



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

# **Eircom Limited: Settlement pursuant to Section 62 of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023**

## **Information Notice**

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**Commission for Communications Regulation**

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- 1 On 3 December 2025, The Commission for Communications Regulation (“ComReg”) entered into an agreement pursuant to Section 62 of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 with Eircom Limited (“Eircom”).
- 2 This agreement was entered into following an investigation by ComReg into suspected breaches by Eircom of Regulation 89(7) of the European Union (Electronic Communications Code) Regulations 2022 (“the Code Regulations”) and Response to consultation and decision: Contract Change Notifications (“ComReg Decision D13/12”).
- 3 The investigation was concerned with Eircom's compliance with the provisions of the Code Regulations and ComReg Decision D13/12, and specifically that the Contract Change Notification (“CCN”) issued by Eircom in March 2025, notifying customers of change to the contract for an annual price, did not:
  - 3.1 notify its customers of their right to exit without incurring any penalty if they did not accept the proposed annual price increase as required by Regulation 89 (7) of the Code Regulations.
  - 3.2 provide the effective date of the contract change for an annual price increase as required by ComReg Decision D13/12.
  - 3.3 entitle in the subject field of the email that contained the CCN “contract change”.
  - 3.4 present the minimum information in isolation from other information ordinarily provided to the subscriber, as required by Section 3.1.4 of ComReg Decision D13/12.together “the Suspected Regulatory Breaches”.

- 4 In this regard, Regulation 89(7) of the Code Regulations provides as follows:

*(7) A provider of publicly available electronic communications services other than number-independent interpersonal communications services, shall, not less than one month prior to the date of implementation of any change in the contractual conditions that is proposed by that provider, notify end-users in a clear and comprehensible manner on a durable medium, of —*

*....*

*(b) where applicable, their right to terminate their contract without incurring any further cost if they do not accept the change.*

- 5 ComReg Decision D13/12, which sets out the required format of a CCN, provides as follows:

### 3.1 Minimum Information

*3.1.1 All undertakings shall ensure that notifications to subscribers of proposed modifications to contractual conditions pursuant to Regulation 14 (4) of the Regulations contain at a minimum, the following information ("the minimum information") in this order:*

*i. The heading: "CONTRACT CHANGE" (to be in uppercase) at the beginning of the notification.*

*iv. A clear and unambiguous statement of the consumer's right to withdraw from their contract.*

*v. The effective date of the proposed modifications to contractual conditions which shall be given to subscribers no less than one month before the effective date of the proposed modifications to contractual conditions.*

*3.1.4 The minimum information shall always be presented in isolation from other information ordinarily provided to the subscriber (including Direct Marketing information), as relevant, so as to give it prominence and so as to avoid any confusion on the subscriber's part.*

- 6 Eircom re-notified all affected customers by issuing an amended CCN in April 2025. In that CCN Eircom provided the customer with the effective date of the proposed contract change and also advised the customer of their right to withdraw without penalty if they did not accept the change.
- 7 Eircom has agreed to address the issues giving rise to the Suspected Regulatory Breaches and Eircom will ensure that any CCN it issues to customers includes the customer's right to terminate their contract without incurring any further cost if they do not accept the proposed contract change, the effective date of the proposed contract change, the heading "CONTRACT CHANGE" at the beginning of the notification and, as applicable, in the subject field of the email and that the minimum information is presented in isolation from other information ordinarily provided to the customer.
- 8 ComReg will continue to monitor Eircom's compliance with its obligations and to investigate as appropriate consumer complaints whether arising in respect of the Code Regulations, ComReg Decision D13/12 or otherwise.
- 9 ComReg expects all undertakings to ensure that they are compliant with the Code Regulations and ComReg Decision D13/12. ComReg is continuing its programme of monitoring compliance by all undertakings and will take all necessary enforcement action in respect of any such activity.