

15/005 Finding of Non-Compliance with the Premium Rate Services (“PRS”) Licence Conditions

Context and Background

1. Following a review of information gathered during compliance monitoring and following a review of consumer complaints received by ComReg in relation to Eircom Ltd (“Eircom”) eircom.net Customer Care premium rate service (“PRS”), ComReg commenced an investigation into the provision of eircom.net Customer Care PRS in accordance with Section 9 of the Communications Regulations (Premium Rate Services and Electronic Communications Infrastructure) Act, 2010¹ (“the Act of 2010”) and Sections 10(1)(d)(ii) and 12(1)(d) of the Communications Regulation Act, 2002, as amended² (“the Act of 2002”).
2. Eircom’s eircom.net Customer Care PRS on the 1530 277 100 premium rate number is a live customer support line for eircom.net email users who are no longer customers of Eircom. The service is charged at €0.34 per minute

Finding of Non-compliance

3. Following the investigation, ComReg found that the eircom.net Customer Care PRS was not compliant with a certain requirement of the Code as detailed below.
4. Accordingly, on 3 September 2015³, ComReg notified Eircom of the finding⁴ that it had not complied with the Code for PRS providers and, therefore, was in breach of a condition of its PRS licence⁵.

Section 5.4 of the Code

5. ComReg found that end users did not receive pricing information on connection.

Conclusion

6. Eircom is required to remedy the finding of non-compliance in respect of the breach of the Code by 2 October 2015 and to make refunds to end users connected to the non-compliance by 2 November 2015.

¹ <http://www.oireachtas.ie/documents/bills28/acts/2010/a0210.pdf>

² <http://www.irishstatutebook.ie/pdf/2002/en.act.2002.0020.pdf>

³ In accordance with Section 17(1) of the Act of 2010

⁴ In accordance with its powers at Section 9 of the Act of 2010

⁵ eircom is a licensed PRS provider in Ireland, in accordance with Section 6(1) of the Act of 2010 and Regulation 4 of the Communications Regulation (Licensing of Premium Rate Services) Regulations, 2012