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**Consumer  
Protection**

## 4. Consumer Protection

### Introduction

**4.1** Well-functioning markets should maximise benefits for consumers.<sup>39</sup> However, markets do not always deliver optimal outcomes for consumers. Market failures such as information asymmetries can sometimes prevent consumers from making fully informed choices. Issues may also arise when service providers do not uphold consumers' rights or provide inadequate complaints and redress mechanisms to assist consumers.

**4.2** ComReg's consumer role is to protect and inform consumers so that harms are overcome, and they can choose and use communications services with confidence. Our role also includes consideration of a Universal Service for the ECS sector to ensure consumers have access to certain fixed ECS at an affordable price. Finally, we have a role in consumer redress, complaint handling and Alternative Dispute Resolution ('ADR').

### Strategic Intent 2:

### Consumers can choose and use communications services with confidence.

### What does this look like?

- Consumers have easy access to the information they need
- Consumers have a choice of service providers but there is at least one provider available for basic (universal) services
- Vulnerable and Disabled end-users are protected
- The sign-up process is transparent and simple yet secure
- Consumers can switch without service disruption, inappropriate penalties or notice periods
- Consumers get the service they sign up for
- Consumers understand their bill and are billed correctly
- Consumers have timely access to customer care and redress

<sup>39</sup> ComReg's consumer role and associated protections, in certain cases, applies to small enterprises or microenterprises, not for profit organisations as well as consumers. Where this chapter uses the term consumer(s), it may also mean other end-users.

- 4.3** This chapter sets out the range of consumer protection measures and information channels/tools we will be using over the coming period to address consumer harms and to ensure consumers can choose and use communications services with confidence. This chapter also sets out our strategic goals associated with protecting and informing consumers with the high-level objective of ensuring that **consumers can choose and use communications services with confidence.**

## Consumer Harm

- 4.4** ComReg's consumer role is to protect and inform consumers so that harms are overcome, and they can choose and use communications services with confidence. In this context, our goal is that ComReg identifies and understands consumer harms. ComReg has several ways of identifying potential and actual consumer harms which need to be addressed using its regulatory toolkit, including:
- Consumer queries and complaints;
  - Market Research;
  - Advisory Panels and Engagement; and
  - Information Gathering, Compliance Monitoring and Investigations.

## Consumer queries and complaints

- 4.5** Significant numbers of consumers continue to experience issues when availing of ECN / ECS and Premium Rate Services ('**PRS**'). Our analysis of contacts to our Consumer Line highlights some notable trends<sup>40</sup>. Figure 6 shows the relative volumes of queries and complaints received over the past 5 years. Figure 7 shows the relative breakdown of ECN / ECS complaints by complaint type. Billing, contractual and service issues are the main ECN / ECS issues raised by consumers.

### Goal 2.1

**ComReg identifies and understands consumer harms.**

<sup>40</sup> ComReg reports consumer line statistics on a quarterly basis. Available at: [www.comreg.ie/publications/](http://www.comreg.ie/publications/)

Figure 6: Breakdown of Issues Logged (Queries/Complaints), 2017 - 2022<sup>41</sup>

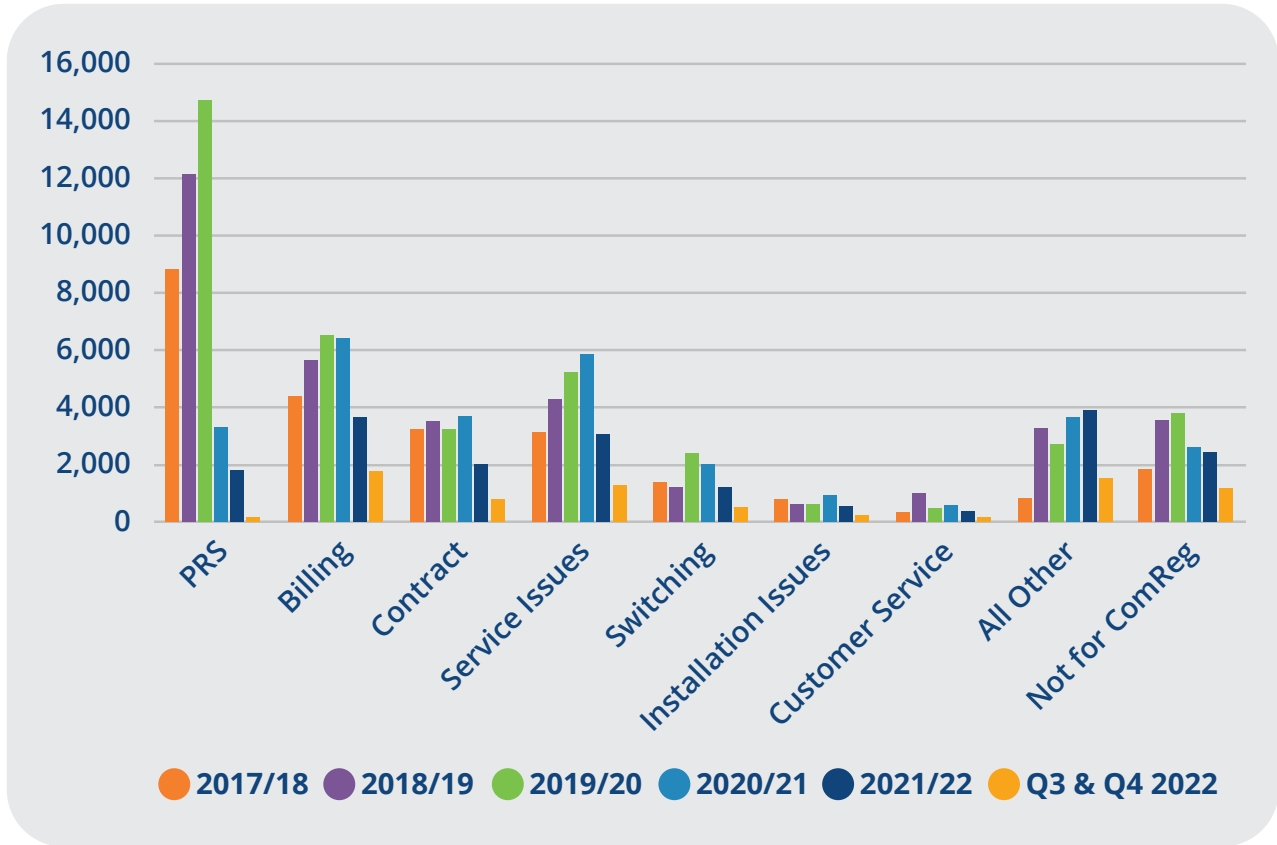
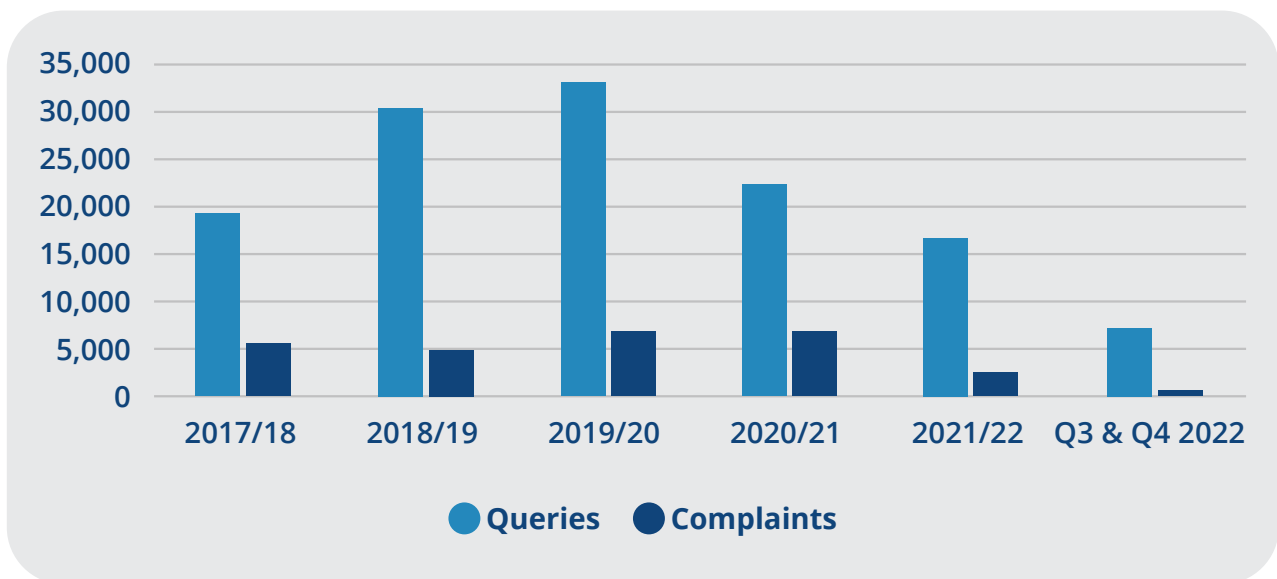


Figure 7: Queries/Complaints Total ECN / ECS and PRS combined, 2017 to 2022<sup>42</sup>



41 ComReg Consumer Line Statistics

42 ComReg Consumer Line Statistics

**4.6** The above trends indicate that while queries to ComReg increased substantially during Covid-19, we can see that this has now returned to pre-Covid levels. While complaints also increased slightly, they are now below pre-Covid levels. This is due to a combination of factors including the publication of statistics by ComReg, better availability of information to consumers, increased focus by service providers on complaint handling and resolution and compliance. Notwithstanding the volume variations, the nature and type of complaints remain largely the same. These are Billing, Contract Issues, Service Issues and Switching. There has been a marked decline in the number of contacts relating to PRS.

### Research, Market Information and Behavioural Studies

**4.7** ComReg conducts regular research to gain insights into consumers' behaviours, preferences, and experiences. Further details are set out in Section 7.2.

### Advisory Panels and Engagement

**4.8** ComReg's Consumer Advisory Panel ('CAP') was established in accordance with Section 12 of the Communications Act 2002<sup>43</sup>. The purpose of the CAP is to advise us on developments, innovations and areas of consumer concern which are relevant to ComReg's role.

**4.9** ComReg also periodically conducts Equivalence of Access and Choice<sup>44</sup> workshops to explore specific accessibility topics and issues, for example, end users' experience with access to and use of the Irish Text Relay Service ('ITRS')<sup>45</sup> and accessible information on the ITRS website.<sup>46</sup> ComReg also meets consumers and the public through outreach events and activities and learns about issues and concerns arising through this channel.

### Information Gathering, Compliance Monitoring and Investigations

**4.10** ComReg regularly monitors service providers' practices (e.g., information they provide to customers; contracts; and business processes) to obtain an understanding of the potential consumer harms that may arise. We achieve this through a number of channels, including mystery shopping, information gathered directly from consumers and service providers, and through our compliance monitoring activities and investigations.

### Addressing Consumer Harm

**4.11** Over the coming period we will continue to evolve and harness the insights from these sources to deepen our understanding of consumer harms and to design regulatory interventions to mitigate them. We use these insights into consumer harm to help identify groups of consumers who may be vulnerable or need support in ECS markets and to help inform how we deploy our regulatory toolkit to maximise its effectiveness.

## Goal 2.2

**Consumer rights and protections, including for vulnerable and disabled consumers, are adequate to mitigate consumer harm.**

<sup>43</sup> The CAP consists of representatives from the Consumers' Association of Ireland, National Disability Authority, Northern & Western Regional Assembly and Chambers Ireland

<sup>44</sup> The Forum on Services for People with Disabilities was established by ComReg in accordance with Section 12 of the Communications Act 2002. It was named the Equivalence of Access & Choice Forum in 2016.

<sup>45</sup> ComReg Document 14/143 Decision D09/15

<sup>46</sup> [www.itrs.ie](http://www.itrs.ie)

**4.12** To address any instances of consumer harm, including for vulnerable and disabled end-users, ComReg can use its powers to specify an intervention or a support measure to ensure that markets work effectively for all consumers and that disabled end-users are protected. In this context, it is ComReg’s goal that **consumer rights and protections, including for vulnerable and disabled consumers, are adequate to mitigate consumer harm.**

**4.13** Related to the above goal, ComReg will undertake the following activities:

- **Measures to mitigate against consumer harm:** Over the coming period, ComReg will consider whether it is appropriate to implement, enhance or evolve measures to mitigate against consumer harm.
- **Customer Charter:** One of the key new Consumer protections which will be available to ComReg to specify as appropriate, is Customer Charters. ComReg is currently consulting on the introduction of Customer Charters to create transparency around the levels of customer service that providers offer.

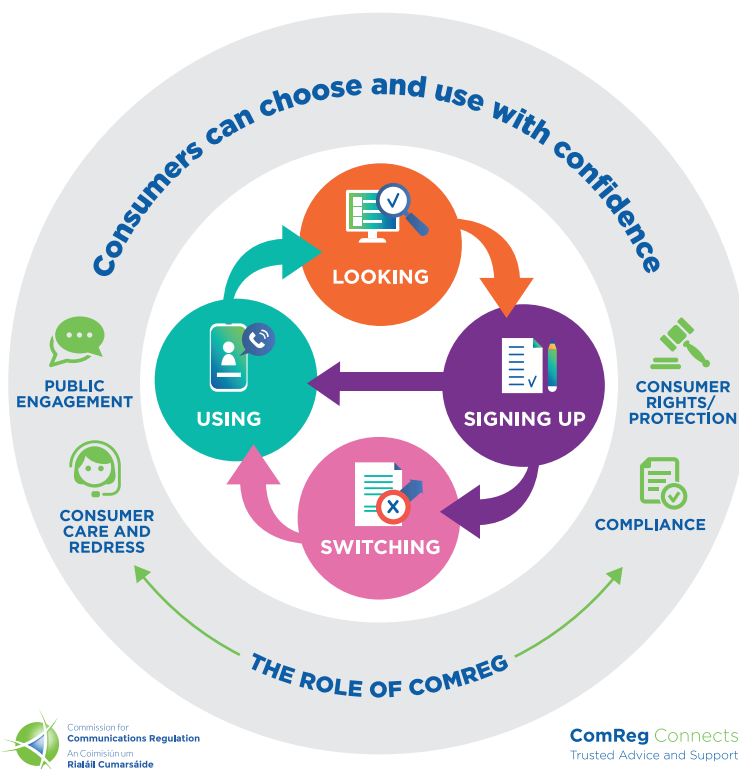
## The Consumer Journey

**4.14** ComReg describes the consumer navigation of the market, or the “Consumer Journey”, in four broad phases, shown in Figure 8 below:

- Looking
- Signing Up
- Using
- Switching

**4.15** At each stage of the Consumer Journey, we seek to ensure consumers, including disabled consumers, are adequately informed of their consumer rights, and are equipped with the necessary information to make informed decisions. ComReg’s objective is to ensure that consumers are protected through every stage of the Consumer Journey and to achieve this ComReg uses its regulatory toolbox to intervene and assist consumers as issues arise and more generally where it identifies actual or potential consumer harm issues.

**Figure 8: The Consumer Journey**



## Stage 1 - Looking for a service offer

**4.16** Without guidance or support to make an informed choice, some consumers, including disabled consumers, may be unable to make a decision, or they may postpone making a decision, possibly indefinitely. Having guidance and information presented in a manner that is accessible, useful, comparable, and accurately represents the product or service will assist consumers to make informed decisions. In addition, ComReg has powers to set rules regarding the way certain information about products and services is presented to the consumer.

### Goal 2.3

**Consumers, including vulnerable and disabled end-users, are supported by clear, accurate and up to date information throughout the Consumer Journey.**

**4.17** ComReg is committed to providing 'trusted advice and support' to ensure consumers can make informed decisions. We do this through the use of easy-to-understand language in our engagement with consumers and the public. ComReg's goal relating to the provision of easily accessible, useful information and guidance is that all **consumers, including vulnerable and disabled end-users, are supported by clear, accurate and up to date information throughout the Consumer Journey.**

**4.18** There are a number of useful information sources available to consumers when making a purchasing decision. Two of these are key sources – (1) Information provided by Service Providers and (2) Information provided by ComReg.

**4.19 Information from Service Providers:** The availability of transparent, accurate and timely information on the switching process should increase consumer confidence in switching and make them more willing to seek out new market offers. In addition, consumers are entitled to receive a Contract Summary, including in an accessible format for disabled end-users<sup>47</sup>. Over the coming period ComReg will ensure appropriate, easily accessible information to inform choice while looking for a service offer, is provided to consumers, including:

- **Pre-Contractual Information:** ComReg will ensure consumers are provided with Pre-Contractual Information relating to contract duration, any switching charges, compensation and refund arrangements for delay or abuse of switching, information about how to switch, information on how to obtain a refund of prepaid credit when switching, and details of any early termination fees (including handset unlocking costs).
- **Contract Summary:** Over the coming period we will monitor the market to ensure that the required Contract Summary information is provided at the appropriate stage to consumers as required and is in an accessible format for disabled end-users.
- **Best Tariff Advice:** For those already in a contract, Best Tariff Advice<sup>48</sup> which is provided by service providers during the contract, will also be a useful tool to assist consumers in their choice of offers available.

<sup>47</sup> to ensure equivalence of access for disabled end-users that is envisaged by the Code Commission Implementing Regulation (EU) 2019/2243 of 17 December 2019

<sup>48</sup> Article 105(3) of the EECC

**4.20 Information from ComReg:** ComReg provides a range of tools and information to assist consumers in their comparison of offers and in enhancing their understanding of ECN / ECS products and their associated rights. Over the coming period, our work relating to this goal includes the following items:

- **Consumer Care:** Service providers must be able to efficiently address their own customers' queries and issues. We will work to drive service providers to improve the experience they provide to their customers by improving transparency on Quality of Service and ensuring that they are tackling systemic and root cause issues. ComReg's Consumer Care will assist consumers with their queries and complaints, and we will continue to assist consumers who need advice and support.
- **Consumer website:** Through our website we aim to provide consumers with easy-to-understand information on topical issues which might impact their choice or use of ECN / ECS. Our website hosts a number of useful consumer tools, including:

  - **ComReg Compare Tool:** Our comparison tool allows consumers to compare costs for mobile phone, home phone, broadband & TV market offers. This comparison tool is available at [www.comreg.ie/compare](http://www.comreg.ie/compare). We also plan to develop an accreditation process, so that websites offering commercial comparison tools, who fulfil the necessary requirements, can apply to have their comparison tool accredited by ComReg.
  - **Outdoor Mobile Coverage Map:** We provide an outdoor mobile coverage map on our website (and via an app) to allow consumers to check service providers' outdoor mobile phone coverage predictions at locations throughout the country. This map is available at [www.comreg.ie/coveragemap](http://www.comreg.ie/coveragemap). The coverage data was updated in 2022 to include 5G coverage as well as 4G, 3G and 2G and the coverage data will continue to be updated periodically throughout each year. The app functionality was enhanced to show all coverage at a specific location.
- During the coming period, we will continue to enhance the functionality of the map and make the necessary changes for technology switch-off.

  - **Broadband Connectivity tool:** During the coming period, we will be working on providing a tool for consumers to check information on broadband connectivity and available service providers at a location.
  - **Premium Rate Service checker:** Our PRS service checker allows consumers to check the name and number of a PRS they intend to use or have been billed for. This is available at [www.comreg.ie/servicechecker](http://www.comreg.ie/servicechecker).
- **Consumer and Public Campaigns:** We periodically conduct digital, direct and traditional marketing campaigns to equip consumers with the necessary information to make informed choices. For example, we recently promoted our Compare tool and Outdoor Mobile Coverage Map and App through a digital and social media advertising campaign.
- **New technologies available:** As part of the Mobile Phone and Broadband Taskforce work programme, we have committed to launching a consumer information campaign aiming to improve consumer and public awareness of the basics of new technologies available. The campaign has two subject messages which are:

  - *moving to fibre or alternative technology and copper switch off;*
  - *moving to 4G and 5G and 2G/3G switch off.*
- The campaign will span an extended period of time, aligning with copper switch off and 2G/3G switch off project milestones. The objectives of the campaign are to increase consumer and public awareness of the new technologies and their benefits; encourage adoption of new technologies to enhance consumer connectivity and services; make consumers aware of important factors when choosing services so that they can make informed choices; and assist consumers in transitioning to new technologies.
- **Nuisance Communications:** We will continue to provide information to consumers to inform them about nuisance communications and how to protect themselves from this.



- **Environmental Sustainability:** ComReg will begin work on considering consumer information actions to inform consumer choice aimed at driving improvements to the environmental sustainability of the electronic communications sector.
- **Enhanced Consumer Rights:** We will provide information for consumers through our consumer care team and other channels in respect of the enhanced consumer rights as they come into force.

## Stage 2 - Signing Up for a service

- 4.21** Equipped with relevant information and guidance about the offers available, consumers may decide to sign-up or enter a contract for services with their chosen service provider.
- 4.22** We consider that effective competition in the ECS sector depends on, amongst other things, the ability and willingness of consumers to switch service provider or plan/bundle in response to a better deal in the marketplace. It is therefore our goal that **there are low barriers to consumers exercising their choice when signing up for a service.**

### Goal 2.4

**There are low barriers to consumers exercising their choice when signing up for a service.**

- 4.23** Having considered the Contract Summary made available by a service provider and considered all the relevant options and information, a consumer who wishes to switch should contact their new service provider.

The new service provider will then arrange the switch and the consumer's existing contract will be terminated. There should be no break in service and phone numbers can be transferred (ported) from one service provider to another.

- 4.24** ComReg provides a consumer guide on our website to assist consumers who wish to switch<sup>49</sup>. Based on ComReg's knowledge and experience of consumer harm issues in the market, and additional protections afforded by the EECC, ComReg aims to minimise barriers to consumers including disabled end-users exercising choice. In this context, over the coming period, our principal focus in this area will include the following matters:

- Signup;
- Durable Contracts;
- Bundled Offers; and
- Delayed Installations.

- 4.25** Further information on these matters is set out in Table 4 below.

<sup>49</sup> <https://www.comreg.ie/consumer-information/mobile-phone/switching-providers/>

Table 4: Areas of focus

Signup
<ul style="list-style-type: none"> <li>We will work to ensure that sign-up processes are easily accessible, and consumers have accurate information to fully understand the process and the contract that they are signing up to and that contracts are fair.</li> </ul>
Durable Contracts
<ul style="list-style-type: none"> <li>We will work to ensure that consumers receive their contracts when they sign up and upgrade, in particular over the phone or on-line and that they are afforded their cooling-off rights. We will monitor to ensure that contracts and contract summaries are consistent across service providers and in accordance with the legislation.<sup>50</sup></li> </ul>
Bundled Offers
<ul style="list-style-type: none"> <li>Article 107 of the EECC requires service providers extend certain end-user rights provisions to all elements of a bundle<sup>51</sup>. These provisions will help facilitate consumers in switching provider more easily and taking advantage of competitive offers for the entire bundle if it is in their interests to do so. ComReg will monitor compliance with these requirements under the EECC.</li> </ul>
Delayed Installations
<ul style="list-style-type: none"> <li>ComReg will develop its approach to remedies for missed service and install appointments as provided for under Article 106 of the EECC.</li> </ul>

## Stage 3 - Using the Service

**4.26** Having signed up to a service, completed any necessary equipment installation and switched service provider, consumers should now be able to use their service. However, issues may arise when using a service. In this context, it is ComReg’s goal that **consumer rights throughout their journey are upheld by their service providers.**

### Goal 2.5

**Consumer rights throughout their journey are upheld by their service providers.**

**4.27** There is a range of rights and protections relating to a consumers’ use of their ECN / ECS service. At all times, consumers should be treated fairly in accordance with their consumer rights. Over the coming period, relating to this goal, ComReg will undertake the following activities:

- Regulatory Guidance on End-user Rights:** To assist service providers in understanding the range of end-user rights, in 2020 we published Regulatory Guidance on the End-User Rights of the EECC<sup>52</sup>. In 2021, ComReg also published Regulatory Guidance for providers of Internet Access Services (“IAS”) to the Irish market.<sup>53</sup> The IAS Guidance was intended to facilitate industry in designing inter-operator processes to meet their requirements pursuant to Article 106 of the Code with the result that the end-user’s right to exercise choice and change provider of IAS is facilitated.

50 ComReg has published relevant Regulatory Guidance, ComReg 20/111R

51 Including terminal equipment, digital content or digital services and ECN / ECS that are not otherwise directly covered by the scope of those end-user rights provisions.

52 ComReg document 20/111R

53 ComReg document 21/107R

ComReg established an IAS Forum at the request of industry.<sup>54</sup> ComReg will continue to evolve its guidance in relation to implementation of end-user rights provisions, as appropriate. Over the coming period we will further consider our approach to this guidance on new rights together with enhanced publication of enforcement actions given the resultant statutory instrument (SI 444 of 2022). 58F

- **Migration from Legacy Infrastructure:**

Subject to the Consultation on the Framework proposed for the migration from legacy infrastructure to modern infrastructure, ComReg will consider the dissemination of information to end-users and whether it may be necessary and appropriate to provide guidance to retail service providers (**RSPs**). Such guidance would be intended to set out ComReg's expectations of RSPs in supporting migrating customers and in meeting their obligations under the applicable legislation before, during and after the Migration from Legacy Infrastructure.

- **Provisions for Disabled End-Users:** ComReg's review of existing obligations on Service Providers, including the Irish Text Relay Service, is ongoing with a view to ensure that the measures or support services put in place for end-users with disabilities reflect market and legislative evolutions and continue to support end-users with disabilities access and use their ECS and related information. As an initial step, ComReg has issued a Call for Inputs presenting observations, on an indicative basis, on the functioning of the existing Measures or specific services and support available to end-users with disabilities when accessing and using ECS. The call for Inputs is based on engagement with industry, user groups and other regulators. ComReg seeks input from end-users on their experience of those specific services and support available to them (i.e., Measures) when choosing and using ECS and, engaging with their service provider, throughout the consumer journey. ComReg may issue a further public consultation addressing specific provisions for end-users with disabilities which may arise as a result of the Call for Input and transposition

of the Code relating to accessible information. ComReg will ensure that the objective of equivalence in access and choice for end-users with disabilities under Article 111 of the EEC (Regulation 94 of SI 444 of 2022) is met.

- **Premium Rate Services:** ComReg will continue to monitor developments in the PRS markets to ensure that consumers are not incorrectly subscribed and that PRS providers adhere to requirements set out in ComReg's PRS Code of Practice.<sup>55</sup>
- **Net-neutrality monitoring:** ComReg will continue to actively monitor compliance in respect of elements including traffic management practices and consumer contracts as well as monitoring of zero-rated practices.
- **Emergency Call Answering Service ('ECAS'):** ComReg will continue its work in the ECAS industry forum to improve location information and to assist where appropriate with new provisions in the EEC. ComReg will enforce compliance with connectivity to the ECAS.
- **Battery Back-up ('BBU'):** The Regulations and the Code place end-user information obligations directly on providers. Providers should continue to give end-users required information, including, disclosure of risk of interruption to ECS. ComReg will also communicate with end-users and provide information to end-users as regards availability of ECS during a power outage and Battery Back-up. ComReg will monitor the changing market and changing consumer behaviour and attitudes towards information and BBU. ComReg may intervene if it is necessary, appropriate, and proportionate to help enable end-users to make informed choices and use ECS with confidence.
- **A Customer Charter:** In general, there is a lack of transparency around the quality of customer service. This can make it difficult for customers to know what level of customer service they can expect from their own provider or, to compare the customer service offer made across service providers, for example when considering switching to a different provider.

<sup>54</sup> ComReg Information Notice, <https://www.comreg.ie/publication/internet-access-service-switching-forum>

<sup>55</sup> ComReg Decision D03/18. The objective of this decision was to allow consumers prevent access to premium rate SMS or MMS and to reduce the possibility of bill shock.

The new customer protection provisions under the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 introduce Customer Charters, powers for ComReg to set minimum standards backed by sanctions and/or redress in the event of non-compliance including consumer compensation. A Customer Charter will provide customers with information on the levels of customer service they can expect from their service provider. ComReg is giving consideration to the introduction of a Customer Charter.

A Charter can address consumer harm through two key objectives: to create transparency around the levels of customer service providers offer; and driving improvements in overall customer service levels. In March 2023, ComReg issued a public consultation addressing the proposed specification of requirements on providers to prepare, publish and keep updated a customer charter<sup>56</sup>. In addition, ComReg has the power to specify Minimum Quality of Service Standards under section 37 of the Act, section 38 of the Act separately gives ComReg the power to specify the form and the information required to be included in a Charter, including Minimum Quality of Service Standards. Should ComReg proceed with introducing a Charter, ComReg will monitor and evaluate implementation of the Charter requirements and the levels of customer service committed to and implemented by providers for their adequacy (“adequacy review”). Following an adequacy review, ComReg may seek to move to the specification of Minimum Quality of Service Standards and, may seek to require any Minimum Quality of Service Standards information is included in a Charter, subject to a consultation.

**4.28** Notwithstanding the existence of various end-user rights and consumer protection measures highlighted above, there may still be a risk of harm to consumers where these protections may not be sufficient to safeguard consumer interests.

## Stage 4 - Leaving the Contract/Switching

**4.29** Consumers may decide to exit their contract for a variety of reasons, including:

- They have decided they no longer require the service.
- They are dissatisfied with their current service.
- They have come to the end of the contract (minimum term)<sup>57</sup>.
- Their service provider has increased the price or altered another part of their contract and they have been given the right to exit and decided to exercise this right.
- They are moving premises.
- They have been given Best Tariff Advice or an upgrade offer, and they wish to enter into a new contract with their existing service provider.

**4.30** A fundamental aspect of ensuring that this part of the journey is seamless for consumers is information, including accessible and adequate information on terminal equipment and unlocking costs and procedures, early termination fees, refunds, switching provider, cancelling a contract, ceasing the service, final bill issues and complaint handling.

**4.31** It is critical that this information is provided to consumers at the relevant stages of their Consumer Journey and should be provided in an accessible format for end-users with disabilities.

**4.32** In some cases, practices and issues can create barriers to switching by making the process unnecessarily difficult for consumers (e.g., complex switching processes, service or number loss, locked mobile handsets, unissued refunds or lack of an appropriate cooling-off period).

<sup>56</sup> ComReg Document 23/14

<sup>57</sup> Consumers are now entitled to receive an end of contract notice.

## Goal 2.6

**There are low barriers to consumers exercising their choice when leaving a contract.**

- 4.33** ComReg monitors the level of switching in the ECS markets through the data we gather from industry and market research. Through our compliance and enforcement actions, we ensure consumers are not disadvantaged by unfair or illegal practices that serve to limit consumer switching rights or create disincentives to switching.
- 4.34** It is therefore our goal that there are low barriers to consumers exercising their choice when leaving a contract.
- 4.35** Over the coming period, ComReg will focus on ensuring that accurate, easily accessible information is available to consumers and that cancellation processes (as well as switching processes) are being implemented appropriately by service providers, including through enforcement. Our work will include the following:
- **Contract Change Notification:** ComReg will monitor providers' approaches to issuing Contract Changes Notifications for any changes to terms and conditions they propose, while advising consumers whether or not the right to terminate arises, given the change(s) outlined in the EECC. ComReg may further specify requirements to ensure contract change notifications are made in a clear and comprehensible manner, and on a durable medium.
  - **End of Contract Notification and Best Tariff Advice:** Before a contract is automatically prolonged, providers are required to inform a consumer in a prominent, timely manner, and on a durable medium, of the end date of the fixed term contract and how to terminate the contract (the "End of Contract notice"). At the

same time, Best Tariff Advice relating to their services should be provided. After a contract has been prolonged and during the prolonged period of the contract, such Best Tariff Advice, should be provided at least annually. ComReg will monitor providers' approach to compliance with Regulatory Notifications required to be sent to end-users on foot of Article 105 (3) of the EECC. ComReg has set out its initial policy considerations and views on best practice as regards how to provide Best Tariff Advice and will consider if further intervention is needed to ensure the objectives of the EECC are met.

- **Disincentives to Switch:** ComReg will continue to identify disincentives to switching and will take action to ensure that practices that may be obstacles to consumer switching are removed. This includes unlocking handsets promptly upon request by the consumer. We will focus on ensuring industry switching processes are working effectively for consumers.

## Universal Service - Affordable access to basic services

- 4.36** Under S.I. 444 of 2022, the purpose of Universal Service is to ensure consumers have access at an affordable price to an available adequate broadband ('**ABB**') internet access service and to voice communications services, including the underlying connection, at a fixed location.

## Goal 2.7

**All end-users have affordable access to adequate broadband and voice services at a fixed location.**

**4.37** This Universal Service is only required when the market fails to deliver, and relevant public policy interventions have been exhausted. In this context it is our goal that **all end-users have affordable access to adequate broadband and voice services at a fixed location.**

**4.38** Under the new national legislation, ComReg's role in respect of certain aspects of universal service is contingent on specifications or requirements which will be established by the Minister, as appropriate, including the definition of adequate broadband and the associated quality standards and any requirement for affordability measures.

**4.39** Currently, Eircom Ltd is designated as the Universal Service provider, and provides a voice service at a fixed location that is a safety net ensuring access to basic ECN / ECS.

**4.40** In addition to the above Universal Service, consumers are also entitled to access emergency call answering services. All providers of publicly available ECN / ECS must provide free access and connection to emergency services.

**4.41** Eircom Ltd, as the designated Universal Service provider has obligations regarding the provision of certain services including:

- **Provision of a voice connection and service:** Eircom must meet every 'reasonable' request for a phone connection at a fixed location.

**4.42** Over the coming period, relating to this goal, ComReg has a number of activities planned:

- **AFL USO fixed voice:** ComReg will consult on the need for a USO for fixed voice after 30 June 2023.
- **USO QoS:** ComReg will continue to publish information on Eircom's USO Quality of Service ('QoS') performance on its website<sup>58</sup>.

- **USO Funding:** In respect of funding for the universal service, in 2019 Eircom legally challenged ComReg's USO funding application decisions for 2010-2015. Over the coming period ComReg will defend each of these USO funding application decisions.

ComReg is also progressing Eircom's 2015-2016 USO funding application.

Eircom has informed ComReg that it reserves its right to make applications for USO funding for the financial periods 2016 to 2020 and for any further funding applications that become due before its appeal of ComReg's decisions in respect of the various funding applications relating to the 2010-2015 period is determined.<sup>59</sup>

- **Adequate Broadband:** S.I 444 of 2022 sets out that the Minister shall define adequate broadband ('ABB') and the associated quality of service. The Minister may consult with ComReg before defining adequate broadband or specifying the quality standards applicable to it.

ComReg may impose a designation to impose appropriate universal service obligations to meet all reasonable requests by those end-users for accessing such services, on different undertakings, or sets of undertakings, to ensure the availability of such services at a fixed location or to cover different parts of the State.

## Consumer Complaints and Redress

- 4.43** For consumers to have confidence in choosing and using telecommunications services, they need to have a resolution process that addresses the imbalance in power between that of a service provider and the consumer. In this context it is ComReg's goal that **consumers have effective redress mechanisms, including access to timely query and complaints handling processes.**

58 Published as Universal Service Requirements – Provision of Access at a Fixed Location (AFL) by Eircom Limited – Quality of Service Performance Data. See ComReg Doc 20/120 for information from Q2 2020 and 2019/2020

59 High Court Record 2019/167 MCA. ComReg Information notice 21/44.

- 4.44 All ECN / ECS Providers are obliged to have a Code of Practice for Complaints Handling, detailing how they deal with disputes and what steps a consumer must follow. Where a complaint has not been resolved within 10 days, ComReg can intervene to achieve a resolution that we consider acceptable for the consumer.
- 4.45 In addition to our complaint handling service (via the ComReg Consumer Line), in 2018 we introduced Formal Dispute Resolution Procedures for ECN / ECS complaints<sup>60</sup> that have been unresolved for 40 working days after lodging a complaint with a service provider. In this case, a consumer may apply to ComReg to adjudicate on a dispute.
- 4.46 Relating to this goal, over the period our work will include the following:
- **Code of Practice for Complaint Handling:** ComReg considers that consumer complaints should be resolved quickly and effectively. In order to achieve this, over the coming period we plan to increase awareness of the Code of Practice for Complaint Handling, monitor compliance with the minimum standards and make any necessary enhancements to improve service provider resolution timeframes and consumers' dispute resolution experiences.
  - **Formal Dispute Resolution:** we plan to continue our work in the area of Formal Dispute Resolution.

## Goal 2.8

**Consumers have effective redress mechanisms, including access to timely query and complaints handling processes.**

## Communication and Engagement

- 4.47 Communication and Engagement with consumers is critical to ensure consumers know their rights at all stages of the Consumer Journey. In this context, we aim to be **an effective advocate for consumers**.
- 4.48 Our communication and engagement activities include but are not limited to the following communications channels:
- direct contact with consumers,
  - participation in outreach events,
  - engagement online,
  - via our website and social media, and
  - indirect engagement through the media.

## Goal 2.9

**ComReg is an effective advocate for consumers.**

- 4.49 ComReg also engages through contacts with representative bodies and gathers information about end-user needs through market research. We also engage with representative bodies and relevant public bodies through our CAP and participation in the Mobile Phone and Broadband Taskforce. In addition, we also engage with DECC, other public bodies and sectoral regulators regarding matters relevant to consumers. For example, following our engagement with industry stakeholders on consumer themed issues we will continue to engage to address major issues facing the sector over the coming years, including the migration to fibre services, the withdrawal of legacy telecoms networks, cyber security, customer service and nuisance/scam calls.

4.50 ComReg takes a strategic approach to communicating with consumers and the public, and uses a range of tools and techniques, including campaigns, that are topic specific, to enhance consumer knowledge and awareness and to address information gaps. Our consumer brand, '**ComReg Connects**', helps to ensure consumers and the general public can identify ComReg as a brand at the forefront of consumer protection, capturing the essence of who we are and what we stand for. Our website **Comreg.ie/consumer** offers information and news to better inform consumers of issues and developments in the market.

## ComReg Connects

Trusted Advice and Support

- 4.51 Over the coming period we also intend to undertake initiatives relating to this goal:
- **Consumer Outreach Events:** We circulate information on topical issues through consumer representative groups, for example, through Age Friendly Ireland and will continue to engage in this manner to inform targeted cohorts of consumers.
  - **Website:** We will continue to improve comreg.ie/consumer and offer a range of tools that offer independent information to users.
  - **Brand Roll out:** We will continue to evolve our communication language and the various consumer tools hosted on our consumer website to reflect our ComReg brand values.