



Commission for  
**Communications Regulation**

## Information Notice

### **Commission for Communications Regulation contract investigation relating to compliance with Regulation 17 of the Universal Service Regulations**

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The Commission for Communications Regulation (“ComReg”) commenced an investigation into operators’ compliance with Regulation 17 of the Universal Service Regulations<sup>1</sup> (“the Regulations”) in June 2009.<sup>2</sup> This investigation is to ensure operators are providing information for the benefit of end users as required under Regulation.

Regulation 17 of the Regulations outlines the essential elements to be included in a contract between an end-user and an undertaking which provides connection or access to the public telephone network.

The essential elements<sup>3</sup> that a contract must include are:

- (a) *the identity and address of the supplier,*
- (b) *services provided, the service quality levels offered, as well as the time for the initial connection,*
- (c) *the types of maintenance service offered,*
- (d) *particulars of prices and tariffs and the means by which up to date information on all applicable tariffs and maintenance charges may be obtained,*
- (e) *the duration of the contract, conditions for renewal and termination of services and of the contract,*
- (f) *any compensation and refund arrangements which apply if contracted service quality levels are not met, and*
- (g) *the method of initiating procedures for settlement of disputes in accordance with Regulation 28*

Additionally operators are required to notify customers of any proposed contract modifications not less than one month prior to the date of implementation.

ComReg selected a representative number of operators’ contracts as part of this review. The operators ComReg is currently investigating include:

- Vodafone Ireland Limited (mobile and landline)
- Eircom Limited (landline)
- Telefónica O2 Ireland Limited (mobile)
- Meteor Mobile Communications Limited (mobile)
- Hutchison 3G Ireland Ltd (mobile)
- UPC Communications Ireland Limited (fixed)
- Clarity Telecom Limited (fixed)

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<sup>1</sup> European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2003 (S.I. No. 308 of 2003), amended by European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) (Amendment) Regulations 2007 (S.I. No. 374 of 2007)

<sup>2</sup> On 27 July 2007 ComReg committed to reviewing operators’ compliance with Regulation 17 of the Universal Service Regulations<sup>2</sup> in ComReg document 07/49.

ComReg has identified a number of areas for improvement and required each operator to make any necessary contract changes, in accordance with the Regulation. ComReg expects that all contract changes it has requested will be completed by 1 June 2010.

ComReg will continue to monitor contracts for compliance with the relevant regulations and if appropriate, will publish further updates.