



Commission for  
**Communications Regulation**

## **Sky pays €117,000 penalty for failing to provide customer contracts on durable medium and cooling off rights**

Information Notice

**Reference:** ComReg 18/80

**Date:** 13/09/2018

1. Sky Ireland Limited (“Sky ”) has paid ComReg a penalty of €117,000 after an investigation found that between September 2015 and September 2018, Sky had failed to provide 79,000 of its customers with a contract on a durable medium, and 41,282 of those customers were not afforded their right to a cooling off period contrary to Regulations 10 and 12 of the Consumer (Information and Cancellation) Regulations 2013 (the “2013 Regulations”).
  2. ComReg has imposed this penalty in the form of Fixed Payment Notices, pursuant to Section 85 of the Consumer Protection Act 2007.
  3. Sky has accepted that it breached the 2013 Regulations and has paid the penalty in full.
  4. ComReg has required Sky to take remedial measures, as a result of which Sky has committed to do as follows:
    - a. Sky will communicate with its affected customers individually and provide them with confirmation of their contract on a durable form;
    - b. Sky will inform those customers of their right to a “cooling off” period of 14 days from receipt of the communication. This cooling off period will allow Sky’s affected customers to cancel their contracts if they wish. Sky will inform its affected customers of how they can cancel their contracts;
    - c. Sky will publish a corrective statement on its website explaining how it has contravened the 2013 Regulations. The corrective statement will remain published on Sky ’s website for 60 days<sup>1</sup>;
    - d. Sky will demonstrate to ComReg’s satisfaction, with independently verified (and verifiable) and audited documentary proof, that it has fully performed the above remedial actions; and
    - e. Sky will confirm to ComReg that it has put in place the necessary measures to ensure that there will be no repetition of what has occurred. These measures will remain in place. Sky will immediately notify ComReg of any proposed change(s) in Sky ’s processes with respect to compliance with the relevant provisions of the 2013 Regulations.
  5. Sky has committed to implement all of the above remedies required by ComReg by 14 September 2018.
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6. ComReg will continue to monitor consumer complaints it receives and will investigate any matters arising with all undertakings in respect of Regulation 10 and 12 of the 2013 Regulations and compliance with other consumer rules, whether under the 2013 Regulations or otherwise.