



Commission for  
**Communications Regulation**

# **District Court Prosecutions**

Update from 25 April 2016

## **Information Notice**

**Reference:** ComReg 16/32

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## Regulation 14 (4) of the Universal Service Regulations<sup>1</sup>

1. On the 25 April 2016 the Dublin District Court No. 8 heard a case against Meteor Mobile Communications Limited (“Meteor”) in relation to the removal of discounts from Meteor customers and attendant contract changes that were imposed by Meteor without informing the customers affected by those changes.
2. The cases were brought under Regulation 14 (4) of the Universal Service Regulations which states:

*“An undertaking ... shall, not less than one month prior to the date of implementation of any modification to the contractual conditions proposed by the undertaking, notify its subscribers to that service of—*

*(a) the proposed modification in the conditions of the contract for that service, and*

*(b) their right to withdraw without penalty from such contract if they do not accept the modification.”*

3. Meteor is an “undertaking” for the purposes of this prosecution.
4. In general, customers’ issues arising from this matter were not resolved by Meteor prior to ComReg initiating an investigation into the matter in November 2015.
5. The outcome of this case against Meteor is detailed below:
  - a. Meteor pleaded guilty to 10 of 123 charges brought against them.
  - b. Judge O’Neill imposed criminal convictions for all 10 charges and ordered Meteor to pay a total of €25,000 in fines.

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<sup>1</sup> European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011.

- c. Meteor explained how it had redressed the matter with all 123 customers involved.
  - d. Meteor committed to a process whereby an additional internal function would be put in place to ensure that such issues would not recur.
  - e. Meteor expressed its regret at the breach and made a contribution to ComReg's costs.
6. ComReg will continue to monitor the consumer complaints it receives and will continue to investigate matters arising in respect of Regulation 14 of the Universal Service Regulations and other relevant regulatory obligations, howsoever imposed.