



ComReg issues an Opinion of Non-Compliance to Digiweb in respect of obligations under the Open Internet Access Regulation

Information Notice

Reference: ComReg 20/40

Date: 20/05/2020

1. On 18 December 2019, ComReg notified Digiweb Limited (“Digiweb”) of a finding of non-compliance¹ with respect to obligations under Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 (“the Open Internet Access Regulation”).
2. The notification of non-compliance was made in accordance with Regulation 8 of the European Union (Open Internet Access) Regulations 2019 (S.I. 343/2019).
3. The notification related to a failure by Digiweb to comply with Article 4 (1)(d) of the Open Internet Access Regulation, which required Digiweb to specify particular information relating to its internet access service in its customer contracts.
4. Digiweb was given until 30 January 2020 to state its views.
5. Digiweb responded on 20 January 2020 and outlined certain remedial measures and other commitments.
6. Having considered Digiweb’s response, ComReg has nonetheless formed the Opinion that Digiweb was non-compliant with Article 4(1)(d) of the Open Internet Access Regulation during the period 9 July 2019 to in or around 20 January 2020.
7. Having taken account of Digiweb’s response and its remedial actions to ensure that the required information is now published, ComReg intends to take no further action in respect of this matter.
8. ComReg will continue to monitor compliance by all Undertakings with their obligations under the Open Internet Access Regulation and other consumer legislation and, where necessary, will investigate any matters arising.

¹ <https://www.comreg.ie/publication/comreg-issues-a-notification-of-a-finding-of-non-compliance-to-digiweb-with-respect-to-provisions-of-the-open-internet-access-regulations>