



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# ComReg issues a Notification of a Finding of Non-Compliance to Yourtel Limited with respect to breaches of switching rules

## Information Notice

**Reference:** ComReg 18/114

**Version:** Final

**Date:** 13/12/2018

1. On 11 December 2018, ComReg notified Yourtel Limited (“Yourtel”) of a finding of non-compliance by Yourtel with its obligations under the European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011<sup>1</sup> (“the Universal Service Regulations”).
2. The notification of non-compliance was made pursuant to Regulation 31(2) of the Universal Service Regulations.
3. The non-compliance relates to the prior notification requirements imposed on certain Yourtel customers who wished to cancel their contracts and to Yourtel’s related practice of ‘rolling over’ customer contracts for a further 12 month period against their wishes. ComReg has found that Yourtel’s procedures for contract termination acted as a disincentive to the affected customers changing service provider and terminating their contracts with Yourtel.
4. The notification of non-compliance notifies Yourtel of a finding that it has failed to comply with Regulations 25(6) of the Universal Service Regulations.
5. Yourtel has until 22 January 2019 to state its views.
6. Regulation 31(5) of the Universal Service Regulations provides that if, at the end of the period referred to above, ComReg is of the opinion that an undertaking has not complied with its obligations, ComReg may apply to the High Court for such an order as it may consider appropriate.

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<sup>1</sup> S.I. No. 337 of 2011 <http://www.irishstatutebook.ie/eli/2011/si/337/made/en/pdf>