



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

# ComReg makes a Finding of Non-compliance against Three for PRS overcharging

## Information Notice

**Reference:** ComReg 21/21

**Date:** 22/03/2021

1. On 15 March 2021, ComReg notified Three Ireland (Hutchison) Limited and Three Ireland Services (Hutchison) Limited (collectively referred to as “Three”) of its findings of non-compliance with its obligations under the Premium Rate Services Code of Practice (“the PRS Code of Practice”) and PRS licences.
2. The notification of findings of non-compliance were in relation to the provisions of Sections 3.2 and 3.18 of the PRS Code of Practice and was made pursuant to Section 9(1) of the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act, 2010.
3. Section 3.2 of the Code of Practice states the following:

*PRS Providers must make all reasonable endeavours to ensure that PRS provided by them are of a sufficient technical quality so as not to cause enduser harm and to ensure compliance with the requirements of the Code.*
4. Section 3.18 of the Code of Practice states the following:

*Without prejudice to Section 13 of the 2010 Act, end-users must not be charged in respect of PRS, or parts thereof, that were not supplied, for example where the PRS delivers a "busy tone" or "silence" prior to connection to the requested PRS. Similarly, end-users must not be charged for the receipt of error messages.*
5. Three has refunded €824,765 to 26,000 customers who were charged for a PRS that was not supplied to them.
6. Three has until 16 April 2021 to remedy the non-compliance.