



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

# District Court Prosecutions

## Update from 1 February 2018

### Information Notice

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

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## Section 13D(1) of Communications Regulations Acts 2002 to 2011 (“the Act”)

1. On 1 February 2018, ComReg brought two prosecutions against Yourtel Limited (“Yourtel”) alleging that Yourtel had failed to comply with statutory requests for information issued to it by ComReg on 28 April 2017 under Section 13D(1) of the Communications Regulation Act 2002 (as amended) (“the Act”).
2. Section 13D(1) of the Act provides that ComReg may, at any time, by notice in writing, require an undertaking to provide it with such written information as it considers necessary to enable it to carry out its functions. Yourtel is an “undertaking” for the purposes of the Act.
3. Pursuant to Section 13D(1), ComReg required Yourtel to provide it with written information in respect of two consumer complaints that related to charges the consumers claimed were wrongly imposed on them by Yourtel.
4. The outcome of this case against Yourtel is detailed below:
  - a) Yourtel pleaded guilty to charges of failing to comply with the statutory requests for information.
  - b) Judge Michael Coghlan convicted Yourtel on both counts and imposed fines of €3,000 in respect of each of the counts, totalling €6,000.
  - c) Yourtel made a payment towards ComReg’s costs.
  - d) The evidence of Yourtel company director Marijan Vukusic was that Yourtel was making refunds to customers affected by overcharging and it was acknowledged that Yourtel had not dealt with these customers appropriately.
5. ComReg will continue to monitor the complaints it receives from consumers and will continue to investigate matters as appropriate to ensure compliance by undertakings with their regulatory obligations.