrú le tomhaltóirí agus le húsáideoirí deiridh eile (lena n-áirítear micrifhiontair, fiontair bheaga agus eagraíochtaí neamhbhrabúis) faoin Acht, áirítear íoschaighdeán seirbhíse a bheidh le comhlíonadh ag soláthraithe seirbhísí idirlín agus gutháin ²³ agus iad ag soláthar seirbhísí den sórt sin d'úsáideoirí deiridh, de réir mar a shonróidh ComReg (Caighdeán Íosta um Cháilíocht Seirbhíse) agus Cairt do Chustaiméirí.

Rinne ComReg breithniú ar Chairt do Chustaiméirí a thabhairt isteach sa tréimhse seo. Ionad ilfhreastail a bheidh i gCairt do Chustaiméirí do thomhaltóirí maidir leis an leibhéal seirbhíse do chustaiméirí a chuireann a soláthraí ar fáil. Is féidir le Cairt dul i ngleic le dochar do thomhaltóirí trí dhá phríomhchuspóir: trédhearcacht a chruthú maidir leis na leibhéil a thairgeann soláthraithe seirbhísí do chustaiméirí; agus feabhsuithe a thiomáint ar leibhéil foriomlána seirbhíse do chustaiméirí. I mí an Mhárta 2023, d'eisigh ComReg comhairliúchán poiblí a thug aghaidh ar an tsonraíocht bheartaithe ar riachtanais do sholáthraithe seirbhísí idirlín agus gutháin chun Cairt Chustaiméirí a ullmhú, a fhoilsiú agus a choinneáil cothrom le dáta. ²⁴

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

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

²³ Soláthraithe seirbhísí rochtana idirlín (IAS) nó seirbhísí cumarsáide idirphearsanta atá ar fáil go poiblí (ICS).

SEIRBHÍS FREAGARTHA GLAONNA ÉIGEANDÁLA

Tá ComReg freagrach go reachtúil as monatóireacht a dhéanamh ar cháilíocht seirbhíse an tsoláthraí Seirbhíse Freagartha Glaonna Éigeandála (ECAS) agus as athbhreithniú a dhéanamh ar an Táille Láimhseála Glaonna (CHF) a fhéadfaidh an soláthraí ECAS a ghearradh.

I mí Eanáir 2023, chinn ComReg, tar éis athbhreithniú a dhéanamh ar na costais a thabhaigh an soláthraí ECAS leis an uasmhéid CHF de €3.78 in aghaidh an ghlaio a shocrú ó 12 Feabhra 2023. Sa bhliain roimhe sin, ó 12 Feabhra 2022 go 11 Feabhra 2023, chinn ComReg uasmhéid an CHF a shocrú ag €2.98.

Ní ghearrtar táille ar ghlaonna chuig 999 nó 112 ar an tomhaltóir toisc go n-íocann an líonra teileachumarsáide léirithe an costas seo.

Le linn na tréimhse, d'fhoilsigh ComReg dhá fhógra faisnéise freisin maidir le líon na nglaonna chuig an ECAS.

SEIRBHÍS UILÍOCH DO CHUMARSÁID LEICTREONACH

Gné lárnach dár gcuid oibre ar chosaint tomhaltóirí ná a chinntiú go mbíonn seirbhís cumarsáide leictreonaí uilíoch ar fáil.

ROCHTAIN AG SUÍOMH SEASTA

Tháinig deireadh leis an ainmniú USO ar Eir le haghaidh rochtana ar shuíomh seasta ar an 30 Meitheamh 2023. Níl aon ainmniúchán i bhfeidhm faoi láthair maidir le seirbhísí cumarsáide gutha fosaithe.

Tá na doiciméid comhairliúcháin phoiblí seo a leanas eisthe ag ComReg:

- Riachtanais Seirbhíse Uilíche: Naisc ghutha amháin agus seirbhísí cumarsáide gutha a sholáthar ag suíomh seasta (VFL USO) ²⁵
- Seirbhís Uilíoch de Nascanna gutha amháin agus seirbhísí cumarsáide gutha a sholáthar ag suíomh seasta – Freagairt ar Chomhairliúcháin, Tuilleadh Comhairliúcháin, agus Dréachtchinneadh ²⁶

CÁILÍOCHT SEIRBHÍSE UILÍOCH SEIRBHÍSE (QOS)

Measann ComReg gur gné thábhachtach den rochtain ag suíomh seasta é QoS. Dá réir sin, tá ComReg den tuairim go bhfuil sé tábhachtach go ndéanfaí monatóireacht ar fheidhmíocht QoS. Déanfaidh ComReg monatóireacht ar fheidhmíocht QoS ar bhonn leanúnach agus féadfaidh sé idirghabháil a dhéanamh, nuair atá:

- Athruithe ar dhálaí an mhargaidh
- Athruithe ar fhorbairtí teicneolaíochta
- Imeachtaí a mbíonn tionchar diúltach acu ar cháilíocht na seirbhíse ar líonra copair Eir sa chás go measann ComReg gur cuí sin a dhéanamh

D'fhoilsigh ComReg Fógraí Ráithiúla Faisnéise ag taispeáint feidhmíocht USO Eir do gach tréimhse ráithiúil de 2022 – R2 2023 agus an fheidhmíocht bhliantúil.

COSTAS AN USO – IARRATAIS AR MHAOINIÚ USO 2010-2015

In 2011, d'eisigh ComReg Cinneadh ²⁷ (ComReg D04/11) faoi na prionsabail agus na modheolaíochtaí leis an nglanchostas a bhaineann le seirbhís uilíoch a sholáthar. Sholáthair an cinneadh seo an bonn ar a ríomhtar an glanchostas a bhaineann le seirbhís uilíoch a sholáthar agus cuirfidh sé ar chumas ComReg a chinneadh an bhfuil an glanchostas, más ann dó, ina ualach éagórach ar an soláthraí seirbhíse uilíche. On 10 July 2023, the High Court made orders which, among other things:

Chuir ComReg tús le próiseas comhairliúcháin (i R4 2017) maidir le measúnú ar iarratais Eir ar mhaoiniú do na tréimhsí 2010-2011, 2011-2012, 2012-2013, 2013-2014, agus 2014-2015, a chuir Eir isteach arís idir Meán Fómhair. 2014 agus Márta 2017. ²⁸

Ar 18 Aibreán 2019, tar éis measúnú a dhéanamh ar na hiarratais a fuarthas ó Eir, d'fhoilsigh ComReg sraith Cinntí:

Chinn Cinneadh ComReg D05/19 go raibh glanchostas dearfach de €7.5m don bhliain 2010-2011 maidir le soláthar Eir ar an Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir. ²⁹

²⁵ ComReg 23/02 www.comreg.ie/publications

²⁶ ComReg 23/55 www.comreg.ie/publications

²⁷ ComReg 12/57 D04/11 www.comreg.ie/publications

²⁸ ComReg 16/68 www.comreg.ie/publications

²⁹ ComReg 19/36 D05/19 www.comreg.ie/publications

Chinn Cinneadh ComReg D06/19 go raibh glanchostas dearfach de €6.7m don bhliain 2011-2012 maidir le soláthar Eir ar an Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir. ³⁰

Chinn Cinneadh ComReg D07/19 go raibh glanchostas dearfach de €7.7m don bhliain 2012-2013 maidir le soláthar Eir ar an Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir. ³¹

Chinn Cinneadh ComReg D08/19 go raibh glanchostas dearfach de €9.5m don bhliain 2013-2014 maidir le soláthar Eir ar an Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir. ³²

Cinneadh le Cinneadh ComReg D09/19 go raibh glanchostas dearfach de €11.5m don bhliain 2014-2015 maidir le soláthar Eir ar an Oibleagáid Seirbhíse Uilíche agus nach ionann an glanchostas dearfach seo agus ualach éagórach ar Eir. ³³

Ar 15 Bealtaine 2019, chuir Eir achomharc isteach chuig an Ard-Chúirt i gcoinne Chinntí ComReg D05/19; D06/19; D07/19; D08/19; agus D09/19.

Bhí na himeachtaí le seoladh i mBealtaine 2020 ach cuireadh moill ar an gcás mar gheall ar COVID-19. Tar éis éisteachta i Rannán Tráchtála na hArd-Chúirte ar an 6 Samhain 2020, chinn an Chúirt ceist a bhaineann le measúnú ualaigh éagórach a tharchur chuig Cúirt Bhreithiúnais an Aontais Eorpaigh (CJEU) le haghaidh réamhrialú de bhun Airteagal 267 den Chonradh ar Fheidhmiú an Aontais Eorpaigh. Conradh ar Fheidhmiú an Aontais Eorpaigh. Ghlac ComReg páirt iomlán sa phróiseas roimh an CBAE.

Ar an 10 Samhain 2022 thug an CBAE a bhreithiúnas. Is féidir an breithiúnas seo a fháil ag an nasc fonóta. ³⁴

Ar an 10 Iúil 2023, chuir an Ard-Chúirt orduithe chun tosaigh a rinne, i measc rudaí eile:

- (i) Na cinntí seo a leanas a bhaineann le measúnuithe ualaigh éagórach ComReg a chur ar leataobh:
 - (a) alt 1.3 den chinneadh i gCinneadh D05/19 ComReg
 - (b) an mhír dheiridh d'alt 1.2 den chinneadh i gCinneadh D06/19 ó ComReg (lena dtosaítear "De bhun an ghlanchoistais dhearfach aríomh...")
 - (c) alt 1.3 den chinneadh i gCinneadh D07/19 ComReg
 - (d) alt 1.3 den chinneadh i gCinneadh D08/19 ComReg
 - (e) alt 1.3 den chinneadh i gCinneadh D09/19 ComReg; agus

(ii) d'ordaigh sé go ndéanfaí na gnéithe sin de na Cinntí a aithníodh thuas a chur ar aghaidh chuig ComReg le haghaidh athbhreithnithe i gcomhréir le breithiúnas an CJEU a tugadh ar an 10 Samhain 2022.

³⁰ ComReg D06/19 www.comreg.ie/publications

³¹ ComReg D07/19 www.comreg.ie/publications

³² ComReg D08/19 www.comreg.ie/publications

³³ ComReg D09/19 www.comreg.ie/publications

³⁴ EUR-Lex - 62021CJ0494 - EN - EUR-Lex (europa.eu)

Tá tús curtha ag ComReg lena athbhreithniú, de réir an ordaithe thuasluaite, ar na measúnuithe ualaigh éagóracha ar bhonn an ghlanchoistais ghaolmhair arna chinneadh ag na Cinntí.

Déanfaidh ComReg athbhreithniú ar dtús ar mheasúnú ualaigh éagórach Chinneadh D05/19 ComReg (i.e., a bhaineann le 2010-2011). Rachaidh ComReg i gcomhairle ansin maidir lena réamhthuarimí, agus ina dhiaidh sin, déanfaidh ComReg cinneadh maidir leis an measúnú éagórach ualaigh do 2010-2011. Tá ComReg ag súil faoi láthair go ndéanfaidh sé an comhairliúchán seo i R4 2023 agus go ndéanfaidh sé an cinneadh i R1 2024. Déanfar Plean Gníomhaíochta Bliantúil ComReg a leasú chun an t-amlíne measta seo a léiriú ag an gcéad nuashonrú eile. Tá sé beartaithe ag ComReg athbhreithniú a dhéanamh ansin gach bliain ina dhiaidh sin a bhfuil glanchostas socraithe ina leith.

IARRATAIS MAOINITHE EIR

Tá cinneadh eisithe ag ComReg ar ghné an ghlanchoistais den mheasúnú ar iarratas Eir ar mhaoiniú don bhliain 2015-2016.

Chuir Eir in iúl do ComReg go gcoimeádann sé a cheart iarratais a dhéanamh ar mhaoiniú USO do na tréimhsí airgeadais 2016-2017, 2017-2018, 2018-2019 agus 2019-2020, agus le haghaidh aon iarratas ar mhaoiniú breise a bheidh dlite roimh achomharc Eir ar chinntí ComReg. maidir le hiarratais chistithe 2010-2011 go 2014-2015 (Taifead na hArd-Chúirte 2019/167 MCA) (an tAchomharc).

Tá sé leagtha amach ag ComReg d'Eir gur gá iarratais ar mhaoiniú a chur isteach go tráthúil, i measc rudaí eile, chun geallsealbhoirí a chur ar an eolas faoi fhóras agus méid aon iarratais ar mhaoiniú ag an am cuí, agus é mar aidhm cinnteacht a thabhairt do pháirtithe leasmhara maidir le scála féideartha an tionscail. ranníocaíocht má fuarthas amach gur ualach éagórach é an glanchostas in iarratas ar mhaoiniú.

Mhínigh ComReg d'Eir nach nglacann sé leis go bhfuil Eir i dteideal an cinneadh a chur in áirithe go haontaobhach dó féin maidir le cén uair ba cheart iarratais ar mhaoiniú a chur isteach i gcúinsí ina bhfuil D04/11 soiléir maidir le huainiú na n-iarratas ar mhaoiniú USO. Níl bonn ar bith tugtha ag Eir do ComReg nach féidir leis a chuid iarratais ar mhaoiniú a chur isteach ar feitheamh thoradh an Achomharc. D04/11 agus na ceanglais atá leagtha amach ann fós i bhfeidhm agus ní mór iad a chomhlíonadh agus a chur i bhfeidhm.

Foráiltear le Cinneadh 33 de D04/11 gur féidir le ComReg síneadh ama a thabhairt don spriocdháta chun iarratas a chur isteach i gcás ina bhfuil cúiseanna eisceachtúla leis sin a dhéanamh. Níl iarratas foirmiúil déanta ag Eir go gcuirfí síneadh leis an spriocdháta chun a iarratas ar mhaoiniú a chur isteach do na blianta 2016-2017 go 2019-2020. Chuir ComReg in iúl do Eir, má dhéanann Eir aon iarratais den sórt sin, go mbreithneoidh ComReg aon iarratais den sórt sin agus go ndéanfaidh sé cinneadh ina leith.

Níl aon iarratas ar mhaoiniú USO faighte ag ComReg don tréimhse airgeadais 2021-2022.

COMHLÍONADH AGUS FORFHEIDHMIÚ

Aithníonn ComReg go bhfuil sé tábhachtach a chinntiú go gcothaítear cultúr comhlíonta ionas go seasfaidh a soláthraí seirbhíse le cearta tomhaltóirí. Tá comhlíonadh agus forfheidhmiú éifeachtach tábhachtach chun é seo a bhaint amach.

Maidir le cearta tomhaltóirí, déanann ComReg monatóireacht ar chomhlíonadh na n-oibleagáidí ábhartha ag soláthraithe PRS agus ECS lena n-áirítear Cód Cleachtais PRS, na Rialacháin um Sheirbhís Uilíoch ³⁵ agus Cinntí ComReg a bhaineann leo. Cuireadh forálacha áirithe de Rialacháin an Chóid ³⁶ in ionad na Rialachán um Sheirbhís Uilíoch laistigh den tréimhse. Déanann ComReg monatóireacht freisin ar chomhlíonadh na Rialachán Fánaíochta ³⁷ a nuashonraíodh freisin laistigh den tréimhse, ³⁸ agus le reachtaíocht um chearta tomhaltóirí a bhfuil comhaontú comhoibrithe ag ComReg leis an gCoimisiún um Iomaíocht agus Cosaint Tomhaltóirí (CCPC) chun maoirseacht a dhéanamh uirthi. Rinneadh ollchóiriú suntasach ar reachtaíocht um Chearta Tomhaltóirí laistigh den tréimhse go príomha trí thabhairt isteach an Achta um Chearta Tomhaltóirí. ³⁹

Maidir leis na Rialacháin Fánaíochta athbhreithnithe, déanann ComReg monatóireacht ghníomhach ar an gcaoi a bhfuil an córas Roam Like At Home á chur i bhfeidhm ag soláthraithe seirbhíse. Cuireann ComReg na Rialacháin um Idirlín Oscailte i bhfeidhm freisin. ⁴⁰

CÁSANNA AGUS TORTHÁÍ COMHLÍONTA TOMHALTÓIRÍ

I mí Iúil 2022, thuairiscigh ComReg gur chuir sé in iúl do Virgin Media go raibh sé den tuairim nár chomhlíon Virgin a cuid oibleagáidí faoi Rialachán 25(6)(b) de na Rialacháin um Sheirbhís Uilíoch. Dúirt ComReg freisin, murar ndéanfaí neamhchomhlíonadh Virgin a réiteach laistigh de thréimhse 3 seachtaine, go bhféadfadh ComReg dul ar aghaidh le hiarratas a thabhairt chuig an Ard-Chúirt ag lorg orduithe chun a chinntiú go gcomhlíonfadh Virgin a cuid oibleagáidí agus orduithe breise de réir mar is cuí de bhun Rialachán 31 de na Rialacháin um Sheirbhís Uilíoch.

³⁵ Rialacháin na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) um Sheirbhís Uilíoch agus Cearta Úsáideora, 2011

³⁶ Uimh S.I. 444/2022 Rialacháin an Aontais Eorpaigh (Cód Cumarsáide Leictreonaí) 2022

³⁷ S.I. 228/2013 – Na Rialacháin um Chumarsáid (Fánaíocht Fón Póca), 2013 531/2012 ó Pharlaimint na hEorpa agus ón gComhairle an 13 Meitheamh 2012 maidir le fánaíocht a dhéanamh ar líonraí poiblí cumarsáide soghluaiste laistigh den Aontas.

³⁸ 315/2022, S.I., Rialacháin na gComhphobal Eorpach (Fánaíocht Fón Póca), 2022

³⁹ Uimh S.I. 37/2022 An tAcht um Chearta Tomhaltóirí, 2022

⁴⁰ Rialachán (AE) 2015/2120 ó Pharlaimint na hEorpa agus ón gComhairle an 25 Samhain 2015 ComReg D03/14 www.comreg.ie/publications

I mí Iúil 2022 freisin, thuairiscigh ComReg go raibh fógra tugtha aige do Eir maidir le cinneadh maidir le neamhchomhlíonadh oibleagáidí Eir faoi Rialachán 14(4) de na Rialacháin um Sheirbhís Uilíoch. Bhain an neamhchomhlíonadh le Eir gan fógra a thabhairt, de réir Rialachán 14(4) de na Rialacháin um Sheirbhís Uilíoch, do chuid dá chustaiméirí maidir le méadú praghais beartaithe ar a gconarthaí mí ar a laghad roimh na hathruithe a bheith i bhfeidhm agus trí bhíthin nár tugadh leis na hathruithe an ceart ag custaiméirí tarraingt siar gan phionós ón gconradh mura nglacfadh siad leis an leasú. Thug ComReg faoi deara gur chuir Eir an leasú ar a gconradh in iúl do na custaiméirí seo ó shin agus gur thug sé an ceart dóibh tarraingt siar, de réir Rialachán 14(4) de na Rialacháin um Sheirbhís Uilíoch. D'aisíoc Eir freisin leis na custaiméirí sin ar ar gearradh an t-ardú praghais orthu sula bhfuair siad fógra faoin leasú molta. Deimhníodh i bhfreagra ó Eir, a fuarthas an 22 Lúnasa 2022, go díreach tar éis an tsaincheist a shainaitheint, gur eisigh sé creidmheasanna nó aisíocaíochtaí do na custaiméirí go léir a raibh tionchar acu orthu agus chinntigh sé gur soláthraíodh fógra ceart, lena n-áirítear an ceart chun tarraingt siar, agus gur comhlíonadh an tréimhse fógra. Dúirt Eir go raibh cosaintí ilchisealacha tugtha isteach aige agus go ndearna sé teagmháil leis na custaiméirí go léir a raibh tionchar acu orthu agus gur thug siad aisíocaíocht dóibh. Tar éis fhreagairt Eir agus na réitigh agus na gealltanais mholta a rinneadh a bhreithniú, tháinig ComReg mar sin féin ar an Tuairim nach raibh Eir ag comhlíonadh a chuid oibleagáidí faoi Rialachán 14(4) de na Rialacháin um Sheirbhís Uilíoch. Mar sin féin, tar éis fhreagairt Eir agus a ghníomhartha leasúcháin chun aghaidh a thabhairt ar na saincheisteanna a ardaíodh san fhógra a chur san áireamh, chinn ComReg gan gníomh breise a dhéanamh maidir leis an ábhar seo.

An 25 Lúnasa 2022, thug ComReg fógra do Three Ireland faoi chinneadh neamhchomhlíonta maidir le hoibleagáidí faoi Rialacháin na Seirbhíse Uilíche. Bhain an fógra le teip Three Ireland Rialacháin 14(1) agus 14(2)(d) de na Rialacháin um Sheirbhís Uilíoch a chomhlíonadh toisc nár shonraigh an conradh a cuireadh ar fáil dá chustaiméirí i bhfoirm inrochtana go héasca sonraí na bpraghsanna agus taraifí is iomchuí dá bplean.

An 27 Deireadh Fómhair 2022, thug ComReg fógra do Three Ireland maidir le cinneadh maidir le neamhchomhlíonadh a oibleagáidí faoi Chód Cleachtais PRS agus coinníollacha a cheadúnais PRS. Bhain an fógra le forálacha Alt 3.2 den Chód Cleachtais agus rinneadh é de bhun Alt 9(1) den Acht PRS. Dúirt ComReg go raibh €26,000 íoctha ar ais ag Three Ireland le 7,000 custaiméir ar gearradh níos mó ná costas iarbhír SMS PRS orthu.

Ar 12 Eanáir 2023, d'éist Cúirt Dúiche Bhaile Átha Cliath cásanna maidir le hocht dtoghairm a d'eisigh ComReg i gcoinne Three Ireland. Cúisíodh triúr as ocht gcúis gur theip orthu na ceanglais a leagtar amach in Airteagal 15 den Rialachán Fánaíochta a chomhlíonadh ⁴¹. Éilíonn sé seo go gcuirfidh soláthraithe seirbhíse teorainn airgeadais réamhshocraithe de €50 (gan CBL san áireamh) i bhfeidhm maidir le táillí fánaíochta sonraí in aon tréimhse bhilleála aonair agus go seolfadh soláthraithe seirbhíse fógraí de réir mar a shroicheann custaiméirí 80% agus 100% den teorainn sin. Tar éis athbhreithniú a dhéanamh ar ghearáin ábhartha ó chustaiméirí, chuir ComReg tús le himscrúdú as ar tháinig ComReg chun tosaigh ar ionchúisimh na Cúirte Dúiche toisc gur theip ar Three ceanglais Airteagal 15 a chomhlíonadh sa mhéid nár cuireadh stop le húsáid sonraí custaiméirí ag an teorainn airgeadais €50 agus nach bhfuair custaiméirí na fógraí riachtanacha. Chuaigh na saincheisteanna seo i bhfeidhm go príomha ar chustaiméirí mar gur bhain siad úsáid as sonraí i dtíortha lasmuigh den Aontas Eorpach. D'aithin triúr 1,640 custaiméir a raibh tionchar ag ceann amháin de na saincheisteanna ar a laghad orthu. Ba é luach iomlán na muirear míchuí ar na custaiméirí seo ná thart ar €632,000. Dúirt triúr gur thug siad creidmheas nó aisíoc do na custaiméirí aitheanta tar éis imscrúdú ComReg. Phléadail triúr ciontach i gcomhaireamh amháin ar gach ceann de na hocht dtoghairm os comhair na cúirte. Ghearr an Breitheamh Halpin ciontuithé coiriúla i ngach cás agus d'ordaigh do Three fineálacha iomlána de €2,400 a íoc. Chuidigh triúr freisin le costais ComReg, mar a comhaontaíodh idir na páirtithe.

Ar an 13 Feabhra 2023, d'éist Cúirt Dúiche Bhaile Átha Cliath cás a thóg ComReg i gcoinne Kaleyra UK Ltd (Kaleyra) i ndáil le 22 comhaireamh de mhuirearú ar chustaiméirí as seirbhísí ardráta i gcúinsí nár iarr an custaiméir iad contrártha d'Alt 13 den Acht PRS. I mí Eanáir 2022, tugadh aird ComReg ar eachtra thromchúiseach a bhain le huimhreacha gearra cóid ardráta Kaleyra 57710 agus 57127, áit ar ghearr Kaleyra, le linn na tréimhse idir Lúnasa 2021 agus Eanáir 2022, táillí ar líon suntasach custaiméirí de Three as soláthar a PRS in imthosca nár iarr na custaiméirí sin an PRS sin. Fuarthas amach in imscrúdú ComReg go raibh na teachtaireachtaí comharthaíochta meallta i ngach cás le go mbeadh cuma ar na teachtaireachtaí téacs go héifeachtach le teachtaireacht bhailí um iarratas síntiús a sheol an custaiméir. Phléadail Kaleyra ciontach i 22 comhaireamh a tugadh ina choinne. Chuir an Chúirt an tAcht um Promhadh do Chiontóirí (*Probation of Offenders Act*) 1907 i bhfeidhm agus d'éiligh ar Kaleyra síntiús charthanachta de €5,000 san iomlán a thabhairt. Chuidigh Kaleyra le costais ComReg, mar a comhaontaíodh idir na páirtithe.

⁴¹ Rialachán (AE) Uimh 531/2012 de Pharlaimint na hEorpa agus den Chomhairle

An 28 Aibreán 2023, d'éist Cúirt Dúiche Bhaile Átha Cliath cás maidir le ceithre thoghairm a d'eisigh ComReg i gcoinne Sky Ireland Limited (Sky). Cúisíodh Sky mar dhá chúis déag de theip ar chomhlíonadh na gceanglas atá leagtha amach i Rialachán 25(4) de na Rialacháin um Sheirbhís Uilíoch. Baineann Rialachán 25(4) le haistriú, arb é an próiseas é chun uimhir theileafóin custaiméirí a aistriú ó sholáthraí seirbhíse amháin go soláthraí eile agus cuireann sé oibleagáidí áirithe ar an soláthraí seirbhíse a bhfuil freagracht ag aistriú chuige. Le linn 2021 agus 2022, fuair ComReg roinnt teagmhálaithe ó chustaiméir a dúirt go raibh moill an-mhór orthu, uaireanta moill ar roinnt seachtainí, maidir lena n-uimhir theileafóin a chur i ngníomh nuair a d'aistrigh siad go Sky. Tháinig imní ar ComReg go raibh moill ar an méid seo mar gur theip ar Sky na huimhreacha gutháin a phortáil sna tréimhsí ama a éilítear faoi Rialachán 25(4). Phléadáil Sky ciontach i gceithre chúis: comhaireamh amháin ar gach ceann de na ceithre thoghairm os comhair na cúirte. Chuir an Breitheamh Halpin de Chúirt Dúiche Bhaile Átha Cliath an tAcht um Promhadh do Chiontóirí 1907 i bhfeidhm agus d'éiligh ar Sky síntiús carthanachta de €5,000 a thabhairt. Chuidigh Sky freisin le costais ComReg, mar a comhaontaíodh idir na páirtithe.

An 26 Aibreán 2018, thug ComReg fógra do Meteor faoi Chinneadh Neamhchomhlíonta maidir lena oibleagáidí faoi Rialachán 14(2)(d) de na Rialacháin um Sheirbhís Uilíoch. Tar éis do ComReg measúnú a dhéanamh ar uiríll a rinne Meteor, chinn ComReg go raibh neamhchomhlíonadh Meteor fós ar siúl agus nár leigheasadh go sásúil é tar éis dó an Fógra a fháil nó eile. Ina dhiaidh sin, tháinig ComReg ar an tuairim nár chomhlíon Meteor in 2016 agus 2017 a chuid oibleagáidí faoi Rialachán 14(2)(d) a d'éiligh ar Meteor conarthaí a sholáthar do chustaiméirí a shonraigh, ar bhealach soiléir, cuimsitheach agus inrochtana, sonraí faoi praghsanna agus taraifí mar a bhaineann siad le ró-aois sonraí agus na muirir is infheidhme. I mí na Bealtaine 2023, thuairiscigh ComReg go raibh bearta feabhais áirithe glactha ag Meteor maidir leis na hábhair ábhartha agus go raibh comhaontú socraithe aige le ComReg. Mar chuid den chomhaontú socraíochta seo, d'aontaigh Meteor táillí sonraí áirithe lasmuigh den bheart a aisíoc a thabhaigh thart ar 55,000 custaiméir le linn na tréimhse sin ar luach nach lú ná €722,760.

Ar an 15 Samhain 2022, rinne ComReg iarratas chuig an Ard-Chúirt ar ordú srianta faoi Alt 46(4) den Acht um Rialáil Cumarsáide, 2002 i gcoinne Eir, ag éileamh ar Eir scor de shárú ar Alt 45 den Acht agus á cheangal ar Eir gan sárú an Achta a dhéanamh arís ar ailt 45(1)(a) agus 45(1)(b) den Acht, ar cionta iad a bhaineann le ró-mhuirearú ar chustaiméirí. Eisíodh na himeachtaí seo tar éis sraith gníomhartha forfheidhmithe a rinne ComReg i gcoinne Eir faoi Alt 45 den Acht, as a d'fhág gur ciontaíodh Eir in 2015, 2017 agus 2018 as cionta arbh ionann iad agus 26 sárú ar Alt 45 den Acht (i gcúinsí faoi leith) gur ghearr sé ró-mhuirear ar chustaiméirí as seirbhísí cumarsáide leictreonaí). Ar iarratas den sórt sin a éisteacht, féadfaidh an Ard-Chúirt, i measc orduithe eile: "...ordú srianta a dhéanamh á cheangal ar an ngnóthas scor de shárú ar alt 45 agus gan an sárú a dhéanamh arís..." Áiríodh leis an iarratas freisin iarratas ar an gCúirt ordú a eisiúint ag ordú d'Eir pionós airgeadais a íoc le ComReg de bhun Alt 46(5) den Acht, agus iarratas ar an gCúirt ordú a eisiúint ag ordú d'Eir aisíoc a thabhairt do chustaiméirí a bhí tar éis dóibh a bheith ag fáil airgid. ró-mhuirearaithe ag Eir idir Deireadh Fómhair 2015 agus Deireadh Fómhair 2021, nuair nach raibh na custaiméirí aisíoctha ag Eir go fóill. Socraíodh na himeachtaí seo le héisteacht an 25 Aibreán 2023 i Liosta Tráchtála na hArd-Chúirte. An 17 Bealtaine 2023, thuairiscigh ComReg go raibh na himeachtaí socraithe ag na páirtithe. I measc rudaí eile, gheall Eir go (i) Pionós Airgeadais de €2,450,000 a íoc; (ii) sraith beart a chur i bhfeidhm chun custaiméirí a raibh an iomarca muirear orthu go stairiúil a aithint agus chun na custaiméirí sin a aisíoc go cuí. Bhí thart ar 76,000 custaiméir ann le luach ioncaim gaolmhar de thart ar €6,700,000 i raon feidhme na mbeart seo. Gheall Eir freisin próisis agus nósanna imeachta a chur i bhfeidhm lena n-áireofar uasghráduithe córais, lena n-áirítear córas nua billeála a thabhairt chun críche agus áireofar leis freisin athbhreithniú réamhghníomhach a dhéanamh ar chreidmheasanna agus ar dhíospóidí a d'fhéadfadh saincheisteanna billeála a d'fhéadfadh a bheith ann nár tugadh aghaidh orthu cheana féin a shainaithint.

I mí an Mheithimh 2023 thuairiscigh ComReg go raibh €54,000 íoctha ag Sky Ireland de bhun Alt 44(1) den Acht um Rialáil Cumarsáide in ionad ionchúisimh. Tháinig sé seo tar éis imscrúdú ComReg a fuair amach gur theip ar Sky tagairtí tomhaltóirí a chur ar bhillí custaiméirí a bhí contrártha le Rialachán 8 de na Rialacháin Údaraithe. Is ionann tagairtí do thomhaltóirí agus uimhreacha a theastaíonn chun soláthraí seirbhíse a aistriú agus ní mór iad a bheith ar gach bille custaiméara de réir Alt 18.6.1 de Chinneadh ComReg 03/81R6. Is cion é gan an cinneadh a chomhlíonadh. Tar éis imscrúdaithe, fuair ComReg amach gur theip ar Sky tagairtí tomhaltóirí a chur san áireamh ar bhillí custaiméirí maidir le billí ar líne na gcustaiméirí agus billí páipéir roinnt custaiméirí. Dheimhnigh Sky gur réitíodh an cheist maidir le billí ar líne i mí Aibreáin 2021 agus réitíodh an cheist maidir le billí páipéir i mí na Nollag 2022. D'eisigh ComReg 36 fógra deréir Alt 44(1) den Acht (€54,000 san iomlán), agus d'íoc Sky na fógraí. ar an 2 Meitheamh 2023.

5. Rialachán Poist

Is é ComReg an t-údarás rialála don earnáil poist in Éirinn. Tagann ár ról maidir le post a rialáil ó Threoir Eorpach a trasúidh i ndlí na hÉireann. Is iad feidhmeanna reachtúla ComReg ná a chinntiú:

- Seirbhís poist uilíoch a sholáthar a fhreastalaíonn ar riachtanais réasúnta úsáideoirí na seirbhíse poist.
- Comhlíonadh na n-oibleagáidí a fhorchuirtear orthu ag soláthraithe seirbhíse poist.

Is iad cuspóirí reachtúla ComReg ná:

- Forbairt na hearnála poist a chur chun cinn agus, go háirithe, infhaighteacht seirbhíse poist uilechoitinne laistigh den Stát, chuig agus ón Stát ar phraghas réasúnta chun leasa gach úsáideoir.
- Leasanna úsáideoirí na seirbhíse poist a chur chun cinn.
- Éascú a dhéanamh ar forbairt iomaíochta agus nuálaíochta sa mhargadh do sholáthar seirbhíse poist.

RIALÁIL NA SEIRBHÍSE POIST UILÍOCH

Is é ról ComReg don phost den chuid is mó ná an tseirbhís phoist uilíoch a rialáil, sraith de sheirbhísí poist a mbíonn iomaíocht theoranta ag baint leo. In éagmais iomaíochta éifeachtach, áirithíonn rialáil na seirbhíse poist uilechoitinne go gcuirtear seirbhísí sonracha poist ar fáil do chách, ar phraghas réasúnta agus ar leibhéal leordhóthanach cáilíochta. Is cineál cosanta í an tseirbhís poist uilíoch d'úsáideoirí na seirbhíse poist, go háirithe úsáideoirí leochaileacha agus iad siúd atá faoi mhíbhuntáiste digiteach.

Ciallaíonn an tseirbhís poist uilíoch a éilíonn dlí na hÉireann go mbíonn imréiteach amháin ar a laghad agus seachadadh amháin chuig teach nó áitreabh gach duine sa Stát gach lá oibre. Socraíonn dlí na hÉireann rialáil na seirbhíse poist uilechoitinne agus d'ainmnigh An Post, mar sholáthraí seirbhíse poist uilechoitinne (USP), chun an tseirbhís poist uilíoch a sholáthar go dtí an 1 Lúnasa 2023.

In Éirinn, is éard atá sa tseirbhís phoist uilíoch go mór mór litreacha a sheachadadh do dhaoine aonair agus do ghnólaigh. Is beag beartán a thagann faoi chuimsiú na seirbhíse poist uilechoitinne, mar gur seachadadh beart tráchtála den chuid is mó agus go leor oibreacha seachadta beartán éagsúil in Éirinn.

DÍOSPÓIDÍ TOMHALTÓIRÍ A RÉITEACH

Tá ról ag ComReg maidir le díospóidí tomhaltóra a réiteach chomh maith do gach soláthraí seirbhíse poist. Ciallaíonn sé seo, mura bhfuil úsáideoir seirbhíse poist sásta leis na céimeanna go léir a ghlac soláthraí údaráithe seirbhíse poist chun a ngearán a réiteach, is féidir le ComReg cabhrú leis an díospóid a réiteach. Lean ComReg ag réiteach díospóidí dá leithéid i rith na bliana.

AINMNIÚ SOLÁTHRAÍ SEIRBHÍSE POIST UILÍCHE (USP) TAR ÉIS AN 1 LÚNASA 2023

Tá ainmniú reachtúil An Post mar USP le críochnú ar an 1 Lúnasa 2023. Tá freagracht reachtúil ar ComReg athbhreithniú a dhéanamh ar an ainmniúchán USP agus cinneadh a dhéanamh an bhfuil ainmniú ag teastáil. Tá ceanglas reachtúil ar ComReg freisin a chinntiú go ndéantar an t-athbhreithniú seo de réir nósanna imeachta arna mbunú agus arna chothabháil ag ComReg. Bhunaigh ComReg na nósanna imeachta sin in 2019.

Mar sin, le linn na bliana, agus tamall maith roimh dheireadh an tsonrúcháin reachtúil, rinne ComReg an t-athbhreithniú riachtanach ar an ainmniú USP. Bhí dhá chomhairliúchán poiblí i gceist leis seo.

Ba é an chéad chomhairliúchán ná ar cheart USP ainmnithe a bheith ann. Tar éis an chomhairliúcháin phoiblí sin agus breithniú ar fhachtóirí eile chinn ComReg go raibh gá leanúnach le USP ainmnithe.

Mar thoradh air sin, thug ComReg cuireadh do sholáthraithe ionchasacha a spéis a chur in iúl go n-ainmneofaí iad mar USP, agus ceanglais aighneachta bunaithe cheana féin sna nósanna imeachta. Ba é An Post an t-aon fhreagróir a thairg an tseirbhís poist uilechoitinn a sholáthar don Stát ar fad.

Mar sin, rinne ComReg an dara comhairliúchán poiblí maidir le cibé ar cheart An Post a ainmniú mar USP agus cé chomh fada. Ba é An Post an t-aon fhreagróir agus d'aontaigh sé a bheith ainmnithe mar USP. Tar éis an chomhairliúcháin phoiblí sin agus tar éis roinnt fachtóirí a mheas, chinn ComReg An Post a ainmniú mar USP chun an tseirbhís poist uilechoitinn a sholáthar don Stát ar fad ar feadh 6 bliana (2 Lúnasa 2023 – 1 Lúnasa 2029), mura leasaigh ComReg a mhalairt.

RIALÚ CÁILÍOCHTA USP DO SHEIRBHÍSÍ POIST UILÍOCH

Tá ainmniú reachtúil An Post mar USP le críochnú ar an 1 Lúnasa 2023. Tá freagracht reachtúil ar ComReg athbhreithniú a dhéanamh ar an ainmniúchán USP agus cinneadh a dhéanamh an bhfuil ainmniú ag teastáil. Tá ceanglas reachtúil ar ComReg freisin a chinntiú go ndéantar an t-athbhreithniú seo de réir nósanna imeachta arna mbunú agus arna chothabháil ag ComReg. Bhunaigh ComReg na nósanna imeachta sin in 2019.

Thar bhliain féilire iomlán 2022, sheachaid An Post mar an USP 85% den phost seirbhíse poist uilíche tosaíochta píosa singil ar fud an Stáit ar an gcéad lá oibre eile tar éis lá na postála. Is ionann toradh 2021 agus méadú imeallach 1% ar thoradh 2020. Mar sin féin, tá an fheidhmíocht 9% faoi bhun an chaighdeáin rialála 94%.

SONRAÍ BEARTÁN

D'fhoilsigh ComReg na sonraí comhiomlána dáileachtaí a bhailíonn sé faoin Rialachán Eorpach um Beartáin Trasteorann.

I measc na bpríomhbhuaicphointí bhí:

- Tá ioncam iomlán na mbeart díreach faoi bhun €1 billiún, le fás ioncaim 26% ó 2020 go 2021.
- Is é 162 milliún méid iomlán na mbeart, agus tháinig méadú 4% ar mhéid na mbeart ó 2020 go 2021.

6. Creat Margaidh

CREAT MARGAIDH

BAINISTÍOCHT AR ACMHAINN AN SPEICTRIM RAIDIÓ

Tagraíonn an acmhainn speictrim raidió, nó an speictream, do raon minicíochtaí fuinnimh leictreamaighnéadacha a úsáidtear chun faisnéis a chur in iúl. Braitheann feidhmchláir atá tábhachtach don tsochaí, amhail craolachán raidió agus teilifíse, eitlíocht shibhialta, taiscéalaíocht na talún, monatóireacht ar athrú aeráide, cosaint agus seirbhísí éigeandála ar leithdháiltí sonracha minicíochta raidió. Is acmhainn luachmhar náisiúnta é mar go bhfuil sé mar bhonn agus mar thaca ag na seirbhísí cumarsáide gan sreang go léir sa Stát. Ina theannta sin, tá go leor seirbhísí cumarsáide ag brath ar nascacht gan sreang mar chuid den chnámh droma a nascann stáisiúin bonn soghluaiste, ag soláthar fothaí do tharchuradóirí craolta agus naisc teiliméadrachta a chheadaíonn monatóireacht a dhéanamh ar threalamh cianda e.g. monatóireacht ar leibhéil uisce ag dambaí agus taiscumair.

Is é ComReg an comhlacht reachtúil atá freagrach as rialáil agus bainistiú na hacmhainne speictrim raidió in Éirinn. Agus an fheidhm seo á feidhmiú is é cuspóir bainistíochta speictrim ComReg ná bainistiú agus úsáid éifeachtach an speictrim raidió a chinntiú, lena n-áirítear aird a thabhairt ar ráitis bheartais rialtais ábhartha agus ar fhorbairtí idirnáisiúnta. Is ról tábhachtach é seo mar go mbaintear úsáid as minicíochtaí raidió chun raon leathan líonraí cumarsáide, seirbhísí agus feidhmchláir a sholáthar ar mhaithe leis an tsochaí.

Tá luach líonraí gan sreang inár saol laethúil ag éirí níos soiléire agus leanann earnálacha atá ag brath ar speictream raidió ag cur go mór le geilleagar na hÉireann. Ag deireadh 2021, mheas ComReg go coimeádach gurb ionann úsáid an speictrim raidió go díreach agus €4.2 billiún d'Oll-Bhreislúach agus cuireann sé timpeall €7.2 billiún d'loncam Náisiúnta na hÉireann. Cuireann an acmhainn speictrim raidió go mór le fostaíocht in Éirinn freisin agus tacaíonn sí go díreach le 19,000 post ar a laghad.⁴²

Tá speictream raidió mar bhonn agus mar thaca ag go leor de na seirbhísí cumarsáide sa Stát agus toisc gur acmhainn náisiúnta chríochna é le húsáidí agus úsáideoirí iomaíocha, éilíonn sé bainistíocht chúramach chun a chinntiú go bhfuil sé á úsáid go héifeachtach agus go héifeachtúil. Chun cabhrú le ComReg an speictream raidió a bhainistiú, leagann ComReg amach go rialta agus nuashonraíonn sé a straitéis chun an speictream raidió a bhainistiú. Le linn na tréimhse tuairiscithe seo, lean ComReg le míreanna oibre a chur chun cinn mar atá sonraithe ina Straitéis Bainistíochta Speictrim Raidió don tréimhse 2022 go 2024. Leagtar amach sa straitéis seo plan oibre agus tosaíochtaí ComReg don tréimhse i bhfianaise a ról mar bhainisteoir speictrim na hÉireann agus é ag comhlánú Cumarsáid Leictreonach ComReg. Ráiteas Straitéise.⁴³

⁴² ComReg 21/136 www.comreg.ie/publications

⁴³ ComReg 23/34 www.comreg.ie/publications

Áirítear le bainistiú acmhainn an speictrim raidió:

- Leithdháileadh bandaí speictrim, áit a bhfuil oibleagáid ar ComReg, i measc rudaí eile, a Phlean (Plean) Minicíocht Raidió d'Éirinn a fhoilsiú agus a athbhreithniú go rialta.⁴⁴
- Sannadh minicíochtaí speictrim raidió a thagraíonn do ghníomhaíochtaí ComReg a eisíonn, agus a údaraíonn úsáid, cearta úsáide minicíochtaí raidió. In Éirinn, teastaíonn údarú ó ComReg chun trealamh raidió a shealbhú agus a úsáid agus féadfaidh an t-údarú seo a bheith i bhfoirm ceadúnais nó díolúine ceadúnais faoin Acht Raidió-Theileagrafaíochta 1926, arna leasú.
- Ceadúnú ar bhonn laethúil – thart ar 3,500 ceadúnas nua Raidió-Theileagrafaíochta a eisiúint gach bliain chuig oibreoirí éagsúla, comhlachtaí poiblí, cuideachtaí príobháideacha agus daoine aonair.
- Sláine speictream raidió na hÉireann a chothabháil trí ghníomhaíochtaí faireacháin, comhlíonta agus forfheidhmithe.
- Éire a chur chun cinn mar shuíomh idéalach d'fhorbairt speictrim ag baint úsáideas Test and Trial Ireland.⁴⁵

OIBRÍOCHTAÍ CEADÚNAITHE

Teastaíonn údarú ó ComReg chun trealamh raidió a shealbhú agus a úsáid in Éirinn. Féadfaidh an t-údarú seo a bheith i bhfoirm ceadúnais nó díolúine ó cheadúnas. Féadfar ceadúnais a eisiúint de réir na reachtaíochta seo a leanas:

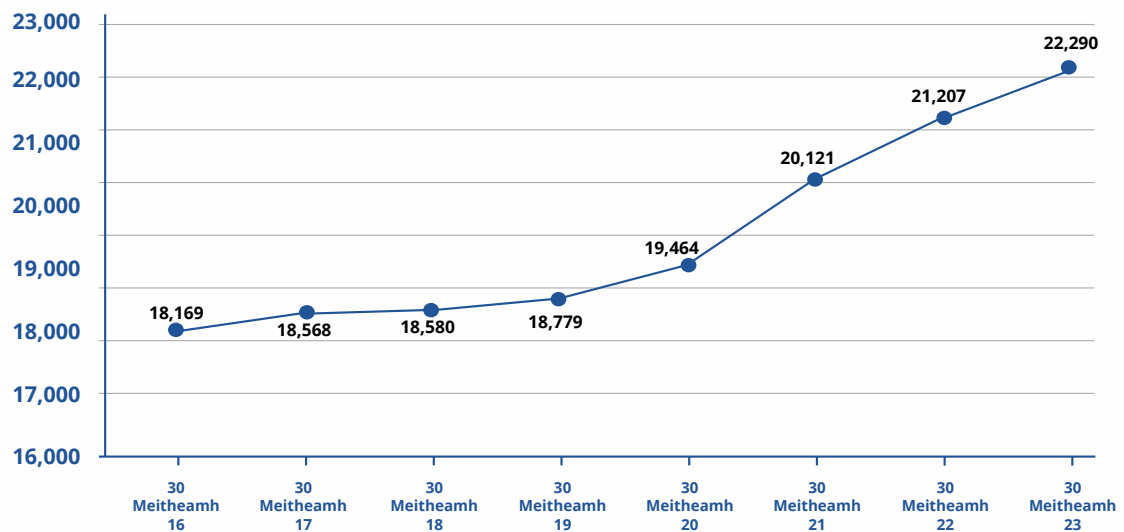
- An tAcht Raidió-Theileagrafaíochta 1926 (arna leasú)
- An tAcht Craolacháin 2009

Ón 30 Meitheamh 2023, b'ionann líon iomlán na gceadúnas raidió beo agus 22,290 rud a léiríonn méadú timpeall 10% ar an tréimhse tuairiscithe roimhe sin.

⁴⁴ ComReg 20/58R4 www.comreg.ie/publications

⁴⁵ www.testandtrial.ie/

Fíor 7: Ceadúnais Raidió Bheo amhail an 30 Meitheamh: 2016 – 2023



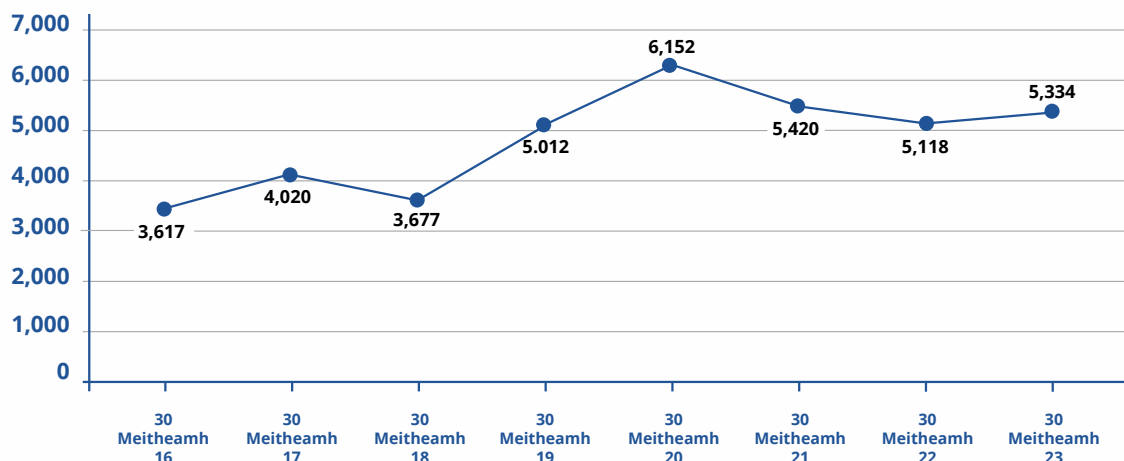
Léiríonn Figiúr 7 líon iomlán na gceadúnas raidió beo ón 30 Meitheamh 2023 don tréimhse 2016 go 2023.

Ba é líon iomlán na gceadúnas nua a eisíodh sa tréimhse tuairiscithe seo ná 5,334, méadú 4.2% ar an mbliain roimhe sin. Tháinig an méadú seo, go príomha, chun cinn mar gheall ar:

- Méadú 4.5% ar líon na gceadúnas do Nasc Raidió Seasta (Pointe go Pointe) adeonaíodh
- Méadú 15.2% ar cheadúnais Stáisiúin Amaitéarachacha
- Méadú 22% ar cheadúnais raidió gnó tríú páirtí

Léiríonn Figiúr 8 líon iomlán na gceadúnas raidió nua a d'eisigh ComReg ó 2016 go 2023.

Fíor 8: Ceadúnais Raidió Nua Eisithe: 2016 – 2023



FAIREACHAS MARGAIDH AR THÁIRGÍ

AONAD SÁBHÁILTEACHTA TÁIRGÍ

Is é ComReg an tÚdarás um Fhaireachas Margaidh ainmnithe maidir le dhá Threoir ón AE, an Treoir um Threalamh Raidió ComReg (RED) ⁴⁶ agus an Treoir um Chomhoiriúnacht Leictreamaighnéadach (EMC).⁴⁷

Is ceanglas de chuid Mhargadh Aonair an AE é faireachas margaidh ar tháirgí. Tagraíonn sé do ghníomhaíochtaí arna ndéanamh agus do bhearta arna nglacadh ag údaráis phoiblí chun a áirithiú go gcomhlíonann táirgí na ceanglais atá leagtha amach sa reachtaíocht ábhartha Chomhphobail um chomhchuibhiú agus nach gcuireann siad sláinte, sábháilteacht ná aon ghnéithe eile de chosaint leas an phobail i mbaol.

Is é an cuspóir atá le faireachas margaidh táirgí neamhchomhlíontacha a chosc ó dhul isteach sa mhargadh áit ar bith san AE, agus táirgí neamhchomhlíontacha a tháinig isteach sa mhargadh a lorg agus a bhaint. Féadfar a áireamh i bhfaireachas margaidh gníomhaíochtaí amhail aistarraingtí táirgí, aisghairmeacha agus cur i bhfeidhm smachtbhannaí chun cúrsaíocht táirgí neamhchomhlíontacha a stopadh agus/nó aon táirgí den sórt sin a chomhlíonadh.

FAIREACHAS DEISCE DÉANTA SA BHLIAIN TUAIRISCITHE

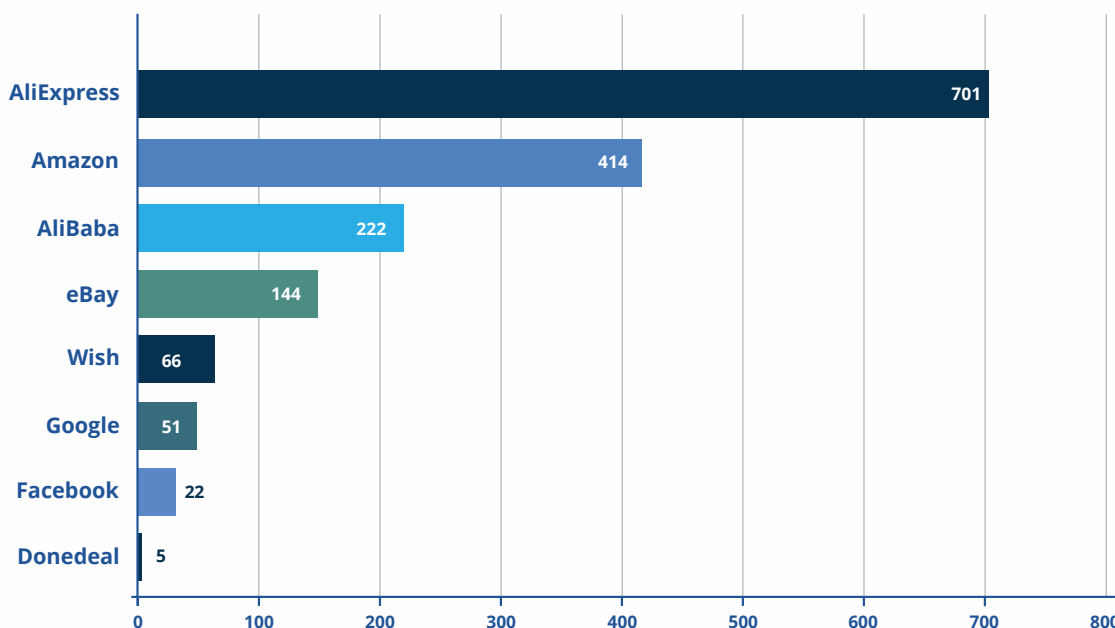
Tá faireachas margaidh deisce dírithe ar tháirgí neamhchomhlíontacha ábhartha a thairgtear lena ndíol trí ardáin ar líne a shainaithint agus a bhaint. Le linn na bliana oibriúcháin 2022 – 2023, leathnaigh ComReg a ghníomhaíocht faireachais mhargaidh deisce trína mhonatóireacht ar na hardáin mhóra ar líne go léir lena n-áirítear, ach gan a bheith teoranta do, Alibaba, AliExpress, Wish, eBay, Done Deal/Adverts agus Amazon.

Sa bhliain oibriúcháin seo, shocraigh ComReg go mbainfí 1,625 táirge neamhchomhlíonta ó ardáin ar líne. Tháinig formhór na dtáirgí seo ó AliExpress, Amazon, Alibaba agus eBay. Is mór ag ComReg an comhoibriú seo agus leanfaidh sé ag obair le gach ardán ar líne chun feistí neamhchomhlíontacha a chosc ó dhul isteach i margadh na hÉireann. Soláthraíonn Fígiúr 9 sonraí faoin líon táirgí neamhchomhlíontacha a baineadh de gach ardán ar líne le 12 mhí anuas.

⁴⁶ Déantar an Treoir um Threalamh Raidió 2014/53/AE a thrasúomh i ndlí na hÉireann trí Rialacháin an Aontais Eorpaigh (Trealamh Raidió), 2017 (S.I. Uimh. 248/2017).

⁴⁷ Déantar an Treoir um Chomhoiriúnacht Leictreamaighnéadach 2014/30/AE a thrasú i ndlí na hÉireann trí Rialacháin an Aontais Eorpaigh (Comhoiriúnacht Leictreamaighnéadach), 2017 (S.I. Uimh. 69/2017).

Fíor 9 : Gléasanna Neamhchomhlíontacha a Tógadh Síos sa Bhliain Oibriúcháin 2022-2023



CIGIREACHTAÍ CUSTAM/IONCAM

Is príomhchuspóir é táirgí neamhchomhlíontacha a aithint agus a bhaint sula dtéann siad isteach sa mhargadh agus éilíonn sé comhoibriú agus teagmháil le Rannóg Custaim Oifig na gCoimisinéirí Ioncaim ar bhonn leanúnach.

Is é an cuspóir a áirithiú go ndéanfaidh Custaim an oiread feistí neamhchomhlíontacha agus is féidir a idircheapadh lena measúnú ag ComReg, chun a chinneadh an gcomhlíonann siad (nó eile) an reachtaíocht ábhartha agus go ndéanfaidh siad an beart cuí.

Leanann ComReg ag obair go dlúth le Rannóg Custaim Oifig na gCoimisinéirí Ioncaim ag Aerfort Bhaile Átha Cliath agus ag Ionad Poist Bhaile Átha Cliath araon. Sa bhliain oibriúcháin seo mhéadaigh ComReg a chaidreamh le Custaim, ag déanamh teagmhálaithe nua i Mol Beartán An Post i gCnoc Mitin, Baile Átha Cliath 12 agus Coll-8 ⁴⁸ Logistics i mBaile Dhónaill, Co. Bhaile Átha Cliath

Choinnigh ComReg 1,024 táirge neamhchomhlíonta san iomlán le cúnamh ó oifigigh Chustaim sa tréimhse 1 Iúil 2022 go 30 Meitheamh 2023, méadú ó 265 táirge sa bhliain roimhe sin. Tharla an méadú seo mar thoradh ar na próifílí táirgí sonracha a cuireadh i ngníomh le Custaim in 2022 chun na táirgí sin a bhí á n-allmhairiú isteach sa stát is dóichí a bheith neamhchomhlíontach a shainaithint agus a choinneáil.

IMSCRÚDITHE AR THRASCHUR MINICÍOCHTA RAIDIÓ (RFI).

Déanann Aonad Faisnéise agus Imscrúduithe Speictrim ComReg imscrúdú ar chásanna de thrasnaíocht dochrach minicíochta raidió (RFI). Féadfaidh RFI tionchar a imirt ar aon seirbhís raidió, lena n-áirítear, ach gan a bheith teoranta do, seirbhísí éigeandála, rialú aerthráchta, seirbhísí fón póca, raidió gnó, naisc micreathonnta agus seirbhísí craolta.

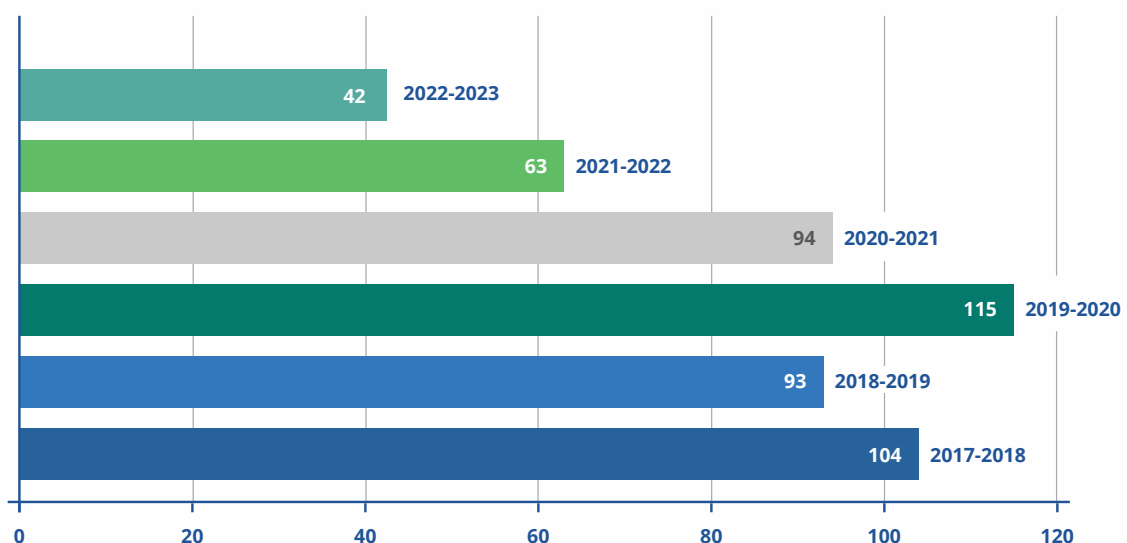
⁴⁸ Is líonra dailte il-iompróir neamhspleách é COLL-8 Logistics.

Déantar gach gearán RFI a thriáiseáil agus a rangú i dtrí chatagóir – Cineál A, Cineál B agus Cineál C – ag brath ar thionchar na trasnaíochta.

Cineál Gearain		Am Freagartha
Cineál A	Eisceachtúil mar a tharlaíonn agus de ghnáth bíonn tionchar mór aige ar chumas oibreora leanúint de sheirbhís cumarsáide raidió a sholáthar agus d'fhéadfadh go gcaillfí seirbhís iomlán d'úsáideoirí dá bharr.	Láithreach
Cineál B	Go hiondúil, bheadh stáisiún raidió amháin nó dhó ag cur isteach orthu ach bheadh cainéal cúltaca eile ag an gceadúnaí chun a sheirbhís aaistriú chuige agus mar sin ní bheadh ach líon measartha beag úsáideoirí thíos le caillteanas nó díghrádú seirbhíse.	5 Lá Oibre
Cineál C	Go hiondúil fiosrúcháin ar féidir le ComReg freagairt orthu agus aghaidh a thabhairt orthu gan gá a thaifeadadh mar ghearán foirmiúil.	-

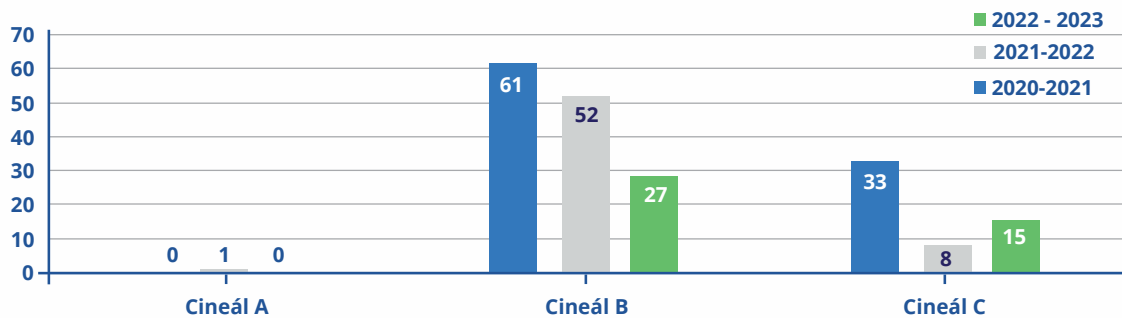
Tugann ComReg faoi deara, le linn na tréimhse tuairiscithe 2022 – 2023, go bhfuair sé 42 gearán RFI.

Fíor 10 : Líon na nGearán faoi Thrasnaíocht Tuairiscithe a Fhaightear gach bliain



Fuarthas 27 cás de ghearáin RFI de Chineál B anuraidh.

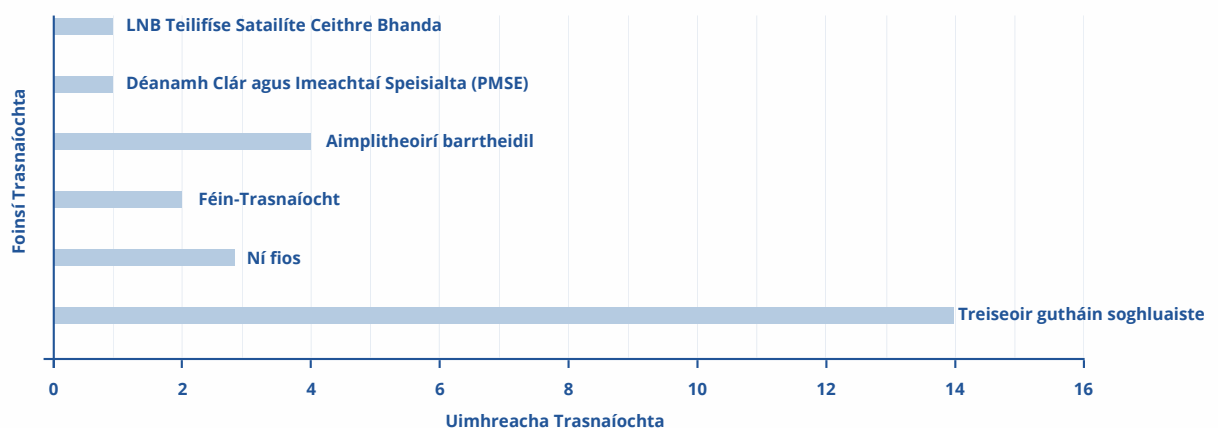
Fíor 11: Comparáid idir Cásanna a Fuarthas de réir Cineáil



Ina theannta sin, léiríonn breithniú ar ghearáin de Chineál B go bhfuil oibreoirí líonraí móibíleacha (MNOanna) chun tosaigh sa chatagóir seo, agus is é Three fós an t-oibreoir líonra a bhfuil an chuid is mó de na cásanna a thuiriscítear de thrasnaíocht raidió díobhálach ag fulaingt.

Mar a tugadh faoi deara i bhFígiúr 12 thíos, is iad Teanndáileoirí Fón Póca an phríomhfhoins de chur isteach díobhálach i gcónaí do ghearáin a imscrúdaíonn ComReg, agus Aimplitheoirí Ceann Crainn ina dhiaidh sin.

Fíor 12: Foinsí Trasnaíochta



Tugann ComReg faoi deara go bhfuil an taithí RFI in Éirinn ag teacht leis an taithí in áiteanna eile san Eoraip. Gach bliain foilsíonn foghrúpa de chuid na Comhdhála Eorpaí um Riarachán Poist agus Teileachumarsáide (CEPT) FM22 ⁴⁹, atá freagrach as gníomhaíochtaí faireacháin agus forfheidhmithe, a Cheistneoir Bliantúil um Staidreamh Cur isteach do Chásanna Tuairiscithe.

Léirítear sa tuarascáil seo, in 2022, gurb iad líonraí móibíleacha fós na seirbhísí a thuairiscíonn an chuid is mó de ghearáin faoi RFI ar fud na hEorpa.

RADAÍOCHT NEAMHIANAÍOCH

Ní mór do cheadúnaithe a bhfuil Ceadúnas Raidió-Theileagrafaíochta acu agus dóibh siúd a oibríonn faoi Údarú Ginearálta ⁵⁰ chun líonraí agus/nó seirbhísí cumarsáide leictreonaí a sholáthar a chinntiú go bhfuil nochtadh poiblí d'astaíochtaí radaíochta neamhianaithe (NIR) ó tharchuradóirí laistigh de na teorainneacha atá leagtha síos ag an gCoimisiún Idirnáisiúnta. maidir le Cosaint ar Radaíocht Neamh-ianaíoch (ICNIR), ⁵¹ arna fhormhuiniú ag an Eagraíocht Dhomhanda Sláinte (WHO), ag an gCoimisiún Eorpach agus ag an nGníomhaireacht um Chaomhnú Comhshaoil (GCC).

Gach bliain, déanann ComReg leibhéil NIR a thomhas i limistéir phoiblí ag timpeall 80 láithreán éagsúil, atá lonnaithe ar fud na tíre. Foilsíonn ComReg tuarascálacha freisin ar shuirbhéanna láithreáin NIR. ⁵²

Go dtí seo, rinneadh suirbhé ar níos mó ná 1600 láithreán agus fuarthas amach, gan eisceacht, go dtiteann leibhéil NIR ag gach láithreán a ndearnadh suirbhé orthu i bhfad faoi na teorainneacha idirnáisiúnta maidir le nochtadh poiblí arna leagan síos ag ICNIRP.

Tá an mhodheolaíocht a úsáideann ComReg chun a shuirbhéanna NIR a dhéanamh foilsithe i nDoiciméad ComReg 08/51R4 ⁵³. Cuireann ComReg gach tuairisc tomhais NIR ar fáil ar líne ag: www.comreg.ie/nir-reports-2/. Ina theannta sin, tá siad seo le feiceáil freisin ar shuíomh Gréasáin ComReg's Siteviewer ag www.siteviewer.ie

Tá tuilleadh faisnéise maidir le NIR, ról ComReg i ndáil le NIR, mar aon le faisnéis faoi ról chomhlachtaí poiblí eile, le fáil ar shuíomh Gréasáin ⁵⁴ ComReg.

COVID-19: CEADÚNÚ SEALADACH SPEICTRIM

Mar gheall ar an staid shealadach agus urghnách a chuir COVID-19 i láthair agus na héilimh mhéadaithe tráchta a cuireadh ar líonraí gan sreang ag eascairt as bearta an Rialtais chun aghaidh a thabhairt ar an gcéanna, chuaigh ComReg i gcomhairle maidir le roinnt cásanna de chuid COVID-19 agus chuir sé i bhfeidhm iad ina dhiaidh sin le toiliú an Aire. 19 gcreat ceadúnaithe speictrim sealadach, gach ceann acu ar feadh 6 mhí. Rinne na creataí ceadúnaithe sin foráil do shannadh sealadach cearta úsáide speictrim sna bandaí 700 MHz agus 2.1 GHz ar tháille ainmniúil agus rinne gach ceann de na

⁴⁹ Comhdháil Eorpach na Riarachán Poist agus Teileachumarsáide, 'FM 22 – Monatóireacht & Forfheidhmiú', le feiceáil ar an 20 Meitheamh 2022, www.cept.org/ecc/groups/ecc/wg-fm/fm-22/client/introduction

⁵⁰ ComReg 03/81R6 www.comreg.ie/publications

⁵¹ www.icnirp.org

⁵² www.comreg.ie/industry/radio-spectrum/site-viewer/non-ionising-radiation-information/

⁵³ ComReg 08/51R4 www.comreg.ie/publications

⁵⁴ www.comreg.ie/industry/radio-spectrum/site-viewer/non-ionising-radiation-information/

MNOanna (Meteor, Three agus Vodafone) iarratas ina dhiaidh sin ar cheadúnais speictrim shealadacha COVID-19 agus eisíodh iad.

Agus na socruithe seo á gcur i bhfeidhm, chuir ComReg in iúl go soiléir go raibh sé beartaithe dul i ngleic le staid shealadach COVID-19 amháin agus mar sin bhí sé gan dochar do dhámhachtain speictrim sa Dámhachtain Ilbhanda Speictrim (féach thíos).

Ag tabhairt dá n-aire gur baineadh bearta an Rialtais chun aghaidh a thabhairt ar COVID-19 i mí an Mhárta 2022, mheas ComReg, i mí Iúil 2022, ⁵⁵ nach raibh aon bhunús ann chun aon chreataí ceadúnaithe sealadach eile a cheadú do COVID-19 tar éis an 1 Deireadh Fómhair 2022, agus spreag sé na MNOanna chun ullmhú. mar an gcéanna.

Tháinig deireadh le creat ceadúnaithe sealadach COVID-19 agus ceadúnais speictrim shealadacha COVID-19 ar an 1 Deireadh Fómhair 2022.

CEARTA GEARRTHÉARMACHA ÚSÁIDE SNA BANDAÍ 700 MHZ AGUS 2.1 GHZ

Ar an 22 Iúil 2022, d'fhoilsigh ComReg fógra faisnéise ar shaincheist fhéideartha na gceart gearrthéarmach sa bhanda 2.1 GHz agus b'fhéidir i mbandaí speictrim eile atá san áireamh sa Dámhachtain Ilbhanda Speictrim (MBSA2). ⁵⁶

Ba é an cuspóir a bhí leis an tsaincheist fhéideartha a bhaineann le cearta gearrthéarmacha den sórt sin ná aon chur isteach ar thomhaltóirí a d'fhéadfadh teacht chun cinn nuair a chuaigh ceadúnais reatha in éag a mhaolú, ag tabhairt faoi deara i measc rudaí eile gur chuir ordú bacainn na hArd-Chúirte ar an 22 Iúil 2022 cosc ar ComReg tús a chur leis an bpríomhchéim ceant. den MBSA2, agus mar sin is dócha go gcuirfí cosc ar cheist na gceart úsáide fadtéarmach sula dtéann ceadúnais reatha in éag i mí Dheireadh Fómhair 2022. ⁵⁷

Agus a thograí á leagan amach, thug ComReg faoi deara nár cheart go gcuirfeadh an creat molta moill nó dídhreasú ar shaincheist na gceart úsáide fadtéarmach agus áiríodh i dtograí ComReg go socrófaí na táillí speictrim ag comhfhogasú de luach margaidh an bhanda agus go ndéanfaí iad a choigeartú le haghaidh an bhanda. ré gearrthéarmach.

Ar an 21 Meán Fómhair 2022, d'fhoilsigh ComReg a fhreagra ar chomhairliúchán agus ar chinneadh creat ceadúnaithe gearrthéarmach (suas le 6 mhí) a chur i bhfeidhm do chearta úsáide speictrim sna bandaí 700 MHz agus 2.1 GHz ón 2 Deireadh Fómhair 2022 ⁵⁸. D'fhan ComReg de an dearcadh go raibh sé oiriúnach táillí a shocrú chun luach an mhargaidh a léiriú agus níor ghlac sé le tuairimí an MNO go bhfuil luach ainmniúil nó luach íseal ag ceadúnais ghearrthéarmacha.

Ar an 27 Meán Fómhair 2022, rinne an Coimisiún um Rialáil Cumarsáide na Rialacháin Raidió-Theileagrafaíochta (Ceadúnais um Sheirbhísí Cumarsáide Leictreonaí Gearrthéarmacha) 2022 (S.I. Uimh. 484 de 2022) le toiliú an Aire Comhshaoil, Aeráide agus Cumarsáide, Eamon Ryan.

⁵⁵ ComReg 22/58 www.comreg.ie/publications

⁵⁶ ComReg 22/63 www.comreg.ie/publications

⁵⁷ ComReg 22/72 www.comreg.ie/publications

⁵⁸ ComReg 22/78 www.comreg.ie/publications

Tar éis iarratais iomlána a chur isteach, eisíodh ina dhiaidh sin Ceadúnas Seirbhísí Cumarsáide Leictreonaí Gearrthéarmacha agus Ceadúnas Athnuachana chuig gach ceann de na trí MNO. Bhain na ceadúnais sin leis an thréimhse 2 Deireadh Fómhair 2022 go 1 Eanáir 2023, agus 2 Eanáir 2023 go 1 Aibreán 2023 faoi seach.

DÁMHACHTAIN SPEICTRIM ILBHANDA DO LEATHANBHANDA GAN SREANG (MBSA2)

Le linn thréimhse an athbhreithnithe seo chríochnaigh ComReg an próiseas Dámhachtana Ilbhanda Speictrim agus d'eisigh sé ceadúnais fhadtéarmacha do chearta úsáide speictrim i gceithre bhanda speictrim thábhachtacha, na bandaí 700 MHz, 2.1 GHz, 2.3 GHz agus 2.6 GHz do na ceithre Thairgeoirí Buaiteacha (nó Ceadúnaithe MBSA2):

- Imagine Communications Ltd. (Imagine)
- Meteor Mobile Communications Ltd. (Eir)
- Three Ireland Hutchison Ltd. (Three)
- Vodafone Ireland Ltd. (Vodafone)

Thar thréimhse na gceadúnas seo, íocfaidh na ceithre Thairgeoirí Buaiteacha timpeall €448 milliún leis an Stát.

Is garsprioc shuntasach é críochnú na dámhachtana MBSA2 mar go sannann sé 46% breise de speictream raidió comhchuibhithe don mhargadh, agus iad ar fad an-oiriúnach do sholáthar seirbhísí 5G nua chomh maith le leathanbhanda soghluaiste agus seasta eile gan sreang (WBB). seirbhísí, mar 4G (LTE) agus seirbhísí Rochtana Seasta Gan Sreang (FWA).

Tacaítear le hinfheistíochtaí Ceadúnaithe MBSA2 chun na seirbhísí seo a sheachadadh trí cheadúnais fhadtéarmacha a eisiúint le dáta éaga in 2042. Áirítear le ceadúnais MBSA2 freisin oibleagáidí maidir le rolladh amach agus clúdach chun bunstáisiúin a imscaradh agus clúdach soghluaiste a leathnú thar thréimhsí ceithre go seacht mbliana, agus tá coinníollacha ceadúnais ann freisin chun clúdach gutha agus téacs laistigh agus cáilíocht na seirbhíse a fheabhsú.

Baineann críochnú na dámhachtana MBSA2 le próiseas ilbhliantúil ar cuireadh tús leis in 2018 nuair a d'fhoilsigh ComReg a chomhairlíúchán tosaigh⁵⁹, agus in 2020 agus 2021, bhí gnéithe éagsúla de chinneadh MBSA2⁶⁰ ComReg agus reáchtáil an cheant MBSA2 féin, ina n-ábhar do cheant ar leith. Achomhairc chúirte a réitíodh ar deireadh i bhfabhar ComReg i mí na Samhna agus mí na Nollag 2022.

⁵⁹ ComReg 18/60R www.comreg.ie/publications

⁶⁰ ComReg 20/122 www.comreg.ie/publications

TÁSTÁIL & TRIAIL ÉIREANN

Soláthraíonn suíomh geografach na hÉireann ar imeall thiar na hEorpa agus a dlús daonra íseal buntáiste nádúrtha tábhachtach trí fhlúirse coibhneasta de speictream 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 raon leathan bannaí minicíochta, lena n-áirítear páirteanna de na bannaí soghluaiste agus craolacháin. I rith na bliana faoi athbhreithniú d'eisigh ComReg 10 gceadúnas Tástála agus 21 ceadúnas Trialach a d'éascaigh, mar shampla, tástálacha ar líonraí cumarsáide den chéad ghlúin eile (amhail 5G) i gColáiste na Tríonóide, Baile Átha Cliath ⁶¹, trialacha nuálacha do sheirbhísí leathanbhanda faoin tuath agus trialacha ar sheirbhísí nua leathanbhanda satailíte. Tá sonraí breise leagtha amach ag Test & Trial Ireland www.testandtrial.ie ina bhfuil físeán gearr ag cur an tionscnamh ⁶² seo chun cinn.

SLÁNDÁIL LÍONRA

Slándáil líonraí cumarsáide leictreonaí

Ó glacadh Moladh Choimisiún an Aontais Eorpaigh maidir le Cibearshlándáil na ngréasán 5G (2019) 2335 deiridh (Arg. 2335),⁶³ ar an 26 Márta 2019, tá ComReg ag obair go dlúth leis an Lárionad Náisiúnta Cibearshlándála (NCSC) chun cuidiú leis an táirgí insóláthartha a eascraíonn as Rec. 2335.

Tá Beart 7 den Straitéis Náisiúnta Cibearshlándála (2019 go 2024), ina leagtar amach conas a thabharfaidh an rialtas isteach sraith nua agus sainiúil de cheanglais slándála don earnáil teileachumarsáide, ábhartha freisin maidir leis sin.

Chuir ComReg roinnt cúnaimh ar fáil don NCSC agus chuir sé ionchur ar fáil freisin do ghrúpaí oibre ábhartha Gníomhaireacht an Aontais Eorpaigh um Chibearshlándáil (ENISA) agus Chomhlacht na Rialálaithe Eorpacha um Chumarsáid Leictreonach (BEREC) agus doiciméid aschuir ina dhiaidh sin maidir leis an ábhar seo.

Ba bhuaicphointe na ngníomhaíochtaí sin agus gníomhaíochtaí eile le foilsiú na tuarascála ar an measúnú riosca comhordaithe AE ar chibearshlándáil i líonraí an Chúigiú Glúin (5G) agus an Bosca Uirlisí Eorpach um shlándáil líonraí 5G ⁶⁴ (an Bosca Uirlisí) an 29 Eanáir 2020.

BEARTA SLÁNDÁLA CUMARSÁIDE LEICTREONAÍ (ECSMANNA)

Is iad na Bearta Slándála Cumarsáide Leictreonaí (ECSManna) meicníocht na hÉireann chun an Bosca Uirlisí 5G a chur i bhfeidhm. Chabhraigh ComReg leis an NCSC i bhforbairt na ECSManna, lena n-áirítear reáchtáil roinnt ceardlann le geallsealbhóirí tionscail.

⁶¹ www.comreg.ie/comreg-awards-test-licence-suitable-for-5g-to-tcd-telecoms-researchers/

⁶² Féach físeán ComReg, Test and Trial Ireland, ar fáil ar www.youtube.com/

⁶³ ec.europa.eu/digital-single-market/en/news/cybersecurity-5g-networks

⁶⁴ ec.europa.eu/commission/presscorner/detail/en/qanda_20_127

D'fhoilsigh DECC comhairliúchán ⁶⁵ teicniúil le geallsealbhóirí i mí na Samhna 2021 chun tuairimí páirtithe leasmhara a bhailiú, go háirithe páirtithe a bhfuil tionchar díreach acu orthu, amhail soláthraithe líonraí agus seirbhísí cumarsáide leictreonaí poiblí. I mí an Mhárta 2023, d'fhoilsigh DECC forbhreathnú ar na freagraí ⁶⁶ a fuarthas agus a freagra ar na saincheisteanna a ardaíodh sa chomhairliúchán.

Leis an Acht um Rialáil Cumarsáide agus Gníomhaireacht Forbartha an Mhoil Dhigitigh (Leasú), 2023, tugtar na hoibleagáidí agus na cumhachtaí reachtúla do ComReg a bheith ina údarás inniúil chun measúnú, maoirseacht, faireachán agus forghníomhú beart slándála don ECN/ECS. Táthar ag súil gurb iad na CESManna na bearta slándála seo, agus go bhfoilseofar rialacháin trí ionstraim reachtúil ag DECC. Déanfaidh ComReg measúnú, maoirseacht agus faireachán ar chur chun feidhme ECSManna ag Soláthraithe ECN/ECS ar bhealach oibiachtúil, trédhearcach, neamh-idirdhealaitheach agus comhréireach. Mar sin tá clár oibre suntasach do ComReg a bhunóidh agus a fhorbróidh creat trína ndéanfar measúnú, maoirsiú, faireachán agus, más gá, gníomh forfheidhmithe a dhéanamh ar sholáthraí ECN/ECS atá faoi raon feidhme na ECSManna.

OIBRÍOCHTAÍ LÍONRA

TEAGMHAIS LÍONRA 2022 AGUS TUARASCÁIL ENISA 2022

Tuairiscíodh dhá theagmhas déag do ComReg le linn 2022, i gcomparáid le ceithre cinn is fiche a fuarthas in 2021. Laghdaigh líon foriomlán na nUaire Úsáideora a cailleadh de bharr teagmhais a tuairiscíodh freisin go dtí timpeall 13k uair, go háirithe níos lú ná iomlán 2021 de thart ar 50k Uair Úsáideora a cailleadh. ⁶⁷

As an dá theagmhas déag a tuairiscíodh, sháraigh ceithre cinn acu Tairseach ENISA (i dtéarmaí Uaireanta Úsáideora a cailleadh), i gcomparáid le haon cheann is fiche in 2021. ⁶⁸

Go háirithe, áfach, ní raibh aon stoirmeacha d'aon tábhacht le linn na tréimhse, murab ionann agus an tréimhse 2019 – 2021, agus míníonn sé seo go ginearálta an laghdú ar theagmhais tuairiscithe, a léirítear i bhFigiúr 13 thíos.

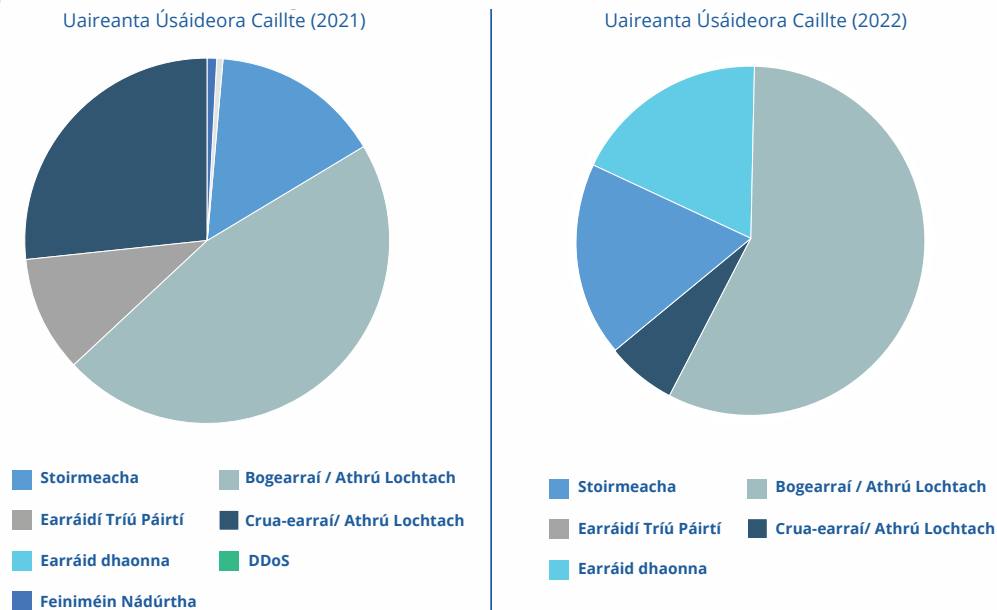
⁶⁵ www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/

⁶⁶ www.gov.ie/en/consultation/6fc4c-technical-stakeholder-consultation-on-proposed-electronic-communications-security-measures-ecsms/

⁶⁷ Ba é 13,218,472 líon foriomlán na nUaireanta Úsáideora a cailleadh, rud atá i bhfad níos lú ná iomlán 2021 de 50,609,004 Uair Úsáideora a cailleadh.

⁶⁸ resilience.enisa.europa.eu/article-13/guideline-for-incident-reporting

Fíor 13: Comparáid idir na Uaireanta Úsáideora a Cailleadh ó 2021 go 2022



I measc na bpríomhchúiseanna le teagmhais in 2022 bhí cruu-earraí lochtacha, bogearraí lochtacha, nó teipeanna tríú páirtí, i gcás inar sholáthróirí seirbhísí eile nó seirbhísí coimhdeacha ba chúis leis an bhriseadh nó inar chuir siad leis. Molann ComReg gur cheart athsholáthar nó uasghrádú bogearraí, nuair is féidir, a thástáil go hiomlán sula dtabharfar isteach i suíomh táirgeachta iad. Ina theannta sin, molann ComReg freisin go ndéanfaí uasghráduithe lasmuigh d'uaireanta oibre (thar oíche) agus go mbunófaí nós imeachta tástála agus rolladh siar soiléir roimh ré.

Ar bhonn níos ginearálta, tugann ComReg faoi deara go mbíonn claonadh níos mó ag líonraí soghluaiste, raidió agus copar lastuas d'iarmhairtí drochaimsire, (damáiste gaoithe, oighear agus báisteach throm) agus go mbíonn gléasra fosaithe faoi thalamh i mbaol tuilte de ghnáth. borradh stoirme agus báisteach throm.

TIONCHAR EACNAMAÍOCH AGUS SÓISIALTA NA DTEAGMHAS

Tá a fhios ag ComReg go bhfuil costas eacnamaíoch ag baint le teagmhais líonra, i dtéarmaí seirbhísí a chailleadh, a mbíonn tionchar acu ar tháirgiúlacht agus ar thráchtáil; chomh maith le costas sochaíoch, a chuireann srian ar infhaighteacht seirbhísí cumarsáide don phobal i gcoitinne. Leis an méadú ar chianobair, tar éis na paindéime COVID-19, tá tionchar na n-eachtraí líonra ina ábhar imní atá ag méadú i gcónaí.

Choimisiúnaigh ComReg na comhairleoirí DotEcon agus Analysys Mason le tabhairt faoi bhunstaidéar sa réimse seo agus tá sé seo foilsithe mar Dhoiciméad ComReg 23/59a.⁶⁹

Tá seacht bpríomhthoradh ag staidéar DotEcon agus Analysys Mason:

- Is féidir le teagmhais líonra tarlú ar chúiseanna éagsúla.
- Níl aon bhristeacha tipiciúil ann agus athraíonn bristeacha trasna an daonra.
- Cé gur annamh a bhíonn teagmhais líonra, bíonn tionchar níos mó ar roinnt tomhaltóirí ná ar thomhaltóirí eile.
- D'fhéadfaí infheistíocht bhreise a chosaint ach bheadh sé deacair díriú uirthi.

⁶⁹ ComReg 23/59a www.comreg.ie/publications

- D'fhéadfadh sé go dteipfeadh ar úsáid seirbhíse cúltaca teagmhais líonra a mhaolú nuair a thagann siad chun cinn.
- Tá teorainn leis an méid is féidir le hoibreoirí teagmhais mhórsála a dheisiú.

Measann formhór na dtomhaltóirí go bhfuil praghas, luas agus clúdach níos tábhachtaí ná iontaofacht agus soláthraí á roghnú acu. Bíonn úsáideoirí ag súil le réasún go mbeidh siad in ann rochtain a fháil ar sheirbhísí gan mórán cur isteach. Mar sin féin, is féidir le teagmhais líonra a mbíonn tionchar acu ar thaithí an úsáideora deiridh tarlú ar chúiseanna éagsúla agus áirítear leo:

- Feiniméin aimsire agus nádúrtha: stoirmeacha, gaoth, teocht ard, ceo, sneachta agus oighear, agus stoirmeacha gréine.
- Damáiste tríú páirtí: lena n-áirítear damáiste don bhonneagar fisiciúil, tionchar feithicle, gearrtha snáithíní agus damáiste cábla.
- Gníomhartha mailíseacha: lonsaithe Teileafónaíochta um Dhiúltú Seirbhíse (TDoS), ionsaithe Diúltaithe Seirbhíse (DDoS), goid cábla, loitiméireacht agus sabotáiste.
- Briseadh cumhachta de bharr na haimsire, cosaint neamhleor ar an bpríomhlíonra, cumhacht cúltaca ar bith nó neamhleor agus cothabháil lag ar chumhacht chúltaca.
- Teipeanna córais lena n-áirítear ach gan a bheith teoranta do chliseadh cruá-earraí agus bogearraí.
- Iomarcaíocht neamhleor; nósanna imeachta neamhleor agus maoirseacht easnamhach ar an bhfoireann féin agus ar an bhfoireann sheachfhoinisithe.

Fíor 14: Conas is féidir le Teagmhais Líonra Tarlú

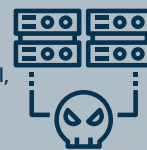
Aimsir

Is féidir le stoirmeacha, gaoth, teochtaí arda, ceo, sneachta agus oighear éifeachtaí díobhálacha a imirt ar bhonneagar líonra



Gníomhartha Mailíseacha

Duine de chlár a fhaigheann rochtain loighciúil nó fhisiciúil, gan chead, ar líonra, córas, feidhmchlár, sonraí nó acmhainní TF eile.



Teipeanna an Chórais

Braitheann líonraí ar mheascán le cruá-earraí agus bogearraí chun seirbhísí a sholáthar do chustaiméirí. Is féidir le teip cruá-earraí nó fabhtanna bogearraí a bheith ina gcúis le saincheisteanna nascachta.



Earráid dhaonna

Tá sé nádúrtha go ndéanann daoine botúin agus ní eisceacht é líonraí. D'fhéadfadh cumraíocht lochtach nó nós imeachta mícheart a bheith ina chúis le saincheisteanna líonra do thomhaltóirí.



Cé go mbíonn briseadh líonra de shaghas éigin ag gach tomhaltóir, is annamh a bhíonn eachtraí móra líonra a d'fhéadfadh cur isteach suntasach ar thomhaltóirí a chur faoi deara. Mar sin féin, tá tionchair neamhshiméadracha ann agus bíonn tionchar i bhfad níos mó ag teagmhais líonra ar roinnt tomhaltóirí ná ar thomhaltóirí eile. Tá na cúiseanna leis seo ilghnéitheach ach baineann siad go príomha le:

- Áit a bhfuil tomhaltóirí lonnaithe (uirbeach/tuaithe)
- Conas a úsáideann siad nascacht (m.sh. obair bhaile/úsáid throm)
- Cén cineál bonneagair a úsáidtear (m.sh. copar, snáithín, satailíte cábla)

Leanfaidh ComReg ar aghaidh ag déanamh monatóireachta ar theagmhais líonra de réir a fheidhmeanna, oibleagáidí agus dualgais reachtúla. Féadfaidh ComReg cuairt a thabhairt ar an staidéar seo freisin, a luaite is féidir cuid de na hinfheistíochtaí leanúnacha a pléadh thuas a réadú. Ar an mbealach seo, cuireann an staidéar bonn tábhachtach ar fáil don todhchaí, ag soláthar bonnlíne tosaigh ar a bhféadfaí aon taighde amach anseo a mheas.

ATHRÚ AERÁIDE AGUS OIRIÚNÚ LÍONRAÍ TEILEACHUMARSÁIDE

Choimisiúnaigh ComReg Frontier Economics go déanach in 2021 chun staidéar a dhéanamh chun breathnú ar an gcaoi a bhfuil líonraí cumarsáide i mbaol imeachtaí aimsire a d'fhéadfadh méadú ar mhinicíocht agus ar dhéine mar thoradh ar athrú aeráide. Chuir an tuarascáil a foilsíodh i mí na Nollag 2022 mar Dhoiciméad ComReg Uimh. 22/100a ⁷⁰ torthaí i láthair maidir le:

- Líonraí cumarsáide atá soghonta mar gheall ar athrú aeráide
- Bearta ullmhúcháin agus oiriúnaithe don athrú aeráide curtha i bhfeidhm ar fud na ngréasán
- Céimeanna féideartha chun oiriúnú breise a dhéanamh don athrú aeráide

Bhí torthaí na tuarascála bunaithe ar fhaisnéis mhionsonraithe, lena n-áirítear pléití a rinneadh le hoibreoirí líonraí cumarsáide in Éirinn chomh maith le saineolaithe aeráide agus aimsire in Éirinn (Climate Ireland agus Met Éireann).

Tugann an ghrafaic atá leagtha amach i bhFigiúr 15 breac-chuntas ar leochaileachtaí líonraí cumarsáide fosaithe agus gan sreang d'imeachtaí aimsire ar leith agus leagann sé béim ar na trí phríomhréimse fócais chun athléimneacht na ngréasán cumarsáide a fheabhsú tuilleadh i bhfianaise an athraithe aeráide.

⁷⁰ ComReg 22/100a www.comreg.ie/publications

Fíor 15: Athrú Aeráide agus Athléimneacht Líonra



CLIMATE CHANGE AND NETWORK RESILIENCE

Telecommunication networks are vulnerable to the impacts of climate change and severe weather events

WIRELESS NETWORKS



FIXED NETWORKS



Actions that improve network resilience

PLANNING FOR CLIMATE CHANGE AND WEATHER EVENTS

- Undertake a climate risks report
- Publish severe weather response plan



CREATING A MORE RESILIENT POWER SUPPLY

- Ensure sufficient battery backup
- Pilot and integrate renewable energy sources
- Monitor power consumption



BUILDING MORE RESILIENT NETWORKS

- Fibre links offer more resilience than wireless links
- Act on the findings of a climate risks report

These actions enhance network resilience to the impacts of climate change



MORE RELIABLE CONNECTIVITY



FEWER OUTAGES

CUMARSÁID CHIAPAIREACHTA

Tá ComReg ag obair go gníomhach leis an tionscal teileachumarsáide chun sciúirse téacsanna agus glaonna sceamála in Éirinn a mhaolú. Ó thús 2022, tá ComReg agus an tionscal teileachumarsáide ag obair le chéile chun muinín a athbhunú inár gcuid teileachumarsáide.

Tá roinnt tionscnamh mar thoradh go dtí seo agus tá na Fógraí Faisnéise (FF) seo a leanas foilsithe:

- IN 22/77 Cumarsáid Chiapaireachta – Nuashonrú ar Thascfhórsa Thionscal na Cumarsáide Chiapaireachta. Foilsithe 30/09/2022 ⁷¹
- IN 22/86a Ná Bunaigh Liosta – Nóta Treorach d’eagraíochtaí agus Foirm Iarratais. Foilsithe 24/10/2022 ⁷²
- IN 22/86 Cumarsáid Chiapaireachta – Seoladh an Phrótacail ‘Ná Tionscnamh’. Foilsithe 24/10/2022 ⁷³
- IN 22/114 Cumarsáid Chiapaireachta: Socruithe Seasta Idirghabhála Blocála CLI le haghaidh Oibríochtaí Idirnáisiúnta. Foilsithe 20/12/2022 ⁷⁴
- IN 23/01 Cumarsáid Chiapaireachta: Glaonna Sceamála & Téacsanna – Treoir Dea-Chleachtais do Ghnólachtaí agus d’Eagraíochtaí. Foilsithe 13/01/2023 ⁷⁵
- IN 23/12 Téarmaí Tagartha Nua NCIT. Foilsithe 10/02/2023 ⁷⁶
- IN 23/28R Cumarsáid Chiapaireachta: Ná Tionscnaigh Nuashonrú Seirbhíse. Foilsithe 27/03/2023 ⁷⁷
- IN 23/47 Cumarsáid Chiapaireachta: Nuashonrú ar Bhac Glaonna CLI. Foilsithe 24/05/2023 ⁷⁸

⁷¹ ComReg 22/77 www.comreg.ie/publications

⁷² ComReg 22/86a www.comreg.ie/publications

⁷³ ComReg 22/86 www.comreg.ie/publications

⁷⁴ ComReg 22/114 www.comreg.ie/publications

⁷⁵ ComReg 23/01 www.comreg.ie/publications

⁷⁶ ComReg 23/12 www.comreg.ie/publications

⁷⁷ ComReg 23/28R www.comreg.ie/publications

⁷⁸ ComReg 23/47 www.comreg.ie/publications

Le déanaí, ar an 16 Meitheamh 2023, d'fhoilsigh ComReg a chomhairliúchán maidir le glaonna sceamála agus téacsanna a chomhrac. Léiríonn taighde a choimisiúnaigh ComReg – a bhfuil achoimre air i bhfaisnéise i bhFigiúr 16 – go raibh na nithe seo a leanas in Éirinn in 2022 amháin:

Is cosúil go bhfuil thart ar 365,000 cás calaoise mar thoradh ar ghlaonna sceamála agus téacsanna, (nó 1,000 cás in aghaidh an lae).

- Suas le 89 milliún cumarsáid chorraitheach/bhearránach agus 31 milliún cumarsáid anacair.
- Breis is 5,000 gnó a d'íospartaigh calaoise tar éis dóibh glaonna sceamála agus téacsanna a fháil.
- Ar an iomlán, meastar go coimeádach thart ar €309 milliún in aghaidh na bliana an dochar iomlán inchainníochtaithe don tsochaí.

Fóir 16: Cumarsáid Núise a Chomhrac



Tá ComReg ag moladh go gcuirfidh oibreoirí teileachumarsáide sraith idirghabhálacha teicniúla i bhfeidhm chun glaonna sceamála agus téacsanna a chomhrac, agus sonraítear iad seo ar fad i nDoiciméad ComReg 23/52 – Glaonna sceamála agus téacsanna a chomhrac, comhairliúchán ar idirghabhálacha líonra-bhunaithe chun an dochar ó Chumarsáid Chiapaireachta a laghdú. – atá ar fáil ag www.comreg.ie.

TASCFHÓRSA NÚISE AN TIONSAIL CHUMARSÁIDE

Chun cabhrú le cumarsáid chiapaireachta a chomhrac, tá tascfhórsa tionscail bunaithe ag ComReg – Tascfhórsa an Tionscail Cumarsáide Ciapaireachta (NCIT), chun ionadaithe ó thionscal na cumarsáide leictreonaí a thabhairt le chéile. Mar gheall ar mhinicíocht mhéadaithe na cumarsáide ciapaireachta agus na n-iarmhairtí dochracha ar mhuinín an phobail as ionracas agus muinín na cumarsáide leictreonaí, thionóil ComReg tascfhórsa tionscail chun aghaidh a thabhairt ar an gceist, le tacaíocht iomlán an DECC.

D'eisigh ComReg Fógra Faisnéise⁷⁹ i mí na Nollag 2021 chun an cuireadh seo a leathnú chuig baill de thionscal na cumarsáide leictreonaí. Tá ballraíocht NCIT teoranta do dhaoine atá fostaithe ag eagraíochtaí a bhfuil agus a oibríonn laistigh den Stát faoi Údarú Ginearálta agus a sheolann guthghlaonna agus/nó teachtaireachtaí SMS. Rinneadh na téarmaí tagartha don NCIT a nuashonrú agus a fhoilsiú go luath in 2023.⁸⁰

Tá cruinniú míosúil ag an NCIT ó mhí Feabhra 2022 agus tá cathaoirleacht déanta ag cathaoirleach agus rúnaí neamhspleách.

MONATÓIREACHT LÍONRA

Rinne AWTG dhá thástáil tiomána thar ceann ComReg le linn 2022. Foilsíodh tuarascáil tástála tiomána an tsamhraidh mar ComReg 22/82 agus foilsíodh tástáil tiomána an gheimhridh 2022 mar ComReg 23/45.⁸¹

EISPÉIREAS ÚSÁIDEORA FÓN SOGHLUAISTE – MAPÁIL CHUMHDACH SOGHLUAISTE ALLAMUIGH

Tar éis próisis chomhairliúcháin d'fhoilsigh ComReg freagra ar chomhairliúchán maidir le Tairseacha Clúdach Soghluaiste Allamuigh 5G.⁸² Réitigh sé seo an bealach do ComReg 5G a mhapáil mar chuid dá uirlis Mapála Chumhdaigh Soghluaiste Allamuigh óna athbhreithniú i mí na Nollag 2022 ar aghaidh.

Cuireann ComReg ríomhanna innealtóireachta neamhspleácha i bhfeidhm ar na sonraí líonra a fhaightear ó oibreoirí líonraí móibíleacha (MNOanna). Déantar na ríomhanna seo a chalabhrú ansin trí úsáid a bhaint as sraith de thomhais fhíor-domhanda Tonn Leanúnach (CW) agus tástálacha tiomána spriocdhírithe, ag roinnt suíomhanna ar fud na hÉireann. Tar éis calabraithe, eisítear na réamhaisnéisí ar léarscáil an chlúdaigh lasmuigh trí shuíomh Gréasáin ComReg.⁸³ Ina theannta sin, cuidíonn an anailís ar na

⁷⁹ ComReg 21/129 www.comreg.ie/publications

⁸⁰ ComReg 23/12 www.comreg.ie/publications

⁸¹ ComReg 23/45 www.comreg.ie/publications

⁸² ComReg 22/28 www.comreg.ie/publications

⁸³ coverage.map.comreg.ie/map

réamh-mheastacháin maidir le clúdach amuigh faoin aer le bonn eolais a chur faoi bhainistíocht ComReg ar an speictream raidió faoi láthair agus amach anseo.

Tá ComReg fós ar cheann de na chéad Údaráis Rialála Náisiúnta (NRA) a chuir faisnéis faoi chlúdach 5G ar fáil trína uirlisí mapála atá dírithe ar thomhaltóirí.

AN SCÉIM UIMHRITHE TEILEAFÓIN NÁISIÚNTA A BHAINISTIÚ

Bainistíonn ComReg an Scéim Uimhrithe Teileafóin Náisiúnta in Éirinn. Cuimsíonn sé seo uimhreacha geografacha, uimhreacha neamhgeografacha, uimhreacha fón póca, uimhreacha seirbhíse ardráta, cóid ghearra, agus cóid líonra. Tá uimhreacha Teileafóin agus cóid riachtanach chun líonraí agus seirbhísí cumarsáide leictreonaí a sholáthar, chun cumarsáid náisiúnta agus idirnáisiúnta a éascú agus chun tacú le feidhmiú cuí na gcóras billeála agus socraíochta. Cuireann siad faisnéis ar fáil freisin don té atá ag glaoch ar an tseirbhís a thugtar air, ar phraghas an ghlaio, agus, i gcásanna áirithe, ar shuíomh an ghlaio nó ar an bpáirtí ar a dtugtar é.

Tá ComReg tiomanta do bhainistiú éifeachtach uimhreacha, lena chinntiú go n-úsáideann oibreoirí go héifeachtach uimhreacha agus go mbeidh fáil leanúnach ar uimhreacha d'úsáideoirí deiridh.

Díreoidh obair bhainistíochta uimhreacha amach anseo ar oibriú le hoibreoirí chun a chinntiú go bhfuil a nósanna imeachta Know Your Customer (KYC) imleor le cosc a chur ar uimhreacha titim isteach i lámha scamadóirí, i bhfianaise sciúirse leanúnach na cumarsáide núise. Chuige sin, tá treoir dea-chleachtais KYC molta ag ComReg mar chuid dá chomhairliúchán ar ghlaonna sceamála agus téacsanna a chomhrac, a foilsíodh ar an 16 Meitheamh 2023 (ComReg 23/52). Leagtar amach sa treoir mholta seo na seiceálacha íosta KYC a mholann ComReg gur cheart d'oibreoirí a dhéanamh agus iad ag soláthar uimhreacha do chustaiméirí. Chomh maith le seiceálacha sula gcuirtear uimhreacha ar fáil, molann ComReg go mbeadh próisis ag oibreoirí chun monatóireacht a dhéanamh ar chomhlíonadh, measúnú a dhéanamh ar mhí-úsáid uimhreacha agus freagairt do mhí-úsáid dá leithéid. Cé nach bhfuil treoirlínte molta den sórt sin éigeantach, tá oibreoirí á spreagadh chun na próisis mholta a chur i bhfeidhm chun an baol go gcuirfead uimhreacha ar fáil do scamadóirí a laghdú. Tar éis comhairliúcháin, tá sé beartaithe ag ComReg na treoirlínte KYC seo a fhoilsiú mar dhoiciméad tagartha aonair is féidir a nuashonrú de réir mar a fhorbraíonn an cleachtas is fearr KYC.

COINNÍOLLACHA ÚSÁIDE UIMHRITHE A NUASHONRÚ

Sonraíonn Coinníollacha Úsáide Uimhrithe ComReg ⁸⁴ na rialacha maidir le húsáid uimhreacha agus na critéir incháilitheachta do shealbhóirí uimhreacha. Cosnaíonn na coinníollacha agus na critéir incháilitheachta sin tomhaltóirí agus cuireann siad iomaíocht chun cinn trína áirithiú go mbíonn rochtain chomhionann ag oibreoirí ar acmhainní uimhrithe.

Déantar na Coinníollacha Úsáide Uimhrithe a nuashonrú go rialta chun na forbairtí margaidh agus reachtaíochta is déanaí a chur san áireamh. Cuireadh tús leis an athbhreithniú is déanaí i mí an Mheithimh 2023, mar chuid de chomhairliúchán ComReg ar Chumarsáid Núis (Doiciméad 23/52). Moladh sa chomhairliúchán sin idirghabhálacha líonra-bhunaithe chun an dochar ó Chumarsáid Núis a laghdú. Is minic go mbíonn mí-úsáid á baint as glaonna camscéime nó Aitheantas Líne Glaonna ‘spoof’ (CLI), ionas go raibh gá le hathbhreithniú agus nuashonrú ar na Coinníollacha Úsáide Uimhrithe maidir le CLI. Ina theannta sin, agus mar fhreagra ar an ardú i gcamscéimeanna bunaithe ar SMS a bhaineann úsáid as Aitheantais Seoltóra SMS falsa, ⁸⁵ mhol ComReg go n-áireofaí ID-anna Seoltóra SMS mar chuid den Phlean Náisiúnta um Uimhriú agus go dtabharfaí isteach agus go n-oibreodh Clárlann Chosanta Aitheantais Seoltóra SMS mar idirghabháil chun dul i ngleic le teachtaireachtaí camscéime SMS. Cinnteoidh an t-athbhreithniú agus an nuashonrú seo go mbeidh na Coinníollacha Úsáide Uimhrithe ag teacht leis na hidirghabhálacha atá beartaithe.

Tá nuashonruithe sa todhchaí ar na Coinníollacha Úsáide Uimhrithe beartaithe agus díreofar ar an gcaoi a n-úsáideann oibreoirí Aitheantas Líne Glaonna (CLI) a fheabhsú tuilleadh, mar aon le tacú le haon idirghabhálacha sainordaithe chun dul i ngleic le cumarsáid núis.

CINNEADH MAIDIR LE HUIMHIR NEAMHGHEOGRAFACH A CHUR I BHFEIDHM

Is uimhreacha teileafóin iad uimhreacha Neamhgheografacha (NGNanna) a thosaíonn le 1800, 1850, 1890, 0818 agus 076, a úsáideann eagraíochtaí chun seirbhísí a sholáthar mar línte cabhrach, seirbhísí poiblí agus baincéireacht.

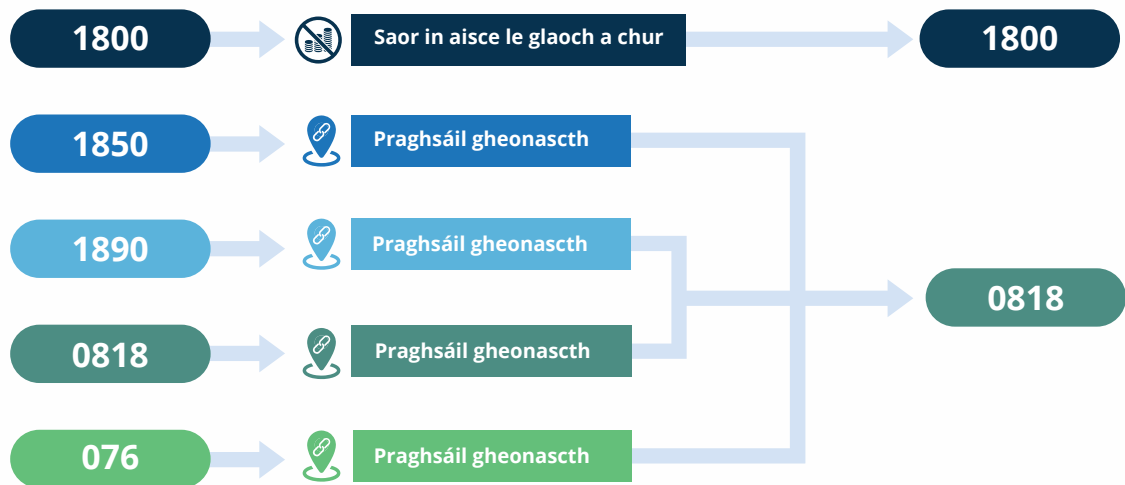
Leag comhairliúcháin phoiblí in 2017 agus 2018 béim ar an mearbhall forleathan maidir leis an gcostas a bhaineann le NGNanna a ghlaoch agus na difríochtaí idir na raonta NGN. Bhí an cuspóir uileghabhálach ag Cinneadh NGN 2018 ComReg ⁸⁶ iontaoibh agus muinín as NGNanna a athbhunú trí fheabhas a chur ar an ardán NGN do thomhaltóirí agus d’eagraíochtaí araon. Leag ComReg amach dhá bheart, léirithe i bhFíor 17 thíos. Laghdaigh comhdhlúthú NGN líon na raonta NGN ó chúig cinn (1800, 1850, 1890, 0818 agus 076) go dtí dhá cheann (1800 agus 0818). Go luath in 2022, chuir ComReg, mar aon le grúpa oibre tionscal an UNG, cur chun feidhme Chinneadh NGN 2018 i gcrích trí na raonta uimhreacha 1850, 1890 agus 076 a dhúnadh.

⁸⁴ ComReg 15/136R3 www.comreg.ie/publications

⁸⁵ Is teaghrán alfa-uimhriúil é ID Seoltóra ar féidir é a úsáid mar sheoladh ‘ó’le haghaidh teachtaireachtaí téacs SMS. I bhfocail eile, is é an t-ainm taispeána téacs a fheiceann tú ag barr scáileán do ghutháin a úsáidtear chun a aithint cé a sheol an teachtaireacht.

⁸⁶ ComReg 18/106 and D15/18 www.comreg.ie/publications

Fíor 17: Cur chun feidhme Chinneadh NGC



Praghsáil Gheonascstha:
Curtha i bhfeidhm 1 de 2019

Comhdhlúthú NGN:
6 Eanáir 2022

Ba é an 31 Nollaig 2021 an spriocdháta chun raonta NGN a chomhdhlúthú. Mar sin féin, ceadaíodh do líon beag 1850 agus 1890 NGN fanacht i bhfeidhm, go heisceachtúil, mar gheall ar nádúr na n-uimhreacha mar uimhreacha teagmhála éigeandála agus/nó a leitheadúlacht ar bhonn fisiceach. sócmhainní ar fud na tíre (m.sh., ar chuaillí adhmaid agus méadair áirgiúlachta). Áirítear leis na UNGanna sínte seo sé uimhir atá in úsáid ag seirbhísí fónais in Éirinn, is iad sin Líonraí ESB (ESBN), Líonraí Gáis Éireann (GNI) agus Uisce Éireann (IW).

Tar éis tuilleadh comhairliúcháin phoiblí,⁸⁷ chinn ComReg i mí Iúil 2021 go bhféadfadh na UNGanna fónais seo fanacht i bhfeidhm go dtí an 30 Samhain 2023. Ina theannta sin, fuarthas iarratais ar úsáid leathnaithe NGNanna áirithe eile a bhí in úsáid ag Feidhmeannacht na Seirbhíse Sláinte (HSE), Iarnród Éireann agus Tunstall. Práinnfhreagairt agus ceadaíodh iad seo freisin fanacht i bhfeidhm go dtí 30 Samhain 2023.

Chuir ComReg in iúl freisin go ndéanadh sé athbhreithniú lena chinneadh an mbeadh gá le síneadh breise, tar éis an 30 Samhain 2023, le haghaidh aon cheann de na sé UNGanna áirgiúlachta. Chuige sin, i mí an Mhárta 2023 rinne ComReg comhairliúchán⁸⁸ agus, bunaithe ar a mheasúnú⁸⁹ chinn ComReg go raibh sé iomchuí NGNanna na bhfóntas oidhreacht a mhúchadh ag deireadh mhí na Samhna 2023 mar a leagadh amach ar dtús. Mar sin féin, mheas ComReg freisin go bhfuil sé ciallmhar deireadh a chur le NGNanna na bhfóntas oidhreacht nó leis na NGNanna sínte eile le linn míonna an gheimhridh, nuair is gnách go mbíonn an ráta éigeandálaí/teagmhais atá á dtuairisciú níos airde thar na seirbhísí ábhartha go léir. Dá réir sin, tá cinneadh déanta ag ComReg síneadh gearr breise a chur ar fheidhmiú na NGNanna seo tar éis an 30 Samhain 2023, go dtí meán oíche Dé Máirt an 9 Aibreán 2024.

⁸⁷ ComReg 21/75 www.comreg.ie/publications

⁸⁸ ComReg 23/27 www.comreg.ie/publications

⁸⁹ ComReg 23/68 www.comreg.ie/publications

UIMHREACHA COSANTA AGUS LIOSTA GLAONNA DO NOT ORIGINATE (DNO)

I lár 2022, d'aontaigh Tascfhórsa an Tionscail Chumarsáide Núis (NCIT) sonraíochtaí le haghaidh idirghabhálacha tosaigh chun aghaidh a thabhairt ar ghlaonna camscéime a úsáideann ALGanna bréige.

Ar cheann de na hidirghabhálacha tá cur i bhfeidhm liosta Glaonna Do Not Originate (DNO) ag oibreoirí. Is minic a chuireann calaoiseoirí isteach ar líon gnó dlisteanach, mar shampla cuideachtaí Éireannacha iontaofa ar nós bainc agus gníomhaireachtaí stáit, agus iad ag glaoch ar íospartaigh ionchasacha. Tagraíonn an liosta de DNO d'uimhreacha teileafóin a shanntar d'eagraíochtaí nach n-úsáidtear riamh le haghaidh glaonna amach. Mar thoradh air sin, cuirtear aon ghlaonna amach ar na huimhreacha seo salach ar a chéile agus mar sin ba chóir go gcuirfí bac orthu.

Cuireann ComReg an liosta de DNO chun cinn ar a shuíomh Gréasáin⁹⁰ agus bainistíonn sé iarratais ó eagraíochtaí atá le cur leis an liosta agus dáileadh míosúil an liosta de GIA ar oibreoirí. Déanann ComReg bainistiú freisin ar chomhthiomsú méadracht blocála glaonna DNO ó oibreoirí ar bhonn míosúil.

Is é an dara hidirghabháil a chomhaontaigh NCIT ná an liosta d'Uimhreacha Cosanta (PN). Is ionann Uimhreacha Cosanta agus uimhreacha nach bhfuil sannta ag ComReg agus nach bhfuiltear ag súil go sannfar iad go luath amach anseo. Mar sin, féadfar glaonna a airbheartaíonn a thagann ó na huimhreacha seo a mheas mar ghlaonna camscéime agus mar sin tá bac orthu faoi idirghabháil PN.

Bainistíonn foireann Uimhriúcháin ComReg forbairt agus dáileadh liosta PN ar oibreoirí. Déanann ComReg bainistiú freisin ar chomhthiomsú méadracht blocála glaonna PN ó oibreoirí ar bhonn míosúil.

Tar éis triail rathúil i mí Lúnasa 2022, tá liostaí DNO agus PN curtha i bhfeidhm ag formhór na n-oibreoirí san NCIT agus leanann na hidirghabhálacha seo ag cosaint tomhaltóirí a bhféadfadh na camscéimeanna áirithe seo díriú orthu.

STRAITÉIS CHUN SOLÁTHAR THAR AN AER AGUS ESIM A CHUR CHUN CINN

Ceanglaíonn an Cód Eorpach um Chumarsáid Leictreonaí (EECC)⁹¹ ar Bhallstáit soláthar thar an aer (OTA) a chur chun cinn chun aistriú soláthraithe a éascú do thomhaltóirí fón póca. Braitheann soláthar OLA ar theicneolaíocht SIM 'leabaithe' (eSIM).

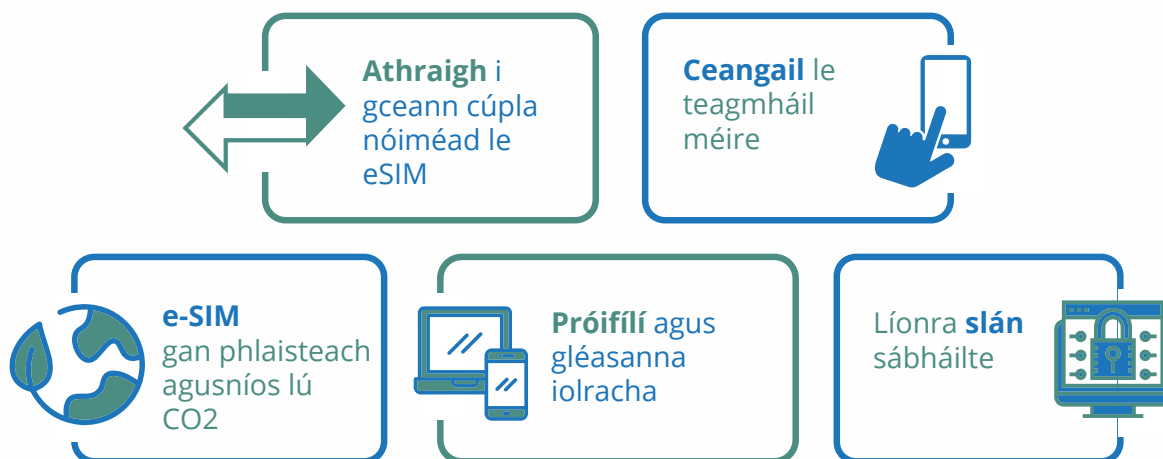
Nuair a bheidh sé ar fáil, cuirfidh clárú custaiméirí go hiomlán digiteach agus aistriú idir oibreoirí ar chumas na dtomhaltóirí aistriú idir oibreoirí i nóiméid. I measc na mbuntáistí eile a bhaineann le OLA agus eSIM tá an cumas do thomhaltóirí próifílí áitiúla sealadacha a íoslódáil agus iad ag fánaíocht thar lear. Tá sé seo thar a bheith tábhachtach agus iad ag fánaíocht lasmuigh den AE, áit nach mbíonn feidhm ag oibleagáidí Roam Like at Home (RLAH), agus is minic a bhíonn billí móra ag tomhaltóirí ar fhilleadh abhaile dóibh. D'fhéadfadh próifílí áitiúla sealadacha den sórt sin a áirithiú

⁹⁰ ComReg 22/86 www.comreg.ie/publications

⁹¹ Treoir (AE) 2018/1972 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2018 lena mbunaítear an Cód um Chumarsáid Leictreonach Eorpach

gur féidir le tomhaltóirí leas a bhaint as taraifí níos réasúnta is infheidhme go háitiúil. Léirítear buntáistí breise eSIM i Léaráid 18.

Fíor 18: Na Buntáistí a bhaineann le Soláthar eSIM agus OTA



Go luath in 2021, choimisiúnaigh ComReg staidéar saineolach chun tacú le forbairt straitéise chun soláthar OLA a chur chun cinn in Éirinn. I mí na Samhna 2021 d'fhoilsigh ComReg an staidéar seo, mar aon le comhairliúchán ⁹² ar a straitéis bheartaithe. I mí an Mheithimh 2022, d'fhoilsigh ComReg a fhreagra ar chomhairliúchán agus straitéis deiridh, ⁹³ a leagann amach clár oibre d'oibreoirí teileafón soghluaiste in Éirinn.

Tá ComReg ag obair le MNOanna agus páirtithe leasmhara eile sa tionscal chun na gníomhartha a leagtar amach sa straitéis a chur i bhfeidhm. Tá Analysys Mason coimisiúnaithe ag ComReg chun maoirseacht a dhéanamh ar chur i bhfeidhm na straitéise seo. Tá an obair seo ar siúl agus tá ComReg ag súil le tuarascáil Analysys Mason a fhoilsiú i R1 2024 in éineacht le Fógra Faisnéise a théann leis.

⁹² ComReg 21/114 www.comreg.ie/publications

⁹³ ComReg 22/48A www.comreg.ie/publications

7. Anailís Mhargaidh agus Praghsáil

In Éirinn socraítear scóip agus nádúr na rialála cumarsáide leictreonaí trí phróiseas anailíse margaidh mar atá leagtha amach faoin gcomhchreat rialála Eorpach do líonraí agus seirbhísí cumarsáide leictreonaí. Faoin gcreat seo, ní mór do ComReg ar dtús a shainiú cad iad na margaí a d'fhéadfadh a bheith laistigh de raon feidhme an rialacháin ag féachaint do Mholadh 2020 ón gCoimisiún Eorpach, ina sainithnítear na margaí sin atá i mbaol rialacháin ex ante. Tar éis dó an margadh ábhartha a shainiú, ní mór do ComReg a mheasúnú an bhfuil Cumhacht Shuntasach Mhargaidh (SMP) ag cuideachta ar bith laistigh den mhargadh sin, coincheap atá cosúil le ceannasacht faoi dhlí na hiomaíochta. Má chinntear go bhfuil SMP ag cuideachta, ní mór do ComReg leigheas (nó oibleagáid) amháin ar a laghad a fhorchur chun an éifeacht is dócha a bheidh ag fadhbanna aitheanta iomaíochta a mhaolú ag féachaint dá dtionchar ar iomaíocht agus ar thomhaltóirí. Mar shampla, d'fhéadfadh go n-éileodh ComReg ar oibreoir SMP rochtain ar a líonra a oscailt d'iomaítheoirí ar an leibhéal mórdhíola, agus rochtain den sórt sin faoi réir rialuithe pragsanna. Ceanglaítear ar ComReg de réir dlí na hEorpa fógra a thabhairt don Choimisiún Eorpach maidir lena dhréachtchinní maidir lena anailís mhargaidh, agus beidh an cumas ag an gCoimisiún Eorpach trácht a dhéanamh ar dhréachtbhearta den sórt sin, lena n-áirítear i gcásanna áirithe an cumas bac a chur lena gcur chun feidhme. Déantar athbhreithniú ar mhargaí rialaithe ó am go chéile faoin bpróiseas anailíse margaidh seo.

Is prionsabal treorach den chreat rialúcháin coiteann é go bhforchuirtear oibleagáidí SMP ar an leibhéal mórdhíola, agus nach bhforchuirtear oibleagáidí ar an leibhéal miondíola ach amháin nuair nach leor oibleagáidí ar an leibhéal mórdhíola chun aghaidh a thabhairt ar shaincheisteanna iomaíochta ar mhargaí miondíola. Níl aon mhargaí miondíola in Éirinn a thuilleadh atá faoi réir rialacháin.

I rith na bliana, chríochnaigh ComReg a anailís ar roinnt margaí mórdhíola, chomh maith le leanúint ar aghaidh nó tús a chur le roinnt athbhreithnithe eile ar an margadh mar a leanas:

1. Baineann na margaí d'Fhoirceannadh Glaonna Seasta Gutha (FVCT) agus d'Fhoirceannadh Glaonna Gutha Soghluaiste (MVCT) le críochnú glao gutha isteach ar líonra an pháirtí ar a dtugtar glao – chuig líonra líne seasta i gcás FVCT agus chuig fón póca. líonra i gcás MVCT. Gearrann oibreoir líonra an pháirtí glaoite muirear foirceanta ar oibreoir líonra an pháirtí atá ag glaoch don tseirbhís seo. I mí Aibreáin 2023, ghlac ComReg cinneadh a raibh dírialú na margaí FVCT agus MVCT mar thoradh air, go príomha toisc rialachán ar leith a glacadh le déanaí, ar leibhéal an AE, lena socraítear uasmhuirir foirceanta mórdhíola, go laghdaítear dreasachtaí chun iompar frithiomaíoch a dhéanamh.⁹⁴
2. Is dhá mhargadh mórdhíola iad na margaí Rochtana Áitiúil Mórdhíola (WLA) agus Rochtana Lárnach Mórdhíola (WCA) a thacaíonn ar deireadh le soláthar seirbhísí leathanbhanda miondíola (agus seirbhísí eile). I mí Eanáir 2023 d'fhoilsigh ComReg comhairliúchán inar mhol sé an margadh WLA a rialáil agus réitigh a fhorchur lena n-áirítear rialuithe pragsanna agus an margadh WCA a dhírialú.⁹⁵ Tá na freagraí ar

⁹⁴ ComReg 23/33 Cinneadh D01/23, www.comreg.ie/publications

⁹⁵ ComReg 23/03, www.comreg.ie/publications

an gcomhairliúchán seo á mbreithniú agus tá ComReg ag súil lena chinneadh deiridh a ghlacadh i R1 2024.

3. Baineann an margadh mórdhíola um Rochtain ar Bhonneagar Fisiciúil (PIA) le rochtain ar bhonneagar duchtáin agus cuaille chun tacú le rolladh amach líonraí snáithíní, ag éascú ar deireadh soláthar raon seirbhísí mórdhíola agus miondíola iarteachtacha, lena n-áirítear leathanbhanda ardluais. I mí Eanáir 2023, d'fhoilsigh ComReg comhairliúchán inar mhol sé an margadh RBF a rialáil agus réitigh a fhorchur lena n-áirítear rialuithe praghsanna.⁹⁶ Tá na freagraí ar an gcomhairliúchán seo á mbreithniú go leanúnach, agus tá ComReg ag súil lena chinneadh deiridh a ghlacadh i R1 2024.

Chun críche a athbhreithnithe margaidh agus feidhmeanna rialála eile, leanann ComReg de bheith páirteach i mbailiú faisnéise ó sholáthraithe seirbhíse ag baint úsáide as a chumhachtaí reachtúla bailithe faisnéise. Mar thoradh ar thionscadal claochlaithe bailithe sonraí ilbhliantúil ComReg tá tuilleadh feabhsuithe ar na córais agus nósanna imeachta idir é agus oibreoirí d'fhonn bailiú faisnéise gráinneach ar bhealach níos éifeachtaí agus níos éifeachtúla a chumasú. I rith na bliana chuimsigh sé seo nuashonrú faisnéise a bailíodh maidir le seirbhísí guthghlao seasta agus leathanbhanda, chomh maith le hioncam. Cé go bhfuil go leor dul chun cinn déanta agus go bhfuil rannpháirtíocht dhearfach ag oibreoirí, tá doimhneacht, cáilíocht agus iontaofacht na faisnéise a sholáthraíonn roinnt oibreoirí maidir le seirbhísí cumarsáide áirithe ina saincheist i gcónaí, go minic agus a gcuid sonraí á athbhreithniú go minic. Tá sé ríthábhachtach faisnéis chruinn iontaofa a sholáthar go tráthúil, ní hamháin i gcomhthéacs tacú le ComReg a dhualgais reachtúla a chomhlíonadh, ach freisin ós rud é go gcuireann sé le faisnéis fhoilsithe ar leibhéal an mhargaidh, a bhfuil an tionscal ag brath uirthi agus a dhéanann monatóireacht ghéar air. imreoirí, chomh maith le hinstiitíúidí náisiúnta agus AE.

D'fhoilsigh ComReg Cinneadh i mí Dheireadh Fómhair 2020 ⁹⁷ maidir le Meánchostas Ualaithe Caipitil (WACC) sna hearnálacha soghluaiste, líne seasta agus craolacháin le húsáid chun críche oibleagáidí rialaithe praghsanna a fhorchuirtear ar oibreoirí SMP. Mar atá leagtha amach i gCinneadh Dheireadh Fómhair 2020 (Cinneadh WACC), déanann ComReg an WACC a athríomh do gach earnáil gach bliain agus, gach bliain ar an 30 Meitheamh nó roimhe sin foilsíonn sé, trí Fhógra Faisnéise, luachanna nuashonraithe WACC. Foilsíodh Fógra Faisnéise i mí an Mheithimh 2023 le Nuashonrú Bliantúil WACC 2023 ⁹⁸ agus cuirfear na luachanna nuashonraithe i bhfeidhm in aon athbhreithnithe praghsais atá le teacht. Foilseofar Nuashonrú Bliantúil WACC 2024 i R2 2024.

Ag leanúint ar aghaidh ó Chomhairliúchán 2020 (Comhairliúchán ANM),⁹⁹ d'fhoilsigh ComReg Cinneadh i mí na Nollag 2021 ¹⁰⁰ maidir le inter alia athbhreithniú agus nuashonrú ar an tsamhail chostais Samhail Líonra Rochtana (ANM) a úsáidtear chun praghsanna Snáithín go Comh-Aireachta atá dírithe ar chostais (FTTC) a chinneadh. I mí Eanáir 2022, rinne Eir achomharc chuig an Ard-Chúirt i gcoinne Chinneadh ANM

⁹⁶ ComReg 23/04, www.comreg.ie/publications

⁹⁷ ComReg 20/96 Cinneadh D10/20, www.comreg.ie/publications

⁹⁸ ComReg 23/56 www.comreg.ie/publications

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

¹⁰⁰ ComReg 21/130 Cinneadh D11/21 www.comreg.ie/publications

(Achomharc ANM).¹⁰¹ I mí Feabhra 2022, dhiúltaigh an Chúirt Tráchtála iarratas ar bhac a bhí déanta ag Eir ag cur san áireamh gealltanais a thug na Páirtithe Fógra Vodafone agus Sky Ireland Limited don Chúirt.¹⁰² Ciallaíonn sé sin go raibh feidhm ag na praghsanna a leagtar amach i gCinneadh SLR ón 1 Márta 2022. Tar éis éisteacht leis an Achomharc ANM os comhair an Bhreithimh Quinn i mí Iúil 2022, forchoimeádadh breithiúnas.

TÁIRGÍ MÓRDHÍOLA

Tá an fhoireann Táirgí Mórdhíola freagrach as gnéithe Straitéise agus Oibriúcháin de phlean oibre na Rannóige Mórdhíola a bhaineann le teicneolaíocht agus sonraíocht theicniúil leigheasanna ar bhonn anailíse a sholáthraíonn an fhoireann Anailíse Margaidh.

Déanann an fhoireann monatóireacht ghníomhach ar oibriú leigheasanna i margaí rialaithe – ar fud na margaí Rochtana Áitiúil Mórdhíola (WLA), Rochtana Lárnach Mórdhíola (WCA) agus Rochtana Ardchaighdeán Mórdhíola (WHQA). In 2022-23, tá fócas ar leith tugtha ag an bhfoireann Táirgí Mórdhíola ar úsáid Bhonneagar Innealtóireachta Sibhialta (CIE) le haghaidh cláir rollta amach snáithíní agus ar ghnéithe teicniúla an phróisis athbhreithnithe margaidh do na Margaí WLA agus WCA, don Mhargadh PIA agus don Copper Switch-Off. Mar gheall ar a Chumhacht Mhargaidh Shuntasach sna margaí WLA, WCA agus WHQA, tá ceanglas ar Eir rochtain a sholáthar ar aon dul le réitigh a dhréachtaigh an fhoireann Táirgí Mórdhíola agus a chuir ComReg i bhfeidhm. Áirítear ar ghníomhaíochtaí na foirne monatóireacht a dhéanamh ar thógáil leanúnach líonraí snáithíní mórdhíola ag Eir, Siro, Virgin Media agus NBI, ós rud é go mbaineann siad seo go léir úsáid as Táirgí Rochtana Rialáilte CIS (RAPanna) ó Eir. Ina theannta sin, úsáideann soláthraithe Seirbhíse Miondíola táirgí arna rialáil ag Eir chun a gcuid táirgí a sheachadadh do chustaiméirí cónaitheacha agus gnó. Ina theannta sin, déanann an fhoireann Táirgí Mórdhíola maoirseacht ar idirghníomhaíocht an mhargaidh mhórdhíola – lena n-áirítear aistriú, aistriú agus idirnascadh.

Coinníonn an fhoireann Táirgí Mórdhíola idirghníomhaíochtaí le geallsealbhoirí an tionscail go déthaobhach agus ag cruinnithe foirmiúla tionscail, lena n-áirítear páirt a ghlacadh i gCeardlann Forbartha Táirgí míosúil arna óstáil ag Eir. Timpeallacht thábhachtach eile le haghaidh idirghníomhaíochta Tionscail ab ea an Fóram Rannpháirtíochta Tionscail (IEF) arna óstáil ag ComReg, le Cathaoirleach seachtrach. In 2022/23, lean sé ar aghaidh ag cur ardán tábhachtach ar fáil le haghaidh idirghníomhaíochta idir lucht iarrtha rochtana agus Eir ar seoladh, Táirgí Rochtana Rialáilte (RAPanna) atá á bhforbairt agus iarratais ar RAPanna nua.

Mar aon le himscaradh na ngréasán snáithíní dá dtagraítear thuas ag baint úsáide as RAPanna, déanann an fhoireann Táirgí Mórdhíola monatóireacht ar na RAPanna seolta a chuirtear ar fáil ar líonra Eir. Ina theannta sin, in 2023 chuir ComReg tús le Fóram Tionscail seachtainiúil agus rinne sé cathaoirleacht air chun éascú leis an Tionscal próiseas aistrithe Seirbhíse Rochtana Idirlín a shainiú i gcomhréir le hoibleagáidí an Chóid Chumarsáide Leictreonaigh Eorpaigh (EECC) (an Cód). Mar a cheanglaítear leis an gCód, is iad na próisis a eascraíonn as seo ná cuidiú le húsáideoirí deiridh a gcuid seirbhíse leathanbhanda a athrú gan gá dul i dteagmháil leis an soláthraí atá ag cailleadh agus gan mórán aga neamhfhónaimh.

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

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

Agus an tábhacht a bhaineann le sraith táirgí éifeachtúla, rialaithe rochtana CEI, ar mhargadh iomaíoch teileachumarsáide a aithint, d'eisigh ComReg Treoir 21/60R i mí Dheireadh Fómhair 2021 a d'éiligh ar Eir mar oibreoir SMP sa mhargadh WLA táirge Féinshuiteála Fo-Duchtála a sholáthar do Chuardaitheoirí Rochtana. D'éascódh sé seo d'iarrthóirí rochtana fodhucht féin-imscartha i nduchtanna Eir, rud a chuirfeadh smacht níos fearr ar Chuardaitheoirí Rochtana ar a rolladh amach líonra. Rinne Eir achomharc in aghaidh an Chinnidh seo chuig an Ard-Chúirt, agus éisteadh an cás i mí Iúil 2023. Tá ComReg ag fanacht le breithiúnas ar an ábhar. Bhí roinnt comhairliúcháin leanúnach agus pleanáilte lárnach do chlár oibre 2022/23. I mí Eanáir 2023, d'fhoilsigh ComReg comhairliúcháin ar na Margaí WLA/WCA agus ar an Margadh PIA nua atá beartaithe. Bunaithe ar anailís mhargaidh, ar thaithí rialála i ndlínsí eile agus ar threochtaí éabhlóide teicneolaíochta, shainigh Táirgí Mórdhíola na leigheasanna margaidh atá beartaithe do na comhairliúcháin sin. I mí na Bealtaine 2023, d'eisigh ComReg comhairliúcháin ar PIA RBFanna atá beartaithe chun feidhmíocht bhonneagar PIA Eir a thomhas ar feadh a shaolré, i ndáil lena oibleagáidí trédhearcachta agus neamh-idirdhealaithe agus an láimhseáil a dhéantar ar na hOibreoirí Údaraithe Eile (OAOanna) i gcomparáid le hoibríochtaí iarteachtacha Eir féin.

I mí an Mhárta 2021, d'fhoilsigh Eir páipéar bán dar teideal 'Copper switch-off: Leaving a Legacy for the Future'. Sa pháipéar seo leag Eir amach a rún a chuid seirbhísí copar-bhunaithe a aistriú go seirbhísí snáithín-bhunaithe. D'fhreagair ComReg ag fáiltiú roimh an bhforbairt seo agus ag cur in iúl an phróisis chomhairliúcháin atá le leanúint. Ag leanúint ar aghaidh ó rannpháirtíochtaí tionscail, foilsíodh doiciméad comhairliúcháin ComReg dar teideal Framework for the Migration from Legacy Infrastructure to Modern Infrastructure an 25 Márta 2022. Ag feitheamh le tosú an Chóid a sholáthródh an comhthéacs reachtach agus rialála don chreat aistrithe, in 2022/23. Lean ComReg lena scóip den dréachtchinneadh i bhfianaise na bhfreagraí ar an gcomhairliúcháin. Cuireadh tús leis an gCód i mí an Mheithimh 2023 lena n-éascaítear dul i mbun an phróisis Chinnidh a thabhairt chun críche d'fhonn é a fhoilsiú i R1 2024.

COMHLÍONADH MÓRDHÍOLA

Imscrúdaíonn foireann comhlíonta mórdhíola ComReg sárúithe ar oibleagáidí rialála ag oibreoirí teileachumarsáide, agus teagmhais a bhaineann le mí-úsáid uimhreacha Éireannacha. Nuair a dhéileáiltear le himscrúduithe ar chomhlíonadh oibleagáidí rialála d'fhéadfadh go mbeadh na nithe seo a leanas mar thoradh ar chonclúid an cháis:

- tuairim fhoirmiúil maidir le neamhchomhlíonadh á eisiúint chuig oibreoir
- íocaíocht riaracháin ó oibreoir
- dúnadh cás nach n-aithnítear saincheist ar bith nó dúnadh tar éis leasúcháin ag oibreoir nuair a mheasann ComReg nach bhfuil gá le gníomh breise

I rith na tréimhse, áiríodh ar ghníomhaíochtaí comhlíonta mórdhíola ComReg:

Comhlíonadh rialála:

- Osclaíodh 4 chás
- Níor dúndadh aon chás
- 20 cás gníomhach

Mí-úsáid uimhreacha Éireann:

- Osclaíodh 16 cás
- Dúndadh 16 cás

As na 20 cás comhlíonta mórdhíola a bhí gníomhach i rith na bliana, rinne ComReg 20 imscrúdú comhlíonta gníomhacha ar an oibreoir líne seasta reatha agus ní raibh aon imscrúdú comhlíonta gníomhach ar oibreoirí teileafón soghluaiste.

RIALACHAS RIALÁLA

Tá socruithe rialachais rialála Eir á maoirsiú faoi láthair ag ComReg ar dhá phríomhbhealach.

1. Ar an gcéad dul síos, ceanglaítear ar Eir faoi Chinneadh WLA/WCA 2018 agus Cinneadh 2020 WHQA Ráitis Chomhlíonta (SoC) a ullmhú agus a chur ar fáil do ComReg a shonraíonn agus a mhíníonn nósanna imeachta measúnaithe agus rialaithe riosca Eir. Is í feidhm an SoC a cheangal ar Eir a léiriú conas a chinntíonn sé comhlíonadh oibleagáidí SMP, go háirithe trí thagairt a dhéanamh do na bearta agus na socruithe rialachais rialála a cuireadh i bhfeidhm chun rioscaí neamhchomhlíonta a aithint agus a bhainistiú. Tá socruithe rialachais rialála Eir á maoirsiú faoi láthair ag ComReg ar dhá phríomhbhealach.
2. Ar an dara dul síos, an 10 Nollaig 2018, rinne ComReg agus Eir socrú ar roinnt imeachtaí Ard-Chúirte (Comhaontú Socraithe). Mar chuid den Chomhaontú Socraíochta seo, d'aontaigh Eir le sraith gealltanais (lena n-áirítear measúnú Uile-Riosca) a mbeadh bunú agus feidhmiú RGM feabhsaithe in Eir mar thoradh orthu. I measc na ngealltanais sin tá bunú Comhlacht Neamhspleách Maoirseachta (IOB). Tá sé de chúram ar an IOB, i measc nithe eile, maoirsiú agus measúnú a dhéanamh ar shocruithe rialachais rialála Eir agus as tuarascáil a fhoilsiú ar bhonn bliantúil le tuairim maidir le cur i bhfeidhm agus éifeachtacht RGM Eir.

IOB

Lean an IOB dá chruinniú agus d'fhoilsigh sé a thuarascáil is déanaí i samhradh 2023. Táthar ag súil leis an gcéad tuarascáil eile IOB i R1 2024.

8. Straitéis agus Eacnamaíocht

BRICFEASTA DO PHÁIRTITHE LEASMHARA COMREG

I mí Mheán Fómhair 2022, reáchtáil ComReg Bricfeasta do Pháirtithe Leasmhara chun aghaidh a thabhairt ar na mórcheisteanna atá roimh an earnáil sna cúig bliana amach romhainn, lena n-áirítear an t-aistriú chuig seirbhísí snáithíní, tarraingt siar líonraí oidhreachtá teileachumarsáide, cibearshlándáil, seirbhís do chustaiméirí agus glaonna núis/scéiméireachta.

Ba iad an dá phríomhsheisiún ná:

- Óráid oscailte ón Aire Stáit Ossian Smyth TD
- Plé modhnaithe le príomhpháirtithe leasmhara na hearnála

D'hreastail ionadaithe ó chomhlachtaí poiblí, oibreoirí, an tsochaí shibhialta agus grúpaí tomhaltóirí ar an mbricfeasta.

ECS STRATEGY STATEMENT 2023-2025

I mí Aibreáin 2023, d'fhoilsigh ComReg a Ráiteas Straitéise um Earnáil na Cumarsáide Leictreonaí 2023-2025. Feidhmíonn an Ráiteas mar athbhreithniú meántearma ar ár Straitéis 5 bliana (2021-2026). Leagann sé amach ár gcuspóirí straitéiseacha ardleibhéil don earnáil ECS agus na tionscadail agus na cláir oibre éagsúla a dtabharfaidh ComReg fúthu chun an dá bhliain deiridh dár Straitéis 5 bliana a chur i bhfeidhm.

Athdhearbhaíonn an doiciméad an fhís, an misean agus na luachanna a leagadh amach sa Straitéis Cúig Bliana sin. Ba iad na príomh-nuashonruithe sa Ráiteas:

- Tionscadail rannáin nua
- Nuashonruithe ar fhorbairtí leanúnacha tionscadail
- Nuashonruithe ar threochtaí agus méadracht an tionscail
- Nuashonruithe ar an gcomhthéacs dlíthiúil

Leagtar béim sa Ráiteas ar an tábhacht a bhaineann le nascacht, slándáil líonra agus an gá atá le hinfheistíocht ardcháilíochta leanúnach.

COMHDHÁIL COMREG 2023

I mí an Mhárta 2023, d'óstáil ComReg comhdháil i dTeach an Ard-Mhéara, Baile Átha Cliath dar teideal 'Telecoms: A Changing Landscape'. Bhain sé timpeall ar dhá sheisiún:

I mí an Mhárta 2023, d'óstáil ComReg comhdháil i dTeach an Ard-Mhéara, Baile Átha Cliath dar teideal 'Telecoms: A Changing Landscape'. Bhain sé timpeall ar dhá sheisiún:

An slabhra luacha idirlín atá ag forbairt lena n-áirítear téamaí:

- Todhchaí an Idirlín
- Idirghníomhú Mórchomhlachtaí Teicneolaíochta agus ISPanna
- Múnlaí gnó atá ag teacht chun cinn

Bonneagar Riachtanach – Leanúnachas an tSoláthair a Chinntiú lena n-áirítear téamaí de:

- Líonraí teileachumarsáide mar bhonneagar riachtanach
- Dearcadh infheisteoirí ar Bhonneagar Teileachumarsáide
- Rioscaí don soláthar – ó Aeráide go Gníomhaithe Mailíseacha

I measc na bpainéal don dá sheisiún bhí raon cainteoirí Éireannacha agus Idirnáisiúnta agus thug siad léargas ar thodhchaí an idirlín agus ar na dúshláin atá amach romhainn don earnáil mar chnámh droma cumasaithe an gheilleagair dhigitigh. Chomh maith leis na haoi-phainéalaithe agus Coimisinéirí ComReg, thug Príomhfheidhmeannach IBEC Danny McCoy léargas ar an tírdhreach athraitheach.

SUIRBHÉ NASCACHTA LEATHANBHANDA 2023

Idir Samhain 2022 agus Márta 2023, rinneadh obair allamuigh do Shuirbhé Nascachta Leathanbhanda 2023. Tá sé mar aidhm ag an tionscadal cur le heolas reatha ComReg trí léargais láidre staitistiúla a sholáthar ar nascacht leathanbhanda, ar thaithí an tomhaltóra agus ar shaincheistanna cáilíochta seirbhísí, lena n-áirítear faisnéis ar:

- Luasanna leathanbhanda trasna grúpaí úsáideoirí agus réigiúin
- Úsáid gléasanna iolracha chun rochtain a fháil ar leathanbhanda sa bhaile
- Úsáid reatha agus úsáid dhóchúil as líonraí agus feidhmchláir teileachumarsáide
- Tuairimí maidir le soláthraithe leathanbhanda a roghnú agus a athrú
- Sástacht le seirbhísí leathanbhanda agus fadhbanna a bhíonn ag úsáideoirí

Seo cuid de na príomhthorthaí:

- Oibríonn 44% de na freagróirí ón mbaile ar líne lá amháin sa tseachtain ar a laghad agus oibríonn trian de na freagróirí trí lá sa tseachtain ar a laghad.
- Féachann 78% de na freagróirí ar leathanbhanda mar sheirbhís riachtanach agus tá nasc leathanbhanda líne sheasta ag 85% de na teaghlaigh. Is lú an seans go mbeidh ceangal ag teaghlaigh i gceantair thuaithe nó a bhfuil cónaitheoirí níos sine acu.

Soláthraíonn an suirbhé pictiúr úsáideach ar an gcaoi a bhfuil úsáid chónaitheach leathanbhanda ag forbairt in Éirinn de réir mar a leanann clúdach ar líonraí leathanbhanda ardluais ag leathnú ar fud na tíre agus cianobair ag éirí níos coitianta. Cuirfidh na sonraí a bhailítear mar chuid den tionscadal seo le sruthanna oibre iomadúla ar fud na heagraíochta thar an dá bhliain atá romhainn.

9. Idirnáisiúnta

COMHLACHT NA RIALÁLAI THE EORPACHA UM CHUMARSÁID LEICTREONACH (BEREC)

I rith na bliana seo lean ComReg de bheith rannpháirteach go gníomhach i gComhlacht na Rialálaithe Eorpacha um Chumarsáid Leictreonach (BEREC), a fheidhmíonn mar ardán tábhachtach chun cur chun feidhme comhsheasmhach an chreata rialúcháin do chumarsáid leictreonach san Aontas Eorpach a chinntiú agus a cheadaíonn malartú rialála idir údaráis náisiúnta rialála (NRAanna). Áirítear ar chomhaltas BEREC gach ceann de na ÚNRna ó 27 mBallstát an Aontais Eorpaigh, ionadaithe ón gCoimisiún Eorpach, ó thíortha an Limistéir Eorpaigh Eacnamaíoch (EEA), chomh maith le hionadaithe ó na tíortha is iarrthóirí oifigiúla agus ó thíortha is iarrthóirí ionchasacha an Aontais Eorpaigh, lena n-áirítear an Úcráin agus tíortha ó na Balcáin Thiar. Ba iad an dá phríomhsheisiún ná:

Le linn na tréimhse tuairiscithe seo, d'fhóin Cathaoirleach ComReg, an tUasal Robert Mourik mar ionadaí ComReg ar Bhord Rialálaithe BEREC (BoR) agus toghadh é mar Leas-Chathaoirleach BEREC ar BEREC don bhliain 2023. Dhírigh formhór ghníomhaíochtaí ComReg ar rannchuidiú le baint amach na spriocanna insoláthartha atá leagtha amach. i gClár Oibre BEREC 2022 agus 2023. Mar gheall air sin bhí gá le rannpháirtíocht ghníomhach ó shaineolaithe ComReg in dhá cheann déag de Ghrúpaí Oibre de chuid BEREC (WG) agus chomh maith leis sin soláthraíodh Comhchathaoirleach ar WG amháin (WG 'Wireless Network Evolution').

I measc na dtionscadal de chuid BEREC ar chuidigh ComReg leo bhí, i measc nithe eile, dhá Thuairim ar (i) an tAthbhreithniú ar an Moladh Rochtana, agus (ii) Rochtain ar Sheirbhísí Éigeandála, ceardlann ar Airteagal 22 den EEC (maidir le mapáil leathanbhanda), tuarascáil ar Nascacht Satailíte do Sheirbhís Uilíoch, agus forbairt bunachar sonraí le haghaidh Raonta Uimhreacha Seirbhísí Breislúacha. Ina theannta sin, chuidigh ComReg, mar bhall gníomhach de WG BEREC ar Inbhuanaitheacht, le léargais straitéiseacha a fhorbairt ar tháscairí inbhuanaitheachta comhshaoil comhchuibhithe chun tionchar comhshaoil na cumarsáide leictreonaí a thomhas.

Baineann sruth oibre leanúnach WG de chuid BEREC ar Inbhuanaitheacht le cumhachtú úsáideoirí deiridh trí thrédhearcacht comhshaoil ar tháirgí agus ar sheirbhísí digiteacha. Tá sé seo comhdhéanta de shuirbhéanna a seoladh chuig NRAanna ar thionscnaimh tomhaltóirí sa spás seo, ceardlanna leis an gCoimisiún Eorpach, BEUC (An Eagraíocht Eorpach do Thomhaltóirí) agus an EEB (Biúró Eorpach Comhshaoil), agus dréacht-tuarascáil atá le teacht.

Glacann ComReg páirt freisin i nGrúpaí Oibre cibearshlándála 5G BEREC agus NIS 2; agus ENISA, Gníomhaireacht an Aontais Eorpaigh um Chibearshlándáil agus grúpa na nÚdarás Inniúil Eorpach um Chumarsáid Slán Leictreonach (ECASEC) agus a Ghrúpaí Oibre.

Lean ComReg agus baill eile BEREC orthu ag déanamh monatóireachta agus ag bailiú faisnéise faoi na tionscnaimh a rinne oibreachaí teileachumarsáide Eorpacha go deonach chun cabhrú le dídeanaithe a thagann isteach san AE ón Úcráin.

AN GRÚPA RIALTÓIRÍ NEAMHSPLEÁCHA (IRG)

Lean ComReg de bheith rannpháirteach go gníomhach sa Ghrúpa Rialtóirí Neamhspleácha (IRG), a oibríonn i ndlúthchomhar le BEREC agus a bhunaigh grúpa NRAnna Eorpacha i 1997. Cabhraíonn IRG le NRAnna le cumas a fhorbairt, le heispéiris a roinnt, agus le bailiú faisnéise ar shaincheisteanna tábhachtacha a bhaineann ní amháin le rialáil na margaí teileachumarsáide ach freisin le saincheisteanna nua maidir le Sonraí, Intleacht Shaorga agus rialáil Ardáin Dhigiteacha. I mí Dheireadh Fómhair 2022, d'fhreastail saineolaithe ComReg ar cheardlann oiliúna IRG ar 'Eacnamaíocht na n-ardán a thuiscint chun an rialachán digiteach atá le teacht a fhorfheidhmiú ar bhealach níos fearr'.

Ghiaráil ComReg feidhm chomhroinnte faisnéise an IRG freisin chun tuairimí a fháil ó Chomhaltaí an IRG maidir lena dtaithí ar ghlaonna camscéimeanna cumarsáide núis & téacsanna / calaois. Bhreithnigh saineolaithe ComReg 59 iarratas ar fhaisnéis ar ábhair eile a bhí scaipthe ag Comhaltaí eile den IRG freisin agus thug siad freagra orthu, amhail rialáil siméadrach, gluaistéain nasctha, seirbhísí ardráta, trealamh teirminéil rochtana seasta gan sreang, i measc nithe eile.

Is gníomhaíocht thábhachtach í rannpháirtíocht leanúnach ComReg in IRG, toisc go gcabhraíonn sé le comhroinnt faisnéise agus piarfhoghlaim a chur chun cinn idir na NRAnna, rud a fheabhsaíonn leibhéal chomhchuibhithe na rialála ar fud na hEorpa.

AN COISTE CUMARSÁIDE (COCOM)

Is coiste comhairleach ardleibhéal don Choimisiún Eorpach é an Coiste Cumarsáide (CoCom) a bunaíodh in 2002 faoin gCreat-Treoir (Treoir 2002/21/CE, arna leasú). Tá CoCom comhdhéanta d'ionadaithe na mBallstát agus is é a phríomhról tuairimí a sholáthar ar dhréachtbhearta atá beartaithe ag an gCoimisiún a ghlacadh. Ghlac ComReg páirt mar chuid de thoscaireacht na hÉireann chuig CoCom, chun tacú le hionadaithe ón Roinn Comhshaoil, Aeráide agus Cumarsáide.

DUALGAIS CHLÁRACHA EILE A DHÉANANN AN TAONAD GNÓTHAÍ IDIRNÁISIÚNTA

Lean an tAonad Gnóthaí Idirnáisiúnta de bheith rannpháirteach freisin i sruthanna oibre cláir ad hoc agus seachtracha eile a bhfuil tionchar acu ar ComReg. Mar shampla, chomhordaigh sé freagairt ComReg ar Innéacs an Gheilleagair Dhigitigh agus na Sochaí (DESI) 2022 ¹⁰³ de chuid an Choimisiúin Eorpaigh, trí shonraí ábhartha an mhargaidh teileachumarsáide a chomhdú leis an gCoimisiún Eorpach.

Lean aonaid gnóthaí idirnáisiúnta ComReg agus Ofcom (rialtóir cumarsáide na RA) de bheith ag plé go déthaobhach ar ábhair chomhleasa, tar éis don RA a ballraíocht a tharraingt siar go foirmiúil ón Aontas Eorpach agus imeacht ó BEREC dá bharr.

¹⁰³ digital-strategy.ec.europa.eu/en/policies/desi

AN EAGRAÍOCHT UM CHOMHAR AGUS FHORBAIRT EACNAMAÍOCHTA (OECD)

Is ball é ComReg de Líonra na Rialálaithe Eacnamaíochta (NER), fochomhlacht de Choiste Beartais Rialála an OECD. Tá ComReg ina bhall freisin den Mheitheal um Infreastruchtúr Cumarsáide agus Beartas Seirbhísí (WPCISP), atá ina meitheal oibre de chuid Choiste an OECD ar Bheartas Geilleagar Digiteach (CDEP).

AN LÁRIONAD UM RIALÁIL SAN EORAIP (CERRE)

Is ball é ComReg de CERRE agus shuigh sé ar choistí stiúrtha tionscadail. Áiríodh orthu sin: Idir-inoibritheacht agus Margaí Digiteacha (Márta 2022), Comhéadain Oscailte agus Nuálaíocht sa Teileachumarsáid (Meán Fómhair 2022) agus Seirbhísí Aitheantais Dhigiteach sa Gheilleagar Ardán (Deireadh Fómhair 2022).

10. Seirbhísí Corparáideacha

RIALACHAS

Tá sé mar chuspóir ag ComReg comhlíonadh a chinntiú, i gcónaí, leis an gcleachtas is fearr i Rialachas Corparáideach.

Tá sé mar bheartas ag ComReg cloí leis an gCód Cleachtais athbhreithnithe agus nuashonraithe 2016 maidir le Rialachas Comhlachtaí Stáit agus tá tuairisc tugtha aige ar a chomhlíonadh le hait ábhartha den Chód sa Tuarascáil Bhliantúil seo nó go leithleach trí litir a chur chuig an Aire Cumarsáide, Aeráide agus Comhshaoil.

Tá clár fairsing iniúchta i bhfeidhm ag ComReg, arna mhaoirsiú ag a Choiste Iniúcháireachta a tháinig le chéile ceithre huaire i rith na bliana. Déantar an fheidhm iniúchta inmheánaigh a sheachfhoinsiú. Tá iontaobhaí neamhspleách na scéime pinsin i bhfeidhm freisin, ag teacht leis an gcleachtas is fearr.

Mar chomhlacht poiblí a fheidhmíonn i dtimpeallacht dheacair, is dúshlán leanúnach é leanúint de luach a chur leis agus oibriú laistigh de shrianta acmhainní. Déanaimid athbhreithniú agus leasú leanúnach ar bheartais agus nósanna imeachta maidir le caiteachas, soláthar agus bainistíocht riosca. Tá ComReg cuntasach don Oireachtas trí Choistí Oireachtais.

Tá sé mar aidhm ag feidhmiú leanúnach an phlean soláthair luach ar airgead a bhaint amach, seirbhís ardchaighdeán a sholáthar don phobal agus soláthar a shocrú ar bhealach comhlíontach. I rith na bliana reatha tá tairiscint iomaíoch socraithe againn maidir le seirbhísí seachfhoinsithe. Leanamar Treoracha Soláthair Eorpacha do chonarthaí níos mó agus d'úsáideamar Creat-Chomhaontuithe na hOifige um Sholáthar Rialtais nuair is féidir.

Tá sé mar aidhm againn gach sonrasc bailí a íoc laistigh de 15 lá agus foilsímid ar ár suíomh gréasáin lón agus luach na n-íocaíochtaí a dhéantar go ráithiúil. Leanaimid de bheith ag feabhsú amanna timthriall próiseála oibre, le cúnamh ó chomhoibriú na foirne go léir agus na tionscnaimh teicneolaíochta nua a forbraíodh go himmheánach chun próiseáil a fheabhsú. Sa bhliain go dtí 30 Meitheamh 2023 tá 97% de na híocaíochtaí déanta laistigh den am riachtanach.

CUMARSÁID AGUS GNÓTHAÍ POIBLÍ

Ag teacht le ráiteas straitéise ComReg, príomhspríoc do ComReg is ea dul i ngleic go réamhghníomhach lenár gcuid páirtithe leasmhara iomadúla. Tá raon leathan páirtithe leasmhara ag ComReg ó thomhaltóirí agus a ngrúpaí ionadaíocha, go hoibreoirí údaraithe, grúpaí ionadaíocha tionscail chomh maith le comhlachtaí agus ranna rialtais intíre agus idirnáisiúnta, i measc daoine eile. Bainimid úsáid as bealaí éagsúla, lena n-áirítear suíomh Gréasáin ComReg, na meáin, agus na meáin shóisialta, chun ár dteachtaireacht a chur in iúl. Creidimid go gcuidíonn rannpháirtíocht oscailte leis na páirtithe leasmhara go léir le ComReg ina chuid oibre mar údarás rialála náisiúnta. Le linn na tréimhse, d'fhoilsíomar 179 doiciméad ar shuíomh gréasáin ComReg.

INBHUANAITHEACHT

Mar chuid de Phlean Gníomhaíochta Aeráide na Seirbhíse Poiblí 2023, tá Treochlár Gníomhaíochta Aeráide ComReg forbartha againn. Tá an Treochlár seo dírithe ar phleananna ComReg chun astuithe iomlána a bhaineann le fuinneamh agus astuithe a bhaineann le breosla iontaise ónár n-oibríochtaí a laghdú. Leagtar amach ann pleananna ComReg chun Sainordú Gníomhaíochta na hAeráide san Earnáil Phoiblí a chur i bhfeidhm mar atá leagtha amach i CBT22 agus CBT23, trí ghníomhaíochtaí an tSainordaithe a ghlacadh agus a thuairisciú. Déanfaimid gníomhaíocht aeráide agus oiliúint inbhuanaitheachta a fhí isteach i straitéisí foghlama agus forbartha freisin.

Tá ComReg tiomanta do pháirt a ghlacadh tríd an ngníomh aeráide is gá a ghlacadh chun astuithe GHG na hÉireann a laghdú 51% faoi 2030. Tá rannpháirtíocht na ndaoine a oibríonn ag ComReg ríthábhachtach dár rathúlacht chun ár spriocanna gníomhaíochta aeráide a bhaint amach. Le 12 mhí anuas, tá bonneagar inmheánach á bhunú againn maidir leis an gcaoi a ndéanaimid bainistiú ar ár dtionscnaimh inbhuanaithe. Tá Foireann Glas bunaithe againn, ag tuairisciú d'Fhoireann Cheannaireachta ComReg, le bheith mar thiománaí comhtháite inbhuanaitheachta i ComReg. Is é an príomhaidhm atá acu ná díriú ar bhainistiocht fuinnimh agus éifeachtúlacht a thiomáint timpeall ar ár n-úsáid fuinnimh. Is é an cuspóir tánaisteach atá acu ná feasacht a spreagadh trí thionscnaimh inbhuanaitheachta san eagraíocht.

I measc na dtionscnamh inbhuanaitheachta a seoladh sa tréimhse Iúil 2022 go Meitheamh 2023 tá:

- Laghduithe buana ar amanna fuaraithe agus téimh oifige curtha i bhfeidhm ar aondul leis an bhfeachtas 'Laghdaigh d'Úsáid' a seoladh i bhFómhar 2022.
- Téitheoirí níos tíosaí ar fhuinneamh curtha in ionad na téitheoirí sa limistéar cithfholcadh ar féidir am a rialú ar bhonn 7 lá in aghaidh na huaire. Mar thoradh ar amanna laghdaithe téimh agus téitheoirí níos tíosaí ar fhuinneamh, tá laghdú suntasach ar astuithe carbóin.

Bainfidh ComReg úsáid freisin as an bpróiseas Soláthair Phoiblí Ghlais (GPP) chun earraí, seirbhísí nó oibreacha a bhfuil tionchar comhshaoil laghdaithe acu a aimsiú. Úsáidfear an treoir SPG agus na deich sraith critéar a ghabhann leis a d'fhoilsigh an EPA chun tacú lenár nósanna imeachta soláthair agus chun tacú le huaillmhianta gníomhaíochta aeráide lena n-áirítear éifeachtúlacht fuinnimh feabhsaithe. Áiríodh sa Phlean Soláthair Corparáideach (CPP) 2022-2023 sonraí réamhrá don SPG agus chuimsigh an Oiliúint Bhliantúil um Sholáthar Poiblí i bhFeabhra 2023 Modúl ar SPG. Clúdaítear soláthar glas freisin san oiliúint bhliantúil soláthair ó chomhairleoirí dlí seachtracha.

TEICNEOLAÍOCHT FAISNÉISE

Lean ComReg ar aghaidh ag forbairt agus ag daingniú a sheirbhísí Teicneolaíocht Faisnéise de réir bheartas reatha ríomh-Rialtais. Chuir ComReg feabhas suntasach ar a sheirbhísí do thomhaltóirí agus don tionscal le linn na tréimhse le feabhsuithe breise ar chibearshlándaíl agus ar cheadúnú speictrim chomh maith le hacmhainní tomhaltóra ar líne agus seirbhísí faisnéise ar fáil trí www.comreg.ie.

Tá forbairtí suntasacha eile bainte amach freisin maidir le córais agus próisis bailithe sonraí margaidh agus anailíse ComReg. Díródh acmhainní agus aird TF ar ardáin chomhoibrithe shlána nua-aimseartha a chur chun feidhme, ag tacú le feabhsuithe

próisis agus le rialú ar bhagairtí cibearshlándála agus bainistíochta sonraí. Bhí ComReg in ann a thimpeallacht TF nua-aimseartha agus slán a ghairiú chun tacú leis an aistriú riachtanach chuig baill foirne a oibríonn go cianda ar feadh roinnt laethanta in aghaidh na seachtaine. Tá an eagraíocht tar éis bogadh chuig stíl oibre chumaisc leis na hathruithe teicniúla riachtanacha a éascaíonn an t-aistriú seo ar an mbealach is éifeachtaí agus is táirgiúla agus is féidir.

ACMHAINNÍ DAONNA AGUS SÁRMHAITHEAS OIBRIÚCHÁIN

Le linn 2023, tar éis tréimhse tástála a bheith curtha i gcrích, thug ComReg beartas oibre cumaisc isteach. Dréachtaíodh an polasaí bunaithe ar aiseolas ó gach duine a oibríonn ag ComReg ar lorgaíodh a dtuairimí trí shuirbhéanna agus grúpaí fócais.

Táimid tiomanta do na bealaí is fearr oibre a aimsiú le cur ar chumas ComReg:

- Ár misean agus ár spriocanna a sheachadadh.
- Comhoibriú agus coláisteacht a neartú
- Tosaitheoirí nua a chothú i dtimpeallacht ina bhfuil rochtain acu ar líonra inmheánach chun foghlaim uaidh, breathnú air, ceistiú agus idirghníomhú leis.
- Deiseanna do mhachnamh domhain agus fócas a uasmhéadú

Leagann an polasaí amach ár mbealaí oibre a thugann, tá súil againn, an chuid is fearr den dá shaol dúinn trí na buntáistí a bhaineann le bheith ag obair le chéile go pearsanta agus na buntáistí a bhaineann le hobair ón mbaile a ghabháil. Bíonn tionchar ag na rudaí dearfacha seo ní hamháin ar na daoine a oibríonn ag ComReg ach ar an gcomhshaol agus ar an bpobal áitiúil. Tá solúbthacht dhá threo ag croílár ár mbeartais. Le go n-oibreoidh ár bpolasaí de mheon agus go praiticiúil, ní mór dúinn go léir a bheith solúbtha maidir lena gcur chuige maidir le hobair chumaisc.

Díríodh go láidir sa tréimhse atá faoi athbhreithniú ar dhaoine a mhealladh, a fhostú, a fhorbairt, a mhealladh agus a choinneáil. Tugadh faoi chleachtadh pleanála fórsa saothair i rith na bliana, rud a d'fhág gur iarr ComReg cead ónár Roinn 55 ról nua a mhéadú. De réir mar a leanann ár sainchúram ag fás, tuigtear nach mór dúinn daoine aonair a aimsiú a bhfuil sainscileanna agus sainscileanna acu le cur ar ár gcumas seachadadh de réir ár n-ionchais reatha agus a bheith feistithe le haghaidh freagrachtaí amach anseo. Ina theannta sin, táimid ag déanamh athbhreithniú a bheidh dírithe ar an todhchaí agus is dócha go mbeidh sainmhíniú ar ról nua breise mar thoradh air. Leanaimid ag cur lenár bhfórsa saothair agus earcaimid 26 duine i rith na bliana. Tá ár bhfoireann gairmeacha tiomanta do thacú leis an eagraíocht daoine a earcú leis na scileanna, an taithí agus na tréithe cearta a chuirfidh go mór le táirgí insólathartha na heagraíochta. Aithnímid gurb iad daoine fórsa saoil na heagraíochta agus i rith na bliana, tá lúcháir orainn a rá gur chuireamar fáilte roimh dhaoine cumasacha a chuirfidh lenár mbonn eolais, a mhéadóidh ár sainscileanna, agus a thacóidh le seachadadh ár gcuspoirí.

Leanaimid de bhéim láidir a leagan ar thallann agus cumas a thógáil agus ar an mbealach sin ár bpíblíne tallainne a neartú don todhchaí. Chríochnaigh ár gClár larchéime 2021 in 2023 agus tá Céimithe ar bord againn faoi láthair ar an gclár 2023 – 2025. Faoinár gclár feabhaisithe 2 bhliain, cuirimid fáilte roimh chéimithe a bhfuil cúlra acu san Eacnamaíocht, sa Tíreolaíocht agus i Sonraí ó raon institiúidí tríú leibhéal. Ar an gclár seo, freastalóidh na céimithe freisin ar chlár larchéime IMI áit a dtógfaidh siad a scileanna iomlánaíocha agus ag idirghníomhú le céimithe in eagraíochtaí eile ar fud na tíre.

De réir mar a thagann méadú ar líon na ndaoine, déanaimid ár ndícheall a chinntiú go bhfuil an timpeallacht sábháilte agus struchtúrtha ar bhealach a chuirfidh ar chumas na heagraíochta feidhmiú go héifeachtach agus chun go bhféadfaidh daoine a gcuid oibre is fearr a dhéanamh. Tá tús curtha againn le tionscadal um úsáid spáis chun an spás atá againn a uasmhéadú agus chun socrú a dhéanamh do dhaoine breise a bheidh linn amach anseo.

Trí infheistíocht a dhéanamh i bhforbairt daoine, déanaimid ár ndícheall tacú leis an bhfoireann a gcumas a mhéadú agus a gcumas a bhaint amach. Leanaimid ag déanamh urraíochta ar oideachas agus spreagaimid go láidir an fhoireann chun cur lena n-eolas agus cáilíochtaí reatha. Cuirtear an tacaíocht seo ar fáil d'fhorbairt trí oiliúint ar an láthair oibre, cóitseáil, meantóireacht, cúrsaí saincheaptha agus oideachas foirmiúil. Chuireamar féilire fairsing foghlama agus forbartha ar fáil lena n-áirítear forbairt ceannaireachta, cláir ghairmiúla, theicniúla agus rialála chomh maith le líonraí a roinnt chun comhoibriú agus comhroinnt faisnéise a spreagadh. Chríochnaíomar ár gclár meantóireachta grúpa níos luaithe i mbliana agus sheolamar clár meantóireachta duine le duine.

Is eagraíocht chomhoibríoch muid a lorgaíonn aiseolas chun cinntí a threorú. Táimid ag obair ar shuirbhé a dhearadh chun suirbhé rannpháirtíochta a thomhas agus mar sin a chur ar chumas ComReg ceisteanna a chur ar dhaoine faoina dtaithí faoi chatagóirí ar leith. Táimid ag tnúth le hanailís a dhéanamh ar thorthaí, pleanáil gníomhaíochta a dhéanamh bunaithe ar aiseolas agus athruithe bríocha a dhéanamh mar fhreagra. Ar an mbealach seo, tá súil againn tógáil ar ár suirbhé Rannpháirtíochta roimhe seo agus ar an obair a rinneadh mar thoradh air faoi cheithre cholún: Solúbthacht, Meas, Ceannaireacht agus Cumarsáid.

Mar chuid dár bhfócas leanúnach ar fheabhsúchán, leanann ComReg de thaighde a dhéanamh ar dheiseanna chun córais agus próisis AD a chuíchóiriú. Aithníodh le déanaí go bhfuil gá le feabhsú inár bpróiseas bainistíochta iarrthóirí. Tar éis raon feidhme na riachtanas, tá conradh sínithe againn le déanaí le haghaidh córais bainistíochta iarrthóra. Cuirfidh sé seo ar ár gcumas próisis a shruthlíniú, eispéireas an iarrthóra a fheabhsú agus méadracht a tháirgeadh i réimse na tallainne a shealbhú agus a chur ar bord. Tá feabhas curtha againn freisin ar inrochtaineacht ár dtionscnaimh ríomhfhoghlama trí chóras bainistíochta foghlama (LMS).

Chun ár gcumarsáid inmheánach a fheabhsú, rinneadh ollchóiriú ar shuíomh inlín AD, agus tá an leagan nuashonraithe leagtha amach níos fearr, níos inrochtana agus níos amhaire. Táimid ag cur bailchríoch ar thionscadal chun ár bpolasaithe AD a nuashonrú.

Tá ComReg tiomanta do thacaíocht ábhartha a sholáthar do dhaoine ag céimeanna tábhachtacha den saol – oideachas, tuismíocht, tinneas agus méala, i measc nithe eile. Déanaimid ár ndícheall cultúr tacúil a chruthú agus a chothú, trí bheartais, cairteacha, agus clár láidir folláine. Le léiriú agus tiomantas a thabhairt don rún atá againn tacú le folláine sa todhchaí, tá gealltanais scríofa ag ComReg chuige sin. Tá stair fhada againn ag infheistiú i ngnéithe sóisialta, meabhrach agus fisiceacha na folláine agus mar iarracht é seo a chomhdhlúthú agus a chur in iúl, ceapadh an Gealltanais. Is doiciméad gairid é a leagann amach ár gcur chuige, ár n-éiteas agus ár dtiomantas do gach duine a oibríonn ag ComReg agus atá ailínithe lenár luachanna agus lenár gCairt Measa.

ÉAGSÚLACHT AGUS CUIMSIÚ A CHUR CHUN CINN

Déanann an eagraíocht a dícheall freisin éagsúlacht, cuimsiú agus cothromaíocht inscne a chur chun cinn san ionad oibre. Teastaíonn uainn go mbainfeadh daoine sult as a gcuid oibre, go mbeimid muiníneach go gcaitear leo le meas agus iad ag obair agus go dtuigimid go bhfuiltear ag súil go gcaithfidh siad lena gcomhghleacaithe ar an mbealach céanna. Tá ár luachanna lonracas, Neamhchlaontachta, Trédhearcachta, Feabhais agus Éifeachtúlachta – agus na hiompraíochtaí a bhaineann leis na luachanna seo – fite fuaite isteach inár n-idirghníomhaíochtaí agus cinntí. Tá cruthú ionad oibre cuimsitheach lárnach d'éiteas ComReg. Tá bród orainn éagsúlacht ár bhfórsa saothair a aithint trí mhí an Mhíosa a cheiliúradh agus trí aitheantas a thabhairt d'ócáidí tábhachtacha thar raon leathan cultúir. Rinneamar Lá Idirnáisiúnta na mBan a cheiliúradh freisin agus rinneamar an ócáid a chomórath trí phlé ar théamaí uile na foirne a reáchtáil.

Amhail an 30 Meitheamh, bhí 50% de chomhaltaí bainearna agus 50% fireann ag Coiste Iniúchta agus Riosca ComReg (ARC), agus bhí post amháin folamh. Tá comhdhéanamh bhallraíocht an ARC ar aon dul le sprioc an Rialtais ionadaíocht 40% ar a laghad de gach inscne i mballraíocht na mBord Stáit.

Tá ár gCód Iompair agus ár gCairt Measa leabaithe níos mó againn sa phróiseas ionductaithe ag athdhearbhú na caighdeáin idirghníomhaíochta agus iompair a bhfuiltear ag súil leo inár gcur chuige oibre. Léirítear an cód chun freagracht agus oibleagáidí a bhaineann lenár n-idirghníomhaíochtaí gnó a léiriú. Leagann sé béim freisin ar an ngá atá le deireadh a chur leis an gclaonadh agus leis an gclaontacht agus leagann sé béim ar an gcur chuige atá ag daoine ar dtús.

Ceanglaítear ar ComReg cloí le hailt 25, 26, 27 agus 28 den Acht um Míchumas 2005. Faoi Acht, cinntíonn ComReg go bhfuil limistéir phoiblí ár bhfoirgneamh inrochtana do dhaoine faoi mhíchumas agus go bhfuil ár seirbhísí poiblí inrochtana do dhaoine faoi mhíchumas freisin.

Tá éachtaí ComReg tógtha ar chaighdeáin ghairmiúla na ndaoine a oibríonn anseo. Táimid buíoch dár bhfórsa saothair de dhaoine tiomanta agus inniúla.

DRÉACHT-RÁITIS AIRGEADAIS

ÓN gCOIMISIÚN UM RIALÁIL CUMARSÁIDE
DON BHLIAIN DAR CRÍOCH AN 30 MEITHEAMH 2023



Clár Ábhair

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1.

Commission Members And Other Information

An Coimisiún

Amhail an 30 Meitheamh 2023, bhí 2 Choimisinéir ar an gCoimisiún

Robert Mourik – Cathaoirleach

Garrett Blaney – Coimisinéir

Oifigí

1 Na Dugaí Láir

Sráid na nGildeanna

Baile Átha Cliath 1

Iniúcháirí

An tArd-Reachtair Cuntas agus 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 Chomhaltaí An Choimisiúin

Rialachas

Bunaíodh an Coimisiún um Rialáil Cumarsáide (ComReg) an 1 Nollaig 2002. Sonraítear feidhmeanna an Choimisiúin san Acht um Rialáil Cumarsáide, 2002, agus san Acht um Rialáil Cumarsáide (Leasú), 2007. Baineann na feidhmeanna seo le rialáil agus ceadúnú an tionscail chumarsáide leictreonaí (lena n-áirítear tarchur raidió agus craolacháin), rialáil seirbhísí poist, rialáil seirbhísí ardráta agus rialáil ainm fearainn .ie. Maoinítear an Coimisiún go hiomlán trí ioncam a fhaightear ó na tionscail cumarsáide leictreonaí, seirbhísí poist agus ardráta.

Luaitear in Alt 11 d'Acht 2002, faoi réir Acht 2002, go mbeidh an Coimisiún neamhspleách maidir lena fheidhmeanna a chur i bhfeidhm. Deirtear in alt 14 den Acht seo go mbeidh coimisinéir amháin ar a laghad agus triúr Coimisinéirí ar a mhéid ar an gCoimisiún 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 déanann sé an cúram sin trí chuspóirí agus spriocanna straitéiseacha a leagan síos agus cinntí straitéiseacha a dhéanamh maidir le gach príomh-shaincheist ghnó. Is é an Coimisiún agus an Fhoireann Ceannaireachta atá freagrach as bainistíocht, rialú agus stiúradh rialta ComReg ó lá go lá. Ní mór don fhoireann Ceannaireachta cloí leis an treoir straitéiseach leathan atá leagtha síos ag an gCoimisiún, agus ní mór di a chinntiú go bhfuil tuiscint shoiléir ag comhaltaí uile an Choimisiúin ar na príomhghníomhaíochtaí agus ar na príomhchinntí a bhaineann leis an eintiteas, agus ar aon rioscaí suntasacha is dócha a thiocfaidh chun cinn.

Freagrachtaí an Choimisiúin

Leagadh amach obair agus freagrachtaí an Choimisiúin ar dtús in Acht 2002. Tá ár gcuspoirí leagtha amach i gcomhréir leis an reachtaíocht phríomhúil agus thánaisteach araon, agus tá an creat reachtach seo ag forbairt i gcónaí ó Acht 2002 agus ón Acht Cumarsáide (Rialáil) 2007. In 2007, chuir an tAcht um Rialáil Cumarsáide (Leasú) 2007 le freagrachtaí agus cumhachtaí ComReg, chomh maith le bearta forfheidhmiúcháin atá ar fáil.

Foráiltear le hAlt 21 d'Acht 2002 'go bhféadfaidh aon chomhalta foirne nó oifigeach údaráithe de chuid an Choimisiúin, nó trí aon chomhalta foirne nó oifigeach údaráithe de chuid an Choimisiúin, cur i bhfeidhm fheidhmeanna an Choimisiúin a chur i gcrích de réir mar is cuí'. Tá feidhmeanna áirithe tarmligthe ag an gCoimisiún ach tá nithe eile ann atá forchoimeáda go sonrach do chinneadh an Choimisiúin. I measc na nithe a bhreithnigh an Coimisiún tá;

- tuarascálacha ón gCoiste Iniúchta agus Riosca / ó ghrúpaí oibre
- tuarascálacha airgeadais / cuntais bhainistíochta
- tuarascálacha feidhmíochta, agus
- ábhair fhorchoimeáda.

Freagrachtaí an Choimisiúin (ar lean)

Ceanglaítear le hAlt 32 den Acht um Rialáil Cumarsáide, 2002, ar an gCoimisiún na cuntais go léir is cuí agus is gnách ar airgead a fhaigheann sé nó a chaitheann sé, lena n-áirítear cuntas ioncaim agus caiteachais agus clár comhardaithe, a choimeád i cibé foirm a cheadóidh an tAire Comhshaoil, Aeráide agus Cumarsáide, le toiliú an Aire Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN, idirdhealú a dhéanamh idir:

- (a) feidhmeanna a bhaineann le cumarsáid leictreonach,
- (b) feidhmeanna a bhaineann le cúrsaí poist agus
- (c) feidhmeanna a bhaineann le seirbhísí ardráta.

Agus ráitis airgeadais á n-ullmhú aige, ceanglaítear ar an gCoimisiún:

- beartais chuntasaíochta oiriúnacha a roghnú agus iad a chur i bhfeidhm go comhsheasmhach ansin;
- breithiúnais agus meastacháin a dhéanamh atá réasúnta agus stuama;
- na ráitis airgeadais a ullmhú ar bhonn gnóthais leantaigh mura bhfuil sé míchuí glacadh leis go leanfaidh an Coimisiún de bheith ag feidhmiú.
- a lua ar cloíodh le caighdeáin chuntasaíochta infheidhme, faoi réir aon imeachtaí ábhartha a nochtar agus a mhínítear sna ráitis airgeadais;

Tá an Coimisiún freagrach as taifid chuntasaíochta leordhóthanacha a choinneáil a nochtann, le cruinneas réasúnta ag am ar bith, staid airgeadais an Choimisiúin agus a chuireann ar chumas an Choimisiúin a chinntiú go gcomhlíonann ráitis airgeadais ceanglais Alt 32 den Acht um Rialáil Cumarsáide. Is é an Coimisiún atá freagrach as cothabháil agus sláine na faisnéise corparáidí agus airgeadais ar shuíomh gréasáin an Choimisiúin.

Tá an Coimisiún freagrach as an bplean gníomhaíochta agus an buiséad bliantúil a fhormheas. Rinneadh meastóireacht ar fheidhmíocht an Choimisiúin faoi threoir an phlean bhliantúil agus an bhuiséid bhliantúil i mí an Mheithimh 2023.

Tá an Coimisiún freagrach as a shócmhainní a chosaint agus, dá bhrí sin, as céimeanna réasúnta a ghlacadh chun calaois agus neamhrialtachtaí 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 amhail an 30 Meitheamh 2023.

Struchtúr an Choimisiúin

Deirtear in Alt 14 den Acht um Rialáil Cumarsáide, 2002 go mbeidh ar a laghad Coimisinéir amháin agus triúr Coimisinéirí ar a mhéad ar an gCoimisiún. Deirtear in Alt 15 den Acht go gceapfar Coimisinéir ar bhonn lánaimseartha ar feadh tréimhse nach giorra ná trí bliana agus nach faide ná cúig bliana. Foráiltear leis an Acht freisin, i gcás ina bhfuil níos mó ná Coimisinéir amháin ann, go gceapfaidh an tAire duine acu chun bheith ina chathaoirleach nó ina cathaoirleach ar an gCoimisiún.

Faoi Alt 17 den Acht um Rialáil Cumarsáide, 2002, déanfaidh an Coimisiún, i gcás nach bhfuil níos mó ná Coimisinéir amháin ceaptha faoi Alt 15, comhalta dá fhoireann a ainmniú mar leaschomhalta den Choimisiún (“leas-choimisinéir”) a dhéanfaidh feidhmeanna uile an Choimisiúin a ghlacadh chuige féin agus a chur i gcrích le húdarás an Choimisiúin nuair a bheidh an Coimisinéir as láthair.

Amhail an 30 Meitheamh 2023, bhí beirt Choimisinéirí ar an gCoimisiún agus cheap an tAire Comhshaoil, Aeráide agus Cumarsáide iad go léir. Sonraítear sa tábla thíos comhaltaí an Choimisiúin agus a gceapadh, nó dátaí athcheaptha (ní féidir le comhaltaí an Choimisiúin fónamh ar níos mó ná dhá théarma oifige mar Choimisinéir). Cheap an tAire Helen Dixon ina Coimisinéir an 20 Feabhra 2024. Tagann an Coimisiún le chéile go rialta chun saincheisteanna rialála agus oibríochtúla a phlé.

Comhalta den Choimisiún	Dáta Ceaptha
Robert Mourik Cathaoirleach Garrett Blaney	7 Eanáir 2019 7 Eanáir 2019

An Coiste Iniúchta agus Riosca

Tá Coiste Iniúchta agus Riosca (ARC) bunaithe ag an gCoimisiún. Is é an Coimisiún a cheapann comhaltaí an CIR agus tá cúigear ar a mhéad iontu:

- beirt Choimisinéirí (Nóta: Is é an Cathaoirleach an tOifigeach Cuntasaíochta agus dá bhrí sin ní cheaptar é ar an gCoiste Iniúchta agus Riosca);
- comhaltaí seachtracha neamhspleácha.

Tá duine de na comhaltaí seachtracha ina chathaoirleach ar an CIR.

Is é ról an CIR tacú leis an gCoimisiún i ndáil lena fhreagrachtaí maidir le saincheisteanna riosca, rialaithe agus rialachais agus dearbhú gaolmhar. Tá an CIR neamhspleách ar bhainistíocht airgeadais na heagraíochta. Go háirithe, cinntíonn an CIR go ndéantar faireachán gníomhach agus neamhspleách ar na córais rialaithe inmheánacha lena n-áirítear gníomhaíochtaí iniúchóireachta. Tuairiscíonn an CIR go foirmiúil i scríbhinn don Choimisiún gach bliain.

Bhí an Coimisinéir Garrett Blaney ina bhall den CIR sa bhliain dar críoch an 30 Meitheamh 2023. Ba iad seo a leanas comhaltaí seachtracha an Choiste Iniúchta agus Riosca amhail an 30 Meitheamh 2023: Michael Tutty (Cathaoirleach ón 1 Eanáir 2023), Marie Collins agus an Dr Celine McNerney. Tháinig deireadh le téarma Patricia Byron mar Chathaoirleach ar an CIR an 31 Nollaig 2022. Bhí ceithre chruinniú den CIR sa bhliain dar críoch an 30 Meitheamh 2023.

Sceideal Tinrimh, Táillí agus Costais

Leagtar amach thíos sceideal tinrimh ag cruinnithe an Choiste Iniúchta agus Riosca do 2023, lena n-áirítear na táillí agus na costais a fhaigheann gach ball.

Baill an Choiste Iniúchta agus Riosca

Ainm	Ról	Líon na gCruinnithe ar Freastalaíodh orthu	Táillí 2023 €	Speansais 2023 €
Patricia Byron (Cathaoirleach go dtí an 31 Nollaig 2022)	Comhalta Seachtrach	2	4,000	Neamhní
Michael Tutty - Chairperson (Cathaoirleach ón 1 Eanáir 2023)	Comhalta Seachtrach	4	6,400	Neamhní
Marie Collins	Comhalta Seachtrach	4	4,800	Neamhní
Dr Celine McNerney (Ceaptha an 1 Bealtaine 2023)	Comhalta Seachtrach	1	1,200	83
Garrett Blaney	Coimisinéir	4	N/a	Neamhní

Nochtadh a éilítear faoin gCód Cleachtais um Rialachas Comhlachtaí Stáit (2016)

Tá an Coimisiún freagrach as a chinntiú gur chomhlíon ComReg ceanglais an Chóid Chleachtais um Rialachas Comhlachtaí Stáit (“an Cód”), mar a d’fhoilsigh an Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN i mí Lúnasa 2016. Éilítear na nochtuithe seo a leanas leis an gCód.

Miondealú ar Shochair Ghearrthéarmacha Fostaithe

Déantar sochair gearrthéarmacha fostaithe os cionn €60,000 a chatagóiriú sna bandaí seo a leanas:

Raon (€'000)	30 Meitheamh 2023 <i>Uimhir</i>	30 Meitheamh 2022 <i>Uimhir</i>
60 - 70	17	13
70 - 80	13	16
80 - 90	19	16
90 - 100	18	15
100 - 110	12	8
110 - 120	8	5
120 - 130	3	11
130 - 140	10	7
140 - 150	6	3
150 - 160	3	2
160 - 170	1	1
170 - 180	2	0
180 - 190	0	1
190 - 200	0	0
200 - 210	1	0
210 - 220	0	0
220 - 230	0	2
230 +	4	2

Tabhair faoi deara:

Chun críche an nohta seo, áirítear le sochair gearrthéarmacha fostaithe i ndáil le seirbhísí a rinneadh le linn na tréimhse tuairiscithe tuarastal, pá a bhaineann le feidhmíocht agus sochar comhchineáil i leith íocaíochtaí árachais liachta a dhéantar thar ceann an fhostaí ach ní áirítear ÁSPC an fhostóra.

Costais Chomhairle Theicniúil

I measc na gcostas Chomhairle Theicniúil tá costas na comhairle seachtraí don bhainistíocht agus áirítear leo feidhmeanna seachfhoinsithe 'gnó mar is gnách'. Taispeántar costais Chomhairle Dlí de €1.4m (2022: €1.4m) ar leithligh mar chuid de Chostais Dlí thíos.

	2023 €'000	2022 €'000
Comhairle Ghairmiúil & Theicniúil	9,023	7,727
Bainistíocht Teagmhála	741	913
Taighde Margaidh	628	562
Caighdeán na Monatóireachta Seirbhíse	614	576
	11,006	9,778

Costais Dlí

Tugtar miondealú sa tábla thíos ar na méideanna a aithnítear mar chaiteachas sa tréimhse tuairiscithe i ndáil le costais dlí.

	2023 €'000	2022 €'000
Comhairle Dlí	1,418	1,380
Costais Dlí a bhaineann le hlmeachtaí Dlí	3,422	1,862
	4,840	3,242

Luaitear costais dlí glan ó chostais a aisghabhtar ó thríú páirtithe. Ní dhearnadh aon íocaíochtaí idir-réitigh agus eadrána ná íocaíochtaí socraíochta sa bhliain.

Caiteachas Taistil agus Cothaithe

Déantar caiteachas taistil agus cothaithe a chatagóiriú mar seo a leanas:

	2023 €'000	2022 €'000
Taisteal Intíre	20	23
Taisteal Idirnáisiúnta	181	64
	201	87

Caiteachas Fáilteachais

Cuimsíonn an Cuntas Ioncaim agus Caiteachais an caiteachas fáilteachais seo a leanas:

	2023 €'000	2022 €'000
Costais Fáilteachais Foirne	21	28
Ranníocaíocht le Club Spóirt agus Sóisialta	5	8
	26	36

Ní ghlacann ComReg páirt i bhFáilteachas Cliant. Ní áirítear sna suimeanna thuas caiteachas ar sólaistí/fáilteachas a bhaineann le hoibríochtaí gnó amhail óstáil chomhdhála, imeachtaí agus cruinnithe.

Ráiteas Comhlíontachta

Tá an Coimisiún tiomanta do na caighdeáin is airde rialachais chorparáidigh a choinneáil. Is é an Cód Cleachtais um Rialachas Comhlachtaí Stáit arna fhoilsiú ag an Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN bunús ar a bhfuil ár mbeartais rialachais chorparáidigh bunaithe.

Ceanglaítear le hAlt 33 den Acht um Rialáil Cumarsáide, 2002, ar an gCoimisiún cód bainistíochta airgeadais a ghlacadh, le ceadú an Aire Comhshaoil, Aeráide agus Cumarsáide agus an Aire Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN agus socrú a dhéanamh go bhfoilseofar é tar éis an cheadaithe sin. Ina theannta 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. Tá ceanglas ar an gCoimisiún freisin a thuairim a thabhairt sa tuarascáil bhliantúil maidir le cloí leis an gcód.

Tá ár gcód bainistíochta airgeadais (atá bunaithe ar an gCód Cleachtais um Rialachas Comhlachtaí Stáit (2016) a d'fhoilsigh Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN) faofa ag an Aire Comhshaoil, Aeráide agus Cumarsáide agus ag Aire Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN. Foilsítear an cód ar ár suíomh gréasáin. Is é beartas an Choimisiúin comhlíonadh an Chóid a chinntiú.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: 22 Márta 2024

3. **Ráiteas Maidir Le Rialú Inmheánach**

Freagracht as Rialú Inmheánach

Thar ceann ComReg, admhaím an fhreagracht atá ar an gCoimisiún a chinntiú go ndéantar córas éifeachtach rialaithe inmheánaigh a chothabháil agus a oibriú. Cuirtear san áireamh sa fhreagracht sin riachtanais an Chóid Chleachtais um Rialachas Comhlachtaí Stáit (2016).

Cuspóir an Chórais Rialaithe Inmheánaigh

Tá an córas rialaithe inmheánaigh ceaptha chun riosca a bhainistiú go leibhéal cuibheasach seachas chun deireadh a chur leis. Dá bhrí sin, ní féidir leis an gcóras ach dearbhú réasúnta agus ní dearbhú iomlán a thabhairt go gcosnaítear sócmhainní, go n-údaraítear idirbhearta agus go dtaifeadtar i gceart iad agus go ndéantar earráidí nó neamhrialtachtaí ábhartha a chosc nó a bhrath go tráthúil.

Tá an córas rialaithe inmheánaigh, atá ag teacht le treoir a d'eisigh an Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN i bhfeidhm in ComReg don bhliain dar críoch an 30 Meitheamh 2023 agus suas go dtí an dáta a ceadaíodh na ráitis airgeadais.

Cumas chun Riosca a Láimhseáil

Tá Coiste Iniúchta agus Riosca (ARC) ag ComReg ar a bhfuil beirt chomhaltaí ar a mhéad den Choimisiún agus ceathrar comhaltaí seachtracha ar a mhéad, a bhfuil saineolas airgeadais agus iniúcháireachta acu, agus tá duine amháin acu ina Chathaoirleach. Tháinig an CIR le chéile ceithre huaire sa bhliain dar críoch an 30 Meitheamh 2023.

Tá feidhm iniúchta inmheánaigh seachfhoinsithe bunaithe ag ComReg freisin a bhfuil acmhainní leordhóthanacha aici agus a thugann faoi chlár oibre a comhaontaíodh leis an CIR.

Tá beartas bainistíochta riosca forbartha ag an gCoimisiún ina leagtar amach a inghlachtacht riosca, na próisis bhainistíochta riosca atá i bhfeidhm agus ina sonraítear ról agus freagrachtaí na foirne maidir le riosca. Eisíodh an beartas do gach ball foirne a bhfuiltear ag súil go n-oibreoidh siad laistigh de bheartais bhainistíochta riosca ComReg, chun an bhainistíocht a chur ar an eolas faoi rioscaí atá ag teacht chun cinn agus laigí rialaithe agus freagracht a ghlacadh as rioscaí agus rialuithe laistigh dá réimse oibre féin.

Creat Riosca agus Rialaithe

Tá córas bainistíochta riosca curtha i bhfeidhm ag ComReg a aithníonn agus a thuairiscíonn príomhrioscaí agus na gníomhaíochtaí bainistíochta atá á ndéanamh chun aghaidh a thabhairt ar na rioscaí sin agus, a mhéid is féidir, iad a mhaolú.

Tá clár riosca i bhfeidhm ina n-aithnítear na príomhrioscaí atá os comhair ComReg agus rinneadh iad seo a shainaithint, a mheas agus a ghrádú de réir a dtábhachta. Déanann an Coimisiún an clár a athbhreithniú agus a nuashonrú ar bhonn ráithiúil. Baintear úsáid

as toradh na measúnuithe seo chun acmhainní a phleanáil agus a leithdháileadh chun a chinntiú go ndéantar rioscaí a bhainistiú go leibhéal inghlactha.

Sonraítear sa chlár riosca na rialuithe agus na gníomhartha is gá chun rioscaí a mhaolú agus freagracht as oibriú na rialuithe a shanntar do bhaill foirne ar leith. Deimhním go bhfuil timpeallacht rialaithe i bhfeidhm ina bhfuil na heilimintí seo a leanas:

- nósanna imeachta do na príomhphróisis ghnó go léir a dhoiciméadú,
- freagrachtaí airgeadais sannta ar leibhéal na bainistíochta le cuntasacht chomhfhreagrach,
- go bhfuil córas buiséadaithe iomchuí ann le buiséad bliantúil a choimeádann an bhainistíocht shinsearach faoi athbhreithniú,
- tá córais ann atá dírithe ar shlándáil na gcóras teicneolaíochta faisnéise agus cumarsáide a áirithiú, agus
- tá córais i bhfeidhm chun na sócmhainní a chosaint.

Monatóireacht agus Athbhreithniú Leanúnach

Bunaíodh nósanna imeachta foirmiúla chun faireachán a dhéanamh ar phróisis rialaithe agus cuirtear easnaimh rialaithe in iúl dóibh siúd atá freagrach as gníomhaíocht cheartaitheach a dhéanamh agus don lucht bainistíochta agus don Choimisiún, i gcás inarb ábhartha, ar bhealach tráthúil. Deimhním go bhfuil na córais mhonatóireachta leanúnacha seo a leanas i bhfeidhm:

- sainaithníodh príomhrioscaí agus rialuithe gaolmhara agus cuireadh próisis i bhfeidhm chun faireachán a dhéanamh ar oibriú na bpríomhrialuithe sin agus chun aon easnaimh a sainaithníodh a thuairisciú,
- socruithe tuairiscithe bunaithe ar gach leibhéal inar sannadh freagracht as bainistíocht airgeadais, agus
- Déanann an bhainistíocht shinsearach athbhreithnithe rialta ar thuarascálacha tréimhsiúla agus bliantúla feidhmíochta agus airgeadais a léiríonn feidhmíocht i gcoinne buiséid/réamhaisnéisí.

Soláthar

D'fhorbair ComReg Plean Soláthair Chorporáidigh a d'fhaomh an Coimisiún. Ina theannta sin, tá nósanna imeachta agus beartais curtha i bhfeidhm aige chun comhlíonadh na rialacha agus na dtreoirilínte soláthair reatha a chinntiú. Ciallaíonn cineál ghníomhaíochtaí ComReg go mb'fhéidir nach mbeadh sé indéanta nó iomchuí, i líon beag áirithe cásanna, na rialacha agus na treoirilínte soláthair iomchuí a chomhlíonadh. Tá beartas rialachais iomchuí curtha i bhfeidhm ag an gCoimisiún le leanúint sna cúinsí sin.

Le linn 2023, tabhaíodh caiteachas €101,000 i ndáil le conradh amháin le haghaidh soláthar leictreachais nach raibh faoi réir próiseas tairisceana. Tairgeadh an conradh tar éis dheireadh na bliana agus cuireadh conradh nua i bhfeidhm i mí na Samhna 2023. B'ionann luach iomlán an tsoláthair neamhchomhlíontaigh agus €101,000 (2022: €54,000).

Athbhreithniú ar Éifeachtacht

Deimhním go bhfuil nósanna imeachta ag ComReg chun monatóireacht a dhéanamh ar éifeachtacht a nósanna imeachta bainistíochta riosca agus rialaithe. Tá monatóireacht

agus athbhreithniú ComReg ar éifeachtacht an chórais rialaithe inmheánaigh airgeadais bunaithe ar obair na n-íniúcháirí inmheánacha agus seachtracha, an Choiste Iniúchta agus Riosca a dhéanann maoirseacht ar a gcuid oibre, agus ar an mbainistíocht shinsearach laistigh de ComReg atá freagrach as an gcreat rialaithe airgeadais inmheánaigh a fhorbairt agus a chothabháil.

Deimhním go ndearna an Coimisiún athbhreithniú bliantúil ar éifeachtacht na rialuithe inmheánacha don bhliain dar críoch an 30 Meitheamh 2023 a tugadh chun críche an 13 Meitheamh 2023.

Saincheistean Rialaithe Inmheánaigh

Níor aithníodh aon laigí sa rialú inmheánach maidir le 2023 a éilíonn nochtadh sna ráitis airgeadais.

Covid 19

Ba dhúshlán suntasach i gcónaí í paidéim Covid-19 don eagraíocht agus do na tionscail atá á rialú againn. Ó mhí an Mhárta 2020 i leith, de réir threoirlínte an Rialtais, bhogamar go dtí staid inar oibrigh formhór mór na foirne ó chian. Tugadh isteach scaradh sóisialta cuí agus bearta sábháilteachta eile inár n-oifigí ina raibh gá le láithreach ar an láthair (do líon beag foirne) chun a chinntiú go gcoinneofaí seirbhísí riachtanacha dóibh siúd a rialaíonn muid.

Bhí an t-ádh ar ComReg gur chuir a Phlean Leanúnachais Gnó agus a bhonneagar ar fáil go teicniúil do chianobair iomlán na heagraíochta. Cuireadh an tacaíocht riachtanach ar fáil don fhoireann ónár gcomhghleacaithe TF maidir le bogadh go cianobair agus úsáid áiseanna comhdhála fíorúla srl.

In 2022, chuireamar tús le filleadh de réir a chéile ar an oifig (de réir threoirlínte an Rialtais). Ba é an cuspóir a bhí le filleadh ar an oifig de réir a chéile ná a chinneadh cén meascán d'obair chumaisc a oireann don eagraíocht. Go luath in 2023, ba í an obair chumaisc an gnáthrud don eagraíocht ach is amhlaidh nach féidir gach ról ná gníomhaíocht a dhéanamh go cianda. Tá roinnt ról fós bunaithe ar oifig go hiomlán nó go páirteach. Is saincheist é an meascán d'obair chumaisc a choinneofar faoi athbhreithniú leanúnach.

Lean an Coimisiún de mhonatóireacht a dhéanamh ar thionchar Covid-19 ar an timpeallacht rialaithe, lena n-áirítear an tionchar ar oibríochtaí airgeadais ó lá go lá. Cuireadh nósanna imeachta cuí i bhfeidhm ó 2020 i leith don timpeallacht cianoibre chun a chinntiú go gcoinneofaí leithscaradh dualgas agus gach rialú airgeadais. Ní raibh aon laghdú ar an timpeallacht smachta de bharr Covid 19. Tá sé deimhnithe againn sa ráiteas seo nach raibh aon laigí aitheanta i rialú inmheánach a éilíonn nochtadh sna ráitis airgeadais. Le linn an ama seo, dheimhnigh muid don Choiste Iniúchta agus Riosca go raibh ár dtimpeallacht rialaithe reatha á cothabháil againn agus nach raibh aon laghdú ar an timpeallacht rialaithe.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: 22 Márta 2024

4. Tuarascáil an Ard-Reachtair Cuntas agus Ciste le Cur Faoi Bhráid Thithe an Oireachtais



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 2023 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 2023 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.

Seamus McCarthy
Comptroller and Auditor General

28 March 2024

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 ar an Gcuntas Ioncaim agus Caiteachais agus Leithreasa

Bliain go 30 Meitheamh 2023							Bliain go 30 Meitheamh 2022
	Nótaí	Cumarsáid Leictreonach		Post	Préimh Seirbhísí Ráta	Iomlán	Iomlán
		Tobhach €'000	Eile €'000	Tobhach €'000	Tobhach €'000	€'000	€'000
Ioncam							
Tobhach		6,757		1,821	550	9,128	9,673
Táillí Ceadúnaithe	2		52,381			52,381	44,119
Ioncam Speictrim	2		163,054			163,054	9,100
Ioncam Eile	2		1,154			1,154	2,976
Ioncam Iomlán		6,757	216,589	1,821	550	225,717	65,868
Caiteachas							
Costais Foirne	3	9,822	5,557	637	254	16,270	15,160
Costais Sochair Scoir	16(b)	1,785	1,010	116	45	2,956	3,190
Comhairle Theicniúil	4	5,345	4,345	1,087	229	11,006	9,778
Costais Dí	5	3,095	1,491	172	82	4,840	3,242
Fógraíocht		211	3	1	1	216	377
Costais Riaracháin	6	2,093	1,558	124	69	3,844	3,817
Luach Saothair na nIníochóirí		18	11	1	-	30	26
Áitribh agus Costais Ghaolmhara		1,460	957	84	51	2,552	2,466
Dímheas	7	1,233	766	71	43	2,113	2,193
(Brabús) ar Dhiúscairt Sócmhainní		-	-	-	-	-	(17)
Síntiúis le hIdirnáisiúnta	14	760				760	718
Eagraíochtaí							
Caiteachas Iomlán		25,822	15,698	2,293	774	44,587	40,950
Barrachas / (Easnamh) roimh Leithreasaí		(19,065)	200,891	(472)	(224)	181,130	24,918
Lúide: Leithreasaí							
Aistriú ón gCúlchiste Caipitil	11					490	1,055
Iníochta leis an bPríomh-Chiste	12					(180,174)	(25,766)
Coigeartú cúlchiste pinsin	12					(1,446)	(207)
Barrachas tar éis Leithreasaí						0	0

Tá an Ráiteas ar Shreabhadh Airgid agus Nótaí 1 go 23 mar chuid de na ráitis airgeadais seo.

Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: 22 Márta 2024

6. Ráiteas ar Ioncam Cuimsitheach

		Bliain go 30 Meitheamh 2023	Bliain go 30 Meitheamh 2022
	Nótaí	Iomlán €'000	Iomlán €'000
Barrachas tar éis Leithreasáí			
Scéim Sochair Shainithe ComReg			
Toradh iarbhír lúide toradh ionchais ar shócmhainní scéime	16 (f)	745	(7,824)
(Caillteanais) ó thaithí ar oibleagáidí sochair scoir	16 (f)	(2,131)	(2,688)
Athruithe ar thoimhdí atá mar bhonn le luach reatha		3,576	19,760
Oibleagáidí sochair scoir			
Aistrithe isteach le haghaidh seirbhíse roimh ré	16 (g)	-	-
Gnóthachan achtúireach sa bhliain		2,190	9,248
Scéim Pinsin Aonair na hEarnála Poiblí			
(Caillteanais) / gnóthachain ó thaithí ar oibleagáidí sochair scoir		(2)	311
Athruithe ar thoimhdí atá mar bhonn le luach reatha		349	2,105
Oibleagáidí sochair scoir			
Coigeartú ar Mhaoiniú larchurtha		(347)	(2,416)
(Caillteanas) / gnóthachan achtúireach sa bhliain		-	-
Gnóthachan Achtúireach iomlán sa bhliain		2,190	9,248
Gluaiseacht sa Chúlchiste Sochair Scoir			
Iarmhéid amhail an 1 Iúil		1,119	(8,336)
Iomlán na nGnóthachan Aitheanta sa bhliain		2,190	9,248
Coigeartú cúlchiste pinsin	12	1,446	207
Iarmhéid amhail an 30 Meitheamh		4,755	1,119

Léiríonn an Cúlchiste Pinsin Sochair Scoir an difríocht idir costas carnach na sochar scoir lúide méideanna a íocadh amach go dtí seo.

Tá an Ráiteas ar Shreabhadh Airgid agus Nótaí 1 go 23 mar chuid de na ráitis airgeadais seo.
Thar ceann an Choimisiúin



Robert Mourik
Cathaoirleach
Dáta: 22 Márta 2024

7. Ráiteas Maidir Leis an Staid Airgeadais Amhail

		30 Meitheamh 2023	30 Meitheamh 2022
	Nótaí	€'000	€'000
Sócmhainní Seasta Maoín, Gléasra & Trealamh	7	4,344	4,834
Sócmhainní Reatha		-----	-----
Infháltas	8	3,630	2,731
Infheistíochtaí Gearrthéarmacha	9	79,536	216,375
Airgead tirim agus coibhéisí airgid thirim		4,956	2,405
		88,122	221,511
Dliteanais Reatha (Méideanna dlite laistigh de bhliain amháin) Suimeanna Iníoctha	10	(88,122)	(221,511)
Glansócmhainní Reatha		0	0
Sócmhainní Iomlána Iúide Dliteanais Reatha		4,344	4,834
Glansócmhainní Iomlána seachas Sócmhainn na Sochar Scoir		4,344	4,834
Sochair Scoir Sócmhainn Mhaoinithe larchurtha do Phinsin SPSPS Scéim Pinsin Aonair na hEarnála Poiblí (Dliteanas) Sócmhainn Scéim ComReg	16c(i) 16c(iv) 16c(i)	5,583 (5,583) 4,755	4,537 (4,537) 1,119
Glansócmhainní Iomlána lena n-áirítear Sócmhainn na Sochar Scoir		9,099	5,953
Ionadaíocht a dhéanamh ar Cúlchistí Caipitil Cúlchiste Sochair Scoir	11	4,344 4,755	4,834 1,119
		9,099	5,953

Tá an Ráiteas ar Shreabhadh Airgid agus Nótaí 1 go 23 mar chuid de na ráitis airgeadais seo.
Thar ceann an Choimisiúin



8. Ráiteas Ar Shreabhadh Airgid

		Bliain go 30 Meitheamh 2023	Bliain go 30 Meitheamh 2022
	Nótaí	€'000	€'000
Glansreabhadh Airgid ó Ghníomhaíochtaí Oibriúcháin			
Farasbarr loncaim thar Chaiteachas (roimh Leithreasaí)		181,620	25,973
Difríocht idir muirear pinsin agus ranníocaíochtaí		(1,446)	(207)
Dímheas	7	2,113	2,193
(Brabús) ar Dhiúscairt Sócmhainne		-	(17)
Ús Bainc	2	(1,100)	-
Aistriú cúlchiste caipitil	11	(490)	(1,055)
(Méadú) / Laghdú ar Infháltais		(899)	1,393
(Laghdú) / Méadú ar Shuimeanna Iníoctha (seachas)		(148,117)	161,396
(An Príomh-Chiste)			
Glan-Insreabhadh Airgid ó Ghníomhaíochtaí Oibriúcháin		31,681	189,676
Toradh ar Infheistíochtaí			
Ús Bainc		1,100	-
Sreafaí Airgid ó Ghníomhaíochtaí Infheistíochta			
Íocaíochtaí chun Maoín, Gléasra & Trealamh a fháil	7	(1,623)	(1,171)
Sreafaí Airgid ó Ghníomhaíochtaí Maoinithe			
Sócmhainn a fháil ó dhíol		-	50
Íocaíocht leis an bPríomh-Chiste		(165,446)	(23,392)
Glan (Laghdú) / Méadaigh Airgead Tirim agus Coibhéisí Airgid Thirim		(134,288)	165,163
Airgead Tirim Oscailte agus Coibhéisí Airgid Thirim		218,780	53,617
Airgead Deiridh agus Coibhéisí Airgid Thirim		84,492	218,780

9. Nótaí Leis Na Ráitis Airgeadais

1. Beartais Chuntasaíochta

Leagtar amach thíos bonn na cuntasaíochta agus na mbeartas suntasach cuntasaíochta arna nglacadh ag an gCoimisiún. Cuireadh i bhfeidhm iad go léir go comhsheasmhach i rith na bliana agus don bhliain roimhe sin.

a) Eolas Ginearálta

Bunaíodh an Coimisiún faoin Acht um Rialáil Cumarsáide, 2002 agus tá oifigí aige in Uimhir a hAon, Na Dugaí Láir, Sráid na nGildeanna, Baile Átha Cliath 1.

Sonraítear feidhmeanna an Choimisiúin san Acht um Rialáil Cumarsáide, 2002, agus san Acht um Rialáil Cumarsáide (Leasú), 2007. Baineann na feidhmeanna seo le rialáil agus ceadúnú an tionscail cumarsáide leictreonáí (lena n-áirítear tarchur raidió agus craolacháin), rialáil seirbhísí poist, rialáil seirbhísí ardráta agus rialáil ainm fearainn .ie.

Is Eintiteas Sochair Phoiblí (PBE) é an Coimisiún.

b) Ráiteas Comhlíontachta

Ullmhaíodh ráitis airgeadais an Choimisiúin don bhliain dar críoch an 30 Meitheamh 2023 i gcomhréir leis an reachtaíocht is infheidhme, agus le FRS 102 An Caighdeán Tuairiscithe Airgeadais is infheidhme sa Ríocht Aontaithe agus i bPoblacht na hÉireann arna eisiúint ag an gComhairle um Thuairisciú Airgeadais sa Ríocht Aontaithe.

Bhí éifeacht leis an gCód Cleachtais um Rialachas Comhlachtaí Stáit (2016) maidir le tréimhsí tuairiscithe airgeadais dar tús an 1 Meán Fómhair 2016 nó dá éis agus glacadh leis sna Ráitis Airgeadais seo.

c) Bunús an Ullmhúcháin

Ullmhaíodh na ráitis airgeadais faoi choinbhinsiún an chostais stairiúil, seachas sócmhainní agus dliteanais áirithe a thomhaistear ag luachanna córa 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 Seachadadh agus Athchóiriú an PFN faoin Acht um Rialáil Cumarsáide 2002. Cuireadh na beartais chuntasaíochta seo a leanas i bhfeidhm go comhsheasmhach agus iad ag déileáil le míreanna a mheastar a bheith ábhartha maidir le ráitis airgeadais an Choimisiúin.

1.1 Aitheantas Ioncaim

Faigheann an Coimisiún ioncam ó roinnt foinsí

- Tobhaigh ar sholáthraithe áirithe chun costais rialála a chistiú. Is iad seo a leanas na tobhaigh ábhartha:

1. Beartais Chuntasaíochta (ar lean)

I. Tobhach cumarsáide leictreonaí: Gearrtar an Tobhach ar sholáthraithe seirbhísí cumarsáide leictreonaí. Ríomhtar an íocaíocht tobhaigh atá dlite ó sholáthraí seirbhíse aonair d'aon bhliain ar leith bunaithe ar a láimhdeachas bliantúil le linn na bliana airgeadais dar críoch an bhliain thobhaigh agus tá sí iníoctha i gceithre thráthchuid. Aithnítear ioncam ar bhonn infhála.

II. Tobhach Poist: Gearrtar an Tobhach ar sholáthraithe seirbhíse poist a sholáthraíonn seirbhísí poist laistigh de raon feidhme na seirbhíse poist uilechoitinne. Aithnítear ioncam ar bhonn infhála.

III. Is éard is Seirbhísí Ardráta (PRS) ann ná earraí agus seirbhísí ar féidir leat a cheannach trí dolíne talún, d'fhón póca, an tIdirlíon, do theilifís dhigiteach idirghníomhach nó facs a úsáid. Íocann soláthraithe seirbhísí PRS agus oibreoirí líonra an Tobhach PRS go cothrom. Sonrasctar an tobhach mí amháin i riaráistí agus aithnítear ioncam ar bhonn infhála.

- **Táillí Ceadúnaithe:** Is é an príomhréimse a chlúdaíonn sé seo ná ceadúnú Cumarsáide Raidió.

- **Ioncam Speictrim:** Is ionann ioncam agus ioncam ó tháillí a íoctar leis an gCoimisiún as an gceart speictream raidió a úsáid. Cuirtear an t-ioncam seo san áireamh sa tréimhse ina bhfuil sé dlite. I gcúinsí ina gcuirtear moill ar thosú na gceadúnas gaolmhar, déanann ComReg foráil maidir leis an méid a d'fhéadfadh a bheith inaisíoctha bunaithe ar a mheastachán ar fhad na moille. Ní aithnítear é seo mar ioncam agus áirítear é mar chreidiúnaí (Féach Nóta 10). Déantar méid an tsoláthair a athmheasúnú ag deireadh gach tréimhse cuntasaíochta.

- **Ioncam eile:** Áirítear le hioncam eile ús bainc agus GBCN ar thaiscís agus méideanna iníoctha leis an gCoimisiún de bhun gníomhaíochtaí comhlíonta agus forfheidhmithe.

1.2 Barrachas Oibriúcháin a Leithreasú

Tá an barrachas a ghintear sa bhliain glan ar choigeartú an chúlchiste pinsin iníoctha leis an Státchiste. Íoctar suimeanna leis an bPríomh-Chiste ar threoir ón Aire Comhshaoil, Aeráide agus Cumarsáide (Féach Nóta 12).

1.3 Sócmhainní Seasta agus Dímheas

Luaitear gléasra agus trealamh réadmhaoine ag costas lúide dímheas carntha, coigeartaithe d'aon soláthar do lagú. Cuirtear dímheas ar fáil ar gach maoin, gléasra agus trealamh ag rátaí a mheastar chun an costas a dhíscríobh lúide luach iarmharach measta gach sócmhainne ar bhonn líne dhíreach thar a saol úsáideach measta, mar seo a leanas:

Trealamh teicniúil	-15% sa bhliain
Trealamh ríomhaireachta agus bogearraí	-33 1/3% sa bhliain
Daingneáin & feistis	- 9% sa bhliain
Troscán Oifige & trealamh oifige	-15% sa bhliain
Mótarfheithiclí	

Is ionann luach iarmharach agus an méid measta a gheofaí faoi láthair ó dhiúscairt sócmhainne, tar éis costais mheasta diúscairthe a asbhaint, dá mbeadh an tsócmhainn d'aois cheana féin agus sa riocht a bhfuiltear ag súil leis ag deireadh a saolré úsáid. Glacann an Coimisiún íosthairseach caipitlithe €1,000.

1. Beartais Chuntasaíochta (ar lean)

Má tá fianaise oibiachtúil ann maidir le lagú luach sócmhainne, aithnítear caillteanas bearnaithe sa Ráiteas ar Ioncam agus Caiteachas sa bhliain.

1.4 Infháiltais

Aithnítear infháiltais ag luach cóir, lúide soláthar d'fhiacha amhrasacha. Is foráil shonrach é an soláthar d'fhiacha amhrasacha, agus bunaítear é nuair a bhíonn fianaise oibiachtúil ann nach mbeidh an Coimisiún in ann na méideanna uile atá dlite dó a bhailiú. Aithnítear gach gluaiseacht sa soláthar d'fhiacha amhrasacha sa Ráiteas Ioncam agus Caiteachas.

1.5 Cúlchiste Caipitil

Léiríonn an cúlchiste caipitil an méid ioncaim gan amúchadh a úsáideadh chun sócmhainní seasta a cheannach.

1.6 Airgeadraí Eachtracha

Aistrítear idirbhearta atá ainmnithe in airgeadraí eachtracha a bhaineann le hioncaim agus costais go euro ag na rátaí malairte a bhí i bhfeidhm ar na dátaí ar tharla na hidirbhearta.

Aistrítear sócmhainní agus dliteanais airgeadaíochta atá ainmnithe in airgeadraí eachtracha go euro ag na rátaí malairte a bhí i bhfeidhm ag dáta an Ráitis maidir leis an Staid Airgeadais.

1.7 Sochair Ghearrthéarmacha

Aithnítear sochair ghearrthéarmacha amhail pá saoire mar chostas sa bhliain, agus áirítear sochair a fhabhraítear ag deireadh na bliana san fhigiúr Iníoctha sa Ráiteas maidir leis an Staid Airgeadais.

1.8 Sochair Scoir

(a) Príomhscéim

Tá na Coimisinéirí ar fhoireann an Choimisiúin agus fostaithe a earcaítear go díreach. Tá scéim pinsin le sochar sainithe i bhfeidhm do Choimisinéirí agus d'fhostaithe an Choimisiúin. Baineann an scéim le daoine a ceapadh roimh an 1 Eanáir 2013 nó leo siúd a ceapadh tar éis an dáta sin le réamhsheirbhís cháilitheach leanúnach roimh an 1 Eanáir 2013 i gcomhlacht seirbhíse poiblí eile. Maoinítear an scéim le ranníocaíochtaí ó Choimisinéirí, ó fhostaithe agus ón gCoimisiún, a aistrítear chuig ciste ar leith atá á riaradh ag iontaobhaí.

Ghlac an Coimisiún FRS 102 a raibh tionchar aige ar ríomh na Sochar Scoir. Tomhaistear sócmhainní na scéime pinsin ag luach cóir. Déantar dliteanais na scéime pinsin a thomhas ar bhonn achtúireach trí úsáid a bhaint as modh na n-aonad réamh-mheasta. Cuirtear barrachas dliteanas scéime thar shócmhainní scéime i láthair ar an Ráiteas maidir leis an Staid Airgeadais mar dhliteanas.

Cuimsíonn an muirear pinsin sa Ráiteas ar Ioncam agus Caiteachas an costas seirbhíse reatha móide an difríocht idir an toradh ionchais ar shócmhainní na scéime sochair shainithe agus costas úis dhliteanais na scéime.

1. Beartais Chuntasaíochta (ar lean)

(b) Scéim Pinsin na hEarnála Poiblí Aonair

Feidhmíonn an Coimisiún freisin an Scéim Pinsin Seirbhísí Poiblí Aonair (“Scéim Aonair”), ar scéim sochair shainithe í do sheirbhísigh phoiblí inphinsin a ceapadh an 1 Eanáir 2013 nó dá éis. Íoctar ranníocaíochtaí bhaill na Scéime Aonair leis an Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN (DPENDR). Ina theannta sin, tá an Coimisiún faoi dhliteanas ranníocaíocht fostóra a íoc le DPENDR de réir Chiorclán 28/2016 DPENDR.

Sa mhéid go dtagann dliteanas ábhartha chun cinn, déantar an dliteanas i leith bhaill na Scéime Aonair a mheaitseáil le sócmhainn mhaoinithe iarchurtha ar bhonn fhorálacha Alt 44 den Acht um Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha eile), 2012.

Cuimsíonn an muirear pinsin sa Ráiteas Ioncaim agus Caiteachais ranníocaíocht an fhostóra. Déantar an costas seirbhíse reatha móide ús ar dhliteanas SPSPS a fhritháireamh le méid coibhéiseach maoinithe iarchurtha. Ríomhtar an dliteanas SPSPS ar an mbonn céanna leis an bpríomhscéim atá leagtha amach thuas.

Aithnítear gnóthachain agus cailteanais achtúireacha a eascraíonn as athruithe ar bhoinn tuisceana achtúireacha agus as barrachais agus easnaimh a bhfuil taithí acu sa Ráiteas ar Ioncam Cuimsitheach don bhliain ina dtarlaíonn siad.

Léiríonn na ráitis airgeadais, ag luach cóir, na sócmhainní agus na dliteanais a eascraíonn as oibleagáidí pinsin sochair shainithe an Choimisiúin agus aon chistiú gaolmhar, agus aithnítear iontu an costas a bhaineann le sochair phinsin a sholáthar sa tréimhse chuntasaíochta ina dtuillteann fostaithe iad. Déantar dliteanais na scéime sochair scoir a thomhas ar bhonn achtúireach trí úsáid a bhaint as modh creidmheasa an aonaid réamh-mheasta.

1.9 Cánachas

Níl an Coimisiún faoi dhliteanas Cánach Corparáide. Níl ioncam a bhailíonn an Coimisiún faoi dhliteanas CBL. Déantar foráil maidir le cánachas ar ús taise a fhaightear.

1.10 Leithdháileadh costas

Ceanglaítear ar an gCoimisiún faoi Alt 32 den 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 leis na seirbhísí ardráta. Aithnítear ioncam agus speansais a bhaineann go díreach le gach feidhm ar leithligh sna cuntais. Leithdháiltear costais forchostais chomhroinnte ar gach feidhm i gcomhréir leis an líon foirne a bhíonn ag gabháil do gach feidhm.

1.11 Breithiúnais agus Meastacháin Chuntasaíochta Chriticiúla

Chun na ráitis airgeadais a ullmhú, ceanglaítear ar an mbainistíocht breithiúnais, meastacháin agus toimhdí a dhéanamh a théann i bhfeidhm ar na méideanna a thuairiscítear le haghaidh sócmhainní agus dliteanas amhail dáta an Ráitis maidir leis an Staid Airgeadais agus na méideanna a thuairiscítear le haghaidh ioncaim agus caiteachas i rith na bliana. Mar sin féin, ciallaíonn cineál an mheastacháin go bhféadfadh torthaí iarbhír a bheith difriúil ó na meastacháin sin agus d’fhéadfadh siad a bheith ábhartha. Bhí an tionchar is suntasaí ag na breithiúnais seo a leanas ar mhéideanna a aithníodh sna ráitis airgeadais.

1. Beartais Chuntasaíochta (ar lean)

a) Dímheas agus Luachanna Iarmharacha

Tá athbhreithniú déanta ag an gCoimisiún ar shaol sócmhainní agus ar luachanna iarmharacha gaolmhara na n-aicmí sócmhainní seasta uile, agus go háirithe ar shaol eacnamaíoch úsáideach agus luachanna iarmharacha daingneáin agus feistis, agus tá sé tagtha ar an gconclúid go bhfuil saolréanna sócmhainní agus luachanna iarmharacha iomchuí.

b) Oibleagáid Sochair Scoir

Déantar na toimhdí atá mar bhonn leis na luachálacha achtúireacha a gcinntear na méideanna a aithnítear sna ráitis airgeadais ina leith (lena n-áirítear rátaí lascaine, rátaí méadaithe ar leibhéil chúitimh amach anseo agus rátaí mortlaíochta) a nuashonrú go bliantúil bunaithe ar dhálaí eacnamaíocha reatha, agus le haghaidh aon athruithe ábhartha ar théarmaí agus coinníollacha an tsochair scoir agus na bpleananna iarscoir.

Is féidir tionchar a bheith ag na nithe seo a leanas ar na toimhdí:

- (i) an ráta lascaine, athruithe ar an ráta toraidh ar bhannaí corparáideacha ardchaighdeán
- (ii) amach anseo, dálaí margaidh saothair amach anseo.

2. Ioncam Neamh-Thobhaigh

	Bliain go 30 Meitheamh 2023	Bliain go 30 Meitheamh 2022
	Iomlán €'000	Iomlán €'000
Táille Cheadúnaithe Cumarsáide Leictreonaí		
Táillí Cheadúnaithe Raidió 3G	5,074	7,508
Táillí Cheadúnaithe Úsáide Léirscaoilte 4G	24,580	22,964
Táillí Cheadúnaithe Raidió Eile	22,727	13,647
	52,381	44,119
Ioncam ó Speictream na Cumarsáide Leictreonaí		
Ioncam Speictrim	163,054	9,100

An 19 Eanáir 2023, tar éis iarratais iomlána a chur isteach, eisíodh Ceadúnais Úsáide Léirscaoilte MBSA2 le dáta tosaíthe an 20 Eanáir 2023. Ghin na ceadúnais seo Ioncam Speictrim de €163.1m (2022: Neamhní).

Saothraíodh Ioncam Speictrim 3G de €9.1m in 2022 maidir le ceadúnas 3G a eisíodh in 2007

	Bliain go 30 Meitheamh 2023	Bliain go 30 Meitheamh 2022
	Iomlán €'000	Iomlán €'000
Ioncam Eile		
Ús Bainc	1,100	
Ioncam Ilghnéitheach	54	2,976
	1,154	2,976

In 2022, áiríodh le hIoncam Ilghnéitheach €2.8m a fuarthas ó Virgin Media Ireland Limited tar éis comhaontú réitigh ar thángthas air tar éis do ComReg imscrúdú a dhéanamh ar ábhair chomhlíonta áirithe.

Áirítear le hIoncam Ilghnéitheach freisin méideanna éagsúla atá iníoctha leis an gCoimisiún de bhun gníomhaíochtaí comhlíonta agus forfheidhmithe a rinneadh sa tréimhse. I gcás inar tugadh na gníomhaíochtaí sin i gcrích trí shocrú dlíthiúil, féadfaidh siad a bheith faoi réir clásal rúndachta.

3. Costais Foirne

	Cumarsáid Leictreonach		Post	PRS	Bliain go 30 Meitheamh 2023	Bliain go 30 Meitheamh 2022
	Tobhach €'000	Eile €'000	Tobhach €'000	Tobhach €'000	Iomlán €'000	Iomlán €'000
Sochair ghearrthéarmacha d'fhostaithe Ranníocaíocht an fhostóra le leas	8,960 862	5,069 488	581 56	232 22	14,842 1,428	13,830 1,330
	9,822	5,557	637	254	16,270	15,160
Seo a leanas an meánlíon foirne a bhí fostaithe ag an gCoimisiún i rith na bliana, a ndearnadh anailís orthu de réir catagóire:	87	54	5	3	149	144
Fostaí Sochair ghearrthéarmacha						
Bunphá					13,709	12,746
Pá a bhaineann le feidhmíocht					1,115	1,067
Liúntas an Chathaoirligh					18	17
					14,842	13,830

Feidhmíonn an Coimisiún scéim luach saothair a bhaineann le feidhmíocht (a bhunaigh Oifig an Stiúrthóra Rialála Teileachumarsáide ar dtús). Tá an scéim bunaithe ar fheidhmíocht aonair agus ceadaíonn an Coimisiún gach íocaíocht a dhéantar faoin scéim. As costas iomlán shochair ghearrthéarmacha an Fhostaí, is ionann €1,115,000 (nó 8%) den iomlán agus íocaíochtaí leis an bhfoireann de réir fhorálacha na scéime luach saothair a bhaineann le feidhmíocht agus téarmaí a gconarthaí fostaíochta (2022: €1,067,000 (8%)).

Príomhphearsanra Bainistíochta

Tá Príomhphearsanra Bainistíochta i gComReg comhdhéanta de chomhaltaí an Choimisiúin. Tá sonraí maidir le luach saothair chomhaltaí an Choimisiúin (gan luach na sochar scoir a thuilltear sa tréimhse san áireamh) le feiceáil thíos. Is baill iad de Scéim Pinsin Aonair na Seirbhíse Poiblí nó de scéim pinsin eiseamláireach na seirbhíse poiblí agus ní théann a dteidlíochtaí ina leith sin thar théarmaí scéim pinsin eiseamláireach na seirbhíse poiblí.

	Iomlán Luach Saothair €'000
Robert Mourik – Cathaoirleach	199
Garrett Blaney – Coimisinéir	181

4. Comhairle Theicniúil

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Comhairle Ghairmiúil/Theicniúil	11,006	9,778

5. Costais Dlí

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Luaitear costais dlí glan ó chostais a aisghabhtar ó thríú páirtithe.	4,840	3,242

6. Costais Riaracháin

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Trealamh agus Cothabháil TF	2,085	2,272
Síntiúis le Bunachair Shonraí/Tuarascálacha Taighde	324	262
Taisteal agus Cothú	201	87
Comhdhálacha/Cruinnithe	205	85
Poist agus Teileachumarsáid	120	121
Stáiseanóireacht	14	15
Foilsitheoireacht	23	47
Earcaíocht	103	120
Solas, Teas agus Glanadh	169	127
Árachas	70	52
Oiliúint Foirne agus Forbairt Ghairmiúil	382	497
Costais riaracháin eile	148	132
	3,844	3,817

7. Maoin, Gléasra Agus Trealamh

	Teicniúil Trealamh	Ríomhaire Trealamh & Bogearraí	Daingneáin, Feistis & Oifig Trealamh	Mótar Feithiclí	Iomlán
	€'000	€'000	€'000	€'000	€'000
Costas					
Amhail an 30 Meitheamh 2022	3,219	13,661	4,587	114	21,581
Breiseanna	676	934	13	-	1,623
Diúscairtí	(87)	-	-	-	(87)
Amhail an 30 Meitheamh 2023	3,808	14,595	4,600	114	23,117
Dímheas Carntha					
Amhail an 30 Meitheamh 2022	2,806	11,531	2,367	43	16,747
	(87)	-	-	-	(87)
Diúscairtí	178	1,457	450	28	2,113
Muirear don tréimhse					
Amhail an 30 Meitheamh 2023	2,897	12,988	2,817	71	18,773
Glanluach De réir na Leabhar					
30 Meitheamh 2023	911	1,607	1,783	43	4,344
30 Meitheamh 2022	413	2,130	2,220	71	4,834

Áirítear le Breiseanna Trealamh Ríomhaireachta in 2023 €0.6m de Chostais Forbartha TF (2022: €0.6m).

8. Infháltais

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
<i>Dlite laistigh de bhliain amháin:</i>		
Tobhach riaracháin Cumarsáide Leictreonaí	129	59
Ioncam ó Cheadúnas Raidió	2,021	1,211
Ioncam Fabhráithe	366	410
Réamhíocaíochtaí & Costais in-aisghabhála	1,114	1,051
	3,630	2,731

9. Infheistíochtaí Gearrthéarmacha

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Infheistíochtaí Gearrthéarmacha	79,536	216,375

Cuimsíonn Infheistíochtaí Gearrthéarmacha Nótaí Stáitchiste a ceannaíodh ó Ghníomhaireacht Bainistíochta an Chisteáin Náisiúnta Teoranta. Cuireann an Coimisiún sealúchais airgid bhreise in infheistíochtaí gearrthéarmacha. Is ionann na sealúchais airgid seo go príomha agus barrachais arna nginiúint ag an gCoimisiún agus atá iníoctha leis an Stáitchiste (mar a nochtar i Nóta 11), airgead a choinnítear ar iontaobhas maidir le gealltanais a rinne tríú páirtithe don Choimisiún, aisíocaíochtaí féideartha maidir le tús moillithe ceadúnas áirithe (a nochtar i Nóta 10 freisin) agus taiscí a fuarthas maidir le Dámhachtain Speictrim Ilbhanda (a nochtar i Nóta 10 freisin).

10. Suimeanna Iníoctha

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
<i>Suimeanna Iníoctha</i>		
<i>Méideanna dlíte laistigh de bhliain amháin</i>		
Creidiúnaithe Trádála	2,455	1,874
Creidiúnaithe Eile	5,902	166,508
Cáin bhreisluacha	412	246
Fabhruithe	1,103	1,780
Ioncam iarchurtha (féach anailís thíos)	37,304	25,069
Párolla	1,612	1,428
Iníoctha leis an bPríomh-Chiste (féach Nóta 12)	39,334	24,606
	88,122	221,511

Áirítear le Creidiúnaithe eile aisíocaíochtaí féideartha €5.5m (2022: €6.0m) maidir le tús moillithe a chur le ceadúnais Úsáide Léirscaoilte Banda 3.6GHz.

In 2022, áiríodh le Creidiúnaithe Eile taiscí €160.4m mar chuid den phróiseas Dámhachtana Speictrim Ilbhanda, atá tugtha chun críche anois.

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
<i>Anailís ar Ioncam Iarchurtha</i>		
Ioncam ó Cheadúnas Raidió	37,164	25,069
Eile	140	-
	37,304	25,069

I gcás ina ndéantar ceadúnais a athnuachan ar feadh tréimhse a théann níos faide ná deireadh na bliana airgeadais, cuirtear cion den ioncam sin siar chun freastal ar chaiteachas sa bhliain ina dhiaidh sin.

11. Cúlchistí Caipitil

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Iarmhéid Tosaigh	4,834	5,889
<i>Aistriú (chuig) / ón gCuntas Ioncaim agus Caiteachais:</i>		
Breiseanna le sócmhainní seasta	1,623	1,171
Amúchadh de réir dímheas sócmhainní seasta	(2,113)	(2,193)
Méid a scaoileadh ar dhiúscairt Sócmhainní Seasta	-	(33)
Glanmhéid (go) Cuntas Ioncaim agus Caiteachais	(490)	(1,055)
Iarmhéid Deiridh	4,344	4,834

12. Barrachas A Leithreasú

Foráiltear le hAlt 30 den Acht um Rialáil Cumarsáide 2002 go bhféadfaidh an tAire, le toiliú an Aire Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN a ordú don Choimisiún suimeanna a íoc leis an Státhchiste. Is é an tAire, tar éis dó dul i gcomhairle leis an gCoimisiún, a chinneadh an méid atá le híoc. Tá an Coimisiún ag fanacht ar threoir ón Roinn maidir leis an gcinneadh deiridh ar an méid is iníoctha leis an bPríomh-Chiste don bhliain dar críoch an 30 Meitheamh 2023.

Cinntear an méid atá dlite don Státhchiste faoi threoir an bharrachais a thaifead an Coimisiún sa tréimhse, arna choigeartú le haghaidh roinnt míreanna mar atá leagtha amach thíos.

	Suim Chomhlán Dlite	Pinsean Coigeartú (b)	Glanmhéid dlite
	€'000	€'000	€'000
Iarmhéid dlite don Státhchiste amhail an 30 Meitheamh 2022	25,766	(1,160)	24,606
Barrachas do 2023 lena n-áirítear Aistriú ón gCúlchiste Caipitil	181,620		181,620
Íoctha in 2023	(165,446)		(165,446)
Coigeartú cúlchiste pinsin (a)	(1,446)		(1,446)
Aisghlámadh íocaíochta ciste pinsean (b)	(320)	320	-
Iarmhéid amhail an 30 Meitheamh 2023	40,174	(840)	39,334

Léirítear thíos na figiúirí comparáideacha maidir leis an méid atá dlite don Státhchiste amhail an 30 Meitheamh 2022.

12. Barrachas Leithreasú (ar lean)

	Suim Chomhlán Dlite	Pinsean Coigeartú (b)	Glanmhéid dlite
	€'000	€'000	€'000
Iarmhéid dlite don Stáitchiste amhail an 30 Meitheamh 2021	23,712	(1,480)	22,232
Barrachas do 2022 lena n-áirítear Aistriú ón gCúlchiste Caipitil	25,973		25,973
Íochta in 2022	(23,392)		(23,392)
Coigeartú cúlchiste pinsin (a)	(207)		(207)
Aisghlámadh íocaíochta ciste pinsean (b)	(320)	320	-
Iarmhéid amhail an 30 Meitheamh 2022	25,766	(1,160)	24,606

(a) Léiríonn an coigeartú cúlchiste pinsin an difríocht idir an méid pinsin a gearradh ar an gCuntas Ioncaim agus Caiteachais in 2023 de €2,956,000 (2022: €3,190,000) agus ranníocaíochtaí an fhostóra sa tréimhse €4,402,000 (2022: €3,397,000).

(b) Rinne an Coimisiún ranníocaíocht iomlán de €5m lena chiste pinsean (€2.5m in 2008 agus €2.5m in 2009, €5m san iomlán). Taispeántar an méid atá dlite don Stáitchiste glan ar an ranníocaíocht seo atá á aisghabháil ag €320,000 in aghaidh na bliana de réir mar a dhéantar íocaíochtaí leis an Stáitchiste. In 2023, rinneadh bliain amháin d'íocaíochtaí agus aisghlámadh €320,000 mar thoradh orthu (2022: €320,000).

13. Áitribh Agus Cóiríocht

Bhog an Coimisiún go dtí áitreabh léasa nua atá lonnaithe ag One Dockland Central, Sráid na Cuallachta, Baile Átha Cliath 1 ar an 6 Meitheamh 2017. Tá an t-áitreabh ar cíos ar chostas €2.0m (gan CBL san áireamh) in aghaidh na bliana.

Is iad seo a leanas iomlán na n-íocaíochtaí léasa oibriúcháin íosta amach anseo (gan CBL san áireamh) faoi léasanna oibriúcháin neamh-in-chealaithe i leith áitribh atá á n-áitiú ag an gCoimisiún:

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
Iníochta:		
Laistigh de bhliain amháin	1,640	1,637
Idir bliain amháin agus cúig bliana	3,439	5,071
Níos mó ná cúig bliana	-	-
	5,079	6,708

14. Ballraíocht Eagraíochtaí Teileachumarsáide Idirnáisiúnta

Íocann an Roinn Comhshaoil, Aeráide agus Cumarsáide (DECC) íocaíochtaí áirithe le hEagraíochtaí Teileachumarsáide Idirnáisiúnta as fáлтаis an Tobhaigh Riaracháin um Chumarsáid Leictreonach. Áirítear leis an muirear ar an gCuntas Ioncaim agus Caiteachais €760,000 (2022: €718,000) chun na críche sin. Cuirtear muirir den sórt sin ar sonrasc chuig DECC a aisíocann ComReg ina dhiaidh sin.

15. Coimisinéirí, Baill Foirne Agus Comhairleoirí/Comhairleoirí – Leasanna A Nochtadh

Chomhlíon na Coimisinéirí agus an fhoireann ceanglais Alt 25 (Nochtadh Leasanna) den Acht um Rialáil Cumarsáide, 2002. Ní raibh aon idirbhearta sa bhliain maidir le gníomhaíochtaí an Choimisiúin ina raibh aon leas ag na Coimisinéirí nó ag aon chomhairleoir nó sainchomhairleoir.

16. Sochair Scoir

a) Cur síos ar an Scéim

Is údarás rialála náisiúnta é an Coimisiún a bunaíodh faoin Acht um Rialáil Cumarsáide, 2002. Foráiltear le hait 26 agus 27 den Acht go ndéanfaidh an Coimisiún scéimeanna chun sochair aoisliúntais a dheonú do Choimisinéirí agus do chomhaltaí foirne agus ina leith, faoi réir cheadú an Aire.

Tá scéim sochair shainithe mhaoinithe á hoibriú d'fhostaithe an Choimisiúin. Sainmhínítear na sochair trí thagairt a dhéanamh do rialacháin reatha scéim na hearnála poiblí 'eiseamláireach'. Socraítear rátaí ranníocaíochta fostóra ag féachaint do chomhairle achtúireach agus athbhreithniú tréimhsiúil ar an ráta maoinithe a theastaíonn don scéim. Soláthraíonn an scéim sochar scoir (an t-ochtódú cuid sa bhliain seirbhíse), aisce nó cnapshuim (trí ochtódú in aghaidh na bliana seirbhíse) agus sochair scoir do chéile agus do leanaí. Is ionann gnáthaois scoir agus 65ú breithlá an bhaill. Is iondúil go méadaíonn sochair scoir in íocaíocht (agus iarchur) de réir boilsciú tuarastail ginearálta na hearnála poiblí.

Feidhmíonn an Coimisiún Scéim Pinsin Aonair na Seirbhíse Poiblí ("Scéim Aonair") freisin do na baill foirne sin a chuaigh isteach sa Scéim Aonair an 1 Eanáir 2013 nó dá éis. Íoctar ranníocaíochtaí bhaill na Scéime Aonair leis an Roinn Caiteachais Phoiblí Seachadta agus Athchóirithe an PFN (DPENDR). Ina theannta sin, tá an Coimisiún faoi dhliteanas ranníocaíocht fostóra a íoc le DPENDR de réir Chiorclán 28/2020 DPENDR. Tá cuntas tugtha ag an gCoimisiún ar a chostais agus a dhliteanas faoin scéim pinsin seirbhíse poiblí aonair (ón 1 Iúil 2017) ar bhonn tabhaithe.

Chun críocha tuairiscithe de réir Chaighdeán Tuairiscithe Airgeadais 102 – (FRS 102), tugadh nuashonrú ar an athbhreithniú achtúireach (maidir leis an scéim sochair shainithe mhaoinithe) chun críche amhail an 30 Meitheamh 2023.

16. Sochair Scoir (ar lean)

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
b) Costais Sochair Scoir		
Déanta suas de:		
<i>Scéim Sochair Shainithe</i>		
Costas seirbhíse reatha	2,516	2,627
Costas úis	2,282	1,356
Toradh ionchais ar Shócmhainní Scéime	(2,390)	(1,236)
Lúide: Ranníocaíochtaí Fostaithe	(445)	(416)
	1,963	2,331
<i>Scéim Pinsin Seirbhíse Poiblí Aonair (SPSPS)</i>		
Ranníocaíocht Fostóra	993	859
Costas Seirbhíse Reatha*	1,062	1,556
Costas Úis	163	93
Coigeartú ar mhaoiniú iarchurtha Phinsean an Stáitchiste	(1,225)	(1,649)
	<u>993</u>	<u>859</u>
Iomlán na gCostas Sochair Scoir	2,956	3,190
*Tá ranníocaíochtaí fostaithe €331,000 (2022: €286,000) a cuireadh ar aghaidh chuig DPENDR, curtha san áireamh agus an costas seirbhíse reatha á ríomh.		
c) Glandliteanas Sochair Scoir (Scéim Sochair Shainithe)		
(i) Déanta suas de:		
Luach cóir Shócmhainní na Scéime	71,012	64,905
Luach Reatha na n-oibleagáidí sochair scoir	(66,257)	(63,786)
Glansócmhainn	4,755	1,119

Tabhair faoi deara: Cuimsíonn Dliteanas an Chláir Chomhardaithe maidir le Sochair Scoir na Scéime Aonair in 2023 Sócmhainn Mhaoinithe Iarchurtha de €5.583m (2022: €4.537m) chun Dliteanas na Scéime Aonair de €5.583m (2022: €4.537m) a mheaitseáil, rud a thugann Glandliteanas nialasach.

16. Sochair Scoir (ar lean)

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
(ii) Luach Reatha na nOibleagáidí Sochair Scoir ag tús na bliana (Scéim Sochair Shainithe)	63,786	78,060
Costas Seirbhíse Reatha	2,516	2,627
Costas Úis	2,282	1,356
(Gnóthachan) Achtúireach	(1,445)	(17,072)
Sochair a Íocadh	(779)	(1,114)
Préimheanna Íoctha	(103)	(71)
Luach Reatha na nOibleagáidí Sochair Scoir ag deireadh na bliana (Scéim Sochair Shainithe)	66,257	63,786
(iii) Athrú ar Shócmhainní Scéime (Scéim Sochair Shainithe) Luach Cóir Shócmhainní na Scéime ag tús na bliana	64,905	69,724
Toradh ionchais ar Shócmhainní Scéime	2,390	1,236
Gnóthachan / (Caillteanas) Achtúireach	745	(7,824)
Ranníocaíochtaí Fostóra	3,409	2,538
Ranníocaíochtaí na gComhaltaí	445	416
Sochair a Íocadh	(779)	(1,114)
Préimheanna Íoctha	(103)	(71)
Luach Cóir Shócmhainní na Scéime ag deireadh na bliana	71,102	64,905
Tá an cleachtas reatha maidir le sochair scoir a mhéadú i gcomhréir le boilsciú tuarastail na hearnála poiblí san áireamh agus oibleagáid sochair scoir shainithe.		
(iv) Dlíteanas Sochar Scoir (SPSPS) Luach Reatha amhail an 1 Iúil 2022	4,537	5,304
Costas Seirbhíse Reatha	1,230	1,556
Costas Úis	163	93
(Gnóthachan) Achtúireach	(347)	(2,416)
Sochair a Íocadh	-	-
Luach Reatha amhail an 30 Meitheamh 2023	5,583	4,537

16. Sochair Scoir (ar lean)

	30 Meitheamh 2023	30 Meitheamh 2022
	€'000	€'000
(d) Comhdhéanamh Sócmhainní na Scéime (Scéim Sochair Shainithe) Bhí sócmhainní na scéime ag deireadh na bliana comhdhéanta de:		
Cothromas	29,259	26,159
Bannaí	33,859	25,469
Maoín	645	660
Airgead tirim agus sócmhainní leachtacha eile	7,249	12,617
	71,012	64,905
Bhí sócmhainní na scéime ag deireadh na bliana arna sloinneadh i dtéarmaí %	%	%
Cothromas	41.2%	40.3%
Bannaí	47.7%	39.2%
Maoín	0.9%	1.0%
Airgead tirim agus sócmhainní eile*	10.2%	19.5%
	100.0%	100.0%
*comhdhéanta de straitéisí malartacha agus cistí toraidh feabhsaithe		
Meántoimhdí ualaithe a úsáidtear chun oibleagáidí sochair a chinneadh (Scéim Sochair Shainithe)	%	%
Ráta Lascaine	4.10%	3.60%
Ráta méadaithe cúitimh	4.20%	3.90%
Meántoimhdí ualaithe a úsáideadh chun costas pinsin a chinneadh (Scéim Sochair Shainithe)		
Ráta Lascaine	3.60%	1.75%
Toradh fadtéarmach ionchais ar shócmhainní scéime	4.10%	3.60%

16. Sochair Scoir (ar lean)

	30 Meitheamh 2023	30 Meitheamh 2022
	%	%
(e) Príomhthoimhdí Achtúireacha, Airgeadais & Déimeagrafacha (Scéim Sochair Shainithe)		
<i>Ba iad seo a leanas na toimhdí airgeadais a úsáideadh:</i>		
Ráta lascaine	4.10%	3.60%
Méaduithe tuarastail	4.20%	3.90%
Méaduithe pinsin	3.70%	3.40%
Méaduithe boilscithe	2.70%	2.40%

Ba iad seo a leanas na toimhdí déimeagrafacha a úsáideadh

	2023	2022
Mortlaíocht Réamhscoir & Iarscoir	S3PNA le CMI 2019 (1.5%) feabhsúcháin do gach ball (fritháireamh aoise 1 bhliain)	S3PNA le CMI 2019 (1.5%) feabhsúcháin do gach ball (fritháireamh aoise 1 bhliain)
Scor	Glactar leis go ndeachaigh gach ball a tháinig isteach roimh an 1 Aibreán 2004 ar scor ag aois 60 agus go dtéann gach ball eile ar scor ag 65.	Glactar leis go ndeachaigh gach ball a tháinig isteach roimh an 1 Aibreán 2004 ar scor ag aois 60 agus go dtéann gach ball eile ar scor ag 65.
Scor Drochshláinte	Gan liúntas.	Gan liúntas.
Luathscor	Gan liúntas.	Gan liúntas.
Aistarraingtí	Gan liúntas.	Gan 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 mortlaíochta a roghnaítear bunaithe ar tháblaí caighdeánacha a léiríonn básmhaireacht phinsinéara tipiciúil agus ceadaíonn siad ionchas saoil a mhéadú le himeacht ama.

16. Sochair Scoir (ar lean)

Déantar na toimhdí atá mar bhonn leis na luachálacha achtúireacha a gcinntear na méideanna a aithnítear sna ráitis airgeadais ina leith (lena n-áirítear rátaí lascaine, rátaí méadaithe ar leibhéil chúitimh amach anseo agus rátaí mortlaíochta) a nuashonrú go bliantúil bunaithe ar dhálaí eacnamaíocha reatha, agus le haghaidh aon athruithe ábhartha ar théarmaí agus coinníollacha an tsochair scoir agus na bpleananna iarscoir. Is féidir tionchar a bheith ag na nithe seo a leanas ar na toimhdí:

- (a) an ráta lascaine, athruithe ar an ráta toraidh ar bhannaí corparáideacha ardchaighdeán
- (b) leibhéil chúitimh amach anseo, dálaí sa mhargadh saothair amach anseo

	30 Meitheamh 2023 €'000	30 Meitheamh 2022 €'000	30 Meitheamh 2021 €'000	30 Meitheamh 2020 €'000	30 Meitheamh 2019 €'000
(f) Stair na n-oibleagáidí sochair shainithe, sócmhainní agus gnóthachain agus caillteanais ó thaithí					
Oibleagáidí sochair shainithe	66,257	63,786	78,060	67,235	71,386
Luach cóir Shócmhainní na Scéime	(71,012)	(64,905)	(69,724)	(58,194)	(55,359)
(Barrachas) / Easnamh don Scéim Mhaoinithe	(4,755)	(1,119)	8,336	9,041	16,027
Coigeartú Taithí ar Shócmhainní Scéime	745	(7,824)	8,284	(378)	747
- Céatadán de shócmhainní na scéime	1.0%	12.1%	11.9%	0.6%	1.3%
(Caillteanais) / gnóthachain ó thaithí ar Dhliteanais Scéim ComReg					
- Méid	(2,131)	(2,688)	(14)	(17)	904
- Céatadán de Dhliteanais na Scéime	3.2%	4.2%	0%	0%	1.3%
Gnóthachain / (caillteanais) ó thaithí ar Dhliteanais Scéim Pinsin na hEarnála Poiblí					
Aonair	(2)	311	(72)	299	(28)
- Méid	0%	6.9%	1.4%	9.0%	1.1%
- Céatadán de Dhliteanais na Scéime					

16. Sochair Scoir (ar lean)

(g) Seirbhís Inphinsin Roimh Ré

Baineann dliteanais na scéime pinsin le sochair scoir a eascraíonn as seirbhís leis an gCoimisiún agus le seirbhís le comhlachtaí poiblí eile sula dtéann siad isteach sa Choimisiún i gcás ina bhfuil an tseirbhís sin ar eolas ag an gCoimisiún. Tá an Coimisiún i dteideal iarracht a dhéanamh an costas a bhaineann le maoiniú na seirbhíse roimh ré a aisghabháil ó chomhlachtaí poiblí eile faoi théarmaí a bhallraíochta sa Líonra Aistrithe Seirbhíse Poiblí.

Maidir le seirbhís a d'aistrigh comhaltaí roimh an 30 Meitheamh 2023, ba é nialas luach iomlán na n-íocaíochtaí sin a fuarthas sa bhliain go dtí an 30 Meitheamh 2023 (2022: Neamhní).

Taispeántar íocaíochtaí i leith aistrithe i seirbhís (nuair a fhaightear iad) mar mhír ar leith sa Ráiteas ar Ioncam Cuimsitheach.

(h) Sochair scoir a mhaoiniú

Rinneadh luacháil achtúireach tríbhliantúil ar an scéim amhail an 1 Eanáir 2022 agus aontaíodh an ráta ranníocaíochta molta ina dhiaidh sin. Tá an chéad luacháil achtúireach tríbhliantúil eile le déanamh amhail an 1 Eanáir 2025.

(i) Sócmhainn Mhaoinithe Iarchurtha le haghaidh Pinsean (Scéim Pinsin Seirbhíse Poiblí Aonair)

I gcomhlíonadh an Achta um Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha Eile), 2012, rinne an Coimisiún, mar an “tÚdarás Iomchuí”, an sochar scoir is infheidhme maidir le Scéim Pinsin Aonair na Seirbhíse Poiblí a ríomh amhail an 30 Meitheamh 2023.

Baineann an tsócmhainn mhaoinithe iarchurtha le haghaidh pinsean le cruthú sócmhainne atá cothrom le dliteanas sochair shainithe na scéime seo. Déantar an dliteanas i leith bhaill na Scéime Aonair a mheaitseáil le sócmhainn mhaoinithe iarchurtha ar bhonn fhorálacha Alt 44 den Acht um Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha eile), 2012.

17. Dliteanais Theagmhasacha

Tá foráil iomlán déanta do chostais dlí a tabhaíodh go dtí seo sna ráitis airgeadais seo. Mar sin féin, tá baint ag an gCoimisiún le roinnt cásanna dlí, agus níltear cinnte cén toradh a bheidh orthu. Níor soláthraíodh costais a d'fhéadfadh a bheith ann amach anseo maidir leis na cásanna seo mar gheall ar an éiginnteacht maidir leis an toradh agus na costais fhéideartha a d'fhéadfaí a thabhtú.

18. Idirbhearta Le Páirtithe Gaolmhara

Mar chuid den ghnáthchúrsa gnó, bhí idirbhearta ag an gCoimisiún le ranna rialtais eile agus le comhlachtaí stáit eile. Nochtar Luach Saothair Príomhbhainistíochta i Nóta 3.

19. Ranníocaíocht Aoisliúntais Bhreise

Íocadh suim €604,742 (2022: €537,000) a asbhaineadh ó thuarastail i leith na Ranníocaíochta Aoisliúntais Breise leis an Roinn Comhshaoil, Aeráide agus Cumarsáide sa bhliain dar críoch an 30 Meitheamh 2023.

20. Imeachtaí Iar-Chláir Chomhardaithe

Níl aon imeachtaí idir an dáta tuairiscithe agus dáta ceadaithe na ráiteas airgeadais seo lena n-eisiúint ar gá coigeartú a dhéanamh ar na ráitis airgeadais.

21. Gnóthas Leantach

Measann an Coimisiún, ós rud é go bhfuil fáiltais tobhaigh agus táillí dá bhforáiltear in Ionstraimí Reachtúla á mbailiú de réir réamh-mheastacháin, gur cuí na ráitis airgeadais sin a ullmhú ar bhonn gnóthais leantaigh.

22. Comparáidí

Rinneadh faisnéis chomparáideach áirithe a athaicmiú ar mhaithe le comhsheasmhacht le nochtaí na bliana reatha.

23. Faomhadh Na Ráiteas Airgeadais

D'fhaomh Robert Mourik, Cathaoirleach, na ráitis airgeadais seo don Choimisiún, an 22 Márta 2024.