



Commission for  
**Communications Regulation**

## **ComReg closes case where Notice of Intention to Prosecute was issued to Vodafone**

**Reference: ComReg  
17/01**

**Date:  
03/01/17**

## Additional Information

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Under Section 13D(1) of the Communications Regulation Acts 2002 to 2011 ('the Act')<sup>1</sup>, the Commission for Communications Regulation ('ComReg') may at any time, by notice in writing, require an undertaking to provide ComReg with such written information as ComReg considers necessary to enable ComReg to carry out its functions.

On 15 July 2016 as part of ComReg's analysis of the market for Fixed Voice Call Termination ('Market 1'), ComReg required information from Vodafone Ireland Limited ('Vodafone') and other undertakings by a notice issued under Section 13D(1) of the Act ('the 13D(1) Notice'). Vodafone was required to provide the information by 9 September 2016.

On 14 September 2016, ComReg opened an investigation as Vodafone had not provided the information required in the 13D(1) Notice by 9 September 2016.

Section 13D(2) of the Act sets out that an undertaking commits an offence if it fails to comply with a requirement made by notice under 13D(1) of the Act within the period specified in the notice. Pursuant to Section 44 of the Act, ComReg issued Vodafone with a Notice of Intention to Prosecute ('the Section 44 Notice') on the 21 October 2016, in respect of this alleged offence.

Within 21 days of the date of issue of the Section 44 Notice, Vodafone provided ComReg with the information required in the 13D(1) Notice and paid ComReg €1,500.

Having paid €1,500 and remedied the matter giving rise to the offence to ComReg's satisfaction, Vodafone will not be prosecuted for the offence and ComReg has now closed the case.

ComReg will continue to monitor the compliance of other operators with requirements for information made under Section 13D(1) of the Act and will take appropriate action as necessary.

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<sup>1</sup> Communications Regulation Act, 2002 (No. 20 of 2002), as amended by the Communications Regulation (Amendment) Act 2007 (No. 22 of 2007), the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 (No. 2 of 2010) and the Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011).