



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

Information Notice

Reference: ComReg 20/39

Date: 20/05/2020

1. On 18 December 2019, ComReg notified Three Ireland (Hutchison) Limited (“Three Ireland”) of a finding of non-compliance¹ with respect to its 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 Three Ireland to comply with Article 4(1)(d) of the Open Internet Access Regulation, which required Three Ireland to specify particular information relating to its internet access service in its customer contracts.
4. Three Ireland was given until 30 January 2020 to state its views and provided its response on 30 January 2020.
5. Having considered Three Ireland’s response, ComReg has nonetheless formed the Opinion that Three Ireland was non-compliant with Article 4(1)(d) of the Open Internet Access Regulation during the period 9 July 2019 to 12 August 2019.
6. Having taken account of Three Ireland’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.
7. 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-three-with-respect-to-provisions-of-the-open-internet-access-regulations>